

ANSWERS TO EVERYTHING

General Summary

Second Pass

The following presents a summary of the discussions held and results achieved by the local "Answers to Everything" SIG from when the group began its weekly Monday meetings in January of 1997, to the conclusion of those meetings in April 2019, along with subsequent adjustments on the basis of reconsideration of selected conclusions on a correspondence basis.

The Agenda as it currently stands is detailed in this document, along with the main discussions and preliminary decisions which have led to our ultimate conclusions. A shorter 'executive' version of this document is also available, which skips the discussions and preliminary decisions, and focuses only on the Agenda as it currently exists.

IMPORTANT DISCLAIMER: The statements appearing in this document represent only the views of the local Answers to Everything SIG and some/all of its constituent members, but they do not constitute opinions held by Mensa (or any of its subsidiary chapters), which holds no institutional opinions on any subject.

The mission of our SIG has been to arrive at a comprehensive and non-partisan Agenda comprising solutions to all of the political, economic, and social problems facing America today.

The way that we completed our work was to review a pre-constructed outline of around 800 Questions, dealing with all the aspects of our social order that we could think of. Even though the original Outline was prepared in advance, the group could always add or re-arrange questions as it saw fit, and skip others that it found to be not applicable (usually as a result of certain Answers to prior Questions). This was done numerous times; the Outline was intended only as an initial framework to facilitate discussion.

The Outline began with a few introductory Questions which address the need for taking on the project and the manner in which the effort should best be approached. The main portion of the Outline was divided into three Parts: Part I was for the political Questions, Part II was for the economic Questions, and Part III was for the social Questions. Each Part contained 6-8 Sections dealing with specific areas. Each Part and each Section was constructed to start with general Questions designed to establish some basic and global principles on which we could all agree, and then gradually to introduce more complex and specific issues as we developed the foundation to tackle them.

It later became clear that we could not maintain that segregated approach indefinitely, because the topics in the different Parts turned out to interrelate even more than we anticipated. We therefore will need extensive rearrangement of all these Questions before the final version can be published, such that each Question depending on a particular Answer is placed afterward in the text.

One other important 'ground rule' that should be remembered when reviewing this document is that all the Answers contained herein were subject to subsequent reconsideration and modification. It happened several times that the group would

look at a certain Question, note that the Answer to that Question depended on the Answer to a certain previous Question, and then find that the Answer to that earlier Question needed to be re-evaluated. In those instances, sometimes the original Answer was upheld, and sometimes an argument was put forward that was sufficiently compelling to cause the group to overturn the original Answer. When the latter happened, the group also reviewed all subsequent Answers that may have been based on the Answer that was changed, and made further adjustments as appropriate.

With that, here is the longer 'General Summary' of what the group has accomplished to date:

INTRODUCTION

Question 1

Do we need to review our existing order at all?

To address this, we observed that there are three factors which must be assessed in order to determine whether the investment of time and effort into this project is worthwhile, being (a) whether or not we are satisfied with the current political/economic/social order, (b) the extent to which we may be empowered to make changes in the current order, and (c) how badly we want to try to do so. We agreed fairly quickly that -- notwithstanding the fact that there are many things about our current order that we like -- there are yet many areas which could do with drastic and immediate improvement. We also found that, while there are certainly several groups and institutions which have a vested interest in maintaining the *status quo*, there are yet many methods available to us (particularly involving the Internet) to get the public's attention and to galvanize their interest in effecting the necessary improvements in our current order, and that we therefore may have it within our power to arrange to have certain changes made. Finally, we decided that we do want to put in the effort required to develop our Master Agenda, notwithstanding one attendee's observation that it is the "epitome of arrogance" to attempt such a project.

Question 2

What is the best approach for building our Agenda?

This took our group quite a bit of time, as we gave consideration to no less than four different approaches. "Plan A" (also called the "top down" or "whole-agenda" approach) was to present an outline of questions in three parts (as discussed above), where each part starts with some basic principles and general global questions, and gradually introduces specific structures and processes that we want to be implemented more locally. We also considered the "bottom up" approach, in which we would concentrate first on local problems and opportunities, moving to consider higher levels only when the lower levels were completely addressed; we rejected this approach because we found that so much of what can or cannot be done at local levels is limited by constraints placed upon them by higher jurisdictions, and that it would therefore be a waste of time to try to fix things at the local level until we first addressed the upper-level constraints. Some consideration was also given to the method (called by some the "band-aid" approach) where we focus only on specific problems in specific areas, instead of building an overall agenda; this was rejected (a) because different people have different initial perceptions as to what constitutes

a problem, and (b) because even an institution or practice that is generally accepted as 'good' may yet have room for improvement.

The approach which took the most time to evaluate was the so-called "parameter" (or "end back") approach. Instead of first defining the structures and processes of our society, and then stating how we want them all to work, this approach sought to identify all those economic/political/social factors or parameters which describe a "good" society, assign priorities and measurable values to each (e.g., given limited resources, is it more important to achieve a certain crime rate or a certain literacy rate?), and then build an organization that will be in the best posture to accomplish those objectives. The group adopted this approach after it was first introduced in January of 1997, and proceeded to build a list of 93 parameters, grouped into five main categories and multiple sub-categories. The next steps were to prioritize them by assigning "importance values" (1 being most important, 5 least) to each parameter (to give us a better indication of where a revised government organization should be focusing its efforts, given limited resources), and determine an ideal target for each. After attempting this approach for several meetings, though, we ultimately decided (in March of 1997) to abandon it and restore "Plan A", principally because several of the assigned values would be so obvious (why, for example, would we designate an ideal literacy rate of anything less than 100%, or a crime rate of anything higher than zero?), and also because an efficient structure should be flexible enough to accommodate different types of social needs, the establishment of such a structure therefore constituting the best use of our time.

We later read a statement on p.56 of the October 2013 issue of the *Mensa Bulletin*, where Bjorn Liljeqvist, then the International Director of Development, was quoted to have postulated: "Anyone may have a vision of what society should be, and dream of the road to get there, but there is simply no way a master plan can be imposed top-down, detailing everything." Watch me, baby.

Having ultimately settled on the "top down" approach of presenting an outline of questions going from basic to specific and from global to local, we then agreed that it is best to group similar topics together, and that it appears to make the most logical sense to address the groups in the order of political, economic, and social.

PART I - THE POLITICAL ANSWERS

This Part of the Outline has six Sections: Basic Principles, Government Organization, The Election Process, Executive Structure, Legislative Operations, and Judicial Reform.

SECTION I-A: BASIC PRINCIPLES

In order to be able later to achieve consensus on any complex or controversial topic, we needed to start with a point of common ground, on which everyone could be expected to agree. To do this, we found it necessary to go all the way back to some very basic philosophical questions, beginning with:

Question 3

Are we even here?

On this, we acknowledged that it may be technically impossible to disprove the notion that the entire apparent Universe is an illusion, but we found it to be extremely unlikely, and that the decisions that each of us appears to make each day also appear to result in the same feelings of pleasure and pain that we would experience if the Universe actually were real. Therefore, we have accepted as an operating assumption that we do indeed exist.

The next step (Question 3.5 (any question with a decimal was added to the Outline by the group after the discussion sessions began)) was to address the topic of free will. Here, we adopted another operating assumption, being that we do have freedom of will, regardless of whether or not there are one or more transcendent beings floating around the Universe.

Another important 'basic principle' was established in Question 14, being that it is necessary for people to interact, not only because of the current extent of our population, but also because failure to interact with others may tend to result in severe neural dysfunctionalities. This principle is important for the subjects of both rights and government.

Rights

Questions 6-13 dealt with various aspects of human rights. After attempting with limited success to come up with robust answers to all of these Questions, it was "tentatively agreed" in June of 1997 to transfer them to Section III-A, on the theory that the topic of rights would be better addressed in the context of a social discussion than a political one. However, we later experienced difficulty in addressing the subsequent political Questions in the absence of a set of findings on human rights, so Questions 6-13 were restored to their original place in the Outline in October of 1997.

Question 6 asked for a general definition of a 'right'. Even though there has been much literature over the centuries on the topic of rights, it has yet been non-trivial for us to come up with a solid definition of the term; our current working definition is "the freedom to take a certain action, or to receive or enjoy a certain benefit".

We have concurred that there appear to be two basic kinds of rights, being those which apply to all persons, regardless of where or how they choose to live, and those which are negotiated or legislated among members of a particular society. We have agreed to call these 'natural' (or 'fundamental') rights and 'civil' rights, respectively.

In our Answers 8 and 9, we found that any right -- whether natural or civil -- carries with it the right to waive that right, as freedom of speech carries with it the right to remain silent, and as the right to life carries with it the right to die.

In our Answer 10, we found that the exercise of a particular right may sometimes imply certain responsibilities. Such responsibilities include generally the responsibility to respect the rights of others. However, they do not always include (if they ever do) a totally reciprocal repayment to society or other benefits providers in exchange for the benefits received. If they did, then there would not be a perceived net benefit in any transaction, and – from our definition above – where there is no benefit there cannot be a right.

Conversely, agreeing to take on certain responsibilities can sometimes entitle one to certain rights.

There was a great deal of discussion over Question 7, on which rights are 'natural' and which 'civil'. Our initial position was that natural rights appear to extend to one's body, mind, property personally created, and any land to which one applies the first constructive labor, and that civil rights apply to all other facets of social interaction. When we brought Questions 6-13 back to Part I in October of 1997, however, we changed our position, and concluded that there are actually no natural rights at all, since any right -- even the right to life -- may (as far as we currently know, anyway) be legitimately abridged by government in certain instances.

This result was confirmed in October 1999, but it was overturned in January 2011. Our present position is that all sentient humans will feel victimized when certain benefits (such as either biological life or mental identity) are taken away against their will and without any provocative action on their part. Or, at least, they would feel that way in the absence of any social programming to the contrary. (While we are generally loath to speculate as to other people's states of mind, we yet feel that this is a safe operating assumption.) This means that there is some inborn nature within humans of all generations to feel this sense of unjust loss under such conditions.

This satisfies our definition of a 'natural right'. We are now holding that any right must be deemed a 'natural right' if we can safely predict that everyone in the world in all cultures and all generations will feel victimized at its usurpation, in the absence of active social programming to the contrary.

(During the course of the 2011 reconsideration, we defined 'victimization' as a 'condition imposed against one's will or by means of deception'.)

One other reason why we previously dismissed the idea of 'natural rights' was because we couldn't robustly identify a source for such thing if indeed it did exist. In the 2011 reconsideration, however, we noted that our inability to identify a source for something like natural rights doesn't necessarily mean that it doesn't exist, for the same statement could be made about the Universe as a whole.

Even though both natural and civil rights can legitimately be adjudicated or even abridged by civil authority under certain conditions, there still is a material difference between the two classes, such that the abridgement of a 'natural right' may require a higher standard of proof, additional procedures, a larger voting majority, etc. This confirms that the ability to abridge does not imply a total absence of natural rights, as we had previously thought.

The same natural rights which apply to humans also apply to all non-humans who possess the three requisite ingredients of sense of self, will, and sense of victimization. (Otherwise, all these natural rights would have had to come into existence suddenly upon the appearance of humans at 11:59 on the geological clock, and this seems counter-intuitive.) In other words, non-human animals have rights, too. Added in May 2019: For this reason, we join with the 40+ nations which have gone on record as opposing the display of trained animals (especially the Big Cats) in circuses or other public exhibitions, because we are now more collectively sensitive than we were to the sense of victimization which many (if not all) animals must feel as a result of their prolonged captivity, and of their having to perform various demeaning 'tricks' in order to please their human masters. We also are heavily against trophy hunting, as described elsewhere in this document.

The existence of natural rights does not imply a responsibility on the part of all observers to intervene during an alleged violation. Protection against violation of natural rights is something which creatures can perform voluntarily, either out of simple compassion and/or in hopes that our own rights will likewise be recognized and protected when needed, but intervention is not morally required in every particular instance (if it ever is), particularly when a risk exposure is involved.

In March 2011, we completed the process of asking ourselves again for an entire listing of all 'natural rights', in a new reconsideration of Question 7. As we apply and possibly modify/expand this listing at any time in the future, we shall always have to remember that sometimes the entire global community within a given century was wrong as to such topics as slavery and gender inequality, so we must be careful never to ascribe as a 'natural right' something which only our current generation may think of as being one. It would have to be a truly universal perception, spanning all generations and cultures, at least among all thinking peoples going forward.

With that caution in mind, we have now identified the following as 'natural rights', listed in what we feel is the proper order of precedence, such that in case of conflict or limited resources preference is generally to be accorded to the lower-numbered items over the higher-numbered:

- 1) **Sense of self** – Whether we're talking about actual killing or simply a lobotomy, the knowledge that one exists as a living organism is our most precious possession, even more precious than freedom of will. It is common to virtually all animal species to try to maintain the existence of this gift for as long as we practically can, with only very rare exceptions. Thus, for any second party to come along and try to take that ability away from us – without any mandate or other provocative action on our part – is going to create a sense of violation and victimization among virtually all of us, so we think that it is fair to extrapolate this universal sense as a 'natural right' of which we are all instinctively aware.
- 2) **Physical non-abuse** – Somewhat less precious than the sense of self – but no less common to all animal species – is the need to be as free from physical pain and immobility as we practically can. Thus, we have decided that it is safe to project a universal feeling of victimization at the unprovoked abuse of one's physical body, such as the genital mutilation of women in Afghanistan, and the foot-binding of girls in China.
- 3) **Parenthood** – We have a natural right to reproduce, evidenced by the fact that Nature has provided us with the means to do so very easily. However, the natural right to reproduce carries with it a natural restriction that a population cannot get too high relative to its ecosystem, or else certain unpleasant natural calamities may arise. We initially felt that a mother has a natural right of ownership/control over the child whom she gestates and delivers, until the child reaches majority (however that condition may be civilly determined), such that the child may not be appropriated without the mother's consent (mother bears being noted in particular for their militant exercise of this right), on the grounds that the mother is the principal 'creator' of that life. However, upon further reflection, we noted that not all biological parents of either gender share the same sense of victimization when their children are removed; some of them are only too happy to give their kids over to adoption or foster care at earliest op, or even to abort them prior to birth. As a result, it's actually not the genetic contributors who have the natural right of parenthood, but rather those persons (whether genetically related

or not) who voluntarily commit to the contractual responsibilities of parenthood, for it is they who will very predictably feel a sense of unjust abuse when this child in whom they have invested so much effort and/or financial support is injured or appropriated without a relevant provocative action.

If the parental duties are divided in such a way that there is not one clearly-identifiable primary caregiver and principal decision-maker, and if those multiple caregivers disagree over some decision affecting the child's interests, and if some kind of harm is threatened to the child as a result of their inability to agree, then the case may need to be referred to civil authority for arbitration, but this does not mean that the parental rights in question have somehow degraded from natural to civil; rather, this would constitute one example of our previously-established principle that natural rights may occasionally require civil adjudication.

Whoever the *de facto* parents are, the child still has the same natural right of 'moral protection' against unprovoked physical abuse as anybody else, and this right needs to be recognized and respected by the child's parents as well as by all other persons.

- 4) **Property voluntarily created** – Inventors and musicians and visual artists often create new works because someone else pays them to do so, and then those works arguably 'belong' to those patrons, a fact which the creators generally will not question. However, anyone who voluntarily creates any new thing (whether it is a physical object/development or whether it is a piece of artwork or other intellectual property) is almost always going to feel a sense of proprietary control over its disposition, and a sense of victimization if anyone tries to take control of said property without proper consideration. For, those things which we create voluntarily represent an exercise of our sense of self, which is defined by our existence and our thoughts and our voluntary actions. If the fruit of such voluntary labor is taken away against our will and without provocative action, then it is an attack on our sense of self, and therefore a violation of our natural rights.

However, any physical or intellectual property is less valuable than human life, so this natural right is ranked below parenthood. Therefore, if you can take only one thing out of your burning house or onto the helicopter out of the country, then take your actual child before you take your sculpture of a child.

- 5) **Non-injurious self-determination** – Virtually all humans and other animals on the planet naturally and instinctively prefer to have at least some measure of freedom over their movements and actions, and generally (although with some occasional exceptions) don't care to be restricted in their movements without due cause. We can therefore interpret freedom of movement as a natural right, but it must have a logical limitation at the injury – or other rights violation – of any of our fellow planetary residents, for a society in which anyone gets to kill or rape or plunder at will is no society at all. In order to keep ourselves free from injury, and thus maximize the quality of our own existence, we agree as a species (and this happens throughout nature, which is why we perceive it as an element of natural rights) to actively discourage injurious actions both by ourselves and among our neighbors.

To recap the whole principle (as our Answers 11 and 12), every individual has complete control over his/her own life, and over what means he/she will use to survive (for those making that choice) and to maximize the quality of his/her life, except when such choices interfere with the rights of

others. We have rephrased this as Resolution #1, that "every individual ought to be able to do anything that he/she wants, provided that such action causes no injury (or immediate threat of injury) to others". In answer to Question 13, we defined "injury" as "compromising a person's ability to do what they would otherwise be physically and legally able to do".

- 6) **Biological killing of lower-order animals** – Higher-order animals (including humans) have a natural right to kill lower-order animals for food, or for a biological necessity unrelated to food. We find evidence for this in the fact that Nature has provided some animal species (including humans) with teeth and the ability to digest meat, and also in the fact that we're seeing this happen in Nature all over the planet. However, killing animals for any other reason would fall outside the area of natural rights.

There may be other natural rights which we haven't yet identified, but the items listed above appear to be the most fundamental.

Pet ownership is not a natural right, principally because we don't see voluntary pet ownership (as distinct from essential parasitic/symbiotic relationships) in Nature, so it must fall outside the area of natural rights.

Generalizing from the first paragraph of item #5 above, it appears that all natural rights contain some natural restrictions, in that none of us gets to enjoy any of those natural benefits forever.

Parents and pet owners have a moral responsibility to release their children and pets upon apparent request, unless the parents/owners are judging in good faith with their superior intellects that continued protective custody is actually in the children's/pets' best interests. The same principle applies to trips to the doctor/vet, or any other action which a child/pet may protest, but which is actually in the child/pet's best interests.

It is theoretically possible for some species or populations to possess collectively most (and probably all) of the same natural rights and natural restrictions that apply to individuals, because Nature commits both beneficial and harmful acts to entire species and populations (such as the example of requiring parents to die as soon as they give birth, for the good of the species) as well as to individuals, and also because species can interact with other species just as we all interact with other individuals. However, in order for any species to have natural rights, that species must possess the same requirements -- i.e., sense of self, freedom of will, and a universal sense of victimization when the rights are violated -- as any individual would need, and our observation is that all terrestrial species fail to satisfy all three conditions, with the possible exception of modern humans. Other species may be said to have collective consciousnesses which drive both their common perceptions and their common reactions (based on the behaviors that we observe in certain flocks and schools and colonies and other large animal groups), but we don't see quite enough group awareness on the part of other species to conclude that any of them would feel a collective sense of victimization when any of their alleged natural rights are allegedly threatened, either by Nature or by some other species, although of course such an ability could evolve in some species later.

Human beings may be able to do that now, with their advanced intelligence and electronic social media, but against whom would we ever assert a violation of natural

rights, and to whom would we offer such an appeal? We may or may not universally feel that an epidemic disease or oncoming asteroid or other foreseeable natural disaster as being an 'unfair' act on Nature's part *per se*, but we still would be moved to attempt to counteract such effects out of simple self-preservation. However, some time in the future, we might conceivably have some cause of action against an alien species, which case would then need to be referred to an intragalactic body such as the previously-fictional United Federation of Planets.

Added in February 2019: We need a Question reading "Should we have an 'Equal Rights Amendment' to the United States Constitution?", and we are amazed at ourselves for not having previously thought to confront this issue directly somewhere in the course of this document. In any case, we are now hearing renewed cries for an ERA within the news media and the social media, so we had better make sure to address the matter here. It now occurs to us that this public plea is not going to go away, and that we are not ever going to achieve Lasting Peace within our society until we get this matter settled once and for all. Yes, we therefore should have an 'Equal Rights Amendment', but as long as we're doing it, let's make dang sure that we're doing it right, because we don't want to have go through this painful and divisive debate ever again. Specifically, we feel that such an ERA should not be only about Women, although Women certainly may -- and should -- be specified in it. Rather, it should be about all segments of our Society, and should specify all Gender Identities, all Sexual Orientations, all Religious Affiliations, all Racial and Ethnic Backgrounds, and possibly other categories as well. (We are tempted to include Geographic Locations, Chronological Ages, Left- and Right-Handed, Body Shapes & Sizes, and others, but we don't want to go overboard, as long as we get the main idea across that everybody is and should be protected.) In short, we can get behind the concept of an ERA as long as we make sure that it covers everybody in our Society, but that is a necessary condition of our support, for we do not want to do only a partial job if we are here to solve Everything. Specific language probably should be along the lines of "All the Rights which are extended in this Constitution and all its Amendments shall apply in full force to all ... , regardless of ...". We probably also want to take the opportunity in this Amendment to specify any difference between Citizens and pre-Citizens and Resident Aliens and Visiting Aliens any other levels of national affiliation which may possibly merit different levels of Rights, and then we should specify any such differences within the text of the Amendment. We may even want to say something about Prisoners in custody, that they have some basic rights too, like the Heat which got denied to them in the Metropolitan Jail of Brooklyn during the recent wave of extreme cold. [cite] We will work out specific draft language for the Amendment during the final packaging process, as we get this topic structured as its own Question. Actually, probably best to have the first Question in a series be the basic 'should' Question, and the second Question can be about which Rights should be specified in the Amendment for which classes of national affiliation, and then the third Question can be what the language should be.

Government

Given from Question 14 that it is necessary for people to interact, we now find that some amount of government is necessary to supervise the interaction, because human rights need to be enforced somehow, and because there will always be some people -- no matter how fair and equitable the socioeconomic structure is -- who will try to take unfair advantage of others, and obtain the benefits of a quality life without putting in their share of the work needed to produce them. Our original

answer to Question 17, then, was a 'yes', that we do need to have some kind of government.

From late July to early September of 2001, we looked at this area again, focusing on the specific topic of human corruption. In particular, we considered whether there may be ways to mitigate human corruption such that the premises relied upon to produce a 'yes' answer to Question 17 would no longer be applicable. We found that promoting wideness of perspective, making people feel important within their society, and keeping sociopolitical operations open may tend to mitigate corruption. However, we also identified several key concerns in this area, being (1) that whoever would be doing the mitigating would themselves be subject to corruption, (2) that people's perceptions of good and evil are relative, (3) that many people instinctively look for the easiest solutions to their personal problems, and (4) that relatively few people would even be aware of the interests of the overall society, much less be willing to subordinate their own personal interests to them.

In seeing if we can yet mitigate human corruption, we found (a) that people have two basic kinds of interests, being direct self-interest and societal interests that may indirectly inure to self-interest; (b) that there will inevitably be some clash between these two sets of interests; (c) that people have a fundamental biological impulse to survive and to maximize the quality of their lives; and (d) that that impulse will frequently/generally give direct self-interests a precedence over any clashing societal interests. We concluded that there will always be some people who will want to advance self-interests at the expense of societal interests, and that this appears to satisfy our working definition of 'corruption'.

However, this principle does not apply if societal interests are being furthered at the expense of one's natural rights, such as when someone wants to destroy an entire village and kill its uninfected inhabitants in order to stop some disease from spreading. To rephrase: When society is committing or threatening a violation of one's natural rights, the act of attempting as an individual to assert and protect those natural rights is a natural reaction common to most humans and other animals, and therefore does not constitute an act of corruption.

It was suggested that we should have some organization with sole power to fix/mitigate corruption, but that such organization would need to be monitored by the people, who should have ultimate power to authorize or de-authorize that agency. It was also noted that this is essentially what government is, though it was also agreed that we should be careful about our use of the term "government" in this context, since that buzzword may carry certain undesirable preconceptions about the organization's role, structure, or functionality.

We also found that even a society which did not have corruption would still need a public organization of some kind, whereby decisions to improve everybody's quality of life could get made and implemented. We therefore finally agreed that -- with the retroactive replacement of the word 'government' with the phrase 'public organization' in the text of Question 17 -- neither the answer to Question 17 nor the answer to any subsequent Question needs to be changed at this time.

Question 18 was what the role or scope of such government (or 'public organization') should be in modern society. Initially, opinions ranged from a completely minimalist government, whose powers would be strictly limited to only those necessary to protect individual rights, to a police state that could "control" people whose personality and/or behavior patterns failed to conform sufficiently with the rest of

society. After extensive discussion, the consensus developed that government at any level must be responsive to the needs and desires of the community at large, or else it defeats the purpose of its own existence. However, people's needs and desires are bound to be different in different areas of the world, and will also likely change over time. It is reasonable, then, that there should continue to be multiple governments around the world, each with its own role and scope, to be determined by the people whom those governments serve.

Our answer to Question 18.5 is that if some government passes a law that I think is unfair, excessive, or otherwise inappropriate, then I should be allowed to disobey it, provided that I can demonstrate to a court of competent jurisdiction that I should be exempted from that law, for whatever reason; if I fail to make my case, then I am subject to the same reprisals as any other violator. In order to reach this conclusion, we also had to treat in advance a couple of additional Questions originally placed later in the Outline; on these points, we concluded (a) that no harmful 'bad act' can properly be excused on the claim of being part of a religious practice, and (b) that judicial review/modification/invalidation of legislation shall be subject to veto by the legislature. (Details of this process were worked out in June 2013, and appear in Subsection I-F-3 of this outline.) Thus, if I convince a judge to throw out a certain (allegedly) bad law, the legislature will be given an opportunity (generally within a limited time frame -- again, details appear in I-F-3) to assert its authority and original intent; if they fail to act, or if they uphold the judge's ruling, then the law remains modified/invalidated (and/or goes back on the legislative calendar for formal adjustment), and I go free; if they uphold the original law, then the judgment is overruled, and standard procedure applies.

In Question 19, we considered the possibility of a one-world government, and concurred pretty quickly (in September 1997) that there should not be one single government controlling the entire world, for the reasons already mentioned (in the discussion on Question 18), and also because a single government could easily fall into the hands of corrupt individuals, with no alternative society available to which oppressed people could escape; this result was confirmed in October 1999. We considered the possibility of a borderless or partially-borderless society, and concluded that governments should continue to have control over specific geographic regions, since there is no motivation for an isolated individual to obey the rules of a distant government, and little or no basis for forming such rules in the first place, in the absence of common geographic issues. We rejected the idea of drawing new international borders completely from scratch (as being patently unworkable), and accepted the borders that we currently have, allowing any future changes to be recognized by an 'international oversight organization', the features of which we treated in Questions 26-32.

For the purposes of these discussions, a 'nation' is defined as a land area with a specific border, and with a national government in place to manage its affairs, and which has been recognized by the prevailing 'international oversight organization' (see below) as a sovereign intraglobal entity. We also agreed that nations do not need to have any particular minimum size.

International oversight organizations

We agree that there should be some sort of 'international oversight organization' (or "I.O.O."), similar to the current United Nations, to serve as a central body for addressing issues affecting the entire world, or large areas of it.

Initially, we felt that any I.O.O. should be of an advisory and diplomatic nature only, and have no actual legislative or enforcement power, lest it turn into a one-world government; our original answers to Questions 27-32 (and others) were based on that conclusion. We later discovered, however, that this sort of environment was becoming increasingly problematic for us, and we agreed in May of 1999 to formally reconsider and change our answer to Question 26, and allow the I.O.O. to have some limited legislative authority, to protect the rights of one country from being abused by another country (pursuant to Resolution #1A, which is a corollary to Resolution #1 as applied to countries – i.e., "every country ought to be able to do anything that it wants, provided that such action causes no injury (or immediate threat of injury) to any other country"), but with sufficient checks and balances in place to prevent the I.O.O. from effectively becoming too much of a one-world government. Once this decision was reached, we reviewed all the answers that we had subsequently developed, changing some to accommodate the new answer to Question 26, and finding that others continued to be acceptable as they were.

Our current positions on the remaining I.O.O.-related questions are as follows: The I.O.O. will have jurisdiction over the entire world, and not just those nations who choose to be members. The I.O.O. shall not have the power to exclude nations from membership, though they may refrain from recognizing new states that result from the breakup of larger nations (especially if it appears that the nation is breaking up solely to increase representation in the I.O.O.); if, however, it appears that a particular detached state is likely to continue to be fully operational as a separate nation, then it is in everyone's interest for that new country to be recognized with dispatch. There should be a neutral territory for I.O.O. headquarters, to minimize the perception or reality of favoritism.

The I.O.O. should comprise three houses, one having a single delegate from each nation (as does the current U.N. General Assembly), one with proportional representation based on population (i.e., total population, not number of voters, since some nations may not have any popular elections), and one with proportional representation based on geographic area. Nations too small to have a delegate of their own in either or both of the latter two houses may combine with neighboring nations to have a regional delegate. [At the time of our original consideration in 1999, we constructed a sample table of 200 delegates for the population-based house, of which the U.S. would have 9. In 2017, we submitted an entry to a certain international competition on global governance, and for that produced a revised table of 250 delegates to reflect the increase in global population; U.S. would have 11 delegates, including one for Texas all by itself.] All houses will elect their own leaders, and there will be a steering committee to determine which house(s) should review each issue, and an executive committee to decide issues affecting the I.O.O. itself.

Enforcing arm should be staffed by member nations in proportion to their respective military strengths, and may enact reprisals against nations or other organizations crossing a border with military force, or imminently threatening to do so. (In January 2003, we defined 'crossing a border with military force' as "any attack launched in one country's name against the territory of another country", but we considered in October 2010 that such definition may exclude 'terrorist' organizations or other organizations operating only in their own name, so we are no longer observing this definition.) Countries with 'terrorist cells' or other internationally-belligerent organizations operating within their borders therefore have a motivation to proactively seek out and suppress them, lest they incur the I.O.O.'s severe displeasure. Involvement of I.O.O. in alleged violations of human rights shall be

limited to alleged violations of 'natural rights', and shall also be limited to making sure that people who wish to leave such a nation are permitted to do so. When airlifting refugees from a hostile national government, the I.O.O. will do what it practically can under the circumstances to rescue pets and unattended children also (way too many pets got left behind following Hurricane Katrina!! – they are sentient beings, too, and adopted family members whom certain people care about almost as much as they care about their human kids), or any children whose parents explicitly wish for them to be evacuated, but we can't promise that we will always have these resources available in every such instance. In case of limited resources, however, preference should generally be given to rescuing children over rescuing pets.

Funding of I.O.O. operations shall be in proportion to total number of delegates from each nation, and I.O.O. debates are to be removed from public view.

Added in February 2003: The I.O.O. may use any of several means to communicate to all people in the world that they exist, and that they are available to transport people out in instances of alleged human rights violations. The I.O.O. should probably rotate any military personnel stationed at local embassies, in order to mitigate the possibility that they'll turn into a renegade independent military force. Helpful if personnel stationed locally are familiar with local language and customs, but not strictly necessary, provided that local diplomatic personnel are.

Added in March 2003: OK to have a central headquarters for the I.O.O., but should also have satellite offices around the world, in case the HQ gets knocked out by military attack. [The expanded model submitted to the 2017 competition identified specific candidate locations for all three houses and the HQ.] A telecommunication line should be set up to provide quick notification of hostilities or other severe trouble, and the line should be linked to all satellite offices, so that a message that goes to one office gets to all the others.

Also added in March 2003: Since decisions on military retaliation may need to be made before all the delegates in the applicable house(s) have a chance to convene, good to have an 'action committee' for defense, which can make quick decisions that will be subject to ratification or overrule by the full assembly. This 'Defense Committee' should have at least 8 delegates actively participating (so that good-quality decisions get made), but no more than 15 (so that decisions can get made fairly quickly). The 15 total members of the Committee (who are appointed to 6-month terms on a rotational basis) will be divided into five shifts of three delegates each; the five shifts have staggered 5-week schedules, including three consecutive weeks of 'on-call' time (during which the delegates are expected to remain within 15-30 minutes of the committee's headquarters at all times) and two consecutive weeks of 'off-call' time (during which they can go wherever they want, but may still participate in deliberations if they happen to be at hand when the Committee meets). Thus, there will be 9 delegates 'on call' at any one time, and we can still rely on the quorum of 8 in case someone gets stuck in an elevator or something.

Citizenship

By far the most complex question that the Answers to Everything SIG treated was Question 21, on whether an individual needs to identify himself/herself as being a 'citizen' of a given nation, or whether there can/should be such a thing as 'dual citizenship', or whether an individual may be a citizen of no nation, or whether we need any kind of citizenship at all.

This question was first taken up in April of 1998, after we completed our first pass through the I.O.O.-related questions, and took 10 months and 14 meetings to finish. In the course of evaluating this question, we came up with a total of 13 possible reasons for which the institution of citizenship might be used, including disease screening, protection in foreign countries, tax revenue, governmental participation, and others. For each of these, we determined either that the stated goal is potentially destructive, or that it could be met without the institution of citizenship, or that it was invalid for some other reason.

We also came up with a total of 7 possible reasons to eliminate the institution, two of which reasons we invalidated, and three of which we found to be valid and internally consistent. These include (1) that elimination of the institution would improve people's freedom of choice, by allowing them to move about the world more freely, as we currently move about the States; (2) that the institution of citizenship is unfair to non-citizens by arbitrarily locking them out of certain resources and services; and (3) that elimination of the institution would encourage more people to migrate to the most popular nations (as occurred when so many East Germans migrated to West Germany after the Berlin Wall was removed), so that the other governments will have an opportunity to see what systems appear to work best. The other two possible reasons were found to merit further research, but we yet determined that we had enough information at hand to conclude that the institution of citizenship should be eliminated, and we so concluded in February of 1999.

[In the course of considering Question 21 the first time, we also reached a preliminary conclusion on a question that was originally scheduled to be taken up as part of Subsection I-D-1; specifically, we agreed that each nation -- including the United States -- should have one and only one official language, regardless of what we do with the institution of citizenship. However, we modified that conclusion as part of the Second Pass, as described in Subsection I-D-1.]

We reviewed the citizenship model in June of 1999, after completing the changes to our answers on international oversight organizations, and found that no changes to the model were needed. (In fact, we noted that the model was even more robust in the presence of an I.O.O. with limited legislative authority.) We considered the question for a third time between November 1999 and March 2000, after a couple of new attendees suggested that some of our findings may have been flawed; again, we found that we did not need to make any adjustments to our model. We looked at it yet a fourth time between January and February of 2002, in response to some new members' concerns over the possibility of zoning ordinances being markedly different on either side of a given border; however, no logical flaw was identified in our original rationales, and no compelling reason was found to overturn our original conclusions, so they continued to stand as of the end of the First Pass. However, we marked the Question for further review as part of the Second Pass.

During our Second Pass in May 2019, and our fifth formal consideration of Question 21, we finally overturned our previous conclusions, and restored the element of citizenship to our model. Our reasoning was as follows:

Too many times it had come up in SIG questions originally placed later in our Outline (especially those regarding Flags and the Pledge of Allegiance and the National Anthem) and various informal discussions that Citizens have (or should have) certain rights and responsibilities which other Residents don't (or shouldn't) have.

Even in an increasingly-global society, it is clear that most people still want and expect there to be distinct Nations with broad powers of sovereignty. As long as we have that attribute, the various Nations will naturally be in a level of ongoing competition with one another, at least economically, if not also in terms of political influence on the global stage, even after we finally rid the World of all war.

It follows that each Nation will have some kind of 'national interest' which it will want to protect, and that it will want to be satisfied that all its current Residents are either working actively to advance the national interest, or at least not actively opposing it.

It further follows that Nations may want to maintain a permanent class of Residents which they might consider to be 'Citizens', who have somehow demonstrably committed to support that Nation's interest above any others in case of any conflict or competition. In exchange for that commitment of 'allegiance' to the host Nation, the Nation may (and probably will) want to extend certain privileges to its Citizens, including in some cases the right to vote.

Residents who may have principal allegiances to other Nations, or who otherwise have not fulfilled whatever requirements a given Nation may have for 'Citizenship' may not be entitled to all the civic benefits which Citizens have, and may require more active monitoring to make sure that they are not operating against the host Nation's interests in any way.

Different nations may establish different requirements for Citizenship, and accord different rights and/or responsibilities to its Citizens. They may also establish multiple levels or 'castes' of Citizenship, where higher levels or 'castes' may entail additional requirements and/or be eligible for additional privileges.

We don't like the idea of 'dual citizenship', because the whole idea of the institution is to establish for the record which Nation has your primary allegiance in case of any conflict or competition with any other Nations. However, we imagine that there may be some circumstances under which someone might be a 'primary' citizen of one Nation, and a 'secondary' citizen of another. In theory, one could also be a 'tertiary' citizen of some third Nation, a 'quaternary' citizen of some fourth Nation, etc., but as a practical matter such designations can very quickly become very cumbersome to administer, so we don't recommend any more than two national affiliations for any one individual, and we are not overly fond of even that many.

Because citizenship is a status to be achieved, usually in consideration of some combination of privileges, it must be possible (at least in theory) to have not yet satisfied whatever qualifications a given Nation may have established for any of its Citizen classes. Maybe one can be considered a 'pre-Citizen' (whatever that means) at birth, but that would need to be for each Nation to decide. In any case, it also follows that one can be a Citizen of no Nation at all, either by choice or by lack of opportunity.

At least for America, if not generally for all Nations, full Citizenship should require a certain minimal knowledge of the Nation's laws and customs and civic institutions, so that those folks can understand what 'national interests' they are trying to advance. Once you complete that certain minimal amount of education, you can be eligible to receive a 'Citizen ID' card which can possibly replace your Social Security card, for just in case the program ever gets dropped or renamed. You can flash that card whenever you are registering to vote (unless voter registration happens automatically upon issuance of the card), obtaining a work permit, applying for a job,

enlisting in military service, or undertaking any other adult function where minimal education is both necessary and sufficient.

Americans have come to expect their children to enjoy at least some degree of Citizenship status from birth (if not earlier), even though they have not yet satisfied all the applicable educational requirements. However, we still want to motivate all our permanent Residents to obtain at least the basic level of education, so children who are not yet full Citizens probably should be treated as 'pre-Citizens' or 'associate Citizens'. Their parents presumably are Citizens, and assume responsibility for their children's actions until the children become adult Citizens on their own.

Also at least for America, if not for the whole World, we think that it's dumb to base one's initial Citizenship status upon one's place of birth. That approach creates a motivation for mothers to travel across a national border (sometimes at great risk to themselves or their children), simply in order to satisfy a technicality, and then return home immediately after they give birth. If the mother wants the child to be a Citizen or 'pre-Citizen' of some particular other Nation, then she should redomicile herself to that Nation, so that she can bring up the child within the other Nation's borders, and so that the child can be immersed in that new culture. If the mother is somehow unable or unwilling to redomicile to another Nation permanently, then her child must remain a Citizen or 'pre-Citizen' of the original Nation until some additional conditions are satisfied.

Therefore, while different Nations may specify different conditions for their different classes or 'castes' of Citizens, we suggest a default rule that any newborn child is assumed to be a Citizen or 'associate Citizen' of the same Nation of which her mother was a Citizen at the time of birth, regardless of the place of birth.

Once we reached this new finding in May 2019, we began to review the reasons why we originally considered dumping the institution of Citizenship.

First of the three stated reasons to eliminate (*viz.*, that eliminating would make international travel easier) now looks suspicious, because with our more recent terrorist experience (remember, we initially treated the Question prior to 11-Sep-2001) we may not want people traveling as freely across national borders as they do among the States, as hedonistically tantalizing as that prospect may at first appear.

Second of the three stated reasons to eliminate (*viz.*, that the institution arbitrarily locks out non-Citizens from the privileges accorded to Citizens) is definitely suspect, because it is not arbitrary to deny certain resources and services to non-Citizens, as long as the standards are applied fairly and consistently.

Third reason to eliminate (*viz.*, that elimination would encourage people to migrate to the more popular Nations) is also suspect, because people can still migrate to more popular Nations even while we still have Citizenship, as we have frequently observed in the 'real life'.

We had deferred two of the seven possible reasons to eliminate. One of those deferred reasons referenced the extensive procedures and paperwork associated with Citizenship, but we seem to be into that, at least in America, and in other Nations also. We might indulge in paperwork even without Citizenship, simply to know where people are living and (to some extent) what they're doing, but it seems to be more

necessary (or at least more desirable) in our modern conflictive environment to have everyone's Citizenship status clearly established for the record.

The other deferred reason referenced the expense of border guards, passport/visa officials, etc. However, it seems that we need these expenses in our current adversarial environment, and numerous people would be fearful to drop them at any point, lest some nasty person take advantage of our relaxed defenses and tracking.

We found nothing in the original paragraphs of the General Summary (including the three previous reconsiderations) to change our new position, but all the discussions are not recorded in the General Summary as we later did, so we can consider the topic further in the Third Pass, as we complete the previous transcript on a per-Question basis.

Secession and treason

We originally treated Questions 25-25.7 in April of 1999. When we reviewed our Answers in June of 1999, following our adjustments to the I.O.O. model, we found that no changes were needed. Our finding is that any segment of any jurisdiction may secede from its parent with approval of such action by a 2/3 majority of the seceding group. In this context, "treason" has been defined as any action which is intended to undermine or subvert the existing government by a resident of that jurisdiction, not including the encouragement of secession. Penalties for treason should be among the stiffest available, though we elected not to get more specific than that at this point.

International relations

Peaceful transfer of territory between nations may be arranged without I.O.O. approval, if and only if such transfer is consensual among all affected nations. Individual nations may submit border disputes to arbitration by the I.O.O., though localized peaceful negotiations should first be given every chance to succeed. Multilateral treaties may be enforced by the I.O.O., though we shall require each house that is assigned to consider a particular policy statement to approve same by a 2/3 majority in order for it to carry. Neither the I.O.O. nor any individual nation may incur into another nation because it disapproves of that nation's form of government. An individual or consortium may purchase all or part of a nation if approved by 2/3 of the affected residents.

Added in February 2003: In general, a nation may react unilaterally to any actual military incursion (including through the introduction of biological weapons) across its border, and/or appeal to the I.O.O. to take appropriate countermeasures. If there is sufficiently compelling evidence that an attack is immediately imminent (including by a 'terrorist' or other organization acting independently of any particular nation), such that there is insufficient time to obtain I.O.O. authorization, a nation may act unilaterally to cross its border and prevent the attack, but they had better be in a position to justify their actions before the I.O.O. later, or else be subject to retaliatory action themselves. Otherwise, such matters should be left up to the adjudication of the I.O.O., which derives its power from the delegates of all the member nations, and which therefore may be subject to de-authorization if it should happen to become overly corrupt.

American government

Having addressed all of the Questions in our Outline about politics on a global scale, we began to direct our attention specifically to how we want things to look in America. To begin with, we addressed in Question 38 the general philosophical question of what sort of nation we want to have in America. Not surprisingly, we agreed to retain many of the elements to which we have become accustomed, including maximum personal freedoms, representative government, equal voting weight for each person (regardless of personal wealth), a free-market economy, and a federal system of government where many functions are devolved down to lower levels (to allow for more variety and improved efficiency).

We also agreed that we want to see more political and fiscal accountability, more enforcement of campaign promises, and less attachment to the idea that America should be the "watchdog" of the world. Not yet clear on the extent to which government should be involved in providing consumption-based entitlements, but this can be addressed more specifically in future sections; there was favorable preliminary reception, though, to the idea that such matters may be left up to individual States and localities to decide for themselves.

Added in April 2019: We do not see 'free press' listed in the above, although it may be in the original notes, which we will check during the packaging process. In any case, we found in Answer 708 that 'free press' should be considered a core American value in our model.

SECTION I-B: GOVERNMENT ORGANIZATION

With that, we began Section I-B of our outline, on Government Organization. Confirmed that we want neither a completely centralized government nor a completely de-centralized one, but rather a federalized government, with different functions assigned to different levels. No change recommended in existing State boundaries. To change a State boundary should require a 2/3 majority of the affected populations; to break up a State should also require majority approval of the national legislature. We introduced and adopted the concept of 'subsidiarity', which says that -- in general -- functions should be devolved down to the lowest levels which can adequately manage them. We then did a preliminary breakdown of which functions should be handled at the national level, which at lower levels, and which at both, but by the end of the First Pass we realized that this outline should be created at the end of the process after having treated all the substantive Questions determining which agencies should exist at which levels.

Next, we dealt with a few Questions on Territories, beginning with Question 43, defining which types of areas should be under direct federal control. We originally decided that such areas would include national parks, federal buildings and grounds, the District of Columbia, and any area unable to manage itself as a State. However, we modified this finding in the Second Pass, concluding instead that a separate Territory must be large enough that people who work there actually live there, and that there is actually a substantial permanent residential population (as distinct from military bases, where many personnel reside only temporarily if at all); few (if any) people live at national parks or within federal office buildings, so it makes little sense to manage such areas as Territories, and provide them with the same level of government services as actual States manage for themselves, and as the Fed needs to provide to larger Territories such as Puerto Rico and (as currently named) the District of Columbia. We also determined in the First Pass the procedure by which such determination is to be made in specific cases, and what rights (including as to

legislative representation) a Territory should and should not have, with certain exceptions for the District of Columbia.

During our Second Pass, we retroactively added new Question 45.1, tentatively reading "What about Puerto Rico?", and introduced new discussion as follows:

The other Territories of Guam (212sqmi), American Samoa (76), the U.S. Virgin Islands (133), and the Northern Marianas (179) all have very small land areas. However, Puerto Rico (3435) is larger than either Delaware (1954) or Rhode Island (1045), so its size should not be considered a factor in denying Statehood status.

According to tables appearing in our 2007 edition of our *World Almanac*, Puerto Rico's 2005 population of 3.9 million was larger than the population of each of 24 States, so its population level also should not be considered an impediment to Statehood.

Puerto Rico (which was ceded to the United States following the Spanish-American War of 1898) is geographically closer to the 48 contiguous States than either Alaska or Hawaii.

We understand why we might want to have small island-type Territories in remote areas of the world, so that we can maintain air and naval bases to facilitate our Trade and Defense. This is not the same situation as we have with Puerto Rico, which is not so remote as to make a huge difference in our shipping and defense strategies, but which is large and populous enough to make a significant contribution to our national economy if properly developed and managed.

We were particularly concerned when Hurricanes Irma and Maria hit Puerto Rico in 2017, and government assistance was allegedly delayed because of an alleged perception within the Administration that Puerto Rico was closer to being a foreign nation than an American possession. Moreover, it has been argued that one reason why Puerto Rico was hit so hard was because it had received inadequate Federal investment in preceding years, possibly due (at least in part) to its same perception as a 'stepchild' of the United States, meriting less ongoing attention than any actual State.

Continuing the current condition makes little sense to us. Either it should be allowed to become its own separate Nation (if it wishes to, and if the I.O.O. can once be convinced (as described within the expanded discussion of that structure, particularly the Recognition Committee of the House of Nations) that the candidate Nation is both financially and politically independent of all other Nations), or else it should be welcomed into the American family as a full-fledged State.

We understand that 50 is a nice round number for our count of American States, and that we have lived with it fairly happily for over 60 years, longer than any previous period of not adding new States to the Union. If increasing to 51 will be that much of a hardship, then perhaps we can convince two States (perhaps the Dakotas?) to merge together. In any case, we should not allow our sentimental attachment to the number 50 to allow widespread damage to life and health and property to a large and populous region currently in American custody.

Back in the First Pass, we then introduced the concepts of Counties and Cities. Counties were defined as essentially regional administrative arms of the State, and Cities were defined as specific geographic areas where (1) certain laws could be enacted regulating (or refraining from regulating) acts and behaviors which have no effect on higher levels, and (2) certain small-scale administrative functions (parks, libraries, etc.) could be managed, without bothering the higher levels. Once this was established, Question 48 called for us to refine our model of which functions should go where, assigning each designated function to either Federal, State, County, or City, or to some combination of these; we also noted, however, that this model is only a recommendation, and that individual States and/or communities may decide how their administrative functions are to be handled, based on their own collective needs and desires.

The last Question in Section I-B was Question 49, on whether we are happy with the basic set-up of the federal government as outlined in the Constitution. Here, we agreed to incorporate the Constitution into our overall model, though we also agreed that there are certain specific elements of the Constitution that we might like to change, when we get to the appropriate Sections of our Outline.

SECTION I-C: THE ELECTION PROCESS

In July of 1999, we began our review of Section I-C. There are five Subsections in the main part of this Section, being (1) Parties, Apportionment, and Voter Registration, (2) Qualifications for Office, (3) Campaign Reform, (4) Voting and Tallying, and (5) Recall Procedures.

This Section also contained some introductory Questions which treated the general methods by which an individual could be selected to fill a particular position in government. Of all the possible methods (we identified 13), we found popular election, appointment by higher levels, and selection by peer panels to be the most viable. In the course of considering which selection method should apply to which type of function, we adopted Resolution #2A, that "Most or all legislative and senior executive government positions should be filled by individuals elected by the general populace, the will of the majority of the electorate being the best determinant of who should serve in which capacity", and Resolution #2B, that "Most or all subordinate executive government positions should be filled by appointment of higher levels, candidates for such positions to be nominated and/or screened by peer groups as applicable." Each jurisdiction should have a constitution or charter that specifies the actual selection method for each position or class of positions in that jurisdiction; each constitution/charter should also specify the mechanisms by which that document may be amended.

When we reviewed County administrative operations in May of 2006, we found counties to be an exception to the normal process of selecting the head of government: Instead of being elected by the people, the County head should be appointed by the elected legislature.

Subsection I-C-1: Parties, Apportionment, and Voter Registration

Parties

The first topic in this Subsection was the extent to which political parties may be considered a healthy and viable component of the modern political environment. To

address this question, we identified 12 potential purposes for which political parties could be used (including narrowing the selection field for a given office, filling special positions within legislative bodies, and "keeping score" for voter registration and/or actual elections). Of these, we found that eleven of the items on the list are potentially destructive to the political process, and that the potential benefits of the remaining item (being to band together to increase political power) do not outweigh the detrimental effects of the other 11. We therefore adopted Resolution #3, as follows: "Candidates for office may choose to attach themselves to one or more organizations to help with fundraising, publicity, and other such chores, but such affiliations should not appear on any ballot, and should not factor into the filling of any office within any legislature."

Apportionment

Questions 63-69 of our Outline dealt with the process by which the boundaries that define legislative districts are drawn. Our first conclusion here was that State election offices -- and not the Federal government or any political party -- should have control over line-drawing at all levels.

Specifically, we are recommending that each State convene a panel comprising a number of individuals equal to the number of national legislators from that State, and that these be apportioned among the several Counties of the State, according to population. The panel will construct apportionment plans for both State and national representation. The panel will submit their plans to the Governor for approval; if the Governor vetoes any of the plans, the panel may override the veto by a 2/3 vote. State judiciaries may throw out a given plan only if it specifically violates one or more applicable laws, not just because it is allegedly unfair to a particular demographic; however, the laws of a particular State may allow the judiciary to rule on certain limited exceptions to the basic rules.

Guiding principles for drawing the lines should include compactness, simplicity, and similarity of community makeup. Three specific rules tentatively to be imposed on drawing committees include (1) that each district shall have no more than eight line segments (where a river, coastline, or other natural boundary counts as a single line segment), (2) that there shall be no concavity in any district (again, except as dictated by a natural boundary), and (3) that the square of the longest straight-line distance in each district must be less than three times the total area of the district.

Voter registration

Agreed that registration continues to be important even in the absence of political parties, in order to prevent duplication and voter fraud.

Extensive discussion on who should be permitted to register to vote, with the original final determination as follows: By the chronological age which will be determined in Section III-C (on Education) as being the standard graduation age for primary/high school, all persons shall be entitled to register to vote; younger persons may also register if they pass a testing requirement on the structure and processes of government. There shall be no chronological age after which the franchise shall be taken away, nor shall we require periodic re-certification after a certain age. The franchise may be taken away as a result of conviction of certain serious crimes, the exact duration of disenfranchisement to be determined by a judge or jury as part of the normal sentencing process. Those with apparent mental illness may vote if they demonstrate minimal awareness by being able to sign the register. One may vote

only where one lives as of Election Day, though one may participate in campaigning activities in other precincts. Each eligible voter shall be entitled to the same full voting power as every other eligible voter.

This finding was amended in October of 2018, because the group had determined during its formal deliberations on Section III-C that a primary-school graduation is both necessary and sufficient for an individual to be permitted to register to vote, with the understanding that the eight years of primary school are to be used to teach all the facts and skills and values which we expect all American adults to possess. If an individual of any chronological age has not satisfied the academic requirements of primary school, then we cannot rely upon that individual to vote intelligently, so allowing him to vote could be very dangerous for us.

Re-registration shall be required if moving to a different jurisdiction of the government level which maintains voter records (this function was assigned to Counties in September of 2002, so moving to a different County would require re-registration); one may also re-register if moving within the same jurisdiction (i.e., the same County), but an address change can also be engineered by showing proof of new residence when voting, using the standard "provisional ballot" procedure. Proof of current residence shall always be required when registering or re-registering, and every effort shall be made to cross-check and delete previous registrations; better communication shall exist between the Registrar and the Coroner, to facilitate removal of deceased persons from the register.

Voters may be flagged as inactive if they haven't voted within a certain number of elections or years; such individuals may still vote, but only if they show proof of current residency. State legislatures may decide the actual term which has to pass before a voter is declared inactive, but our recommendation is ten years. District apportionment shall be based on population, not on the numbers of registered voters.

Subsection I-C-2: Qualifications for Office

We had an unusually productive period in December 2000, and actually completed two full Subsections -- comprising 28 Questions in all -- in a single meeting. The first of these treated the topic of qualifications for office.

We found that the legislative house equivalent to our current House of Representatives should have each representative represent a single small geographical district, but that there should be no residency requirement to serve as a representative; instead, we should let the voters decide who is generally the most qualified candidate. We are also recommending the removal of any minimum or maximum age limit. (The citizenship requirement was already removed in Question 21.) Voters may also choose to elect convicted criminals, provided that they have full disclosure of such information before voting. No new requirements are to be added for government office, our preference being to let the voters in each race decide the best candidate.

We then treated the topic of term limits, and adopted Resolution #4, as follows: "RESOLVED, The imposition of artificial limitations on the number of terms served by any given public official is contrary to the interests of a free electorate, who should have maximum flexibility in choosing their representatives and leaders."

Whatever qualifications for any office are prescribed by law, shall any candidate for such office be required to answer questions not pertaining to such qualifications, including as to commission of any criminal acts, or anything socially unsavory?

Candidates (same as all other public figures and all other individuals) should never be required to answer questions on topics that do not directly relate to the qualifications for the positions that they seek, especially those of the form "Have you ever said/done/written XYZ?".

Question 90

Should any individual or organization (including press, U.S. Senate, etc.) be permitted to ask such answer-proof questions?

We consider it inappropriate for such irrelevant questions even to be asked. We have a right in this nation not to be forced to incriminate ourselves. This implies that anyone who wishes to know anything about our past statements or actions should be restricted to whatever has been duly entered in the public record, including as to any criminal convictions or judgments of civil liability. Candidates and other public figures and all individuals get to keep their past lives past, and should not even be asked to disclose any private information, because the very form of the question places the interviewee in a position of either admitting some kind of wrongdoing, or else lying about such wrongdoing, or else refusing to answer and thereby appearing guilty. It therefore is inappropriate for members of the press to ask any candidate or public figure or other individual whether or not they have committed some alleged 'bad act'. Report on what is in the public record if you find it interesting enough.

If you feel that you have sufficient evidence to find someone guilty or liable for some alleged 'bad act' within any applicable 'statute of limitations', then take it to the local district office of the Prosecutions Bureau of the state's Law Enforcement Department, and then let them take whatever action they feel may be indicated for the circumstances.

In addition to criminal violations and civil liabilities, we generally shouldn't be asked any kinds of embarrassing questions about our past. Many of us have made mistakes which did not constitute a sin or a crime or a civil injury, but which we yet wish that we had not made, and which we have learned not to repeat. Life is a process of learning and maturation and growth, and many of us are not the same people as we were in earlier years before we learned certain valuable life lessons. We therefore should not be judged now on who we were then. Both because people can arrive at an erroneous conclusion about somebody's current qualifications for some kind of position based upon characteristics or tendencies or attitudes or behaviors which the individual no longer possesses or exhibits, and also because it can be very embarrassing to have to endure such irrelevant discussions, such that some very worthy candidates for public office might decline to serve rather than go through such unnecessary embarrassments, better not to ask such questions at all, nor allow them to be asked. Focus on the present and future.

All candidates and other public figures and other individuals should therefore refuse to answer any such questions when put by the press; the author pledges to set the example should the occasion ever arise. Definitely should enter a plea during arraignment (see Section I-F), but not yet sure about traffic police ("Do you know how fast you were going?", "Have you been drinking?", etc.), although we suggest

currently answering if asked, because we don't want you to get into trouble on our account, but eventually let's try to have the police not ask such questions.

Subsection I-C-3: Campaign Reform

The other Subsection completed in December 2000 treated the process of campaigning for office.

For the duration of the time that we still have political parties (which we agreed in Resolution #3 should be removed from the formal political process), any primaries/caucuses for national office should all be held at the same time. Public funding of campaigns should be eliminated, though government may provide each candidate with minimum exposure by printing their pictures and campaign statements in ballot pamphlets, and by arranging a minimum number of debates in which all candidates may participate. There is to be no limit on campaign contributions, but there shall be a maximum spending limit, and there shall be full disclosure of all contributions and expenditures; the actual limits are to be set by individual jurisdictions, based on the economic and technological conditions extant at the time.

Debate questions may be proffered by anyone, including other candidates; most answers should be spontaneous, though some questions may be provided to all candidates in advance. There shall be no filing fee for entering a campaign, but we found that prospective candidates may be required to collect a certain number of signatures on a petition, as a measure to reduce frivolous candidacies. We later confirmed that gathering signatures on a petition should be the standard method for getting on a ballot.

Each jurisdiction may set its own rules for its own elections, and the federal government in particular shall set and apply uniform rules for national elections. Candidates may generally expend their campaign budget as they see fit, so most/all "equal time" rules currently in force may be discontinued.

Question 108 - Perhaps our most important finding as to the campaign process was that no polls or surveys pertaining to an election should be published during -- or at any time prior to -- Election Day, though candidates may contract with a polling service to obtain information for private use, as part of their campaign budget; among other influences, this finding will have a big impact on how people vote. However, we reconsidered this finding as part of our Second Pass in May 2019, as reflected in the following indented paragraphs:

Poll policy was first addressed in Session 60 on 18-Dec-2000, when we addressed 24 Questions in one night, so maybe we didn't give the matter the treatment level that it deserved. However, the original note from that session appears still to make sense, that we "don't want polls published too close to Election Day" [emphasis added], not specifying a timeframe, but probably not needing to do so, because that might change over time from experience and with evolving media conditions.

General Summary was inaccurate when it said that "no polls or surveys pertaining to an election should be published during -- or at any time prior to -- Election Day".

We do now still want some moratorium on polls/surveys during some period prior to Election Day, so that people have enough uncertainty about the

outcome that they will have motivation to go out and vote in order to help influence it. But, can we get away with enacting and enforcing (somehow) a complete ban on all polls/surveys after the candidates have been determined? Even if we can, do we want to?

Surveys can be useful for incumbent politicians, to give them a better idea of whether they should maintain current policies and practices, or whether they should change something somewhere. However, in an ideal world (which is what we're trying to create here, isn't it?), polls as to candidates for an election should not be relevant, because we want each voter to make up her own mind based on her own feelings and readings and research, and not to simply follow or oppose what other people want. On the other hand, this modern American culture appears to be very poll-driven, and might not accept a complete ban on election-related polls from the date that the candidates are decided. Even if they would, on what basis would we decide upon some singularity of time which should be poll-free? Should it be two weeks? Three weeks? Six months? How would we decide, and why?

The timeframe before Election Day for moratorium on publication of any polls/surveys relating to candidates may need to change over time, according to evolving technology, changing political climate, shifting public reliances on polls/surveys generally, and other factors. We therefore don't need to decide a hard timeframe at this point.

For the present, we feel that it should be at least two weeks, as the minimum amount of time which might be needed for a trailing opponent to take the lead, or for a leading candidate to tank. However, we can very easily be persuaded to accept a longer moratorium, if we think that the public will tolerate it, even as far back as the final determination of which candidates will appear on the final ballot.

Prior to that determination, though, polls/surveys can be useful in helping to determine (however that process might happen) who should be ending up on the final ballot, so they should be accepted for a public benefit.

In June 2001, we went back and enhanced our model of the petition and campaign process, and adopted a provision whereby each jurisdiction would decide what the minimum (L) and maximum (H) numbers of candidates should be for each type of race in that jurisdiction (the top L signature-gatherers automatically being listed on the ballot, with any additional candidates also listed who have gathered a certain number (S) of signatures, until the total number of qualified candidates reaches H, in which case the top H signature-gatherers are listed), and whereby any organization that is discovered to have attempted to 'corner the market' by sponsoring at least L/2 candidates in any election would have all of its candidates disqualified.

In the course of these discussions, we agreed that (1) it is best for each jurisdiction's election office to maintain records of all campaign contributions as part of its normal operations; (2) campaign contributions received in excess of the jurisdiction's designated spending limit should escheat to that jurisdiction's general fund; (3) it is in the public interest for the campaign spending limit to be low; (4) changing the campaign spending limit should be done by referendum or initiative; (5) no payments of any kind should ever be made to incumbent officials, except a government paycheck; (6) we should give the people of each jurisdiction the choice for what L and H should be for each type of office; (7) we should not be separately

averaging all the L and H figures selected by the voters in such a referendum/initiative, but should rather be selecting the L-H combination that is favored by most of the electorate; (8) our group will not designate any parameters for L and H; (9) the number of signatures acquired by any candidate should not be disclosed until after the deadline for submitting petitions to the election office; and (10) we may be able to use 'digital signatures' to make the verification process easier.

Subsection I-C-4: Voting and Tallying

Maximizing voter turnout

The first Question in this Subsection was Question 110, being whether maximizing voter turnout is actually in the public interest, as is frequently asserted by various government officials, civic leaders, and political candidates. To help answer this Question, we agreed on a working definition of 'public interest' as "the set of conditions which will tend to maximize the aggregate quality of life of the residents of a given geographic area". We then concluded that maximization of voter participation is not necessarily in the public interest, but that maximization of willing voter participation is.

It was initially found that a majority of votes actually cast shall be sufficient to establish victory, and that a majority of the entire electorate is generally not needed; this finding was modified in the course of our comparative analysis of voting methods, as described below. Facilitating registration and making actual voting as easy as possible should help to maximize willing voter participation; however, providing prizes, cash payments, or other such incentives to vote is not in the public interest, since many people would vote randomly just to obtain the benefit, and the purpose of the election (being to find out which candidate the electorate finds to be the most qualified) would be defeated.

While considering the topic of referenda and initiatives in November 2010, we determined that popular elections should not be held more frequently than once every two years. If they are held any more frequently (including through the use of 'primaries'), they tend to lose their 'special' nature, and many otherwise-willing voters will sometimes/often stay away from the polls, or else (even worse) they vote with little or no advance research on the issues and candidates. Keeping it at a biennial election cycle will help to maximize willing and informed voter participation, as well as make the process more economical.

Absentee ballots

The use of mailed ballots is to be encouraged (though in-person voting will still be permitted), until electronic voting can be fully implemented. The final weeks before Election Day will include prohibition of campaign ads in broadcast media, to relieve pressure on those casting ballots by mail. All candidates sending out campaign material in the mail shall be required to send out at least one application for mail-in ballots, in order to create a level playing field, and to encourage voting by mail. The announcement of election results shall not be permitted in any area while polls in any other area are still open.

Electronic voting

In our initial pass of this topic, we identified multiple issues surrounding electronic voting, but found that all such issues should eventually be satisfactorily resolved by

continuation of ongoing efforts, and that we can eventually transition to an environment where votes are cast only by electronic mechanisms.

When we thought about this subject more during and shortly before 2018, we figured out that a good checking mechanism to facilitate electronic balloting is to assign a unique identified number to each registered voter in each election. The number would appear on the official Sample Ballot which is postal-mailed to each voter, and nowhere else. When it is time to cast official votes, each voter would enter her assigned number (which should be long and complex enough to mitigate counterfeiting, but also short and easy enough that most voters can enter it into the system without misspelling) on the system, and thus be authorized to vote. Then, after the election, she can look up an official list of votes with all their unique reference number, scroll to the page containing her vote, confirm that all the indicated votes match up with her Sample Ballot, and thus be assured that her vote has counted. It still would be theoretically possible to add some fictional votes to the real ones in order to skew the outcome, but the number of any such fictional votes would need to be small enough to keep the total ballot count less than or equal to the number of registered voters in the precinct. When more registered voters actually vote in each election, then it becomes much harder for any would-be counterfeiters to make a substantial difference in the election outcome, which is yet another good reason why people should always vote in each election.

Electoral College

The Electoral College is to be discontinued. Instead, we decided in March 2004 that State election officials will communicate statewide results on national elections to the national legislature, which will be responsible for totalling and certifying those results as needed.

Voting methods

We examined several alternatives to the standard procedure of having each voter vote for only one candidate, with the victory going to whoever receives a plurality of those first-place votes. One of the big reasons that we found this method to be inadequate to continue to serve our needs is that it is subject to the "vote-splitting" problem: Suppose that you have one candidate who has some support among the electorate, but who is actively disliked by the majority (such as a not-so-popular incumbent); then, suppose that you have two or more philosophically-similar candidates opposing that person. The opposition candidates end up splitting the vote against the candidate who is disliked by the majority, so that that candidate ends up with more votes than any one of his/her opponents, and wins the election by plurality.

This problem is solved somewhat by using a "preferential" (a.k.a. "instant run-off" or "virtual run-off") system, in which voters rank all the candidates, and the lowest-ranking candidates are dropped off during the tallying process until one candidate has over 50% of the vote. However, this method turned out to fail a different test: In a highly polarized political environment, where people's first-place choices are approximately evenly divided between two strongly-opposing candidates or factions, the society is generally served best and most peacefully by a centrist candidate acceptable to all sides. We found in our analysis that the "preferential" system fails to produce the centrist candidate as the winner, giving the victory instead to whichever of the polar candidates has a slight edge over the other.

We examined nine other voting methods beside these, against a total of seven criteria of acceptability, including voter understandability and the ability to capture aggregate voter preferences as completely and accurately as possible. As it turned out, exactly one of the methods that we considered survived all of our filters, and we have settled upon that as our voting method of choice. It's a variation of approval voting that we're tentatively calling the 'yes/no/abstain' method.

Under the 'yes/no/abstain' method, each voter may vote 'yes' to approve as many candidate(s) as he/she wishes, and may vote 'no' to disapprove any candidate(s), and may abstain from voting on any candidate with whom he/she doesn't feel sufficiently familiar. Each candidate's 'no' votes are subtracted from his/her 'yes' votes, and the victory goes to the candidate with the highest quantity of (yes - no). Among other advantages, this system gives voters the opportunity to vote against candidates as well as vote for them. It also allows voters to express opinions on as many candidates as they wish, instead of just the one afforded by the current plurality system. And, it satisfactorily addresses both the vote-splitting and polarized-environment problems.

None of the above

With Question 124.6, we considered incorporating the "none-of-the-above" (NOTA) ballot option into our election model. We found, though, that this option would be meaningful only if it could conceivably result in a new election, which we don't want to see, since knowledge by the voters of any results from the previous election could easily skew the results of a second election. With the fact that write-in votes are not really applicable with the 'yes/no/abstain' voting method that we adopted (and aren't really needed in a zero-party environment, anyway), we concluded that there is really no value to having a NOTA option as part of our model.

Subsection I-C-5: Recall Procedures

An official that has been appointed to office shall be subject to removal by the official who made the appointment (or that official's current replacement), subject to the same just-cause requirements as may be applicable in any employer/employee situation, and elected officials may be removed by special recall election. In the case of recall elections, we are not requiring that the initiators establish grounds for recall, though they will probably want to do so on their own. The recall process is to be begun by gathering signatures on a petition (same as for the original election), with each jurisdiction determining -- for each type of office -- how many signatures shall be required to validate the petition. Simple majority of the voting electorate shall be both necessary and sufficient to complete the recall. Very high-level positions (such as President, Governor, etc.) should have separate backup positions (Vice-President, Lt. Governor, etc.). Most/all other elective positions vacated by recall should be filled by the highest-ranking candidate in the previous election that is both willing and able to serve, but should still have a designated order of succession from other positions for when no alternate candidate is available.

SECTION I-D: EXECUTIVE STRUCTURE

Guiding principles

The first few Questions in this Section dealt with general points on structuring, appointments, and reporting relationships in executive branches of government at different levels. Among our findings is that the guiding principles which should be

observed by government agencies should include responding to the needs and desires of the people being served/governed, and more specifically that their actions should balance the long-term values of a society with its short- and medium-term policies and desires. Motivations for specific agencies to follow these principles can include competition with other jurisdictions, recall or unreelection of senior executives, incentive-based pay and bonuses for employees, and the possibility of firing or other disciplinary action for very poor service.

In March 2004, while reviewing the structure of the Justice Department as part of Question 194, we added a general policy statement that we don't want government to be making any decisions about our actions based on subjective judgments. Rather, anything that they would have us do or not do should first have been approved and codified by the applicable elective legislature.

Removal from office

Feedback forms should be made available, to get public response on the level of service provided by government agencies and employees. Replacing the concept of tenure in the Civil Service program with protection from arbitrary firing. There should be no 'probationary period' in government service; once you're accepted for employment, you can be removed only for just cause. Even if a particular official is seen to be performing poorly, we're allowing for the possibility that to remove that official prematurely could cause an even greater disruption than leaving him/her in office.

Above findings summarized in our Resolution #5, as follows: "All government employees -- up to and including the Chief Executives of the United States of America and of each of its constituent States and subsidiary jurisdictions -- shall be subject to possible removal from their positions at any time, for cause relating to the quality of their service, and/or the cost necessary to produce it."

Added in May 2019: Notwithstanding what some recent Presidents and their mouthpieces have publicly asserted, we claim that neither the President nor any other government official is 'above the law', or should be treated as such. If you want to have a totalitarian government, in spite of our earlier findings on basic government structure, as well as on the type of society that we want to have in America, then go on and do it somewhere else. However, for a large and diverse nation like America, which was founded and developed on the principle of governmental power deriving from the consent of the governed, it is critically important that we maintain certain limits on the power of the Presidency, and that we enforce those limits by any means necessary. This means that the President should be subject to Investigation, Impeachment, Indictment, Incarceration, and any other 'I-word', for any matter relating either to his/her exercise of Presidential authority or to anything else. To those who argue that subjecting the President to criminal prosecution may undermine the authority of the office, we politely counter that we create far worse undermining of our entire Democracy if we fail to do so when the need arises.

The Vice-President

Certain Questions dealing with U.S. Vice-Presidents, Lieutenant Governors of States, etc., which Questions were originally scheduled to be taken up as part of Section I-C-4, were moved in April of 2001 to this portion of Section I-D, and were formally taken up in September of 2001. We find that the Vice-President (or analogous

official of a lower jurisdiction) should automatically succeed the President (or analogous local official) upon his/her death during office, and that the President and Vice-President should continue to be elected on the same ticket, even in the absence of political parties.

Reporting relationships

All administrative department heads should report first to the Vice-President, Lieutenant Governor, etc., provided that the Fed has a National Security Council that includes the U.S. President, the U.S. Vice-President, and the future equivalents of the current Secretaries of State and Defense.

The Chief Executive of a given jurisdiction may take any unilateral action that is specifically authorized by a legislative provision; he/she may also initiate actions not specifically authorized or prohibited by the Legislature, though such actions are subject to override within 30 days by a simple majority of the Legislature. In order to allow the Legislature to observe and evaluate all such actions, all units in the Executive Branch are to routinely inform the Executive Oversight Committee of the per-State house of all important actions, and copy them on all correspondence, under penalty of removal from office of the individuals responsible for the non-disclosure. See Subsection I-E-3 below for further specific procedures.

Added in January 2019: Notwithstanding the above, the Chief Executive shall not have the authority to 'shut down' the Government -- nor any segment(s) of it -- for any period of time nor for any reason. It is the Chief Executive's responsibility to run the Government, that's his job, and he abdicates that responsibility if he once orders or otherwise causes it not to run. Whenever he so abdicates his responsibility, he should be treated as having vacated the position even if he has not formally resigned, or even if he asserts that he can 'shut down' the Government and still remain Chief Executive at the same time. After he has been removed from all the trappings of Executive Power, he may also be subject to prosecution for criminal neglect of public duty, depending upon the specific circumstances of each case.

Any administrative reorganization that results in elimination of a currently-filled position shall cause the affected employee to be put on 60-day 'priority placement', whereby that individual shall be given preferential consideration for any vacancy existing within that period, and then be granted a severance package if not selected for any of these.

The Legislature should have authority to confirm or overrule the appointments of all department heads and bureau chiefs in the Executive Branch. Again, see Subsection I-E-3 below for specific procedures.

Question 135

In October 2002, we finished Question 135, which was to take the functions that we had assigned to different levels of government back in Question 48, and create a model departmental structure for each level. As indicated above, the model structures for States and localities are intended only as a default recommendation; those jurisdictions may adjust the structures to suit their particular demographics, topographies, economic potentials, collective political philosophies, etc., etc.

The models for different levels have continued to evolve as we continue to look more closely at other levels, and they may yet be adjusted further as we proceed. The

model structures currently stand as follows, with the individual Departments and Bureaus and Offices being listed in alphabetical order:

Federal

Administrative Services

- Accounting & Budget
- Building & Floor Planning
- Facilities Management <<< changed from Infrastructure Maintenance in May 2019
- Personnel
- Procurement
- Security
- Transportation Services

Defense

- Air Defense
- Homeland Security <<< added in April 2019
- Intelligence
- Land Defense
- Sea Defense
- Space Defense

Finance

- Asset Management
- Business & Securities <<< moved from Domestic Affairs in May 2019
- Copyrights & Patents <<< moved from Domestic Affairs in May 2019
- Currency
- Domestic Trade <<< moved from Domestic Affairs in May 2019
- Government Payroll & Pensions
- Labor Relations <<< added in May 2019
- Revenue Collection

Foreign Affairs

- Cultural Exchange
- Diplomatic Relations
- Immigration
- International Trade

Interior <<< transformed from Domestic Affairs in May 2019

- Agriculture
- Electronic Communications
- Environmental Protection
- Indigenous Relations <<< restored and changed from 'Indian Affairs' in May 2019
- National Parks & Forests
- Territorial Administration
- Water & Power

Justice

- Criminal Records
- Detention
- General Counsel
- Investigation
- Marshal
- Prosecutor

Public Services <<< transformed from Health & Safety in May 2019

- Arts
- Census & Statistics <<< moved from Domestic Affairs in May 2019
- Consumer Protection
- Disaster Relief

- Economic Aid <<< changed from Social Services in May 2019
- Language Resources <<< removed from structure in January 2019
- Occupational Safety
- Public Health
- Public Information <<< moved from Domestic Affairs in May 2019

Science

- Earth & Sea Exploration
- Energy <<< added in May 2019
- Measurement Standards
- Meteorology
- Research & Development
- Space Exploration

Transportation

- Air Traffic
- Airports & Harbors
- Highways
- Railroads

In general, we have endeavored to arrange these structures on a more functional basis than what we have now in 'real life', and to replace current agency names with those that indicate more clearly what those people are doing for a living. Specifically, we found that the term 'Secretary of State' means different things in different jurisdictions, so we have eliminated that title. Bureau names in the Department of Defense are phrased in such a way as to emphasize the proper role of those agencies, to help discourage them from exceeding it.

We're creating an Administration Department at all levels of government, since all executive bureaucracies have certain functions that need to be discharged internally, without direct public involvement. Also adding a Science Department at the federal level, in consideration of our increasing reliance on science in modern American culture.

The U.S. Secret Service is broken up into its security function (now divided between the Foreign Affairs and Justice Departments) and its counterfeiting mitigation function (remaining in the Treasury Department). The name "Measurement Standards" replaces the current "Bureau of Weights and Measures", partially to reflect the technical fact that people sometimes measure mass rather than weight (particularly when using the Metric System), and also because weights and masses constitute a subset of measurements in general, and thus don't need to be specified in the agency title. The Bureau of Language Resources will help make it easier for everyone to learn American English, and will monitor the evolution of the language on a continual basis.

In October of 2002, a question was raised as to whether there should continue to be a 'Bureau of Indian Affairs', or some other federal agency concerned with Native Americans. Our position at that time was that all people should be able to move freely in all political jurisdictions, and that they should be able to do anything (including practicing native cultural traditions) that does not injure or endanger other people. We also disliked the idea that persons of any ethnicity should be relegated to limited geographic areas, or receive any other separate treatment. And, we found that the people of any particular community may develop their own legal and social structures, so long as they don't directly conflict with the laws of higher jurisdictions. Finally, we would have a problem if someone felt that he/she could commit some bad act in a non-reservation area, and then obtain political sanctuary by retreating to a

reservation. We therefore saw no need for a separate government agency to deal with Native Americans, and we found the existence of such an agency to be antithetical to the ideals of a free and fully-integrated society. We changed this position in the Second Pass, however, on grounds that we trampled their territories and provided some tracts of land as partial compensation, that they continue to deserve a level of protection and autonomy on those 'reservations', that they did not ask to be part of a "free and fully-integrated society" with their European conquerors, and that they are Nations with whom we should maintain cordial diplomatic relations. We therefore decided to restore this agency to our revised structure, but also decided that it should be changed from the racist and dehumanizing 'Bureau of Indian Affairs', to the more respectful 'Bureau of Indigenous Relations'. It should not be part of Foreign Affairs, since those peoples reside on what is generally recognized to be American soil, so we think that it fits best with our restored Department of the Interior.

Original model had Postal Service as a bureau of what was then called the Communications & Transportation Department. However, in May of 2004, we addressed our Question 197, and found that postal operations should be managed by private organizations, without government oversight or rate-setting.

Original model had Elections as a bureau of the Justice Department, the idea being to maximize the integrity of the process through oversight by a semi-independent justice-oriented organization. However, in May of 2004, we addressed our Question 200, and found that States and localities can manage elections satisfactorily, and can communicate with one another (through the national Legislature as needed) as to signature verification and vote tabulation for any national elections.

Original model referred to the department as 'Treasury' which contains all the financial functions. However, in June of 2017, during our consideration of Question 371, we decided that the name 'Finance' is more descriptive of the full scope of the functions being performed by that department. We also at that time changed the name of the 'Currency & Banking' bureau to just 'Currency', because we may not end up with the same type of Banking structure that we have maintained in the past.

During the Third Pass, we will organize all these disparate discussions according to the different agency names which we considered, whether ultimately adopted or not. In the meantime, the following additional adjustments to our Question 135 structure were effected during the Second Pass in May 2019:

'National Parks' was originally placed in the Department of Domestic Affairs, because we no longer had an Interior Department. Domestic Affairs included (but was not limited to) Agriculture, National Parks, and Territorial Administration as bureaus. 'Language Resources' was another bureau, but had been removed in January 2019. There were 12 other bureaus in total, including National Parks. We considered during the Second Pass that this may be a lot, and it moved us to reconsider the entire Federal structure.

Domestic Affairs had a bureau of 'Business & Securities', but we found it to be a better fit under Finance, so moved at this time.

Copyrights/Patents is also largely a financial function, so moved to Finance.

We generalized 'National Parks' to 'National Lands', to include Forests and other properties. Changed again to 'National Parks & Forests', because of being more descriptive and less kooky-sounding.

'Environmental & Consumer Protection' was in 'Health & Safety' instead of 'Domestic Affairs'. Could we have that agency there while Agriculture and National Parks/Forests and Domestic Trade and Business/Securities exist in different departments?

Come to think of it, we never were big fans of the 'Department of Domestic Affairs', partly because the name is so all-encompassing, and also because so many other operations in other departments are also 'Domestic Affairs'. We figured that it was now time to break up this department, including by restoring a Department of Interior to manage all our physical lands. We therefore placed National Parks & Forests as a bureau within Interior.

On the other hand, one reason why we had 'Domestic Affairs' was to have some place to put our Arts bureau, because it didn't fit well in other departments which we had at the time.

We then figured that maybe we could extrapolate 'Health & Safety' to be 'Public Services', which could include Arts.

'Environmental & Consumer Protection' was then broken up. Consumer Protection was moved to Public Services, and Environmental Protection is now in Interior.

Census & Statistics now in Public Services. Domestic Trade moved to Finance. Public Information and Social Services moved to Public Services. However, now fuzzy to have 'Social Services' as part of 'Public Services', since the names are so similar, so changing the bureau name to 'Economic Relief', which is also less euphemistic. But then, it overlapped poorly with 'Disaster Relief', so we needed something else, and settled on 'Economic Aid'.

In case not previously mentioned with sufficient clarity (or at all), 'Asset Management' should not include National Parks & Forests, because they are not Assets, in that they have no market value because they are not for sale.

Changed the 'Infrastructure Maintenance' bureau under Administrative Services, so that nobody thinks that it involves any facilities outside of our Federal offices. Decided to call it 'Facilities Management'. At this point, we were pretty happy!!

State

Administration & Finance

- Accounting
- Investments
- Payroll
- Personnel
- Taxation

Commerce

- Banking
- Consumer Affairs
- Corporations
- Gambling Regulation
- Insurance

- Tourism
- Conservation
- Environmental Protection
- Historical Landmarks
- Wilderness Areas
- Elections
- (no separate bureaus)
- Law Enforcement
- Gun Control
- Internal Auditing
- Investigation
- Police
- Prisons & Parole
- Prosecutions
- Public Services
- Disaster Relief
- Job Training
- Occupational Safety
- Transportation
- Driver's Licenses
- Highway Construction & Maintenance
- Vehicle Registration

Current vision is that disaster relief happens at every level of government. Local jurisdictions are first given the opportunity to provide economic assistance to their own residents in cases of disaster. If a given disaster is spread over a wider area, or if a particular locality has insufficient resources to address the problem internally, the local jurisdiction may appeal to the next higher jurisdiction for any supplemental assistance that it may be willing and able to provide. The higher jurisdiction may also initiate assistance unilaterally, if the executives of that jurisdiction perceive that the lower jurisdiction isn't acting quickly or effectively enough. We reached these determinations over a year before Hurricane Katrina.

County

- Administration
- Budget & Auditing
- Facilities Management
- Personnel & Payroll
- Taxation
- Education
- (no separate bureaus)
- Environmental Services
- Conservation
- Ecological Restoration
- Fish & Game
- Waste Management
- Garbage Collection & Removal
- Recycling
- Sewage Management
- Health & Safety
- Animal Regulation
- Building Permits & Inspections
- Coroner

- Drug & Liquor Regulation
- Fire & Rescue
- Medical Services
- Restaurant Inspections
- Parks & Recreation
(no separate bureaus)
- Public Assistance
 - Child Placement
 - Counseling Services
 - Disaster Relief
 - Entitlements
 - Job Placement
 - Job Training
 - Worker's Compensation
- Records & Elections
(no separate bureaus)
- Transportation
 - Airports
 - Harbors
 - Public Transportation
 - Street & Highway Maintenance
 - Traffic Management
- Water & Power
(no separate bureaus)

As with disaster relief, environmental protection happens at multiple government levels. Local issues can be addressed locally, while larger-scale issues may need to involve higher jurisdictions. Localities may also appeal to higher jurisdictions for supplemental assistance on local matters, if they find that they don't have enough resources to tackle the problems themselves.

Fire control is now concentrated at the County level, since fires don't recognize municipal boundaries, and since fire control frequently requires the involvement of personnel and equipment based in different Cities.

Education is concentrated at the County level, both to increase administrative efficiency (as per the principle of subsidiarity) and also to prevent poorly-planned curricula from affecting too many students.

Airports and harbors and water-&-power are administered jointly between Counties and the federal government. The Fed coordinates traffic among all major airports and harbors in the country, and makes sure that water and electricity are effectively distributed to all populated areas of the country. Meanwhile, Counties perform the day-to-day management/oversight of their own airports and harbors, and arrange for the distribution of water and electricity to individual homes and businesses.

There is no law enforcement agency at the County level, because we envision Counties as regional administrative arms of the State, and thus do not expect them to create a separate system of laws that need to be enforced. States, Cities, and the federal government can directly enforce the laws that they pass.

The Bureaus of Entitlements and Medical Services may have different sizes in different Counties, according to the level at which the people of each County decide

that they wish to have their tax dollars going to provide free economic assistance and health care.

The Bureaus of Traffic Management and Street & Highway Maintenance are concerned with only the unincorporated areas of the County; individual Cities are expected to manage these functions within their designated borders. Public Transportation is a County-wide function, though individual Cities may choose to supplement the County system with their own; same with Parks and Recreation. All other non-administrative County functions apply to the entire County.

As indicated in the introduction to Section I-C, we're currently envisioning Counties to operate on a 'council-manager' system. Under this system, an elective council sets general policy for the County, a County Manager is appointed by the governing council to oversee the administrative operations, and all administrative department heads report directly to the County Manager. No problem, though, if a particular County wishes to have its administrative manager directly elected by the people, or have some other arrangement; the default model of administrative agencies would most likely be unaffected by any such variation.

Municipal

Administration

- Facilities Management
- Finance
- Personnel

Cultural Enrichment

- Arts
- Historic Preservation
- Libraries
- Parks
- Special Events
- Tourism

Permits & Licenses

(no separate bureaus)

Public Safety

- Corrections
- Disaster Relief
- Police

Transportation

- Parking Enforcement
- Public Transportation
- Street & Highway Maintenance
- Traffic Management

We expect that each city will probably want to have a City Manager, to whom all administrative department heads would report. The City Manager would also be responsible for communicating with other governmental jurisdictions, particularly in the area of disaster assistance.

We find that we don't need an elections office at the municipal level, if the City Manager (or equivalent position) reports to the County Records & Elections Department as to the positions available, qualifications for office, etc. That Department can then prepare different ballots for different local jurisdictions (as they

usually do now), and candidates for all municipal positions can file at the County elections office.

Considered maintaining libraries in a separate Department, but we would like to promote the concept that libraries can be fun and culturally enriching, in the same way as parks and arts programs and special civic events. Decided therefore to make Libraries a Bureau of what we are calling the "Cultural Enrichment Department".

Subsection I-D-1: Executive Branch of Federal Government

In October of 2002, we began examining the functionality of all administrative agencies at all four levels of American government, beginning with the Federal. We completed the process -- and Section I-D -- in September of 2006. Happily, Section I-D is by far the largest in the entire Outline, so we are looking forward to no other Section taking nearly that length of time to complete.

For the Federal portion of this process, a few general Questions preceded the agency-specific topics: Department heads should be referred to as 'Director' instead of 'Secretary', since the title is rather more descriptive of that individual's responsibilities. The 'Chief of Staff' shall only supervise the President's personal support team, and shall not have any involvement in executive or political matters, since the latter are for the President, Vice-President, and Department Directors to deal with.

Extensive discussion about Question 138.2, on the optimal length of term for the U.S. President and Vice-President. We even took a field trip to the local library one evening to research the rationales of the original Constitutional Convention. Decision is that the current 4-year term seems to strike the best balance between being short enough to allow timely replacements without recall, and long enough to give incumbents a fair chance to learn their jobs and implement their agendas.

If the spouse of a Chief Executive is found to be guilty of treason, an investigation should be undertaken to see whether that Chief Executive was unduly influenced by the guilty party. If compelling evidence of such undue influence is found, then action may be initiated to remove that Chief Executive from office; otherwise, no action shall be taken as to that position. In any case, the guilty party should be removed from being able to exert any undue influence in the future.

Subsubsection I-D-1-a: Department of Foreign Affairs

The types of peaceful interaction that one country might have with another include trade, tourism, international intelligence on criminals, currency exchange, sharing medical/scientific discoveries, space/geophysical exploration, disaster relief, air/oceanic travel, postal delivery, political protection for travelers, diplomacy, special events (conferences, Olympics, etc.), and student exchange.

It is not reasonable to expect that relations between countries will always remain normal and peaceful, so that such activities could be carried out easily. Thus, it is appropriate to have a separate Department that specializes in maintaining peaceful and constructive relations with other countries.

We will continue to have an ambassador for each country in the world, plus consuls for major cities. Consuls report to ambassadors, who report to District Directors, who report to the Bureau of Diplomatic Relations. Each of these individuals may be

appointed in the same way as any government employee could be, by nomination from the immediate higher management level, and with approval from the next higher level. In the case of a particularly sensitive or critical position, even higher levels (up to and including the national legislature) may ask to be involved, also.

Diplomats should generally serve until they retire or their performance is found to be sufficiently unsatisfactory as to warrant removal. They probably don't need to be switched every time that the domestic political administration changes, since continuity is an important element of good ongoing foreign relations.

Embassies and consulates shall continue to be treated as sovereign territory of the countries being represented, to provide safe havens for people traveling abroad who get in any kind of trouble.

The Diplomatic Relations Bureau shall include a unit for providing security services to foreign dignitaries, to relieve that function from the current Secret Service.

Diplomatic immunity

Question 146 asked about the institution of diplomatic immunity. On this topic, we had said in a previous Question that the laws established by any given jurisdiction should apply to all persons sojourning within their borders, whether they're living there or just passing through. It is therefore expected that people will want to familiarize themselves with such laws before entering that jurisdiction. As expected as this is, it is even more expected for diplomatic personnel, whose job it is to be familiar with the laws and customs of the states with whom they are trying to maintain good relations. Ignorance of the law, then, is definitely not an excuse for diplomatic personnel to violate it.

The only other reason that we could see for wanting to maintain diplomatic immunity is to try to maintain good relations with the countries that sent those diplomats, by not punishing them for their crimes. We find this reason to fail also, though, since it doesn't make a whole lot of sense to maintain good relations with a country whose diplomatic personnel deliberately or negligently violate the laws of the country hosting them. It should be the job of that other country to try to maintain good relations with us, by making sure that their diplomats are respecting our laws and customs, as we should do for those countries to whom we are sending our diplomats.

We therefore find that the institution of diplomatic immunity should be discontinued. No objection to treating arrested/convicted diplomats in special ways, as it would clearly create more problems than it would solve to stick them in the same ratholes as the rest of the random scummy thugs; perhaps have separate VIP detention centers, and/or arrange with the country of origin to withdraw them voluntarily, and/or ask that country's permission to punish them, and/or something else. Whatever specific treatment those individuals get, though, they should most definitely not get away with violating the criminal codes of the host country.

Travel checkpoints

We had discussed intercontinental disease-screening checkpoints in the course of Question 36 (on whether individuals or consortia could buy part or all of a given country), and agreed that we could run criminal background checks simultaneously, at least to check whether there's a 'red flag' registered with international law enforcement agencies that would warrant detention. We now had extensive

discussion as to how intense this coverage should be, as we need to balance the rights of those people who have legitimate need to travel internationally without undue delays with the needs of countries like the U.S. who are the targets of terrorist threats. Plus, we still would like to move towards an environment where people can move around the world as easily as we can now move around the States.

Basic plan here is that the traveler's passport number can be run through an international master database, and that he/she can be detained if the check hits a 'red flag' for especially serious criminals/suspects. We should have only the most potentially dangerous people on this database, so that the check can be done by the time that any disease screening is completed. Also OK to have both a 'red flag' and an 'orange flag' (again, if this can be checked fairly quickly for all travelers), the latter indicating that the traveler does not need to be detained immediately, but that the applicable authorities should be notified of his/her whereabouts.

Now, while disease screening generally need happen only on intercontinental travel (since it's the diseases for which the local population has not yet built an immunity that we're trying to capture here), some countries may also want to set up criminal-screening checkpoints at intracontinental border crossings, particularly if they are engaged in hostilities with neighboring countries. While the I.O.O. should be trying to mitigate such situations, we expect that there may yet be times when they won't be completely successful, and neighboring countries still will have problems with one another. Therefore, while we (and the I.O.O.) can set a general goal of maximum openness for all international borders, it's our finding that any country should yet be allowed to have as much or as little border security as they deem necessary and appropriate.

From an American standpoint, we would rather keep the borders as open as possible, particularly since we don't have any major political problems with our immediate neighbors. Furthermore, we would like to continue America's role as the one place in the world where people can go if they're getting hassled in their own countries. If we find later that immigration or drug traffic constitutes a major problem for us, then we can discuss making heavier border patrol an element of our Agenda. For now, though, we are aiming for a de-emphasis in that area.

Foreign aid

Question 147

Under what conditions -- if any -- would it be appropriate for the U.S. to send free monetary aid to a foreign country?

We do not feel that we should be totally isolated from the world. But, neither do we feel that we should indulge in pure altruism towards other countries, at the expense of our own population. Besides, it's logistically easier for any country to divert any supplemental resources to the needy who are closer to home, than to ship them off to the other side of the world.

Therefore, we find that it is OK for the U.S. to send free economic aid to foreign countries, but only after we have first taken care of the hungry and homeless and diseased within our own borders.

Canadian relations

Question 148 considered the feasibility of merging the U.S. with Canada (with the possible exception of Quebec), since there is such similarity in culture, history, language, natural resources, etc., and since a combined larger country might be able to produce more than the two countries could separately.

Whatever structural advantages there may be to such a merger, though, it appears that it would still not be accepted widely enough among the populations of both countries. Specifically, one of our participants revealed that she has some non-Quebeçois Canadian friends who report that they are generally uncomfortable with big governments, and that their culture of trust and openness is seen to be superior to our culture of fear and hyping the bad news on our TV. It is therefore not being added to our Agenda at this time to encourage a Canadian-American merger.

Subsubsection I-D-1-b: Department of Defense

The following text was entered in our General Summary during the First Pass: "We do want to maintain a standing armed force for defensive purposes, but we should not initiate military attacks against any other countries for any reason, whether to expand our territory, or to retaliate against a trade embargo, or (as previously identified) because we disapprove of someone else's form of government, or for any other reason. We may (and should) participate in I.O.O.-sanctioned campaigns against countries who have initiated hostilities with other countries, and we may (and should) defend ourselves and our allies when directly attacked, but that generally should be the full extent of our military involvement."

When we reconsidered Question 150 as part of the Second Pass, we researched our original notes from Session 97 on 20-Jan-2003. They clearly show that our preference even then was to participate in repulsive actions only under I.O.O. sanction, unless the attack is directly onto our soil. We therefore determined to modify both summary documents to show that we will not attack other nations who did not attack us, unless as part of an I.O.O.-sanctioned operation. For, it is not for us to decide which nation was in the wrong, nor to decide what responsive action (if any) is called for. That should be a decision for the global governance, which presumably can assess the situation more objectively, and more removed from the desire of certain national politicians to impress their citizens with demonstrations of military force, whether justified or not.

Question 152 asked specifically whether we should accede to the preferences of those who feel that the U.S. should be the world's 'policeman'. We observed that this perception is largely based on current conditions, including a 1-house I.O.O. with little actual legislative authority or enforcement power, the absence of a global policy against military aggression, and only limited assistance to refugees who wish to escape from alleged human rights violations. Once we have all the elements of our Agenda in place, it will not be necessary for the U.S. to act as the world's 'policeman', if it ever was.

Military service should never be compulsory, either for a minimum term of service (Question 154) or even in case of a defensive war (Question 155), since the insufficiency of volunteer forces should send a signal that the country is not that interested in pursuing a particular war, or in maintaining an excessively military environment in peacetime. OK to provide incentives for service if desired, but ultimately keep it voluntary. We considered the alleged economic advantages of war, but noted that some of these may be illusory and/or short-lived.

Only restrictions permissible on who may serve are (1) the physical capability to perform jobs in Service, (2) passing a psychological evaluation, (3) not belonging to any organization that has expressed ill will toward the U.S., and (4) an intelligence level above some designated minimum. As long as the same entrance standards (e.g., height, weight, age) are applied equally to all recruits, there is no valid reason to deny induction on the basis of either gender or sexual preference. If there are any individuals who have a problem working with people of different genders or sexual preferences, these should be screened out up front, but we shouldn't deny an entire class of willing volunteers the opportunity to serve, since experience has shown the majority of all soldiers to be very professional when on duty, and also because we may be in short supply of able volunteers one day.

Pregnant women in Service should be re-assigned as needed to duties which are not hazardous or physically over-strenuous, and should be given a healthy maternity leave when the time comes. In no wise should they be discharged from Service as a result of getting pregnant.

Extensive discussion on Question 159, as to how we should arrange barracks and latrine assignments, given the admission of soldiers of all combinations of gender and gender preference. The group has no problem with shared barracks, nor with non-shower latrine activity, but shower facilities proved more problematic. Reasons in favor of relaxed showering restrictions include that soldiers ought to get accustomed to how conditions may be in the field, that we have already decided in favor of equal treatment for all genders and orientations, that the same orders that would communicate to a gay man that he shouldn't be harassing other men (including by staring) should also work for straight men harassing women, that shared nudity becomes far less eventful when it is not prohibited, and that people wouldn't sign up for the military in the first place if they didn't feel that they could control their urges as needed. Reasons against relaxed showering restrictions include that soldiers should feel comfortable whenever they can, that segregation by gender is fairly practical even if segregation by orientation isn't, and that the same standards which enable unisex arrangements in the 'real world' might not apply in the closer and lengthier confines of military service. Multiple alternatives to separate shower facilities were considered, including video surveillance and in-person monitoring, to mitigate staring and other harassment (even though the surveillance/monitoring would itself be a form of staring). The compromise finally achieved was to try different arrangements in different military units, to see which approaches work best and worst.

We do wish to continue to have an agency to gather intelligence on other countries, including by covert mechanisms as needed. This agency can/should be part of the Department of Defense, and we found during the First Pass that it was absolutely not necessary to have a separate department for 'homeland security'.

Added in April 2019: However, we can see how it might be useful to have a bureau of the Department of Defense focusing on threats to our security which come from within our borders, particularly policing as needed any actual or potential acts of Terrorism. We therefore decided to be okay with having a Bureau of Homeland Security within the Department of Defense, so that there will be a unified command in case of any threat potentially affecting both our borders and our homeland.

Added in April 2019: Also on the subject of Terrorism, an attendee suggested in October 1997 that we make it illegal for the President or anyone else to negotiate with terrorists, so that he/she would not be the 'bad guy', and so that it would not be

possible for a terrorist act to work. The suggestion may not be effective, though, because some terrorists may not care about negotiation, but simply hope to intimidate citizens and governments with their actions, sometimes even at the cost of their own lives. Meanwhile, denying negotiation makes dialogue difficult, and we need open and peaceful communication if we are to identify the root causes of the Terrorism against us, for only then will we ever truly solve the problem.

Added in May 2019: Original discussion on the subject of Terrorism happened in Session 98 on 3-Feb-2003, after treating Question 160 but without a question number of its own, so now retroactively numbered it as Question 160.1 in all books. This discussion asserted that the Intelligence bureau could identify any terrorist threats, and then notify the Air Force to knock them out. But, behold, this causes two problems.

First, our intelligence is not always so reliable (recalling the whole 'Weapons of Mass Destruction' (WMD) debacle), so we really should be seeking advice and permission from the global governance before initiating any military strikes against another nation. They can review the evidence more objectively, like a judge who issues an arrest warrant after the police have made a convincing criminal case to her.

Second problem with the original discussion is that some sources of terrorist threats may exist within our own borders, in which case it may not always be prudent to have the Air Force knock out those targets. Would be better in many cases to have ground forces taking control of the situation, in order to minimize civilian losses and other collateral damage.

However, we should not maintain a separate Branch of uniformed personnel to be 'on call' in all areas in case of any internal threat. To the contrary, that's part of what the National Guard has always been for, so the Bureau of Homeland Security could (with proper authorizations from higher authority) activate state National Guard units and other local militias when needed.

Subsubsection I-D-1-c: Department of Finance

Confirmed that this department will cover Asset Management, Currency, Government Payroll & Pensions, and Revenue Collection. Other questions of an economic nature are to be evaluated in Part II of our Outline.

We entered the following notes during the First Pass: "We do want to maintain ample acreage for forests, both as a strategic reserve for lumber and also to help replenish our regional oxygen supply. OK for some forest land to be sold or leased to private commercial organizations, with the recommendation that it is in their long-term economic interest to maintain sustainability, particularly since renewal of timber resources can take some 20-50 years. However, in the case that this recommendation is not universally observed by private enterprise, we want to continue to keep some forest land in the custody of the federal government, specifically the Bureau of Asset Management. Again, more specific policies in this area will be considered in Part II, Question 434 to be precise."

We modified this position in the Second Pass. Forest land can still be sold or leased to private commercial organizations under the stated conditions, but we would need to make sure that we maintain a certain number of National Forests which are permanently protected from commercial access. The lands which are available for sale or leasing can be managed by the Bureau of Asset Management within the

Department of Finance, or alternatively by the Bureau of Agriculture (since it involves harvesting) within the Department of the Interior. The latter recommendation seems better, so that both the National Forests and all other federally-owned forest land could be managed by the same agency with a common strategy and command.

Subsubsection I-D-1-d: Bureau of Environmental & Consumer Protection

There are some environmental issues that are large enough in scope (particularly those involving the atmosphere) as to warrant the attention of the federal government, which can have a sufficiently broad representation of the entire area to make adequately-informed decisions, whereas other issues are so small in scope that they can/should be handled by smaller localities, without giving the Fed more to do than they already need to have. We are therefore finding that there should be an agency at the national level to treat environmental issues, but that similar agencies should also exist at more local levels of government. We're also finding, though, that environmental issues often dovetail with issues involving consumers of products, so the federal agency will consider both types of issues concurrently.

In considering the scope of this agency, we found that the needs of businesses, consumers, and the environment are all valid and important, and that they often interrelate. We therefore need to have an ongoing policy that will adequately provide for these sometimes-competing interests to all be served justly. Since we also find, though, that such policymaking is probably more appropriate for legislative bodies than administrative ones, we are suggesting that there be a legislative committee that will give continual attention to maintaining a harmonious balance among businesses, consumers, and the environment. (In October of 2010, we actually provided for such a committee to exist within each house of the federal legislature; see Subsection I-E-3 below.) With this proviso, we're upholding the original name of the administrative agency, since most of what they will be doing will be enacting and enforcing regulations to provide protection to both consumers and the environment, within whatever parameters are designated by the applicable legislative committee.

Some specific functions that can be discharged by this administrative agency include ecosystem oversight, air quality, safety of food products, accuracy of packaging labels, and seismic monitoring. On this last element, we're suggesting that the E&CP Bureau might desire to produce small artificial earthquakes in order to prevent larger ones; if so, they need to consult with the Earth & Sea Exploration Bureau of the Science Department, probably in the form of taking testimony in a public hearing.

Government should not be mandating fluoridation of drinking water, even if it can be shown to be a public benefit, since individuals should have choice over what chemicals they put in their bodies. However, local governments may arrange for chlorination or other treatment that may be needed to make water sufficiently potable.

Following text was adopted during the First Pass: "Government emphasis on species preservation should be limited to preventing significant population depletions that would cause an unhealthy shift in the ecosystem balance. If, however, a given species is already so severely depleted that only a few specimens exist in controlled environments, then it may not present a significant environmental impact if that particular species did happen to die out. Therefore, there is not an overriding public

interest in preserving that species, and any such efforts that individuals may wish to exert along these lines should be managed by private organizations.”

However, this position was modified in the Second Pass. We did not perceive this issue at the time as being as much of a problem as it later appeared to become, especially with all the recent ‘trophy hunting’ of various defenseless animals. Also, we had long since resolved to legislate and enforce this matter at the global level, under the Environment Committee/Council of the House of Territories, because such issues transcend national borders, so it’s not really within the purview of national governments, except to assist the global governance with local enforcement, including by allowing/facilitating apprehension of known violators. In our case, we probably would rely on the U.S. Marshal’s office, so that we don’t need to bug our military branches or National Guard.

Subsubsection I-D-1-e: Department of Science

Not all scientific and technical research needs to be conducted or coordinated by government, and some can still be managed privately. However, since this society is becoming increasingly science-dependent, we do see it as a responsibility of a progressive government to be conducting and/or coordinating and/or funding more of this research, and we are recommending that all such activities be managed through a central federal agency.

Briefly considered the idea of making this a completely separate branch of government, instead of an agency of the Executive Branch. Found pretty quickly that reporting relationships, communication, accountability, and leader selection could be very fuzzy if we were to go that route, so we dismissed the concept, and are sticking with the original model.

Subsubsection I-D-1-f: Agriculture, Transportation, Energy, Labor, Commerce

Original vision of Answer 170 considered that all of these functions could be merged into a single Commerce Department, since they all have commercial implications. When we actually built our model structure for Answer 135, we moved the agencies around to different Departments, including to a Department of Domestic Affairs. On reviewing that model again for the actual First Pass of Question 170, we didn’t find anything so manifestly wrong with it as to warrant moving things around again, so we decided to stick with that structure for the present.

The model which we reconstructed pursuant to our Second Pass on Question 135 dropped the Department of Domestic Affairs, and restored a Department of the Interior, so we now would prefer for Agriculture and Transportation to be there. Then, the agency in charge of Commerce can focus more on actual financial issues.

We currently have Transportation as a separate Department, to include Highways. We currently have Domestic Trade under Finance, and International Trade under Foreign Affairs.

We seem to have dropped out any agency relating to Energy, after we previously had it in Domestic Affairs, now broken up. Our ‘black book’ entry for Question 178 asserts that energy is a quantity to be produced and sold and consumed like any other, but we now feel that it is distinct enough to be placed in our Department of Science. We want scientific experts managing energy production and distribution,

more than we need folks with simple financial background, so we have now added it as a Bureau within the Science Department.

Labor had dropped off our radar completely, except for statistical analysis, which was rolled into Census & Statistics within the Department of Public Services. If we now put it back under Finance, then folks might perceive us as considering our labor force to be a mere component of our economic cycle. We have Occupational Safety as an agency within Public Services, so some might ask whether we need anything for Labor beyond that. But, what if we have a general strike someday? Who will speak for the government? That possibility (which probably needs to be rolled out into a formal Question) assumes/suggests a nationalized business environment, where government can dictate wages and other working conditions beyond occupational safety, and so maybe we wish instead to place this burden on the business owners who created the problem. On the other hand, we can't allow the billionaire capitalists to set all their own policies, and thus exploit the working classes, who may or may not have sufficient protection from their respective unions. Besides, even if new statistics show that some change should be made to the overtime cutoff or some other factor relating to Labor, then will our Census & Statistics agency step forward and demand/enforce the changes? Doubtful. It should be the Finance Department who solicits and utilizes the data as needed. In order to mitigate the perception of reducing labor to a mindless economic component, the bureau name within Finance should be 'Labor Relations', giving more respect to Labor as a community with whom favorable relations are important, but also establishing parameters to prevent Labor from getting everything that they want. Even if the Bureau has little to do in real life, it's a good look to have it on the board, for otherwise people will look at the model and prejudge it incomplete.

Subsubsection I-D-1-f-i: Bureau of Agriculture

General mission of this agency should be to maximize the quantity and quality of our agricultural output. Monitoring of production levels, to give growers a better idea of where they should be concentrating their efforts, could be handled through private associations, but we find that the public interest is better served by having impartial government employees conducting this research, so that's an appropriate fit for the Bureau of Agriculture.

This agency can also monitor safety of agricultural processes, and humane treatment of livestock, while the Bureau of Environmental & Consumer Protection would concentrate on the safety of already-packaged food products. All other functions of the current Department of Agriculture are either discontinued or assigned elsewhere. Any such monitoring of safety or livestock treatment should be conducted in accordance with specific written standards established by the elective Legislature, and not on the basis of subjective judgments on the part of federal regulators.

The only reason that we could see why we would want government to be in the business of paying farmers not to grow certain items would be to provide incentive for them to concentrate on those crops which are in shorter supply. However, these decisions can be made by growers directly, after simple inspection of free-market price levels for different crops, so government intervention and spending are probably not needed here. Besides, we suspect that this practice could lead to widespread bribery, and we're not prepared to tolerate that, so we're strongly recommending that it never be done.

Subsubsection I-D-1-f-ii: Bureau of Electronic Communications

Any monitoring and/or restriction of electronic communication content should be managed at the federal level, since these communications cross State boundaries all the time.

In considering the extent of such monitoring and/or restriction, we would generally like as much freedom as we can accommodate, but we're still willing to be sensitive to the needs of those individuals who find certain types of material to be offensive.

Agreed to have a rating system and warnings for images of violence, since impressionable individuals of all ages might be inclined to copy the violent actions that they see portrayed on television and film. Images of sex and nudity are not nearly as potentially harmful, particularly if we do a better job in educating kids about these areas. Still, we're willing to allow a similar system of ratings and warnings, for those parents and other people who still want them (due to the possibility these acts may yet be copycatted by pre-pubescents, even with improvements in our educational system), though we don't want the ratings so specific as to require taking up a whole screen before each show.

TV ratings currently exist for consumption of virtually all intoxicating substances. We can see a value in continuing such ratings for the harder intoxicants, but drinking alcohol and smoking marijuana are comparatively common practices, with those practitioners not requiring any televised portrayals to encourage them to continue. We are therefore suggesting that these images can be dropped from the list of those which are to be given any advance notification.

We do not wish to see an outright ban on the utterance of certain vocabulary words on radio. However, we acknowledge that some words may be generally intended for the purpose of shocking or provoking people, and that it is reasonable for parents and others to want to know that these words may be coming up in the course of a given broadcast. OK, then, to determine by Census questions which expressions should be restricted, and to require radio broadcasters to have periodic announcements on whether any of these expressions are expected to appear in their programming. Fill-in-the-blank is a better format for such questions than leading people by asking yes-or-no on a pre-written list.

In general, we feel that the current 'mood of the country' can best be determined through the use of polling questions on the periodic Census. These questions can tell us which categories of audiovisual images are to have ratings and/or warnings applied to them, as well as which specific images should be subject to these.

Internet sites should be subject to the same anti-libel rules as all other media. Pop-up ads and spam e-mail's are seen (by Questions 13 (our definition of 'injury') and 38 (as to maximum personal freedoms)) to constitute an invasion of personal space for any individual who has not specifically opted in (using the sellers' websites) to allow such solicitations, though we see that it may be a while yet before hack-resistant technology is developed to enforce restrictions reliably. There should be restrictions against propagating computer viruses, and parents should be able to block websites on the basis of selected keywords. No further Internet regulation beyond this, since we don't want to stifle the creativity that this tool has demonstrated.

Subsubsubsection I-D-1-f-iii: Bureau of Domestic Trade

Confirmed earlier concept that this agency will be concerned primarily with the effective distribution of goods within this country, while international trade will be controlled (as needed) within the Department of Foreign Affairs.

As a guiding principle, we want to make sure that internal trade is not overregulated at the expense of free enterprise, lest we end up with a state of tyranny. Beyond this, the topic of exactly what this agency will be doing will be treated in Question 461; if we find at that time that domestic trade can be allowed to proceed without government oversight, then we will be able to remove this Bureau from our model structure.

Subsubsection I-D-1-f-iv: Bureau of Water & Power

There should be a federal agency concerned with energy, whose primary functions are to make sure that we are producing and/or importing enough water and energy to meet our needs, that it is effectively distributed around the country, that safety in production and distribution is maintained at all times, and that we are continually exploring new technologies. Water quality is to be managed by local authorities, and jurisdictional disputes among countries should be adjudicated by the I.O.O.

This bureau would also administer dams which are involved in widespread water redistribution and/or hydroelectric production. Smaller dams operated for regional flood control purposes can be maintained by local authorities, though the Fed may step in if it is found that local mismanagement is presenting an imminent and serious threat to public safety. To prevent the national government from exerting too much control over states and localities, in our federalized subsidiarity-based structure, we are requiring that the Bureau of Water & Power obtain approval from the Bureau of Disaster Relief before engaging in such intervention, and also that they notify the applicable committee in the Legislature of their planned actions. (In October 2010, we designated that such notification should be made to all three 'Economic & Environmental Affairs' committees.) This will give the Legislative Branch the opportunity to check the power and activity of the Executive, while not requiring localities living in hazardous conditions to wait for full legislative approval before any action is taken.

Any planning by the Water & Power Bureau as to distributing water from a given water source should take into account the ecological impact to the locality. It is expected that the Bureau will conduct informational hearings as needed before any major construction, and take into sincere consideration the stated needs and concerns of the affected local entities.

Added in May 2019: In particular, the national Water & Power Bureau should monitor water-delivery systems throughout the nation, including all pipelines, and step in to fix problems wherever local authorities appear to be unable and/or unwilling to do so directly, as with the situation which was plaguing the community in Flint MI for five years as of 2019.

Subsubsection I-D-1-f-v: Bureau of International Trade

We should have no tariffs or other such restrictions on foreign trade, since such practices tend to increase prices domestically, ultimately harming the American consumer. Only exception is that the same federal safety and accuracy standards that apply to goods manufactured within this country shall apply equally to imported goods.

We may theoretically want to impose trade barriers against countries with whom we have some political or philosophical difference, but we are recommending against such actions, both because we might be penalizing our own people by the non-importation of commodities that they find valuable, and also because there's always the possibility of such temporary actions becoming permanent, and we find that such developments would generally create more problems than they might possibly be solving.

Subsubsection I-D-1-f-vi: Labor

We found that there should be labor laws, which would be enforced by the applicable law enforcement agencies, but that there are no labor-related administrative functions that need to be dealt with within the federal Executive Branch at all, except as to the collection of certain statistics, which can/should be managed by the Bureau of Census & Statistics.

Subsubsection I-D-1-f-vii: Transportation

Transportation functions to be handled within the federal Department of Transportation include interstate highways, major bridges (including possible certification of engineers), air traffic control, rail traffic control, security for interstate transportation, land appropriations, regulations on transported goods, pilot/conductor training, satellite control for the Global Positioning System, highway maps, safety regulations on individual vehicles, and future space transportation. This agency should not be involved in ferries, research & development, auto traffic control, measurement standards for gas pumps, time zone definitions, or auto emission controls.

Some safety regulations such as seat belts and helmets may possibly be enacted at the national level, both to increase efficiency of the regulatory process and to mitigate corruption by regulatory officials. However, the Fed may also allow some regulations to be enacted and administered more locally, to allow for different communities to have different preferences as to the degree and types of regulations that they desire to have.

Bureau of Highways

The Fed generally has no business either specifically approving or specifically forbidding construction of a highway that does not cross any State border, unless there is a demonstrable environmental impact upon a neighboring State, or unless the highway is planned to cut through a national park or other federally-owned land. Two or more States may pool their resources to create highways crossing State boundaries, without any involvement from the Fed. The Fed should not be able to mandate speed limits on any highway in any State, one reason being that something that needs to be mandated generally shouldn't be, and another reason being that such regulations would not affect all areas equally; they can provide recommendations to States and localities if there is another national energy shortage, but that's it.

Bureau of Air Traffic

Regardless of what we later conclude as to labor and unions and striking, air traffic controllers should not be permitted to go on strike, even with advance notice, there

being too great a threat to public safety and economic stability. Any work-related issues that these employees may have can be addressed through the Bureau of Personnel and (if necessary) the Judicial Branch.

Any complaints still remaining after these processes can generally be dismissed as cases of overall fairness being subordinated to self-interest. Such employees who continue to complain after due process has been rendered have a potential conflict of interest that is so severe as to seriously compromise our trust in their performance, and we should actively consider immediate termination, rather than endanger the public by allowing them to do any further controlling work. Of course, any air traffic controller who walks off his/her job while planes are in the air, particularly without arranging for adequate coverage, is presenting an immediate and serious threat to public safety, enough that he/she should be subject to criminal prosecution and whatever punishments may be forthcoming.

Subsubsection I-D-1-g: Department of Justice

There should be some federal agencies concerned with the enforcement of federal laws, and we have adopted the name 'Department of Justice' to cover all these.

Currently, the office of the Attorney General oversees the prosecution of federal crimes, and the office of the Solicitor General is responsible for appearances in federal civil court on behalf of the United States. The Solicitor General's office may also file *amicus curiae* briefs in federal criminal court, and the Attorney General is responsible for bureaucratic oversight of the entire Department of Justice. We see that these titles are not adequately descriptive of the responsibilities of those jobs, so we are designating that the 'Chief Prosecutor' shall be the head over the Prosecutor's Bureau, that the functions of the Solicitor General be given to a staff position that we are calling 'United States General Counsel', that the General Counsel would not have any significant bureaucratic oversight, that both the Chief Prosecutor and the General Counsel shall report directly to the Director of Justice, and that we are discontinuing the use of the expressions 'Attorney General' and 'Solicitor General' at the federal level.

Because the position of Director of Justice requires a strong legal focus, and because it has two high-level attorney positions (i.e., Chief Prosecutor and General Counsel) reporting directly to it, we are requiring that any candidate for that position possess the same academic credentials as any other attorney, though we are not designating at this time any additional requirements on legal licensing or experience.

OK for this department to maintain a database of information that can be used for checking the backgrounds of those applying for certain high-profile jobs such as police officer or air traffic controller. However, this database should be strictly limited to actual criminal convictions, and should not include what anybody had for dinner or what people purchase on their credit cards or what books that they check out of the library or what videos they rent or what Internet sites they visit. There should be a legislative committee charged with providing oversight over such areas as information collection, both specifically to make sure that no unauthorized information is being collected and generally to make sure that the agencies of the Executive Branch are not abusing their authority.

The Marshall's Office shall include a unit for providing security services to domestic VIP's, to relieve that function from the current Secret Service.

Confirmed while researching Question 342 in March 2017 that the United States Sentencing Commission should continue to exist, "as a permanent agency to monitor sentencing practices in the federal courts", as described in its Guidelines Manual (2016 ed.), because it is expected "that continuing research, experience, and analysis will result in modifications and revisions to the guidelines through submission of amendments to Congress." The Commission was created by the Sentencing Reform Act of 1984 as an independent agency of the Judicial Branch, but we are not convinced that this is the most appropriate placement. Seems like a better distribution of 'checks and balances' if the Judiciary provides input into the process by issuing rulings and occasional departures from the standard guidelines, the Executive conducts administrative review of the ruling and departures in order to form recommendations for guideline revisions, and the Legislature considers the recommendations for formal adoption as indicated, thus providing qualified feedback to the Judiciary to help inform their future decisions, continuing the same process indefinitely. If the Judiciary is creating guidelines to inform its own decisions, even through a nominally-independent commission, or if it simply appears to be doing so, than at the very least it is a bad look. We therefore are recommending that it be reassigned to the Department of Justice.

Subsubsection I-D-1-h: Other non-administrative Executive operations

As previously suggested, there should be a periodic Census, and we agree to keep the period at ten years. We will require universal participation as to certain minimum questions (name, age, gender, and residential location), with non-compliers subject to criminal penalty and/or a visit by a Field Enumerator. The form can also include non-binding polling questions, particularly as to broadcast standards (both visual images and vocabulary), to gauge the current mood of the country.

The primary function of the Bureau of Measurement Standards (formerly "Weights & Measures") shall be to spot-check the accuracy of newly-manufactured measuring instruments. Generally, we should not change 'weight' to 'mass' in our general conversational usage, unless and until we change in earnest to the metric system.

Question 220 - As mentioned in the Citizenship portion of Section I-B, we originally decided that each nation should have one and only one 'official language'. However, we reconsidered that decision as part of the Second Pass in May 2019, as described in the following indented paragraphs:

We don't now see why we should require each nation to have exactly one official language. It may be more convenient for us visitors, but we don't have to live there, and it should be up to the people who live there to decide what official language(s) they may wish to have.

We may get to override national sovereignty with our global 'eminent domain' when it comes to issues which directly affect areas of the world outside one's own national borders, and maybe maybe which involve some kind of heavy-duty human-rights violation. In any case, we perceive that the selection of one or more official languages has low enough of an impact outside a nation's borders that it probably does not fall within the scope of whatever 'eminent domain' we may have at the global level.

In short, it's not any of our business.

We originally treated this matter as part of Question 21, specifically at the end of Session 30 on 5-Oct-1998. Notes indicate that the concept of one national language came from an earlier version of our model, so a premature entry in our 'black book' of preliminary ideas may have skewed the decision.

One reason given in the original discussion was that we don't want to have to print everything in multiple languages, except in airports. However, we now don't see this to be a particularly big deal, as long as private companies are not required to present advertising or nutritional information or anything else in multiple languages, but are allowed to do so in any combination of languages in different areas of the community according to demographic prevalence.

Second review of the Question in the normal sequence happened in Session 120 on 24-May-2004, but one attendee rightly objected to the fuzzy phrasing of the Question (which did not mention the expression 'official language', but instead only referenced "one or more languages [with which] every American shall be expected to have some working familiarity"), so we shall need to clean that up.

In that session, we read the notes from the 'black book', so read them again at this time. All the points make sense to form a recommendation that each nation select only one language for government documents, traffic signs, emergency management, nutrition labels, etc., because things would otherwise be cumbersome and expensive, and sometimes even dangerous. However, that still would be just a recommendation, and not a call for global compulsion, but it still appears to make sense for America.

We initially decided (including while treating Question 232) against having an office at the Federal level to clarify rules and standards for language, feeling instead that any such clarifying should be conducted within the private sector, with any specific authoritative entities being designated by legislation if desired. Even with this finding, we agreed that there should be exactly one language with which every American should be expected to be familiar, and that there also should be exactly one 'official language' for purposes of all internal and external government communications. (We find that such designation does not constitute a violation of the Constitutional provision of free speech.) We codified this latter finding in our Resolution #6, reading: "For government purposes, American English shall be considered the official language of the United States. Such resolution shall not preclude the use of other languages in private situations." However, since we found that the designation of an 'official language' does logically imply a standard vocabulary and pronunciation (though we want to make sure not to impose upon individual liberties or eradicate valuable cultural diversities), we ended up changing our position about entrusting the oversight function to the private sector, determining instead that a government office probably would be needed to make this system work. We felt that this agency (the "Bureau of Language Services", reporting to the Domestic Affairs Department) should communicate its standards by publication of one or more books (some hardbound and some paperback, according to demand and usage), with periodic updates to reflect the continuing evolution of the language. These books could be purchased by individuals, schools, libraries, etc., with some/all of the receipts going to offset the costs of production, so this is not expected to be too severe of a strain on Federal funds. However, we changed our minds again in January 2019, as described in the opening to Section III-F.

During the reconsideration of the above findings as part of the Second Pass, we confirmed that we are still recommending that American English be the one and only official language for America, partly because we already have so much written in that language -- including our Constitution and other legal documents -- that it would be ridiculously upsetting to switch to any other official language now, and also because we are way too diverse to select any one language as a second official language. However, each other nation may make its own choice.

There shall be an office at the Federal level for emergency relief in case of natural disaster. (In our current model, the bureau reports to the Health & Safety Department.) This office shall generally supplement local efforts on request, and shall step in unilaterally only when it is clearly evident that state and local authorities have been incapacitated to the point of not being able to respond effectively themselves. For the record, we reached this finding over a year before Hurricane Katrina.

We do want to have an agency for Copyrights & Patents, and it may reside as a bureau within the Domestic Affairs Department. We would like for the offices to be financially self-sustaining, **if** the volume of new intellectual-property applications is high enough that application fees can cover both unit costs and overhead costs, and still be reasonable, but we acknowledge that funding by tax dollars may be needed if this is not the case. Copyrights are to remain valid for 50 years or the lifetime of the author, whichever is longer, with no option for renewal, except that the lifetime option will apply only if the author of record is one or more natural persons. Patents are to remain valid for 10 years, with a one-time option to renew for another 10 years, upon payment of the applicable additional fee.

Of all possible strategies, the optimal general approach to the homelessness problem is to help these folks reintegrate into society. The reintegration process should at least minimally be managed by government, and supplemented by private charitable efforts. Toward this end, the Fed shall create a network of help/orientation centers that will provide voluntary 'one-stop shopping' for housing, food, banking, mail, lockers, office services, job training/referral, career/financial counseling, language/literacy education, medicine and disease screening, psychological/ substance rehabilitation, shelter from abusive family members, hospice care, and several other services, so that homeless people and others can get their focus while they arrange their next steps. Usage of these centers shall be encouraged but not mandated. No alcohol or other drugs are to be permitted within the centers. Free birth-control devices and counseling should be available, in order to mitigate against unwanted pregnancies. Centers can have free laundry and broadcast TV and some other low-scale 'creature comforts', to encourage people to hang out who would benefit from using these facilities, but we also want to keep the scale low enough to discourage people from hanging out too long. We should plan for having as many as one center for every 50,000 of population, generally concentrated in the urban areas, and with regional and district administration as may be needed. This function will be managed by the Social Services Bureau of the Domestic Affairs Department, and may be the only function performed by that agency.

Subsection I-D-2: Executive Branches of State Governments

These next three Subsections were treated on a free-form basis, with no specific Questions composed in advance. Rather, we simply reviewed the executive structure that we assembled in Question 135, and addressed issues suggested by those agency names, and/or other issues that arose during previous deliberations.

Although we didn't always reach our findings in this same order, for ease of reference we are here presenting our findings in the same sequence as that in which the supervising agencies are listed in the introduction to Section I-D.

Where there are no specifications listed for a particular agency, we are generally allowing the applicable jurisdiction to establish and implement its own functionality preferences, though we reserve the option to add further recommendations later on as we think of them.

Commerce - Consumer Affairs

The state Consumer Affairs Bureau should check for false advertising, including by periodically spot-checking gas pumps for false calibrations.

We reviewed this finding as part of our Second Pass, finding that it is okay for State consumer-protection agencies to spot-check gas pumps and other instruments which dictate how much people pay for various commodities, even though the Fed also has this item on its plate, because the Fed might not get to everything on a sufficiently-timely basis, whereas local folks may be able to inspect more frequently, focusing on the instruments used by local customers. If they find an irregularity, then they can suspend the business from operating within their State, and they can refer their finding to the Fed for further investigation on a nationwide basis.

Commerce - Corporations

OK to continue to have non-profit corporations, and for them to be regulated as needed by the Corporations Bureau of the Commerce Department.

Commerce - Insurance

Our standard Resolution #2B protocol shall apply to insurance commissioners; i.e., they shall be appointed by their bureaucratic higher-ups, being the Commerce Department head and the state Chief Executive, after nomination and/or screening by peer panels as applicable.

Taking position against 'redlining' by auto insurance companies, even for comprehensive coverage, based on the arguments that the maximum loss amount for a given type of car is not dependent on geographic location, and that people have much more control over the type of car that they buy than over their area of residence or the overall loss experience in that area. Taking position in favor of mandatory auto-liability coverage, based on the arguments that people should be able to recover from loss that is not their fault, and that the State should not be penalized by having to advance claim payments, even if later reimbursed by the parties at fault; however, allowing self-insurance under certain strict conditions, and allowing premium discounts when drivers show a clean record for a long-enough period of time.

Elections

As determined in Subsection I-C-1, each State election office shall have control over apportionment line-drawing at all levels.

As determined in Subsection I-C-3, each State election office should monitor all campaign contributions, and arrange for contributions received in excess of the designated spending limit to escheat to the State's general fund.

Law Enforcement - Police

We should have stricter enforcement of the law requiring use of signals when turning or changing lanes. Said enforcement can include private citizens submitting video evidence to the police, as that technology becomes more widely available.

All cops should be required to obey prevailing traffic laws when not in active pursuit. This can be helped by citizens capturing violations on video.

Law Enforcement - Prisons & Parole

Prisoners should not be allowed to commit acts upon other prisoners (assault, rape, extortion, etc.) that they would not be permitted to do in the 'outside world'.

Prisoners with light records may work off part/all of their sentences by cleaning highways, but not the hard-core repeat offenders who would need more extensive supervision.

Transportation - Driver's Licenses

In keeping with our previous designation of an 'official language' for purposes of government communication, and the creation of a Federal agency to monitor and standardize it, a minimum understanding of American English shall be required in order to obtain a driver's license, beyond that which is required to pass any written exam on the 'rules of the road', so an additional test shall be administered on language facility.

Transportation - Highway Construction & Maintenance

Good to have heavier-dotted lines between highway lanes that will shortly be going in different directions. Off-ramps should always precede on-ramps, so that there is no cross-traffic between vehicles merging on and those merging off. An on-ramp generally should not be merging with the previous far-right lane, but rather should stay as its own separate lane until the next off-ramp, to mitigate the slowing and dangerous 'funnel effect' of squeezing more lanes of traffic into fewer lanes, the exception being when you are far enough away from urban centers that lane reductions can happen safely and without significant impact on traffic flow.

Arrows on highway signs should point to those and only those lanes that will actually get drivers to the indicated destinations, no more and no less. Good to have electric highway signs for traffic conditions, 'amber alerts', etc., but we should watch to make sure that we're not thereby creating more traffic problems than we're solving, as people slow down to read the signs.

As noted above, prisoners with light records may work off part/all of their sentences by cleaning highways, but not the hard-core repeat offenders who would need more extensive supervision.

Whenever anyone works on the side of the highway, the nearest lane should be blocked off for safety. There should be no cleaning or construction activity during rush hour.

Transportation - Vehicle Registration

Smog certification is to be handled by the Vehicle Registration Bureau of the Transportation Department, but overall car safety is to be controlled as needed by the Environmental & Consumer Protection Bureau of the federal Health & Safety Department.

SUV's present a safety hazard and inconvenience for people who drive conventional cars and can't see through/around them, so we agree that States may impose whatever registration surcharges they wish on SUV owners, to compensate the general public.

Subsection I-D-3: Executive Branch of County Governments

Environmental Services - Fish & Game

Those involved with fishing and hunting should be required to prevent overdepletion, and counties should share information with other counties and states as needed, to show migrations and population-change patterns.

Environmental Services - Recycling

Added in May 2019: We often see perfectly-good furniture and other valuable goods being discarded with ordinary garbage, so we clearly need to do a better job with recycling of our current products so that we do not need to waste the time and energy and physical resources to create additional versions of the same thing. Notwithstanding the public-service message circulated by the Los Angeles Dodgers organization in 2018, we think that it would be a good thing if more homes would place more unwanted-but-still-usable products on their curb for pickup* [*They claimed that it makes the neighborhood look "trashy", but we claim that it's a good look, showing that the community cares about recycling.], but it should be done the day before the regular garbage is collected, and a coordinated effort should be undertaken by local governments and/or private enterprises to collect these products on the scheduled dates for redistribution, so that residents do not need to bother making pickup appointments with anyone. Same could be done with unwanted clothes and electronics and other products which people are too busy or lazy to take to any remote reclamation center, so that those products can more quickly get into the hands of people who can actually use them.

Environmental Services - Waste Management

Added in May 2019 from post-meeting SIG correspondence: It has come to our attention that certain localities do not have enough free public toilets available for all of their homeless populations. Our model expects there to be enough 'orientation centers' operating in large-population areas to house and otherwise assist our homeless populations, and of course these would include adequate toilet facilities. Until those are all completed, though, and until we can relocate all our homeless persons to those facilities, they still may be wandering around our streets and parks, and generally 'making a mess of things' because of a toilet shortage. We therefore recommend that each County with a sizable homeless population would do itself a

big fat favor by arranging for adequate toilet facilities in its urban areas. Keeping those toilets clean, and monitoring them as needed to make sure that they don't get monopolized, can provide jobs at a modest-but-decent wage to those who are either unable or unwilling to do any other kind of work. Pay toilets probably should be de-emphasized in future, because other elements of our model suggest phasing out physical cash completely, and because rigging toilets with debit-card capability might cost considerably more than the buck which we might charge to offset regular maintenance costs.

Health & Safety - Animal Regulation

Animal Regulation should pick up and spay strays.

Health & Safety - Coroner

The county Coroner's Bureau performs all processing of deceased bodies, including seeing to the disposition of any personal assets. Good to use DNA and other technologies to identify unknown deceaseds prior to cremation. Hospitals should be reporting all deaths to the Coroner's Bureau.

Health & Safety - Fire & Rescue

Users should not be required to pay for emergency services except when necessitated by their direct and deliberate action (arson, e.g.). Counties may contract with private companies to provide fire and/or paramedic and/or ambulance services, but also should reserve the right to perform those services directly if privatization proves too expensive or otherwise problematic.

Health & Safety - Medical Services

Good to minimize administrative operations in health departments, but records databases should network with those in other counties and states, so that emergency patients can be treated even if they don't have their files handy. However, these records should include only the most pertinent information, and nothing which would compromise an individual's privacy.

Public Assistance - Job Placement

The county Job Placement Bureau can offer voluntary job-switching service between current employees, to allow workers performing similar jobs in each other's geographic areas to change places, in order to reduce commuting times and traffic volume.

Transportation - Airports

Since we find it unreasonable to expect airports to adjust their flight paths after their runways have been constructed, landowners should be constrained from building multi-unit residential developments in known flight paths, but individual landowners may build single-unit dwellings in flight paths if they wish.

Water & Power

Utility allowances can be provided to people who sign a statement certifying financial need.

Subsection I-D-4: Executive Branch of Municipal Governments

Administration - Finance

In June of 2006, we considered an idea that had first been suggested within our group in 1999, to allow municipalities to bill foreign nations when individuals from those nations travel within those municipalities, but we ended up rejecting the concept.

Cultural Enrichment - Libraries

Good to have public lending libraries with free Internet access, but they should not be permitted or required to ban/censor actually-published works, and we don't want the Government having access to records as to what books individuals check out. Generally opposed to all provisions of the Patriot Act.

Cultural Enrichment - Parks

People should be allowed to play softball on designated softball fields without advance reservations or permits, when the fields haven't already been reserved by pre-payment.

Especially stiff fines should apply for littering in parks or other recreational areas. Triple the regular littering fine when throwing out a lit cigarette anywhere.

Communities may decide to enact certain regulations on the use of public facilities, but we generally prefer to have minimal regulation and maximum freedoms.

Permits & Licenses

City planners/developers should generally try to spread housing and jobs out to a larger number of smaller towns, in the interests of general improvement in quality of life through decentralization.

Zoning OK.

Good to have business licensing, for a variety of purposes.

Public Safety - Police

Once the federal help/orientation centers for homeless and other disadvantaged individuals are operational, local communities may enact tougher laws against actively accosting or threatening the public, but should leave alone 'passive panhandling' and other non-harmful/non-threatening activities.

As noted in Subsection I-D-2, we should have stricter enforcement of the law requiring use of signals when turning or changing lanes. Said enforcement can include private citizens submitting video evidence to the police, as that technology becomes more widely available.

Also as noted in Subsection I-D-2, all cops should be required to obey prevailing traffic laws when not in active pursuit. This can be helped by citizens capturing

violations on video. Parking-enforcement personnel also should obey parking restrictions.

Police budgets can be partially funded by criminal fines, particularly in the area of special capital projects, but not entirely, since not all criminal activity is easily redressable by fines alone. Where applicable, fines should be set at a given percentage of inflicted or threatened damage; we are suggesting 300% of damage for actual harm, and 150% of the estimated amount of harm in case of threat.

No hand-held cellphone use while driving.

Transportation - Parking Enforcement

Paint red any curb area where you don't want people parking, rather than making people guess rules or estimate distances.

Transportation - Street & Highway Maintenance

As noted above, triple the regular littering fine when throwing out a lit cigarette anywhere.

There should be a 'pothole hotline', to help the City determine prioritization of repair.

Limit heights of curbs.

Transportation - Traffic Management

Speed bumps should be left up to local preferences, and there should be well-advertised public hearings to determine this, each time that installation of speed bumps is contemplated.

Shouldn't have to stop at two red lights in a row, unless absolutely necessary. Good to have traffic light sensors, but they shouldn't work when someone has gone past the limit line.

We found in our First Pass that motorcycles should be allowed to proceed after coming to a complete stop, but we overruled the conclusion in our Second Pass, finding instead that motorcycles should not be allowed to cross a red light under any circumstances. Motorcycles are harder to see than regular cars, and an impact can cause even more damage, so if anything should be subject to stiffer penalty for violation. If a particular community feels from experience that motorcycle crossing may happen more frequently than currently allowed, then they can change the red light to a flashing yellow or something, to allow all traffic to attempt to cross after yielding to other traffic, but please consider the change very carefully.

We dumped push-buttons for pedestrians at traffic signals during our First Pass, because a panelist attending our Session 134 in August 2006 asserted that they were not necessary, and caused undue delays for pedestrians. We overrode this finding in our Second Pass, on the grounds that programming can actually allow pedestrians to cross more quickly than they might be able to without a button to tell the system that a pedestrian is now waiting to cross the street. Besides, we did not originally consider visually-impaired pedestrians who are becoming increasingly reliant on button mechanisms which announce in words when it is the pedestrian's turn to cross.

SECTION I-E: LEGISLATIVE OPERATIONS

Based on our findings in previous Sections, the national Legislature will have at least these functions assigned to it:

- To consider vetos of so-called 'judicial review' of previously-passed legislation;
- To decide (majority vote) whether an existing State is to be broken up;
- To approve and codify all applicable restrictions on individual and corporate behaviors, except where better to defer such judgments to lower jurisdictions;
- To authorize and/or prohibit actions of the Chief Executive, and to override (must be within 30 days) any unilateral action of the Chief Executive;
- To confirm or overrule the appointments of all department heads and bureau chiefs in the Executive Branch;
- To establish and maintain policies (through an applicably-designated committee) that provide harmonious balance among the needs of businesses, consumers, and the environment;
- To establish binding written standards for agricultural safety and livestock treatment;
- To receive notifications when the Bureau of Water & Power is intervening in the administration of local flood-control dams, and to override such decisions as appropriate;
- To ensure that information gathered by the Department of Justice on non-criminals is not overly invasive;
- To total and certify the results from States as to national elections.

In addition to whatever functions are managed and decisions made by the national Legislature, we agree that there definitely should be national propositions on national ballots, so that the public can directly override the Legislature on certain topics, one of these possibly being the designation of what should be the country's "official language".

Actual Questions in this Section are arranged in seven Subsections, to approximate the flow of legislation through the process. These seven Subsections are Basic Structure, Introduction of New Business, Committees, Amendments, Debate and Voting, Veto, and Miscellaneous.

Subsection I-E-1: Basic Structure

While some people might prefer the efficiency of a 'benevolent dictator', and whereas the present system of periodically rotating legislators does create a certain amount of inconsistency, we yet feel that it is best overall to have at least the major policies of a society decided by an assembly of popularly-elected legislators. For, there are no guarantees (as we have observed in history) that even the dictators who start out as benevolent will stay that way, plus the inconsistency in our present system is actually a good thing, since it allows people to override the wishes of an 'entrenched hegemony' who may not be willing to acknowledge that they made mistakes in their original decisions. Meanwhile, direct democracy is not effective for large societies, which have so many issues of such complexity that it requires full-time attention to be able to vote in a sufficiently-informed manner, so the votes would tend to be skewed towards those segments of the population who already are well-off enough to be able to devote that amount of attention.

Agree that it's good for larger jurisdictions to have more than one house in their legislatures, since the complexity and scope of the issues is such that it's more prudent to make sure that a given piece of legislation passes through multiple separate fora independently before it is adopted, to make us that much more confident in the robustness of the outcome. (It could be faster if we allow houses to specialize, but you may lose the benefit of multiple reviews, plus you would need a macro 'steering committee', same as at the international level, to decide which bills go where, and this could be both dilatory and unduly influenceable by political motivations.) However, it is yet possible that certain special pieces of legislation may be able to be managed effectively without going through every single house.

For a country as large as America, we think that it's best to have three houses in the Legislature, one with a certain number of delegates per State, one with a delegate for each n of population, and a third with representation based on geographic area, same as the I.O.O. (We find that some large States with low populations and high natural resources may not have a sufficiently-influential voice in the present structure; as a result, we have created policies that effectively rape those areas to our collective long-term detriment.) The same arrangement might be best for at least the largest States, while smaller and/or more homogeneous States may be able to do with two houses or even just one, but we agree to let each State decide for itself. The issues to be decided by counties and cities are usually narrow enough in scope that those jurisdictions can each manage capably with just a single house in their legislatures.

For the population-based house, if we assign a population of n to each delegate, then the total number of delegates will fluctuate with the population, and that number would then usually not be easily fractionalized (to facilitate calculation of the number of votes needed to pass a particular measure), so better to set a fixed number. The values of 300 and 450 were tempting, but we feel that a total of 600 delegates would make the districts small enough that gerrymandering would become more difficult.

States may exercise their own options as to whether the delegate positions assigned to them in the per-population house shall be filled by geographic district, by proportional representation, by at-large elections, or by some other means. However they do it, though, the delegates must be popularly elected, and any geographic district must conform to the rules that we established in Question 69.

We initially agreed (in November 2006) to have the same number of delegates in the per-area house as in the per-State house, in order to balance their respective influences, and we set that number at (the number of States x 2), which currently would give delegates in the per-area house districts of about 200x200sqmi to represent, but in October/November 2010 we changed our position such that the per-area house would serve as the 'middle' house, and thus should have a number of delegates somewhere between the 100 of the current U.S. Senate and the 600 of the per-population house.

One reason for having a 'middle' house is to have a hierarchy that can help with navigation of new bills, as well as to allow representatives a more gradual path of advancement. Another reason is that some people might associate the number of delegates with the relative importance or prominence of a given house, and they might wonder why we didn't have a per-area house in the original Constitutional model if it was important enough to have a delegate count as low as (or lower than) that of the U.S. Senate, and they further might wonder why it's necessary to have

such a 3rd house at all if it is so unimportant as to have a delegate count as high as (or higher than) that of the per-population house. If we can show that this 3rd house is more of a balancing influence between the 'upper' and 'lower' houses, by having both the delegate count and the term length (see below) fall somewhere in the middle, then that might be more understandable to more people. Yet another reason for not tying the delegacy of the per-area house to that of the per-State house is that we don't want to have to re-norm the districts of the per-area house if we are merely changing the number of States within the same geographic area.

The per-State house may continue to have 2 delegates per State.

We initially felt that the per-area house should assign a certain number of delegates to each State based on their relative areas, with each State deciding for itself whether to elect delegates from specific geographic regions (in which case the States would draw the district lines themselves), or by an at-large election, or in some other way. (Delegates' votes would still be counted separately in all houses, and not combined into blocs supposedly representing entire States.) However, in the course of the 2010 reconsideration, we reasoned that it would be better to base the districts on actual geographic area, rather than according to State boundaries, because it is the geographic area that the delegates are supposed to be representing, and because we would like to reduce the impact of State politics on the process. Also better to have national uniformity in determining representation within a national legislature.

To determine the exact number of districts in the per-area house, we looked during our First Pass at several map models of how the districts might appear depending on their ordinary dimensions. We wanted a model that produces a number of delegates somewhere between 100 and 600, but we also want one where the districts are large enough to motivate the delegates to emphasize broader needs over local interests, but not so large as to disallow certain regional variations from being voiced. The model which appears best to us has ordinary districts of 2° wide x 2° tall within the 48 contiguous States, bounded by odd meridians (since our model using even meridians produced a higher number of non-ordinary districts, particularly in the Southeast), with 1 delegate defined for each of the District of Columbia (see below) and Hawaii, and enough delegates assigned to Alaska to produce a total number of delegates equal to 240, which is easily divisible by 3, 4, or 5 for voting purposes.

We considered whether to shape the boundaries of ordinary per-area districts according to smooth lines of latitude and longitude, or according to ZIP-code boundaries. It was argued that people might be able to identify their own districts more easily if they were based on ZIP code, but we eventually found that such a system would just complicate things to no great advantage. Besides, the whole idea of the per-area house is to allow the needs of certain geographic areas to be voiced, and it seems to defeat this purpose if we allow a district to contain a 'peninsula' surrounded by another district.

We reconsidered this model during our Second Pass, and are now preferring that districts in the per-area house follow existing State and County lines, rather than latitudes and longitudes, partly because it follows the same model as the I.O.O. structure which we enhanced for the Swedish competition in 2017, and partly because we don't want to face the possibility that a given line of latitude or longitude runs through someone's city or someone's house. We can keep the latitude/

longitude model available as a secondary recommendation, but doing it by County should be much more acceptable to everyone, so that's our primary.

We currently have about 3.6 million square miles of land area, so with a delegate count of 240 each district should cover about 15,000 square miles. There are numerous ways in which we could arrange each State's allocation of per-area districts for compactness and conformity with our target size, so we can allow each State to come up with its own distribution of Counties into Federal districts, on the condition that each arrangement is subject to Federal approval, to ensure that each district is compact and approximates the target area. They may break up Counties if desired, especially San Bernardino County in California and Coconino County in Arizona, each of which is well over 15,000 square miles in area, but also to follow rivers and mountain ranges and other topographic features. If they do so, then the borders must be clear and simple, and the reasoning must be persuasive to the Fed, which should always consider that any topographic feature major enough to shape a Congressional district probably would also have been major enough to influence the original County boundaries.

Who in the Federal government should be reviewing State districting plans for approval? Executive Branch should be focused on Administration, and should not have any authority over Legislative structure. We could assign the function to the Legislative Branch, but we don't want to bother either of the two other Houses for business relating to the structure of the third House, and it would be difficult for the third House to approve any State plan before it has fully formed and all its delegates have been selected. Best therefore to require Federal approval from the Judicial Branch.

Resuming regular order: Territories generally should not get the same level of representation as ordinary States, because they are being administered directly by the Fed, but we feel that the people who live in those territories should get the same level of representation as any other American national, so they get to participate equivalently in the population-based house. However, the per-State and per-area houses will continue to involve only actual States, except that the District of Columbia shall have a minimum of one delegate in the per-area house by definition, since they operating as a territory because of our direction and not out of local inability/unwillingness to self-administer.

Members of the federal per-State house (i.e., equivalent of current U.S. Senate) shall have 6-year terms, with approximately one-third being elected every 2 years. Members of the federal per-area house shall have 4-year terms, with approximately half being elected every 2 years. Members of the federal population-based house (i.e., equivalent of current House of Representatives) shall have 2-year terms, with the entire house being elected every 2 years.

Mid-term vacancies shall be filled by the highest-ranking candidates from the previous elections who accept within the first 10 days of eligibility, failure to thus accept enabling the next-higher-ranking candidates to become eligible for 10 days, and so on, a special election ensuing if no candidate from the previous election accepts.

There should be no change in representation amounts for a given State between decennial censuses.

There should continue to be a Chairman of each House, even with advanced technologies. This position shall be elected by all delegates in the House, using the 'yes/no/abstain' method. (See Subsection I-C-4.) The first ballot is open, and goes to subsequent ballot only in case of a tie among all candidates, in which case subsequent ballots are limited to candidates with previous experience in that House, unless all candidates are equally experienced/inexperienced, in which case subsequent ballots are limited to the half who enjoyed the largest margin of victory over the next higher-ranking opponents in their most recent elections.

In case of foreseen temporary absence by the incumbent Chairman of the House, that Chairman can designate a replacement. In case of unforeseen temporary absence, the House shall conduct an election for a *pro tem* Chairman.

Any election (either permanent or *pro tem*) for Chairman of any federal House shall be conducted by the 'Custodian of Congress', a position filled by Congressional appointment that remains filled even after Congressional adjournment, until it is actively re-filled by new Congressional appointment. The 'Custodian of Congress' also has the ongoing responsibility of managing all staff (clerical, legal, logistical, janitorial, etc.) who work for Congress as a whole.

Disqualification of a delegate from his/her membership in a particular house without a recall vote from that delegate's constituency must be grounded upon some alleged gross misconduct, and shall require a motion passed by a simple majority of that house, directing that a tribunal of that jurisdiction's supreme judicial assembly convene to conduct an impartial review of the case, their approval being necessary to complete the termination.

Subsection I-E-2: Introduction of New Business

The authors of any bill should designate at least one standing or special committee to review the bill (see Subsection I-E-3 below), and may be motivated to designate additional committees, both to appease them and also to increase the likelihood of some committee finding that the bill should be voted on by the full assembly. However, designating too many committees could also increase the number of recommendations against it, and/or delay the process, so we don't want to go overboard.

The bill should then go to a 'Bill Assignment Committee' of the house in which the bill originated. (We originally referred to this group by the current name of 'Steering Committee', but we later determined that 'Bill Assignment' is more clearly descriptive of what the group actually does.) The Bill Assignment Committee may then recommend one or more additional committees to evaluate the bill, as appropriate. The bill is then read to the full assembly, who will then have the option to add or change or delete any committee assignments, so that the Bill Assignment Committee does not end up getting vested with too much power. The bill then goes to the duly-designated committees for actual evaluation.

Added in May 2019: No leader of any house should have unilateral authority to block the introduction of any bill or other motion, as we recently observed happen with both McConnell of the Senate and Pelosi of the H.R. Certain motions which may be considered 'special orders' (such as the Motion To Impeach some government official) may automatically take precedence over all the business items currently pending on the regular calendar, provided that they are supported for introduction

(not necessarily supported in substance) by a certain minimum number/percentage of delegates, as duly determined by the Rules Committee of that house.

Subsection I-E-3: Committees

We agree that legislative houses generally should have smaller groups of delegates organized into 'committees' for the purposes of performing detailed evaluation of certain items of business.

Determination of which committees should exist within a given house should be left up to the entire membership of that house, and shall not be subject to veto by that jurisdiction's chief executive.

Committee names generally should reflect clearly and unambiguously what those committees actually do. In particular, any 'Rules Committee' should be only working on the assembly's general operating procedures, and should not have anything to do with any piece of ordinary legislation. Also, there should not be any such thing as a 'Ways & Means Committee'.

Committees shall be unlimited in membership, and each delegate shall have his/her choice of up to 3 committees to join. If membership in a particular committee ever drops to zero, that committee is automatically disbanded, with all records automatically going to the Custodian of Congress (or corresponding local authority) for disposition as applicable.

A committee may pass a non-binding motion to ask one of its members to resign, whereas a binding vote to terminate a particular delegate's membership in a particular committee may be passed by a 2/3 majority of the full house.

As originally suggested during Question 132, there should be a mechanism in Congress to evaluate any and all actions taken unilaterally within the Executive Branch, and to overturn any such action within 30 days. This responsibility should reside within an 'Executive Oversight Committee' within the per-State house alone, both because it's easier for one house to do something within 30 days than for all three, and also because we are contemplating the per-State house as having the fewest delegates, meaning that those delegates would generally be representing larger constituencies, and must therefore have had more experience in and knowledge of national issues and personalities in order to have gotten elected to those 'higher' positions in the first place. The Executive Oversight Committee continually reviews all unilateral actions of the Executive Branch (generally through notifications from all units in the Executive Branch, but also upon its own investigations, including as to excessive information collection, as described in Subsubsection I-D-1-g), and may recommend by a simple majority that a particular action be reviewed by the full per-State house, who may reverse such action by a 2/3 majority within 30 days of the original action; otherwise, the action stands approved. If the Executive Oversight Committee learns of a significant action being taken by the Executive without prompt notification to the Legislative, the Committee may recommend disciplinary actions against the individuals responsible for the non-disclosure, up to and including removal from office, any such disciplinary actions requiring ratification by the full per-State house.

This Executive Oversight Committee will also be the body which evaluates appointments of all department heads and bureau chiefs within the Executive Branch. Any appointment approved by a simple majority of this committee is passed

with no further action required; any appointment which fails to achieve a simple majority is referred to the entire per-State house (in order to reduce the likelihood that a given appointment is blocked merely for political or personal reasons), where it can be irrevocably overturned by a 2/3 majority, but otherwise passes. There shall be no fixed time constraint imposed on the evaluation of new executive appointments (for, we don't want a maniac getting appointed because the per-State house genuinely had more important things to do within a given time frame than consider that one appointment), but we are suggesting that the matter be given as high a priority as practical (which is why the appointment is to be considered within only the one house), for the positions are to be left vacant until appointment is confirmed. Principal reason that the position is left vacant until full confirmation is that we typically require multiple levels of approval before allowing anyone to assume a position within the corporate sector.

As originally suggested during Question 165, we do want to have an 'Economic & Environmental Affairs Committee' in each of the 3 houses of the federal legislature (or just the per-area house at the very least, since they usually will be the most severely impacted by any decision affecting large portions of our national environment), to evaluate any issue involving either businesses and/or consumers and/or the environment, and to make sure that the needs of all three segments are properly balanced. (We put 'Economic' before 'Environment' to show that environment is important, but not necessarily the most important element of the triad.)

As originally suggested during Question 180, we do want there to be a mechanism for determining whether a particular State is failing to fulfill its ongoing obligations and needs to be converted back into a Territory. However, this hopefully will be so infrequent an occurrence that we don't need a standing committee for it, and we really would rather not have one, since each delegate may serve on a maximum of 3 committees, and we feel that each of these committees should have a fairly full calendar. Rather, we should convene a special committee for this function when necessary.

The Custodian of Congress can open sessions of federal committees, either personally or more likely through a duly-designated deputy. That individual can conduct elections for committee chairs. Such elections shall be open to all committee members, and be decided through the 'yes/no/abstain' method.

Any vote taken by a committee shall be based on the number of ballots cast, not on the total number of voting and non-voting members of the committee.

Committees generally should not have authority to kill a bill outright, but rather should only evaluate and report to the full assembly. However, if all committees assigned to evaluate a bill are recommending against it, then the bill may die directly, without taking up any more of the full assembly's time.

Once all assigned committees have evaluated a given bill, and if at least one committee is recommending that the bill be reported back to the full assembly for further consideration, it is directed to that house's Bill Assignment Committee, which then generally decides the sequence in which all items reported back from committees are to be taken up by the full assembly, in order to try to get the more time-sensitive issues dispatched first.

Subsection I-E-4: Amendments

We dislike the fact that it's currently so easy to attach provisions which are not in the least bit germane to the bills to which they are being attached. We therefore agreed to require a 3/5 majority of the full house in order to attach any amendment to any bill, in order to give the proponents of any non-germane provisions a greater motivation to introduce those provisions in the form of a separate bill.

We are also providing that the language of the amendment motion routinely include that the proposed amendment is germane to the previous motion. We understand that 'good' politicians won't need such a reminder, and that 'bad' politicians won't care about it, but we yet feel that a routine reminder continually reinforces the point that independent items of business generally should be handled independently.

Amendments made by other houses after a bill has passed one house tend to slow the process down, compared with simply approving or rejecting a given bill in the form in which it is passed by the original house. Further, reliance upon a joint 'conference committee' to hammer out any lingering disagreements appears to us to cause more problems than it solves. However, some amount of negotiation among houses is helpful for getting good amendments approved, and good legislation enacted, so it probably is better to allow amendments to happen in the other houses, but just streamline the process.

We therefore established procedure for allowing amendments to be offered and evaluated by all the different houses, as follows: Any bill that has been amended as applicable and approved within a 1st house goes to a 2nd house only. The 2nd house offers any further amendments of its own, and the bill goes back to the 1st house. If the 1st house approves all amendments offered by the 2nd house, then the entire bill goes a single document to the 3rd house. If the 1st house rejects any amendments offered by the 2nd house, then the bill goes to the 3rd house as two documents, one being the bill with any amendments agreed upon by both houses, and the other being a list of 'pending amendments', any of which get locked into the bill if they are approved by the 3rd house (for that constitutes approval by 2 out of the 3 houses). In either case, the 3rd house gets to offer further amendments of its own, which likewise must be approved by at least one other house in order to get locked into the bill.

Basically, each house gets to offer amendments, and any amendments are considered by both other houses as applicable, and attached to the bill if approved by 2 out of the 3 houses.

Any amendment offered by any house to a bill that it receives from another house shall require 3/5 approval, same as in the initial house.

We initially set a certain procedure for the sequences in which the bills would through the houses, but we have a modification suggestion pending. The suggested modification depends on what number of delegates we finally decide upon for the per-area house: If we do decide upon a number that is somewhere between those of the per-State and per-population houses, then we would like to make sure that each new bill approved by a given house should be directed automatically to the 'lowest' house (i.e., the house with the highest number of total delegates) which has not already seen it, in order to relieve the higher houses of some of the burden of addressing new bills, and to allow them to concentrate more on larger-picture issues such as the unilateral actions of the Executive Branch.

We added an element to this model in our Second Pass. It may not be a necessary element, in that the rest of the model will still work to a greater or lesser extent if we enact everything other than this element, but we yet feel stronger that most/all pieces of legislation should require the approval of only one house, so that business can get done much faster, and we can work down those embarrassing Congressional backlogs. In order to prevent abuse of power, we should follow the I.O.O. model that any house action is subject to veto by some combination of the other houses. More specifically, in order to make veto tough enough to be non-trivial and therefore less susceptible to shifting political trends, and also easy enough to be achievable when it needs to happen, our current primary recommendation is to allow veto if each other house agrees by a 3/5 majority, or if any one house (including while we still have the current 2-house model) vetoes by a 2/3 majority.

Subsection I-E-5: Debate and Voting

Houses and committees may generally set their own debate procedures, but we want all formal proceedings to be televised.

Houses and committees should clock attendance, including attendance by teleconference, and allow remote voting if the delegate has been personally or electronically present for at least 75% of the debate (i.e., enough to allow a fairly balanced view of all sides of the argument, but still allowing for bathroom breaks or other urgent business), but not otherwise.

Houses and committees must have at least 50% of their memberships present (either in person or electronically) for a quorum in order to call a session to order, but business may continue during the session as normal if attendance falls below quorum at any time prior to adjournment. This way, it would be impossible for an unethically-small number of delegates to assert by themselves that a session is in order, and then they attempt to undo any and all previous resolutions ever made by the house, but neither are we making it too difficult to get business transacted when it needs to be. And, if attendance during a properly-called session ever needs to fall below that quorum level, the departing delegates would be in a position to realize that their departure would be causing the below-quorum condition, and so they would be in a position to ask for adjournment before they leave, and then the full assembly present would have the opportunity to decide whether it is more important to get the pending business transacted immediately or to wait until a broader cross-section of delegates again becomes available.

Good to set time limits for actual voting, and to enforce them strictly. We are tempted to allow excuses for sudden illness, stuck elevator, abduction, or some other severe and unforeseen problem, but any such mechanism would be subject to abuse for political purposes, and any vote to allow/reject such excuse would likely mirror the sentiment on the bill being voted on, so that would be useless. Best to just set your time limits, enforce them strictly, and have done with it.

Question 277.2

Ordinary bills and motions shall require a simple majority for passage. This includes the budget, so that we don't experience the problems which California did for a long time in getting its own budget enacted in a timely manner. However, certain special items of business (in addition to those mentioned above) shall require a higher majority: One of these shall be a required 2/3 majority for reversal of any action

within 24 months after original enactment; it's true that an intervening election could show some shift in national sentiment, but we don't want to make it too easy to shift policies and procedures back and forth too quickly, particularly in a polarized political environment; better to allow at least a little time to allow a new action to have the intended effect, although a 2/3 majority will still work if that many delegates are convinced that a particular action really does need more immediate reversal. Other items requiring a 2/3 majority shall be premature termination or change of any multi-year scientific or infrastructural project (although duly-appointed managers may make changes within their established scopes of authority), and any appropriation in excess of budget.

Preceding finding reconsidered as part of Second Pass in May 2019, as follows: Original decision from Session 144 on 15-Nov-2010 was that any legislative decision can be reversed by a simple majority after 24 months, after we have seen whether it works and have had a chance to assess any problems. Before 24 months, we don't want to be changing back and forth after each election, but a 2/3 majority is sufficient to show that we have new information and/or a particularly big shift in community sentiment. This concept seemed sound in retrospect. We had merely wished to cross-reference with what we decided much later for the houses of the 'Earth Congress' as proposed to the Global Challenges Foundation in 2017. Subsection II-E-4 of that document established that "any previous house action ... may be reversed by a 2/3 majority of the entire assembly", so we're good. No change.

Added in January 2019: No one Legislator or Committee shall have the authority or other capability to block any vote or other item of business which is desired by a majority of the full Assembly, as Senator McConnell reportedly did in January 2019 with the motion to override the previous Executive action and re-open the Federal Government. The full assembly should always be able to decide which items of business are the most urgent, and any system which allows a select Few to subvert the will of the Majority is not only un-democratic and un-American but also just plain stupid.

Therefore, in order to make the Calendar process both fair and streamlined, we suggest the following standard procedure for all Legislatures in our recommended zero-party environment: Except in those very rare circumstances when the Legislature has absolutely nothing else to do at the moment, most new bills or other business items must wait their due turn at the end of the Calendar, and be addressed by the Assembly in the order in which they were received. However, if it can be separately established that a majority of Legislators desires to bump any particular item to the top of the list, or to make any other adjustment to the order of the Calendar, then it should have the parliamentary ability to do so. But, because we don't want to waste time entertaining regular motions from the floor (not even undebatable motions) to adjust the Calendar if the majority does not actually support them, we suggest that a petition should be in order. Whenever the proponents obtain an actual majority of support away from the formal proceedings on the floor, they can record their support on a standard petition form and submit it at any time to the Clerk of the Assembly. If the petition is valid, then the item requested in the petition shall automatically become the next item of business. If the proponents feel that the business item in question should not even wait until the conclusion of the pending item, then a petition containing the signatures of a 3/5 majority should direct the Clerk of the Assembly to have the Presiding Officer stop the pending proceedings and immediately take up the item presented in the petition.

Subsection I-E-6: Veto

We generally do want the Executive Branch (as represented by the Chief Executive) to have some veto authority over the Legislative, in order to provide a counter-balance against Legislative oversight of the Executive. However, we also want the Legislature to be able to override a veto, because we don't want too much power vested in a solitary individual, particularly one who had limited or zero involvement with the development of the proposed legislation in question.

We considered whether a bill needs to go to the Chief Executive at all if it has already received the legislative votes that would be needed in order to override a veto, and we said yes, because a significant number of legislators might change their yes votes once they've learned that the Chief Executive opposes the bill so strongly, so the President ought to be able to require a second vote even if the first vote was very high.

Added in May 2019 from the Second Pass: Chief Executive may also be in a position to assert from an administrative standpoint that a given piece of legislation is too unworkable or too expensive or too net-bad in some other way, but the Legislature should still be able to override a Presidential veto if their collective sentiment is strong enough.

We also approve the use of partial veto (sometimes known as 'line-item veto', although that term is less inclusive of the different types of partial vetos that are actually possible), in order to allow good measures to get enacted without bad amendments, but the Legislature must have the authority to override such a partial veto, in order to prevent a bill from going through which no longer makes sense with certain elements removed.

We considered why a partial (or 'line-item') veto hasn't been enacted before now if it is such a good idea, and surmise that it's been largely because legislators have tended to selfishly block any such change that shifts power away from them to any degree.

As to specific procedure, the President shall have 30 days to either enact the bill directly by signature, or actively veto all or part of it. If taking no action, then the bill is enacted automatically. For, you don't want to allow a bill to be stayed indefinitely while the Executive sits on it, and so you want it going through if the President fails within a certain period of time to indicate a strenuous objection. However, you also want to allow the President to execute the bill immediately, both to create the public perception of taking affirmative action and also to get the bill enacted that much more quickly.

Currently, though, if the President fails to act within a certain timeframe, it is considered a 'pocket veto', and the bill dies automatically. But, we want the bill to go through if it has gone through all that process, and if the President has failed to indicate a strenuous objection.

A timeframe of 10 days is too narrow, because you want to allow the President some realistic opportunity to fit this item in with his/her remaining schedule. A timeframe of 30 days is satisfactory, and is consistent with the Executive Oversight Committee's window for overturning Executive action.

A veto by the President does not fall within the scope of Executive actions which may be stayed through the Executive Oversight Committee, since it is not so much an Executive action as it is an Executive review of a Legislative action. Therefore, the Executive Oversight Committee does not get to have any involvement in the veto process.

After a full veto, the house in which the bill originated has 24 months in which to override the veto by a 2/3 vote, or else the bill dies, and any extant proponents would have to start the process all over from scratch.

We considered having the bill go through all 3 houses again, but we feel that the process would take too long, and could be impossible in many cases, and besides one house should be able to represent the combined Legislature if all 3 houses have already agreed on what got sent to the President, so more expedient to let one house have authority to override the veto unilaterally. We also considered letting the 'upper house' handle all such vetos, with the idea that the lower houses are generally more concerned with new items of legislation, and also because any such controversy between the Branches is generally going to be 'big picture' enough to merit the attention of the upper house, but we reasoned that the house where the bill originated is most likely to contain the delegates who know most about the item and who can argue about it most sincerely and passionately, so that's where the game should be happening.

We also looked at whether we should have any time limit at all for responding to a full veto, since it might not really hurt anything if they override on a bill that had been vetoed several years earlier. However, we felt that one house can represent the entire Legislature in an override only if the personnel in all houses are still essentially the same as those who approved the bill in the first place, and so a fresh approval from all houses might need to be sought if too much time has passed since the original veto. (In other words, the proponents shouldn't be allowed to exploit a procedural shortcut later that they were unable to exploit earlier because the bill in question was too contentious.) Conversely, though, we wouldn't want a good measure to be penalized because it happens to be vetoed near the end of a legislative term, so we will allow 24 months for the override in any case, after which the proponents must start the entire process over again if an override hasn't been effected within that time.

In consideration of the option of partial veto, we considered allowing the authors of the bill to designate that certain provisions of the bill are inextricably tied together, such that one portion couldn't be vetoed without also vetoing the other portion(s), the idea being that it shouldn't be possible for a bill to go through to enactment if an approved portion is directly dependent on a portion which got vetoed. However, we found that it would be too easy for the Legislature to abuse this process, by designating that the entire bill is one big portion, which therefore couldn't be partially vetoed in any way. This would have the effect of denying the Executive the option of partial veto, and would then allow the Legislature to resume its old tricks of forcing bad measures to go through by attaching them as amendments to good measures, or by attaching good measures to them as amendments.

However, we still want to make sure that no bill goes through to enactment which doesn't make sense, which could easily happen if someone executes a partial veto who is not familiar enough with all the interdependencies existing within the bill as originally passed. We are therefore allowing the Legislature to block a bill from

enactment that has been partially vetoed, for whatever reasons the Legislature may have.

Thus, after a partial veto, the approved portions of the bill go into effect in 30 days (not earlier, not later), unless the house of origination first passes a motion by simple majority to block enactment of the bill in its current partially-vetoed state. (We don't wish to require a higher vote level, since they're just saying that the item should be held while they do other stuff with it, and we want to make it easy to block an unworkable bill.) After passage of such a motion, the house of origination can unilaterally override the partial veto by a 2/3 vote, in which case the entire bill goes into effect immediately, without any further action required by the Executive or any other house. Or, the house may take no action for 24 months, in which case the entire bill dies. Final option, the house may pass one or more amendments to the bill by simple majority, in order to get it into a more approvable condition.

The reason that we're requiring only a simple majority to approve amendments to a partially-vetoed bill is because we're hoping and presuming that it's basically a good bill, otherwise it would have been vetoed in its entirety, and we therefore want to make it easier to get through by fast-passing whatever adjustments may be needed in order to get it into a more approvable shape.

However, any amendments passed within the house of origination following a veto effectively cause a new bill to be created, and so after it leaves the house of origination it must be approved by all the other houses in the normal sequence, and with the normal voting requirements (including a simple majority for approving the bill without amendment, and a 3/5 majority for any amendments added outside the house of origination), before it can again be referred to the President, at which time the normal veto cycle starts over as normal.

Added in May 2019 from Twitter exchange: We could still have expedited legislation even in a 2-house environment, with second house having veto option with 3/5 majority within 60 days (could be talked down to 30 days, or talked up to 2/3), but otherwise original action takes effect immediately. Therefore should propose the 2-house version as a secondary recommendation, in case America is not yet ready for our primary 3-house recommendation, but in the meantime we could still simplify and streamline the legislative process. Could still have Presidential veto, because that office may have a perspective from the Administrative (Executive) Branch that some particular proposal might be unworkable from an administrative standpoint, but of course legislature should still have override power with previously-established majority level, in order to supersede any political persuasions by the President, and -- even if the objection is only administrative -- to say so what do it anyway. For this reason, the discussion on a 3-house legislature should come somewhere after our points on segregated legislative business and internal vetoing.

Subsection I-E-7: Miscellaneous

Referenda and Initiatives

Referenda and initiatives are to be allowed at both the State and national levels (partly because we sometimes genuinely want to know what the people are thinking, in a manner more reliable than 'scientific sampling', and also in order to make the people feel more like active participants in the decision-making process, and make them less likely to foment a violent revolution), but only for measures which have first been addressed and defeated by the applicable Legislature. We make this

restriction for a number of reasons. One is that we are hiring professional legislators to do the lawmaking job for us, and we feel that they generally are able to do that job more effectively than we can, and so they generally should be allowed to do so, although we also want a 'work-around' process for enacting measures with which the Legislature may have a conflict of interest (such as salary cutting, district reassignment, campaign rule changes, etc.). Another is that we find that ordinary voters often can be unduly swayed by slick marketing campaigns, partly because they don't always have a quick and reliable way of distinguishing the good propositions from the bad; limiting propositions to previously-defeated bills creates a clear presumption in favor of popular defeat (with the people generally knowing in advance the reasons why the measures were originally defeated in the Legislature), but still allows the people to override the Legislature when they really want to. This process also prevents voters from getting overly-inundated with propositions, while at the same time obviating the need for some hopefully-but-not-necessarily-impartial entity to decide subjectively whether a given measure 'deserves' to be placed on the initiative ballot by reason of alleged conflict of legislative interest.

An initiative measure can be placed on the legislative calendar directly upon acquisition of a designated minimum of voter signatures, and goes on the next biennial ballot automatically if it fails to achieve legislative approval. We considered that an initiative measure would be generated in the first place only if no legislator is willing to sponsor it as an ordinary bill, and that the measure probably would not achieve a majority approval if it is that unpopular among the legislators. However, we also allowed for the possibility that some legislators may be willing to give their support to a measure if it has gone through the processes of external drafting and acquisition of voter signatures. We also considered requiring the proponents to gather signatures a second time in order to get the measure on the popular ballot, or else requiring a higher level of signatures in the first pass in order to get it on the ballot automatically upon legislative defeat, but we felt that achieving a certain number of voter signatures for legislative calendaring the first time should merit an automatic 'double-check' by the people if the Legislature initially disapproves it.

A measure originating in the Legislature and failing to achieve approval can be referred to popular vote either by a 1/3 vote of the Legislature within 30 days (we feel that a 1/4 vote would be too easy, and that a 2/5 vote would be too hard for a measure which is unable to achieve a simple majority vote on its own), or by a designated number of voter signatures within 24 months. (That makes this a 'popular reverse veto': It is 'popular' because the people have the option to override a legislative decision; it is a 'reverse veto' because a regular veto cancels a bill which has been passed by the Legislature, whereas this action enacts a bill which the Legislature has defeated.) But, why not allow the Legislature to refer any unvoted items to popular election that they wish? Because they sometimes might abuse the process by referring measures which actually serve certain special interests that the general public might not notice, or on which they might feel too afraid to take a public stance, but that is what we want them to do, so we want them to take a legislative vote first.

Any referendum or initiative shall require a 3/5 popular majority for approval. We observe that it's generally too difficult to achieve a 2/3 vote either for or against any measure for that to be deemed a reasonable requirement, but we do want it higher than 50%, in order to make the point clear to the people that they are considering a legislative override, and to establish more clearly that this is something that most of the people really want.

Constitutional provisions

Most of the provisions established up to this point in Section I-E (including the Bill Assignment and Executive Oversight Committees) ought to be in the U.S. Constitution, and not left up to 'Congressional caprice', but specific discretionary details such as supplemental committees and call-to-order times and time limits for voting on motions may be left up to Congress to decide and adjust as it sees fit.

Constitutional amendments should not be simply left up to Congress to decide, because an assembly can't bind a future assembly, and because a big part of the reason for having a Constitution is to place limitations on how the Legislature operates. They also can't be left up to the Chief Executive, because that would give one branch too much power over how the other branch operates. Current practice of according ratification authority to 3/4 of the States (through either their Legislatures or special conventions, as dictated by Congress) creates an inequity of influence between large and small States, same as with the Electoral College. Since it is the people of the nation who are ultimately being affected by the Constitutional structure, wherever they live, it is they who should have approval authority over any amendments.

We like a 3/4 majority of the popular vote as being both necessary and sufficient to ratify a Constitutional amendment, both because we want it to be difficult (lest we get too many changes back and forth) but still achievable, and also because it might be an easier sell if the required proportion is the same as we currently apply to the States.

Congressional agencies

We may continue to have certain agencies under the direct authority of Congress, as opposed to anyone in the Executive Branch, since it helps with the overall checks and balances. Such agencies may include the future equivalents of the current Congressional Budget Office and the current Library of Congress.

We agree to have a 'middle management' position known as the 'Custodian of Congress', who shall have direct authority over all these agencies, in order to help manage their budgets and ensure their operational compliance with Congressional mandates. As previously identified, the Custodian of Congress shall also be responsible (either personally or through a deputy) for opening sessions of Congressional houses and committees, and for supervising their initial internal elections, and for receiving and managing all records of disbanded Congressional committees.

National days and weeks and months

We observe that many private individuals and organizations attempt to promote their pet causes by proclaiming some particular time period as "National <something> Day" or "National <something> Week" or "National <something> Month", without having obtained the endorsement of the national Legislature or any other governmental office of applicable jurisdiction. We find this practice to be misleading and in some cases even fraudulent, so we examined what we might be able to do about it.

First idea was to figure out how to stop people from inappropriately using the "National" expressions, but we'd rather not create a whole new set of laws and

criminal penalties which might be used to unjustly punish those who are sincerely trying to raise awareness or funding for legitimate causes.

In the absence of such laws and criminal penalties, we probably cannot stop people from invoking these expressions on their own authority, but maybe that's good, because some of these trends are most productive and most socially redeeming when they come from grass-roots efforts, rather than relying on an overworked and possibly-undercaring Congress.

At the same time, however, we do want to distinguish between the "National" time periods which are designated unofficially within the private sector from those which are designated officially by proper officials of the U.S. Government. We therefore figured it most practical to allow the "National" expressions to be used with impunity by the private sector, and instead create some other expression to distinguish the 'official' time periods from the unofficial.

We considered the use of the adjective 'official', but find that it sometimes is abused also, and in any case still doesn't clearly indicate who supposedly made it official. We find it more effective for the expression to clearly indicate the source, so it should be "Congressional <something> Day/Week/Month" if it is mandated by Congress, and "Presidential <something> Day/Week/Month" if it's coming from the President's office.

Between these two choices, we lean very heavily in favor of allowing only Congress to make such designations officially. The President is far too visible a position, and must necessarily be more image-conscious than most/all other political figures in the country, so he/she could be much more easily susceptible to political or media pressures to dispense these supposedly 'official' expressions, so they therefore lose a lot of impact and value when bestowed.

Conversely, if a measure manages to make its way through all 3 houses of Congress, and especially if it does so before the particular week/month to be celebrated, it must be pretty important and pretty meaningful, so best to let Congress be the only federal entity who may officially designate any particular time period as meriting national attention toward any particular cause or other purpose.

Added in May 2019: What we probably will need to address as a larger Question is whether the recent proliferation of National XYZ Weeks is actually a net-good idea. We understand that people want to raise and focus awareness on particular issues, but now we have many more National XYZ Weeks than we have actual weeks in the calendar, so the Weeks are now overlapping, with 2-3 occurring within each calendar week. It makes it harder to focus if we are needing to split our attention, but the bigger problem seems to be that many politicians are waiting until National XYZ Week before they propose a bill to fix this problem or that one, whether it be infrastructure or something else. Go ahead and have them if you really want, but maybe narrow the number of causes which get National Weeks, maybe convert some to National Days (and then limit the count to 365). Main thing, though, if you have a cause to promote, please don't wait until National XYZ Week (or Day or Month or whatever) in order to promote it, because the delay can exacerbate the existing problems, and also because it makes the issue look less urgent if we were able to wait for it as long as we did. Don't allow your legislative calendar to be dictated by outsiders who might decide randomly and arbitrarily that the first week of April or the third week of August might be a good National XYZ Week. Rather, you legislators

determine for yourselves which issues require your highest-priority attention, and set your calendars accordingly.

Lobbyism

We're agreed in principle that it's generally OK for individuals and organizations to attempt to educate and persuade legislators regarding various pending proposals, including by the threat (either express or implied) of withholding electoral support if the legislators end up going the other way. However, we do not wish for there to be any bribery, either immediate or deferred, either monetary or 'in kind', either directly to their legislators or to their families or to their alma maters or even to their favorite charities.

And, we perceive that most of society shares our distasteful view of such unethical practices, and agrees that it's a problem, so that's good. It therefore ought to be pretty easy for us as a society to identify and prosecute most/all of such wrongdoings when they happen, right?

But, lobbying still happens, and it happens broadly and deeply and openly. It happens most prevalently at the highest levels of government. One of our group identified online that there are 15,000 lobbyists known to be operating in Brussels alone, owing to the increased centralization of the European Union.

If it happens so much, and if we as a society dislike it so much, why is it still happening?? We need to figure out the cause of the problem before we can settle upon a solution strategy.

Is it just because we the people are too powerless to stop legislators from doing whatever they want? Or, maybe our supposedly-independent prosecutors and judiciaries don't give it a sufficiently high priority? Or, maybe the supposedly-independent prosecutors and judiciaries are on the take themselves? Or, is it simply because the only people who get to actually make the laws are the very ones whom we are seeking to limit through those laws, and they therefore have a conflict of interest that will prevent the really tough anti-lobbying laws from ever getting enacted in the first place? Or maybe some combination?

The Answers to Everything SIG has already identified a few improvements in our system that can help to mitigate the influence of lobbyists. These include decentralization of many of our functions and authorities (in contrast to the current EU), removal of political parties from the formal electoral and legislative processes, and several changes to our standard campaign structure. However, all these improvements combined can only partially mitigate lobbying, not totally eradicate it.

What further can we as a society do, then, at either the national or international levels? In order to figure that out, we need to know why we still have so many lobbyists in the first place: Just where exactly are we currently failing?

First, it should be remembered that not all lobbyists are bribers. Still, we want to discourage the perception and reality of anyone attempting to influence the outcome of proposed legislation illegitimately, so we think it best to eliminate the official position of 'registered lobbyist'.

Next, we want to make sure that people have legitimate avenues for getting their viewpoints expressed to legislators, so we encourage the use of 'speakers bureaus' comprising experts who can be asked to testify before legislative committees when applicable topics are being considered. In addition, legislators who support or oppose particular bills may invite representatives of civilian organizations to openly present their perspectives during committee evaluation. And, of course, individual

constituents may always express themselves to their own elected representatives through any practical means available.

Any other means utilized to attempt to influence the outcome of proposed legislation should be deemed suspect and open to investigation, including through the participation of civilian-watchdog groups and the 'sting' operations of official law-enforcement agencies, which should be bumped up as needed whenever there is a continued perception of ongoing legislative bribery. However, we should always make sure not to allow guilty parties to escape prosecution through 'entrapment', i.e., by exerting so much pressure on them that they are induced to commit acts which they might not otherwise have ever contemplated.

The Judicial Branch should be motivated to prosecute genuine offenders actively, and we find that such motivation can be enhanced through elimination of appointive judicial positions and of lifetime tenure for judges at any level, so that incumbent judges seeking re-election will be motivated to look for high-profile 'collars' that they can brag about during their campaigns.

We considered the additional punitive practice of disqualifying some/all descendants of guilty legislators from ever serving in any legislature themselves, the idea being that a particular legislator might be less inclined to resort to bribery if there were also a possible punitive impact against his/her family, but we ruled against it: Not all children resemble the values and practices of their parents, and we find it unfair to punish the children for the sins of their parents. Further, we suspect that many legislators who are so narcissistic as to allow themselves to be corrupted by bribery are not going to care all that much about the potential impact on even their immediate families. We are therefore hoping that the other measures discussed above will be collectively sufficient to surround the problem.

Antiquated laws

We are currently discussing the problem of antiquated laws being allowed to remain on the books too long. Examples of such laws which we find to be ridiculous are (1) that it is still against the law in New Orleans to tie an alligator to a fire hydrant, and (2) that minors in Glendale CA not on their own property are required to be within arm's-length of a 21+-year-old adult after 10pm.

We have agreed in principle that laws passed by any governmental jurisdiction should automatically expire after a certain point, unless affirmatively renewed by the Legislature, as should all other laws and judicial decisions and criminal convictions based explicitly (either directly or indirectly) upon them.

Legislative systems can print out automated lists of expiring laws. Graduating law students can be assigned the task of evaluating such laws, as an apprenticeship process.

Anyone doing prison time for violating a now-invalid law shall no longer be required to do time for it, although we will continue to leave the conviction on the historical record, since we are not saying that the law always was invalid, only that it is no longer applicable.

We are now considering what timeframe shall be required before the automatic expiration of any law. Initial discussions placed it somewhere between 19-75 years.

Following is a breakdown of the arguments offered for and against the options considered:

- 19 years: Jefferson's argument, expressed in a letter written to Madison on 6-Sep-1789 (ref. "The Earth Belongs to the Living"), theorizing that all laws and contracts and debts and constitutional provisions and other inter-human transactions naturally expire with each new generation, which he calculated at the time to be 19 years, using primitive mortality tables and math which we find to be highly questionable. We do concur (notwithstanding Madison's objection) that a borrower has no moral right to devolve his debt upon his heirs, meaning that a lender who is unable to recover his entire principal upon liquidation of a decedent borrower's assets must be out the unrecoverable portion, this being part of a lender's cost of doing business, which is partly why he gets to charge interest. We can also go with government contracts and certain other transactions expiring on a more expedited basis. However, we find that most laws and constitutional provisions should stay in place for longer periods of time, possibly in some cases until affirmatively repealed, so that a society is not required to reinvent itself every 19 years, and so that we can enjoy a greater level of continuity and stability in our society, including the ability to participate in long-term contracts such as mortgages and pensions and life insurance. Jefferson is explicitly trying to discourage government borrowing with his 19-year term for expiring everything, but he also explicitly allows for society to create inheritance protocols for itself, which means that they should also be able to create other constitutional provisions as well which should be harder to overturn than by a simple majority of living electors, meaning that Jefferson's supposedly-universal 19-year expiration is not universal at all. Besides, constitutions are not intended to be binding restrictions upon future generations (who always have the option to modify or scrap them whenever they wish, hopefully by a due process in order to maintain The Peace, although other means have been employed in history); rather, they are one generation's gift to the future, by providing them with a default political structure which obviates the necessity for each new generation to reinvent itself if it doesn't want to, same as a house which we build for the use of future generations, but which those future generations always have the option to modify or scrap if they wish. (His underlying suggestion to limit the national debt may be a good one, though, but that will need to be examined in Part II, specifically Questions 409 and 409.5.)
- 30 years: Possible advantage in compelling every actual generation to evaluate everything (average generation is still less than 30 years, according to multiple sources, including ancestry.com), but still creates too much instability in society, same as when the Supreme Court makes decisions which they can overturn in 30 years when the personal and political climate of the panel have changed. If total reevaluation of everything happens too frequently, then it drastically devalues those lives sacrificed so that we could enjoy a certain way of life in this country. Also makes each constitutional convention much less eventful and meaningful if you do it every 30 years, and voters and legislators will eventually stop caring about the results, which is the same reason that we gave in Section I-C for not holding popular elections more often than every two years. Also places too much pressure on legislative calendars, which are often overfilled with new business as it is.

- 50 years: Initially thought still to be too short, because some individual legislators might prefer for their laws to last at least for the remainder of their lives, although we concur that is unreasonable for a legislator to expect that his law will necessarily stay on the books for his lifetime without reevaluation. There is a temptation to want the instigating legislators to still be alive to help inform the renewal debate, and therefore to schedule the renewal debate sooner rather than later, but we hope that the arguments of the instigating legislators as presented in the original debate are properly preserved for review, meaning that we should be able to do without their physical presence if we have to. Also equals two generations of 25 years, and is close to the middle of the actively-considered range of 19-75 years.
- 60 years: A satisfactory compromise among all those factors arguing for longer or shorter timeframes, but it's not quite as much of a 'round number' as 50 years, since it is not integrally divisible by 25, so there is no particular singularity which recommends it above the more easily memorable 50 years.
- 75 years: Initially thought to be just right, but eventually shortened. Allows for continuity and stability. Also allows legislators to have greater impact on their kids' lives as well as their own. This timeframe has been used for keeping copyrights in the property of the author's estate after death, in recognition of the fact that people create things such as music and legislation in order to affect their heirs' benefits in addition to their own, so it acceptable to have a general timeframe longer than the life expectancy of the originating legislator if we want to. Longer timeframes are also good because we want legislators thinking in terms of the effects of their actions beyond their own lifetimes. However, ultimately rejected because it would have meant that we couldn't have had the forced reevaluation of New Deal policies until 2008, whereas a more expedited review might have saved us a lot of major economic problems that we are facing here in the 21st century.
- 100 years: Agreed by all in the group to be too long.

We therefore finally settled upon 50 years as the standard time for non-constitutional laws to expire automatically unless affirmatively renewed by the Legislature.

We agree that government contracts with corporations should be much shorter. One reason is so that we can force ourselves to look more frequently for any unpredicted environmental impact, especially in those instances where the victims of such negative impact are unaware of it. Another reason is so that we can force ourselves to go through a new bidding process, and thus possibly save expense and/or improve quality. We have therefore settled on 25 years as the maximum term for any government contract with a private corporation. One reason for that specific timeframe is that it is exactly half of the standard term which we have determined for all non-constitutional laws. Another is that we can envision some infrastructure projects or project phases legitimately needing to last more than 20 years, but not more than 25. After the term expires (can be less than 25 years, but not longer), the contract must be re-opened to new bidding if the activity is ongoing after that time.

Whatever timeframes a given jurisdiction sets as its own actual defaults for different classes of transactions, legislators always have the option of designating a shorter expiration period for particular items of legislation, but never longer.

Considered establishing different timeframes for different government levels, but our current feeling is that this probably would just complicate things needlessly. We are therefore recommending the above timeframes for all government levels.

A 40% affirmative vote shall be sufficient to renew a law or contract within 24 months before its scheduled expiration. We concluded this figure because renewing an existing law should be easier than passing it the first time, since we want the actions to be distinct, and also since we should be giving a presumption in favor of the judgment of the legislators who originally constructed it, overturning it later only when we definitely find (by a vote of 60% or higher, in this case) that it is no longer applicable in contemporary society. However, it shouldn't be too easy to renew it, because the whole idea here is that we want to be able to clean the books of laws which shouldn't be there any longer, so 40% it is.

The reason that we do not allow the lighter renewal requirement prior to the 24-month window before scheduled expiration is because, if we did allow it earlier, then a faction of between 40-50% could force renewal of a law which is actively opposed by 50-60% of the assembly, assuming that only 50% is required to rescind a law after the initial 24-month trial period.

The renewal period should commence immediately upon enactment of the renewal motion. One reason why it should commence immediately is that a new law generally should have an immediate effective date, unless it would cause too much of a disruption in private society (such as if we changed tax or overtime laws), and renewing an existing law would cause no such disruption, so we may as well make it immediate. Another reason is that having the renewal period start with the original expiration date would allow legislatures to renew a given law early in their term, and thus in effect have the renewal last for 52 years instead of 50, which would be in excess of their authority.

The renewal period should be equal to the original period. There might be an advantage to renew old laws more frequently than every 50 years, since they may have a higher chance of becoming antiquated as they get older. However, having to review every single law more often than once every 50 years would place too much pressure on legislative calendars. Besides, a law which has survived for 500 years shouldn't have to be reviewed every 25, and again the legislature can always overturn a law that is causing a specific problem.

Invocations

Added in May 2019, following a couple of recent incidents involving legislative invocations turning into long sermons espousing selected political viewpoints, under a thin guise of prayer to a deity.

We get the original idea of conducting a group prayer at the beginning of each legislative session, as dramatized in the 1939 film *Mr. Smith Goes To Washington*. It is a moment of ceremony which helps everyone (including gallery visitors) to get into the right mood for the work to be done, and reminds everyone that they are dealing with important issues which must be handled carefully. The practice was much more relevant back in those days, when legislative chambers almost entirely comprised delegates of a single generation of a single gender of a single race, and when the range of religions represented was much narrower.

These days, however, with increasing recognition of the increasing diversity within American society, especially including with increased Congressional representation of the Muslim community, it is becoming less and less appropriate to conduct any group prayer before or during any legislative session, as though all the delegates affiliated themselves with the same religious tradition.

Besides, political messages and demographic diversity aside, even if you believe in the Deity to whom these folks are praying, and even if you believe that this Deity is actively listening to some or all of those prayers, it still doesn't make logical sense for the legislators to pray that they do the right thing. It is up to them to figure out what the right thing is, and it is up to them to do that right thing once they figure it out. It is not up to any god or angel or other transcendental entity to do that job. It is the job of the legislators who were duly selected by their constituencies to do that work and make those decisions. If they screw up at any point, then it's their own fault, not the fault of any transcendental entity, and the legislators don't get to weasel out of their responsibilities by noting that hey we prayed before that session so it's not our fault. Do your own job, or let someone else have it. If you need to pray before participating in a legislative session, then do it on your own.

All that being said, we still had not been planning to introduce this point in our SIG's agenda, because we deemed it a relatively small matter not worthy of our attention. So they take a few minutes for a ceremonial prayer, so what? What's the harm? Well, now we know it: It happened twice (that we know about) during the first few months of 2019 that the individual selected to render the invocation (could be a member of the legislature (as in PA Assembly), could be a guest (like Omar Suleiman)) seized the opportunity to make a protracted plea (ostensibly to the deity, but really for the attention of the other attendees) that the legislature should follow this policy or that one. Even if it is appropriate to have a group prayer at all, it certainly is inappropriate to turn it into a divisive and controversial message.

For all these factors combined, seems net-best to discontinue immediately the practice of conducting group prayers or invocations before or during any legislative session at any level of government, so that is now our group's position.

SECTION I-F: JUDICIAL REFORM

Subsection I-F-1: Basic Functions of a Judiciary

We do need some kind of judiciary, to help assess whether anyone's rights have been violated, and to recommend/order specific responsive action as appropriate when that does happen.

Before considering any specific structures or procedures that should apply to an ideal judiciary, we allowed ourselves to compile a set of basic philosophical principles that should govern those decisions. The first set of basic principles comes from our previous findings, particularly in the area of rights, viz.:

- 1) There are two basic kinds of rights, being 'natural' and 'civil'.
- 2) There are at least 6 actual natural rights, and maybe more besides.
- 3) Any right carries with it the right to waive that right.
- 4) Rights carry responsibilities to respect the rights of others.
- 5) Every individual has complete control over his/her own life, and over what means he/she will use to survive (if making that choice) and to maximize his/her quality of life, except when interfering with the rights of others.

- 6) Resolution #1: "Every individual ought to be able to do anything that he/she wants, provided that such action causes no injury (or immediate threat of injury) to others", where 'injury' is defined as 'compromising a person's ability to do what they would otherwise be physically and legally able to do.

From these principles, we now derive the following:

- 7) The purpose of justice is to achieve balance among different people's rights.
- 8) The achievement of balance among different people's rights is a never-ending process which will always require some amount of subjective judgment.
- 9) There therefore is no such thing as 'absolute justice'. It's all relative and subjective.

In defense of #8, we observe that even a case of straight theft or embezzlement is not completely redressed by return of the stolen property: The victim may be presumed to have suffered considerable stress and loss of time as a result of having to deal with the problem, so some additional level of compensation would be needed in order to achieve a proper balance. The form and/or amount of such additional compensation would need to be assessed by human judges on a case-by-case basis, based on whatever considerations they deem appropriate.

Subsection I-F-2: Judiciary Structure

Each governmental jurisdiction from international to municipal should have its own judiciary to adjudicate and enforce the laws of that jurisdiction. For, since each level is setting its own laws, legal minds at each level are most familiar with how those laws were intended to be applied, and so are in the best position to determine whether a particular action or behavior constitutes a violation of either criminal law or civil procedure. Therefore, best to have separate judiciaries, each concentrating on alleged violations of laws and civil procedures passed by the government of that jurisdiction, rather than have either the I.O.O. or any separate global body try to manage the task of justice unitarily for the entire world.

However, some situations may yet warrant the interaction of multiple judiciaries, either laterally or vertically or both. Such situations may possibly include when someone commits a 'bad act' that affects people in multiple States simultaneously, or when someone commits separate bad acts in multiple jurisdictions, or when an judgment at a lower jurisdiction needs to be overruled by a higher jurisdiction. In such cases, we might want to involve some higher level, but we may not necessarily wish to exclude the lower jurisdictions from participating in the prosecution as they normally would.

Assignment of 'bad acts'

Bad acts to be initially overseen by the "International Oversight Organization" (or "I.O.O." for short, pending the selection of an actual organization name later on) should include, but not necessarily be limited to:

- 1) Crossing a national border with military force;
- 2) Environmental disasters – caused by either willful intent or negligence – affecting either international territory and/or multiple Countries simultaneously;
- 3) Crossing a national border with a known infectious disease;
- 4) Violation of international treaties;

- 5) Institutionalized slavery;
- 6) Genocide; and,
- 7) Widespread physical mutilation.

Notes as to #4:

- Prosecution is to be initiated only upon complaint from one of the parties to the treaty. Otherwise, there shall be no policing.

Notes as to #5 and #6:

- While we are generally trying to respect the SIG's previous finding that we should not have a one-world government (or too much of one, anyway...), and that we should have multiple sovereign nations with maximum flexibility to decide their own laws and criminal procedures (since we generally don't want the I.O.O. taking sides when there is significant division among the global population as to what does and does not constitute a 'bad act', lest it then become too much of a one-world government), and while we recognize in particular that slavery and genocide have both been accepted policies within certain societies in human history, yet we feel that we are on good ground in acknowledging and institutionalizing a more recent trend among global society of non-tolerance of such practices.
- We don't necessarily want to adjudicate individual cases of alleged slavery or alleged murder at the global level, because we want to leave the I.O.O. focusing on only the big cases, but we can use our global resources to go after government officials and private 'ringleaders' who commit these atrocities on a large-enough scale as to warrant international intervention.
- In addition to recognition of the human race's historical trend toward zero-tolerance of slavery and genocide, there also are two practical reasons why we should include genocide and institutionalized slavery in our list of bad acts to be initially adjudicated by the I.O.O. One reason is that remaining consistent with our general policy of helping refugees to escape a hostile government requires in the case of slavery that we do more than just hold the door open for people to escape; we would have to actually go onto people's private properties to take the victims out by force, and to do that should require a specific finding that these are bad acts which should receive remedial treatment beyond the normal policy of simply helping refugees to escape. The other reason is that we waste a lot of human life and material resources if we require ourselves to go into a given country several times in order to help victims and potential victims to escape that country's pro-slavery and/or pro-genocide policies; at some point, it becomes a practical necessity to remove the offending leaders from being in a position from which they can order and facilitate such policies; we should therefore take actual adjudicative action at some point, possibly to include removal from power, incarceration, criminal trial, and maybe even execution, so we should specify in this listing that these bad acts will be adjudicated more actively than most ordinary alleged violations of human rights.

Notes as to #7:

- It was harder to add this to the list, because it's harder to adjudicate on either an individual level (a government doctor can always testify (maybe truthfully, maybe not) that the mutilation was intended to stop some big epidemic disease or something) or a national level (since it may be harder sometimes to identify any commonality among a large number of alleged individual abuses). Because of this, we want to add a couple of checks to the adjudication process. Basically, the I.O.O. can determine (either through a particularly high vote count (80%?), and/or through approval by multiple houses, and/or through various other mechanisms) that a particular case of alleged widespread abuse is so egregiously obvious that it warrants immediate remedial action. But, it can also decide (either by specific resolution, and/or if it receives a lesser but still-high vote count (65%?), or through some other mechanism) that it appears that something bad may be happening, but for some reason (insufficient evidence? geopolitical scope too narrow? lack of consensus as to relative badness? recent elections?) we don't want to directly intervene just yet, but we are yet now resolving a recommendation that the country in question look more closely at whatever is allegedly going on, or else the I.O.O. may undertake a second reading of the charge later on, and may possibly take more direct responsive action at that time. That way, we give ourselves the option of immediate action when it's really needed, but we also restrict the I.O.O. from acting when global opinion is more divided.

We don't want to add too many more items to this list, because we don't want to give a global judiciary too much to do, lest it become too much of a one-world government.

One of the advantages of the tricameral structure that we have adopted for the I.O.O. is that we now have 3 avenues of complaint against alleged violation of international policies, useful in case one of the 3 houses happens to get 'bought off' or otherwise unduly manipulated.

Bad acts to be initially overseen by the Federal judiciary should include, but not necessarily be limited to:

- 1) Environmental disasters confined within a Country, but affecting more than one State;
- 2) Violation of interstate covenants;
- 3) Crossing a State border with a known infectious disease, if (and this applies generally to all levels) there is documentation that the patient was officially notified by an attending physician or public health agency of competent jurisdiction that he/she was being quarantined and served with a specific travel restriction which in this case required staying within the State;
- 4) Crossing a State border while under a State-imposed restriction to stay within the State border for some fixed duration, such as a parole restriction following a conviction of sexual predation; and,
- 5) Crossing a national border without going through all internal requirements.

Notes as to #4:

- The Federal prosecution in such a case would be limited to the actual border crossing, and neither treat the original criminal conviction nor consider at this time whether the subject's presence in the other State either causes an actual problem or presents an actual threat of a problem. The State found – presumably through a 'due process', although we concede that such proceedings do not always produce perfect results, and we'll discuss that more later – that this subject is presumed to be a threat until some time period has passed and/or some other condition is fulfilled, only after which we will trust him again to travel freely. In the meantime, the Fed should generally respect that judgment by the State, and immediately place in Federal custody anyone who violates a legitimate State-imposed restriction against traveling out of State, and limit the Fed's original prosecutory efforts to that particular 'bad act' of crossing a State border without proper authorization.
- Criminal conviction is not required for such a restriction to apply, and an arrest warrant or bail ruling may be sufficient, but – as with the infectious diseases – the subject must have known about the restriction before he/she can be prosecuted for an alleged violation of it. A warrant issued but not served is insufficient for such a prosecution to be validly applicable.

Notes as to #5:

- The restriction applies to both entering and exiting. We will naturally have a concern if someone appears within our borders without authorization, for such an individual may be a spy or terrorist or other threat of some kind. But, we also must be concerned about anyone who leaves surreptitiously, without going through all our checkpoints or without producing all required documents or whatever, for such an individual may be carrying state documents or state secrets or some other property that he's not supposed to have, or else he may be threatening some other kind of harm to us from outside.
- In such a case, would it be sufficient to simply say that the individual in question just doesn't get to return? No, we feel that we need an actual 'bad act' prosecution, because the subject may not be intending to return anyway, but may yet be presenting a serious threat.
- But, what if the subject's intentions are peaceful and honorable, but he simply feels (and maybe he's right) that the Country's exit restrictions are too severe? In that case, it is possible that the Country in question may thus qualify as a 'hostile government' for the purposes of our previous finding of situations which may trigger I.O.O. involvement. If so, then the subject would have the option to go to any of the multiple inland presences which the I.O.O. presumably will have within each Country, especially if -- as we envision -- each of the 3 houses of the I.O.O. will have its own independent network of field offices around the world, again so that people have multiple avenues for attracting the I.O.O.'s attention. The local I.O.O. office could then adjudicate whether the Country's exit restrictions actually are too restrictive and hostile, in which case they could assist with the subject's escape, as previously established, but not otherwise.
- If a particular subject leaves the Country on his own, anyway, without going through the Country's exit procedures, and without a finding from the I.O.O. that such restrictions are unduly oppressive, then the Country of origin has a legitimate concern, which should merit the attention of other jurisdictions as applicable.

- This sort of 'bad act' theoretically could qualify for original handling by the I.O.O., since it involves interaction among multiple Countries, but such an assignment could easily result in the I.O.O. getting overly inundated with such cases. Best therefore for each Country to pursue such cases at its own level, hopefully with the reciprocal cooperation of neighboring Countries, just as with ordinary extradition, and then to notify the I.O.O. only when it appears that a particular case is serious enough to either definitely or possibly require their attention.

Bad acts to be initially overseen by State judiciaries should include and be limited to:

- 1) Interactions among Counties; and
- 2) Interactions among Cities in multiple Counties.

Notes as to State judiciaries generally:

- Even if a particular law governing individual behavior is passed by the State legislature, it still makes more sense for initial adjudication at a more local level, for two main reasons: (1) The lower levels already have administrative structures in place to try cases for other types of individual bad acts (i.e., where the option to legislate has been deferred to the more local levels), so no need to create a separate bureaucracy at the State level for that type of case. (2) Trying at the local level makes it easier to perform local investigations, jury visits, etc.

Bad acts to be initially overseen by municipal judiciaries should include only violations of any laws/ordinances passed by the Cities themselves.

Notes as to municipal judiciaries generally:

- The reason why municipal judiciaries should not be having anything to do with bad acts legislated above the municipal level is because the County judiciary must already be able to govern such acts for the unincorporated areas of the County, so no need to create a separate structure for those types of cases at the municipal level. Best to let Cities specialize in their own particular issues.

Bad acts to be initially overseen by County judiciaries should include anything not specifically assigned to any other level, including disputes involving multiple Cities within the same County.

Better to combine criminal judiciaries and civil judiciaries into one single structure, in order to allow judges and lawyers to switch off who can.

Funding

Generally, judiciaries shall be funded by a mix of civic support (so that government can still provide oversight and mitigate costs) and fees supplied by the losing parties (to provide them with some disincentive against frivolous prosecutions). Prevailing parties shall not be required to cover any legal fees or court costs on their own, except any expenses which are duly found to be in excess of what was necessary and reasonable for litigating the case.

One way to make lawyers more accountable and keep them from overbilling their clients is to require them to submit their bills to the court for approval, along with justifications for hours billed significantly in excess of the industry standard for similarly-complex cases, with the amount actually billed to the client subject to modification by the court. The court may even elect to impose a penalty to any attorney who appears to be trying deliberately to overbill the client.

Also, in order to encourage lawyers to bill below industry standards whenever they can, we recommend a rule requiring that the judges pass the bills as submitted (not as ultimately approved, so that the attorneys who wish to remain competitive in the public eye have a motivation to not pad their bills), and the corresponding numbers of hours of court time in all those cases, to some public and/or private agency(ies), who would maintain online databases of how many hours different attorneys tend to bill as a function of court time required, as well as win/loss figures, so that individuals shopping for lawyers have not only hourly rates but also efficiency ratings and relative competence to consider.

We realize that these measures mean a partial 'deprivatization' of the legal industry, which may run counter to the American ideal, and constitute an exception to the free-market principles which we identified during Question 38, but we feel that it is warranted in this instance, because an attorney once engaged effectively becomes a monopoly which gets to charge whatever it wants. However, attorneys are not monopolies if potential clients have good and reliable information about the performance and billing practices of all lawyers before any are selected. Our suggestions therefore actually promote fair competition and truly free enterprise.

What if an individual who can afford only one cheap attorney goes up against a big corporation who can hire a whole bunch of good ones? We don't want the individual to have to pay a blank check for all the corporation's lawyers even if the individual loses the case, nor do we want the big corporation to use their legal resources as a scare tactic to discourage a legitimate prosecution. We could try to institute a 'usual-and-customary' procedure as they do with Medicare billing, but we hesitate to do so, for there is still too much waste and fraud in the healthcare industry for us to feel very comfortable with this approach. Better to set a general cap for what the losing party has to pay in opponent's legal fees.

Various possibilities were considered as to what the amount of that cap should be. Considered setting it equal to the lesser of the two totals of legal charges incurred by the two parties, the idea being that any big corporation or other prevailing party who uses up more legal fees than that should be expected to absorb the financial costs of this their corporate decision. However, this argument fails because it assumes that whichever party is paying more in legal fees is necessarily paying an excess, and this will not always be so.

Also considered a proposal from a certain paper published by the Manhattan Institute for Policy Research (ref. http://www.manhattan-institute.org/html/cjr_11.htm), recommending that the loser should pay to the winner the lesser of (actual fees) or (30% of the difference between the final judgment and the last written offer of settlement tendered within 60 days of the initial complaint). However, we found it flawed in a number of dimensions, primarily in its introduction of arbitrary figures for winning probability and attorney fees. The conclusion might have been correct, but another rationale would be needed in order to get to it.

Considered the singularity of a penalty amount equal to the average of the two attorneys' fees, so that the prevailing party gets a higher award if the case is really tough and required both lawyers to put in a lot of hours legitimately, and so that both parties have a motivation to limit their legal costs in case they lose. However, the problem here -- as with any other figure less than the prevailing party's legitimate legal costs -- is that the prevailing party still is not made whole, let alone compensated for his/her time and trouble.

More generally, we found that any formula based on either of the attorneys' actually-billed fees is fatally flawed on its face, because all such figures are unreliable, since it is so easy for lawyers to pad their bills in legitimate-looking ways.

Also failing was the option to levy a flat fee upon the loser, to cover a 'reasonable' amount of attorney fees and inconvenience on the part of the winner. Problem here is that cases vary so widely in complexity that such an amount would be totally random, and in most cases either too high or too low.

Rather, we found that a much more reliable indicator of how complex a particular case actually was is how much of the court's time it required, since judges have multiple motivations to hurry cases along whenever they can, maybe because they want to be able to move on to the next case, or get some golf in, or whatever. We therefore propose as our 'Answer to Everything' that a graph be prepared of hours actually billed by winning and losing attorneys as functions of hours logged by the court, and that a formula be constructed to show the average/reasonable number of billable hours for each case requiring a given number of court hours, possibly with a deduction factor to allow for assumed padding in the sampled bills, and then charge to the losing party on that basis.

Whatever formula is actually used, we again should allow that the judge may find a specific reason to modify this principle in the actual damage computation. If the judge's corruption unduly influenced this damage computation, then that is an element which can be considered during appeal.

Appeal

OK to appeal cases to higher jurisdictions when deliberate judicial misconduct or honest procedural error is suspected. We considered having the first level be final, as they have done in baseball for many years, but we're observing a greater popular demand in many sports for appeals through 'instant replay', and more generally we are concerned with the possibility of greater corruption when there is no opportunity for appeal at all. Also considered possibility of lateral appeal to a neighboring jurisdiction who at least would have a first-hand familiarity with handling those types of cases on a primary basis, so they might be in a better position to assess whether there has been "judicial misconduct or procedural error"; however, the County next door might not have a whole lot of motivation to handle our crappy cases as well as those originating there, besides which there would be no basis for determining whether a conflicting assessment from a neighboring County ought to trump the original disposition, unless you appeal to a higher level to referee. Further, it is arguably a part of the mission of the inclusive higher jurisdiction to make sure that things are running smoothly within all its subordinate jurisdictions, which we find reasonably includes treating certain lower cases on an appellate basis.

Appeal may be initiated by either party, even in a criminal proceeding, but the appellant must show good cause before any further action is actually taken on the case. Considered multiple alternatives here as well:

- One possibility was to appeal all cases automatically (as suggested in the 5th season of 'L.A. Law', and as also happens in 'real life' with capital convictions), in the hopes of saving the time involved in initiating an appeal. However, we identified multiple reasons against it, namely: (1) The time and resources saved probably would not completely offset the time and resources spent in those retrials not specifically requested by either party. (2) No other advantage is seen which would offset the imbalance of time and resources. (3) Cases are stressful and arduous enough for the principals and witnesses without having them always go through the entire trial process twice. (4) If it's too complicated or time-consuming to initiate appeals, then we can fix that problem more easily than by trying all cases twice.
- Another possibility was to allow appeals only when initiated by either party, but to accept the appeals automatically. Rehnqvist says that this approach would clog up the system, and impose too much more of a financial and logistical burden.
- The other alternative that we considered was what we are doing now in the U.S.A., namely to require a compelling statement as to why the appeal is being requested, but to entertain such requests only from a losing defendant. An argument in favor of this approach is that an individual criminal defendant is going up against the D.A.'s office and the Police department and the rest of the Government, with all their money and staffing and crime labs and other resources, and that we might want to create a more balanced and just playing field by giving the benefit of the doubt to the underdog defendant wherever we can, and by granting some offsetting strategic advantages to the defendant, including by giving all appeal rights to the defendant only. (Of course, this argument does not apply in civil cases.) However, there often will be living victims of the crime in question, and their needs for justice are just as important as the defendant's right to fair treatment. If corruption or some other major problem unduly influences a criminal proceeding, then justice still demands that the case be handled properly, even if that means the allowance of what we have come to call 'double jeopardy'.

In order to minimize time and stress for actually-innocent defendants, we want to make extra-sure that prosecutors have a really solid basis for claiming corruption or procedural error.

If the appellate court upholds a particular claim, then the case generally is re-tried in the original jurisdiction (since, again, the local judges generally know the local laws and customs and judicial precedents best), but with a new judge, and with investigation of the original judge as applicable (especially upon repeated accusations of corruption). However, there may be exceptions where the case is re-tried on a *de novo* basis at the appellate level, particularly if an extensive pattern of error and/or corruption is suspected to exist within an entire lower jurisdiction, or if the originating jurisdiction has only one judge in it.

The appellant may take a case to the 2nd-higher level, either if the primary-level appellate court refuses to hear it, or if the case loses at trial in the appellate court.

However, the appellant must file an additional brief to the secondary-level appellate court showing why the primary-level appellate court was either corrupt or honestly erroneous in its treatment of the case (not just the simple fact that the appellate court disagreed with the appellant), with some affirmative evidence of such allegation.

If the case still fails at the 2nd-higher level, then the appellant may take the case to additional higher levels without limit. However, in order to discourage frivolous filings, and also to offset the costs of treating appeal, each appeal (from the 1st on up) will require the appellant to deposit a filing/processing fee (in an amount to be decided by each jurisdiction, but probably to go up with higher levels of appeal) in an escrow account held by the court. The appellant forfeits the fee to the court if the appeal is rejected, or if the case loses in re-trial, but it is returned to the appellant if the appellant ultimately prevails, in which case the corresponding fee is levied upon the losing party as a fine. This way, the originally-prevailing parties are not required to provide escrow funding before we know that they're actually going to be losing.

We considered dividing each jurisdiction's judiciary between one structure for original cases and a separate structure for considering and treating appeals from lower jurisdictions. However, we do not find any really compelling reason to do so (not that much benefit seen in streamlining through specialization, and law clerks can provide research on the different jurisdictions as needed without requiring a given judge to keep all that information in his/her head, especially given that most appellate cases will actually be tried at the original level), and therefore in the interests of administrative simplicity we are recommending that the judges of each jurisdiction above the municipal level be knowledgeable enough about the laws and trial procedures of all subordinate jurisdictions to be able to field appeals from them.

Timeframes

Good to require a relatively short timeframe during which appeal case must be initiated in order for us to entertain it, so that the courts and the winning principal and other interested parties may know that they can get on with their lives if the appeal hasn't been filed by a certain date. However, we don't want the timeframe to be too short, since the losing party may need time to solicit and engage and familiarize a new attorney. We think that a 30-day timeframe satisfactorily balances both these needs.

We also want to have a timeframe by which the government is expected to issue an initial response to the appellant, that either we'll entertain your appeal formally, or else we're rejecting it immediately. Given the other cases all the judges will already have in front of them, we think that a 45-day guideline is reasonable for this step. If there are not enough judges on staff to allow this to happen, then install more judges.

Both new cases and appeals should come to trial within 3-6 months after initial acceptance by the court, or else adjust judiciary staffing levels accordingly. If it takes longer than that, then people die or forget things, evidence gets lost or compromised, people's lives continue to get disrupted. However, if for some reason a particular trial (either original or appeal) needs to start earlier or later than this general target, then the case shall remain alive without penalty to either litigant.

Lawyers

In Question 302.3, we considered whether there is any way that we can do without lawyers, as has been suggested in numerous works of fiction, including in Shakespeare. As cathartic or otherwise appealing as the concept may appear to some, we yet find that such a society would be very unadvisable. Especially with the ever-growing complexity of our society, we find that we need to be guided by the analyses of specialists in legal interpretations, as well as experts who can help us craft new laws as needed. Besides, it is often helpful to for someone to be in a position to advocate for a given litigant who is detached enough from the case personally to be able to manage the legalities of the case with a greater level of objectivity. The legal process can also be dispatched more efficiently if it utilizes individuals who are conversant with prevailing laws and legal procedures.

In Question 302.4, we considered whether there is a better alternative to the classic adversarial system to which most Americans have become accustomed. We considered the Question separately for different types of cases (civil, criminal, administrative, etc.), and have found in favor of employment of the adversarial system for all types of cases, in order to allow the civil rights to be upheld of lay defendants who are not particularly conversant with the relevant laws and/or who may not be able to present arguments which are both logical and persuasive.

However, we also feel that it is good in criminal cases for there to be a group of objective analysts -- who are not advocating for either conviction or acquittal -- to be focusing on figuring out the facts of a given case before the actual trial process, as grand juries typically do now, except that in the current environment grand juries generally focus on whether there is enough evidence to bind over a particular suspect for trial, whereas we are recommending that they try to assemble a complete set of facts. We feel that this group of judges should operate in an 'inquisitorial' environment, where they decide what witnesses to call, what questions to ask, etc., without any lawyers present to try to influence their decisions unduly with skilled rhetoric.

Their preliminary review could help lawyers and judges to decide whether an actual adversarial trial is indicated, in which case they issue an 'indictment'. (In the current environment, it is the prosecutor's call as to whether to seek an indictment from a grand jury or a ruling of a pre-trial judge that a trial is indicated, depending on which appears to be more expedient at the time.) It is during that trial that the defendant and defendant's counsel will have the opportunity to refute the evidence and attempt to establish that a different scenario actually occurred.

For civil cases, society does not have an interest in initiating a preliminary inquisitorial fact-finding phase, since it is only one individual's decision that a legal proceeding is needed, so that party should be getting his/her facts through previous mechanisms, as people do now. For the actual trial process itself (which we do want to keep as a public service, lest people be motivated to find justice in their own distasteful ways), our previous reasons for needing lawyers continue to apply, viz.: Many litigants will not want to speak before a judge/tribunal/jury, and many of those who do will be lousy at it, making the process take way too long. Best to keep civil as we now have it.

Same for administrative, probate, and any other current or future area of law where one party has a dispute with or complaint against some second party: Whoever it is that you are trying to convince of your position, it is generally better and faster to have a trained and experienced advocate presenting that case than the actual

parties. The recommended environment therefore is basically the same as what we have now, except modifying the current inquisitorial element in criminal cases.

Plea-bargaining should be used only for sentencing purposes, and not to get in the way of our finding out the actual facts of a case.

Attorneys should not be blamed for losses when justice is done, but rather only when verdicts are overturned on appeal. We state this in order to mitigate the prosecutor's motivation to win at all costs.

Regardless of whether a given jurisdiction's system is adversarial or inquisitorial or some hybrid, we still would like for an early step to be in place where the attorneys summarize the facts and trial elements that the parties agree on (the stipulations), and the points on which they do not (the issues), as routinely happens in most/all areas of law.

In Question 302.5, we looked at what additional deterrents – if any – we want to implement in order to better ensure that ethical practices are followed by lawyers. There are both financial and non-financial elements to this goal.

Among the non-financial elements, we are suggesting that future litigants expect their lawyers to provide them -- at the time that the retainer is paid -- with a 'letter of engagement', stating as much as the lawyer may happen to know at that preliminary stage about what strategy is expected to be followed, and how much and what work is expected to be achieved for the amount of the retainer.

We are also recommending a market expectation of periodic statements to clients, showing the amount of retainer used so far, and what work was done for that amount. Amended agreements can be executed during the progress of the case, as the lawyer learns more about the available options.

In general, a combination of State bar associations and private watchdog agencies/websites should be sufficient to police lawyers' adherence to non-financial ethical practices. State bar associations do some self-policing now, and that's good, but we may not always be able to trust all of them to go all the way. To pick up any slack, we can rely on private watchdog agencies such as the Better Business Bureau (BBB), and websites such as Yelp, to allow customers to post satisfaction ratings and narrative descriptions of their experiences.

Subsection I-F-3: Judicial Review of Legislation

To expand a bit upon the opening paragraph of Section I-F, we generally agree that legislatures and judiciaries should be separate branches which should be doing separate things. In particular, we find that the basic function of a Legislature is to pass laws affecting the society that it represents, while the basic function of a Judiciary is to evaluate whether or not a particular action violates such laws, or else violates someone's rights in a way not specifically covered by established laws. However, notwithstanding the generally separate nature of these two branches, it is yet appropriate for them to have some interaction.

One way in which we find it appropriate for the two branches to interact is in the area of 'judicial review', a power which was assumed by the U.S. Supreme Court in the case of *Marbury v. Madison* (1820), under which power the Supreme Court

entitled itself to throw out any given law passed by Congress if in the Court's opinion it violates the U.S. Constitution.

In our opinion, the Judiciary generally may indeed get to find that some lower law violates some higher law, but that power should be specified in that society's constitution, and not just assumed by the Judiciary.

Even at that, though, history has shown that we cannot always rely even on a simple majority of the Supreme Court to make this assessment correctly. Therefore, in order to confine such instances to the actual obvious contradictions on which pretty much everyone can agree, we now recommend requiring a 4/5 majority of the prevailing judicial assembly panel as a condition for such a ruling (which would mean 8 out of the 9 members of the current U.S. Supreme Court), allowing for the occasional random crackpot or political lackey who might filibuster and block every good thing for no good reason.

As a further check against the abuse of judicial power, we re-introduced during this June 2013 treatment a concept which we first brought up in November 1998, viz., that a society's Legislature should generally be considered as higher than the Judiciary, since they provide much broader representation of the popular will. For this reason, the Legislature should have the opportunity to override any attempt by a judge or judiciary panel to throw out a law for allegedly being 'unconstitutional'.

We next decided upon the specifics of this "Legislative Counter-Review" at the Federal level, viz.: We probably don't need to go through all 3 houses of the national Legislature, because we don't want to burden their calendar any more than we need to, and because this sort of thing doesn't necessarily affect either population-based constituencies or area-based constituencies any more than it affects the country as a whole. Could go with the highest house in all instances, but better to go through the house in which the bill originated, since they would probably have done most of the research work on it, and therefore should generally be in the best position to assess its legality. We don't want to rely on any Legislative committee, because the whole idea of referring it back to the Legislature is to get the opinion of a broader representation, so the vote should be taken of the entire house. Requiring the same majority level (2/3) to override a Judicial veto as we have now in overriding an Executive veto, consistent, easy to remember.

If no reversal action is undertaken by a certain time, then shall we consider the original law upheld, or the judicial veto? The first option is more stable, plus we might not want things to happen by default simply because the Legislature had more important things to do before the deadline. On the other hand, if no action is taken by a certain time, it could be construed that the Legislature did not harbor a strenuous enough objection to the judicial veto, but again that fails if they actually did have more urgent business. However, since it is the Legislature's law, they want it to be upheld, so they will not have a motivation to initiate a motion to sustain the judicial action; rather, they will only want to act to override it. Therefore, the Legislature needs to take affirmative action to override a judicial veto, otherwise the judicial veto stands. They have 60 days in which to do it, or else they need to start the process over.

In order to prevent any initiative or referendum from being overridden after passage for allegedly being unconstitutional, best to have it officially reviewed before voting, with the results of the official review appearing in the official ballot literature. If there is found to be an obvious conflict with any higher law within that civic

jurisdiction, then the proposition does not fail automatically, for it should be the people who are in charge, not the constitution. Rather, the proponents would need to include in the ballot the exact changes which would need to be made in the higher law concurrently in order to accommodate the proposed measure. Then, if the proposition receives a simple majority of popular approval, then all the specified legal changes are adopted together.

If a new initiative or referendum obviously violates an applicable law established within a higher civic level (e.g., if Alabama says that slavery is okay, but the U.S. Constitution says no), then the initiative/referendum is out immediately. The only way that it can get enacted is through a change in the higher jurisdiction's law, such as by the constitutional amendment process or by national initiative/referendum. Any judge at either level gets to state that the lower law violates the higher law.

No governmental entity should be in a position to invalidate any initiative or referendum for any reason other than obvious violation of an applicable higher law, especially not if the measure is allegedly bad for some moral reason: We did not elect these people as moral judges, we elected them as legal judges, and we do not accord to them the power to substitute their moral judgment for that of a population ten million times larger.

While legislatures are presumed to be better at making laws than judiciaries, yet a society's existing laws may not cover every scenario, so sometimes a decision has to be made on a quick basis, without going through the whole legislative process. However, if the Legislature does ever have a particular hangup about any decision made by a judge in that jurisdiction, then they can always make a priority of passing a law to specify their contrary intent. Therefore, no specific procedural adjustment needed here: Judiciaries at any civic level may continue to make informal laws independently of the Legislature, wherever the current law is silent on a particular point at trial. Such decisions may continue to be cited as precedents in future legal cases, until such time (if any) that the Legislature for that jurisdiction ever adopts a formal law covering that point.

Any new law should apply retroactively. Any individual who has had to pay fines based on the previous law should have those fines refunded with interest. Any individual who ever faced incarceration based on the previous law should be released if still incarcerated, and should be recompensed at some flat rate by the applicable government for each year of imprisonment, in order to at least partially offset the injustice of being punished without any actual criminal intent. The amount of compensation should account for the fact that the prisoner did receive room and board and some amenities, but also the fact that he/she probably would have enjoyed a higher income and standard of living on the outside.

Granted that applying new standards retroactively could be seen as a double-standard if not also applying more severe measures retroactively when laws get stricter. However, the difference is well explained by remembering the key principle that systems of government should generally benefit the individual to the maximum practical extent.

Subsection I-F-4: Bad Acts

Because people should be able to do whatever they want if not injuring or threatening injury to others (including recreational drugs if not going out and driving and endangering other people), they should not be held accountable for any such

acts. However, many laws prohibiting such acts continue to exist in different jurisdictions, including outside America. A lot of those objections appear to have basis in religion, so at some point we will need to convince the religious organizations to which the lawmakers belong that their previous paradigms need to be adjusted. We acknowledge this for a tough challenge, but we likely will yet need address it, because simply posting the finished Agenda on some website may not be sufficient.

If a given alleged 'bad act' affects more than one jurisdiction, then it should be tried only once, by the lowest jurisdiction which encompasses all those affected, because we do not want different judiciaries trying the same case and possibly coming up with different conclusions as to facts and culpability.

If a given alleged 'bad act' has impact within only one jurisdiction, then it generally still should be tried only once, because we generally agree with the principle opposing 'double jeopardy', and do not want defendants who have been found 'not guilty' to have to live in perpetual fear that some other judge or jury might someday come along who will want to find them guilty on the basis of the same set of facts. However, guilty people should not be ignored because we did not have sufficient evidence at the first trial to achieve conviction, so generally allowing new trial if new compelling evidence emerges after initial acquittal; we just need to remember that both physical and testimonial evidence can degrade over time, so statutes of limitations can generally apply as jurisdictions see fit at any given stage of history, such that evidence can be dismissed if it does not emerge until after a certain amount of time has passed after the alleged commission.

Generally agreeing that it is not good for a defendant to be charged separately under multiple laws which a jurisdiction may have that are similar but not identical. We generally should pick one law of which the defendant is allegedly in principal violation, and prosecute on that basis, unless it can be demonstrated that the concurrent violation of certain additional laws makes the alleged 'bad act' even worse than it would have been otherwise. One example is that forcible rape of a minor is worse than either consensual sex with a minor or forcible rape of an adult, so heavier penalties would be appropriate for the combined 'bad act'.

The 'Nuremberg question'

This is a bit tougher: If a military officer (commissioned or non-commissioned) orders a subordinate to do something that is viewed by the international community as a 'war crime', then who should be held responsible for that act? A civilian employee (such as a quality-control inspector who is ordered to release products known to be in violation of established specifications) generally has the option to look for and accept new work, but military personnel do not always have the right to resign or work someplace else.

Originally agreed in discussion that officers should be held accountable for the orders which they issue, and that subordinates should be held accountable for only those acts which they commit in excess of orders. On the other hand, this may not go far enough, because certain people following certain orders exactly maybe should have been expected to disobey those orders and take whatever consequences may apply, but then that's pretty easy to say when you're just sitting around the coffee table wearing civilian clothes. The Himmler example of initiating specific measures in excess of Hitler's general extermination order may be good as far as it goes, but agreeing that even if Hitler had specified every step to be undertaken in the

extermination process, then Himmler and all other subordinates should have been morally expected to disobey, even though Hitler (and especially Stalin) would almost certainly have had them killed for doing so, and probably their families too.

We considered declaring this a 'not applicable', on the presumption that we can somehow successfully create the previously-described environment in which wars do not happen at all. However, we noted that certain such atrocities can be committed by military and paramilitary personnel even when their country is not nominally at war, so we do not properly get to avoid the Question with 'not applicable', rather we still need to confront it.

The situation is similar to a civilian hiring a hitman to kill someone, but this example is not completely on-point either, because both those civilians are aware that there is a law against the act, and because their relationship is voluntary.

The situation is different between when the alleged 'war crime' violates some specific international statute, and when it instead violates some 'universal human morality'. For the former, we can treat the two participants in basically the same way as we do any crime where two or more people are involved, because we may safely presume (mayn't we?) that both participants knew or should have known that the applicable international law existed, because we previously stated (in our answer to Question 26 as revised in May 1999) that the prevailing international oversight organization ("i.o.o.") should have only limited legislative authority, so hopefully it will not be establishing a bunch of minute specifics which would require soldiers to be lawyers.

For the aspect where international law has not yet specifically covered the act in question, we claim that any act which is so clearly bad that it can be "viewed by the international community" as a 'war crime' should be perceived as such by all soldiers involved in it, and therefore that all those soldiers should have some measure of responsibility for it. If something is only a borderline 'war crime', then we should not be so eager to try to address it as such.

Any subordinate soldier participating in a 'war crime' should have some measure of responsibility for it, because we don't want that person coming back and claiming that he was "just following orders" and that he therefore should be incurring no penalty. We also cannot simply assume a threat of serious reprisal against the subordinate or his family, although the possibility may always exist. However, his penalty can be partially mitigated if it can be shown at trial that he had strong individual reason to expect an unusually-serious reprisal for disobeying, either by direct statement from the officers or by observing what happens to others in the same unit under the same conditions.

The commander also has a level of responsibility, again whether there are specific international statutes being violated or not, because you should never be able to evade punishment by either paying or coercing someone else to do your dirty work for you. The basic answer to the 'Nuremberg question' therefore is that the penalties for any 'war crimes' should be apportioned among all participants, according to their relative levels of participation.

If we are talking about an alleged 'war crime' which does not violate a specific international law (such as was the case at Nuremberg, because we didn't previously think that anybody would ever actually do stuff like that, so we never bothered to create an international law to prohibit it), then part of what can be established at trial is whether the alleged bad acts are so atrocious that they can be considered as

'war crimes', meaning that we can basically enact the laws retroactively, and try the alleged criminals as though the laws had always existed. Maybe that can be a general definition of a 'war crime', meaning something which is so atrocious that we will treat it as a legal violation even though it was not already codified into international law.

Insofar as the 'war crimes' tribunal cannot be fully trusted to decide all the above elements correctly, there can be an appeal to higher levels of international court, all the way up to the full i.o.o. or some combination of its houses, so that in the end there ought to be little doubt as to whether a certain alleged bad act is retroactively enforceable as a 'war crime'.

Subsection I-F-5: Arrest

We asked ourselves in April 2016 whether we should require all police officers to be uniformed, and all their police cars to be clearly marked, before they may detain or arrest a person. We had a participant from France on that occasion, who reported that some police cars there are known as *banalisé* and are unmarked, but they may put a police light on top of the car when making an arrest. Their officers may also be un-uniformed. These officers may not arrest someone for a mild infraction such as simple speeding, and generally would not bother, because they have more important problems to solve. The system seems to work pretty well, because the un-uniformed police in unmarked cars can respond more quickly to prevent serious crimes and catch the criminals red-handed, which they might not be able to do otherwise. Meanwhile, the ordinary citizen who breaks only small laws (if any) does not need to live in perpetual fear of being arrested for minor offenses, relieving a big concern expressed during the session about this type of environment. Therefore allowing the practice in America under the same conditions.

It seems obvious to us that probable cause should be duly established before anyone gets arrested for anything, but the practice of arresting people without charge has happened many times in many countries for many centuries, including within America for several years after 9/11, when people were arrested simply because they looked Muslim and might therefore have been terrorists. Our visitor from France in 2016 reported being held in Customs in San Francisco for nearly two hours simply because he was from France, where some other terrorist activity had recently occurred. The SIG participants present at the time agreed that this is a problem, and that we would like to see it stopped, but wondered how we might convince the people who think (and apparently have thought for centuries) that the practice is acceptable. Our finding is that allowing a 'police state' in which undereducated officers get to harass people with limited legal justification can lead to such a degree of abuse (even if unintentioned) that we would be creating a worse environment for the entire society than we would have had otherwise. We hope that this argument will persuade societies and police departments to accept additional procedural steps as the price for allowing the society's people to live without fearing the police more than they did the criminals.

[We reached this point of our Agenda development in 2016. Beginning in January 2017, being the 20th anniversary of the commencement of our SIG's operations, we effectuated a reduction of our quorum requirement from two to one, in order to increase the frequency of our meetings, even if it means a concomitant reduction in quality. Reconsideration protocols and all other operating rules continue to apply.]

Question 313.5

If a 'bad act' is committed in one jurisdiction, and then the perpetrator flees to another jurisdiction, is it appropriate for law-enforcement officers from the first jurisdiction to travel to the second jurisdiction for apprehension, or should we rely on some sort of extradition procedure?

We can see where we would want to prevent environments where officers designated with police powers in one jurisdiction are (or feel) authorized to act with such powers everywhere in the world. Not only would it be morally improper to assert police power beyond one's authorized jurisdiction, it also would be logistically difficult to expect every individual or local jurisdiction to be able to authoritatively confirm the officer's local police ID.

On the other hand, we don't want criminals to be able to escape apprehension simply by crossing a border into a neighboring city. We therefore must be able to enter the other jurisdiction to make the arrest, or else we must be able to prevail upon the local police to perform the arrest, or else we must be able to appeal for intervention to the lowest jurisdiction which comprises all the affected local jurisdictions.

Either of the latter two options would require some amount of additional time, which can be a problem, because time is often 'of the essence' in securing an apprehension while the suspect's whereabouts are still known, such as when he is being pursued by a police vehicle.

We therefore generally should permit police vehicles to continue their pursuits across municipal lines, as well as allow detectives to cross borders as needed. However, such actions are subject to limitation by local authorities as applicable, both to control the police actions of others, and because they are not authorities if they can't exercise authority.

Therefore, to the extent that it is practical to do so, police officers should try to radio neighboring cities whenever pursuits cross their borders. Then, the local authorities can decide whether to allow the continued pursuit, to take over the pursuit themselves, to work out some kind of joint operation, or else to put a stop to all further action.

If it is impractical to notify the local authorities when a police pursuit enters their territory, then we generally should allow the pursuit to continue, but the locals will have an opportunity later to establish whether the alien officers somehow acted improperly while in their domains, in which case any arrest occurring within that territory can be overturned.

Even in such a case, however, either disputing city may appeal their position to the lowest jurisdiction which comprises both lower jurisdictions, and from there up as appropriate.

In order to help prevent such disputes, cities which have not already done so should negotiate standard policies and procedures with their neighbors. The specifics may vary according to the changing needs and desires and resources and limitations of the affected parties, but generally we are going for a balance between swift apprehension of strongly-suspected criminals and avoiding abuse of police authority.

Question 313.6

What kind of policy shall we establish as to extradition between jurisdictions at various levels, including internationally?

This also is a bit of a 'sticky wicket': We want to be able to pursue strongly-suspected criminals vigorously, and to capture them wherever they are. However, as in 313.5, we don't want police officers to be acting with unlimited authority everywhere in the world. Perhaps more importantly, we don't want to impinge upon the right of national sovereignty, when it comes to deciding whether a given individual should be released to the government of another country.

Therefore, while all of us who don't want total anarchy do want at least some provision for crossing borders when necessary for the apprehension of alleged serious criminals, yet we should stay within the general boundaries of our Basic Principle of national sovereignty.

The alternative is to allow all such cases to be appealed to the i.o.o. ('international oversight organization' -- see Section I-A), and we cannot imagine that we would want to put them in the business of adjudicating thousands of new criminal cases every week, when they have so many more important issues to address.

Further, if a given country asserts that a certain refugee should be permitted to reside within its domains, we would not want the i.o.o. to come in and try to take him by force, because then we no longer have national sovereignty, and then we become beholden to a one-world government which cannot be depended upon to use its unbounded police powers for the greater good of humanity, which is a big reason why we have sovereign nations in the first place, to allow different peoples the opportunity to live under different governmental systems with different levels of commitment to human morality.

Therefore, as with 313.5, we should allow each country to decide whether to protect or release an individual who is wanted for criminal prosecution by another country. Below the level of 'country', jurisdictions can likewise make tentative decisions as to extradition, but those decisions can be appealed to the next higher level.

Nations often will want to have reciprocity arrangements with one another, but it should not be considered or treated as a requirement. A given country may generally want to act as a 'safe harbor' for all refugees, or they may decide that some individuals may be extradited but that certain other individuals should be protected, or they may want to pursue criminal proceedings of their own, or they may want to try to work out a trade for somebody who is being held in the other country. The different reasons for a given country's given actions should be respected for their sovereignty, but of course you don't have to like them, and you certainly have it within your province to engage in diplomatic or economic sanctions against a country whom you feel to be unduly uncooperative in the handling of alleged criminals.

Question 313.7

What happens if a solitary 'bad act' simultaneously affects multiple jurisdictions at the same level, especially if the applicable laws in those jurisdictions differ?

Examples are if you explode a bomb or start a fire on the border of two cities, or if you hack the computers of multiple cities at once, or if you go on a drunk drive which causes damage in different cities.

In any case, we do not want to take the time to try the facts independently in two or more different jurisdictions. (It's wasteful if the two trials produce the same result, and it's troubling if the results are different.) The case therefore needs to be treated by the lowest jurisdiction which comprises all those affected. The applicable body will assess the facts to determine the amount of damage which is payable to the different affected jurisdictions, and any other applicable penalties.

Question 314

Is it appropriate for a statute of limitations to apply to certain types of crimes, such that no individual may be arrested and/or convicted after a certain number of years have passed following the alleged crime?

Yes, since any evidence which could tend to support the arrestee's guilt would be sketchy at best, and trying to make a case from such skimpy evidence is unfair to the defendant. Besides, even if the defendant did it, and has not been convicted of repeats of the same offense in the interim, then he does not appear to be subject to recidivism, so punishment would be redundant.

Added in April 2019: Raising any accusation after expiration of an applicable 'statute of limitations' may under certain conditions be deemed by the court as constituting 'slander', because it is equivalent to making a claim which cannot be reliably established in a court of law, in which case the accuser may be criminally and/or civilly liable, so we recommend that you choose wisely.

Subsection I-F-6: Investigation

Question 315

Shall standards continue to be maintained for the gathering of evidence, and if so then what general principles shall be observed in the establishment of such standards?

The first part of this Question is so obviously a 'yes' that we are no longer sure that it belongs in the same Outline which asks if we are even here, but at least we need not worry about arguments against this our Answer.

It is the second element which is potentially tricky, because it calls for us to set boundaries between our desire for privacy and the need of investigators to obtain evidence. The following listing therefore may not be complete, but it comprises the main points which we have ideated to date, and we will be very happy if they are all indefinitely maintained.

We have experienced environments -- both in America and elsewhere -- in which policemen and detectives and other government officials enter at will into private homes and businesses in order to obtain information or physical evidence or personal arrests, in the theoretical name of 'justice', but without any proper judicial process. We can continue having that kind of environment if we really want, but the historical trend (especially in America) has been for individuals and communities and nations to move away from such 'bully' tactics whenever they have the opportunity. Further,

one of the Basic Values which we adopted for America in our Answer 38 is maximum personal liberty, which we cannot have if the police have unlimited power to do whatever they want.

We therefore are recommending (no big surprise here) the continuation of the environment where we insist that a due judicial process be followed whenever we are asking for any limitation upon anyone's personal liberties. Specifically, before we enter a private home or business in order to conduct criminal investigations or any other kind of police activity, we require that the police agencies involved should obtain a warrant, by convincing a duly educated and selected judge not associated with those agencies that the cause is sufficiently valid.

The warrants should not be granted on the basis of suspicion or accusation alone, because in that case the step of judicial approval is redundant. There should be some kind of initial evidence or 'probable cause' which the judge must evaluate, in order to determine that an additional investigation is indicated, even if it involves in certain specified forms the deprivation of certain specified individual liberties.

We officially decry any kind of torture as a means of obtaining confessions or accusations or other 'evidence': Not only do we find the practice to be excessively harsh, and inconsistent with our Basic Value of individual liberty, but the 'evidence' thus obtained is often unreliable, because the subject has such a strong motivation to lie in order to stop the torture.

Obviously, as we learned in the Simpson case and elsewhere, we should do our best to preserve the physical and chemical integrity of all physical and chemical evidence, and to make sure that the analysis trail can be clearly reconstructed, because you never know how thorough the judge and jury and defense counsel are going to be.

Finally, we don't want any individuals detained, nor to have their persons or cars or homes or other belongings searched, on the basis of 'racial profiling'. With our increasing (but still woefully incomplete) national tolerance for all racial and ethnic groups, and with increasing global interaction through our advancing communication technologies, we need to be getting away from the idea that a given individual 'doesn't fit the neighborhood' because he/she is (or appears to be) a member of some particular racial or ethnic group. Anybody can be anywhere, get used to it, and don't you dare any longer target individuals for criminal suspicion on the basis of general appearance alone. For, until we finally get away from that practice, we can never be a truly civil society, let alone an enlightened one, and we would not deserve to provide any kind of moral or political leadership to the rest of the world.

Question 316

If certain evidence is obtained illegally, shall the suspect/defendant be freed with the charges dropped, or shall the case continue with evidence suppressed, or shall the evidence be admitted anyway?

It's tough to go along completely with a recommendation to count all evidence, even if we also visit punishment upon those who gathered the evidence illegally, because our impulse from recent practice is to suppress all illegal evidence. However, as stated in Answer 315, we need to find a balance between gathering evidence and rights of privacy. In this case, we need to remember that the primary objective of the entire investigatorial exercise is to figure out 'whodunit'. If some key element of evidence clearly establishes 'whodunit', and if that fact cannot be reliably established

without it, then we should not deny ourselves the opportunity to set the public record straight.

In any case, we do agree that officers who obtain evidence illegally should be disciplined and/or removed from investigatorial duty, to be adjudged on a case-by-case basis, depending on (among other factors) whether the violation was willful (a 'flagrant foul') or inadvertent.

Although we generally should allow the illegal evidence to be heard, in order to fulfill our primary objective of figuring out 'whodunit', it is not necessary for a guilty defendant to receive the same level of punishment as he might have if all the evidence had been obtained illegally. To the contrary, it occurs to us that the violation of one's personal rights should count for an offset (usually partial, but possibly full) against whatever punishment would ordinarily have been indicated in that case. This step accomplishes a number of things, including simple vindication of individual rights, possible reinforcement of the perpetrator's faith in the non-criminal functionality of our society, and an additional counter-incentive on the part of officers to obtain information illegally when there are legal alternatives.

Subsection I-F-7: The Trial

Question 317

Shall we continue to make it part of the standard procedure to have a hearing wherein a defendant is asked to declare whether or not he committed the alleged crime?

Yes. If the defendant did it and is willing to own up to it, then the declaration saves us a whole bunch of time and effort and expense. If the defendant did it and is not willing to own up to it, then it would be good to get his denial on the record, in order to help the court decide whether additional punishment is indicated for making the government go through the trial process.

This principle is expressed in §3E, "Acceptance of Responsibility", of the United States Sentencing Guidelines (2016 ed.), providing a decrease of 2 offense levels if the defendant clearly accepts responsibility for the offense, and of 1 additional level if the base level is 16 or higher, and if the defendant provides timely notification to authorities of his intent to plead guilty, "thereby permitting the government to avoid preparing for trial and permitting the government and the court to allocate their resources effectively".

If the defendant did not do it, then it would be good to allow him to make the statement on the record, hopefully in the presence of a defense advocate who can take the government to task later if they elect to try the case and then fail to obtain conviction. Also, the official denial will tell the police and the D.A.'s office that they should take the opportunity to look at all the evidence again, and to make a firmer decision as to whether they want to dismiss the case or roll the dice with a trial.

Question 318

In such a hearing, what is to prevent a defendant who really committed the act from saying that he did not do it, in the hopes that sufficient evidence might not be produced, or that his lawyers might use some clever tricks to obtain an acquittal?

If a defendant is guilty, then he should own up to it, take his punishment, and let's move on. If a guilty party pleads 'not guilty', then it starts out being a waste of time and taxpayers' money to go through a trial. Further, the very real possibility that a guilty defendant could actually go free as a result of legal chicanery reveals a flaw in the system, that we need to correct. Correction comes from imposing an additional penalty on any defendant who pleads 'not guilty' and then is later found to be guilty, as punishment for lying in court, and for wasting time and money to establish his guilt when he already (presumably) knew that he was guilty.

Lawyers counseling their clients should take this into account when determining the appropriate plea. If this is put into practice, then we'll probably see a lot fewer trials, and so justice for those who are falsely accused will be speedier.

Question 319

Shall defendants who choose to go to trial have the option, in either criminal or civil cases, to have their decision rendered by a judge or by a jury?

Yes, we imagine so. Even with a defense advocate, it's basically one individual against the combined powers of the Police and the D.A.'s office and the Judiciary. We do not have accurate judgments -- and therefore do not have justice -- if those combined powers are permitted to do whatever they want. The true facts can be found only if all parties have equal opportunity to review everything critically. Defendants therefore should be accorded every reasonable opportunity to make sure that their cases are adjudicated according to their wishes and the advice of their defense advocates, and generally should be accorded every right and every 'benefit of the doubt' which we can practically provide.

Sometimes, you want your case adjudicated by an educated professional jurist, who hopefully is bureaucratically independent of both the Police and the D.A.'s office, and who hopefully is free of any other motivation to judge the case unfairly. Other times, you might prefer to go with a jury, maybe because you generally distrust judges, or maybe because you want to get the input of multiple individuals evaluating the evidence together, or maybe because you simply feel that 'ordinary' people might be more sympathetic to your situation than a degreed professional jurist. Whichever way you prefer to go (and, it may be different for different types of cases, or at different times of your life), you generally (if not always) should be allowed your preference, not simply on moral grounds, but also so that you do not have a valid excuse to formally challenge the outcome later.

Question 320

Shall we continue to keep standard jury sizes at 12, or shall we pick another number?

While we did not see an immediate reason when we began this discussion to change from current practice, yet a big feature of this whole Project is to start with seven billion people running around randomly, and then to figure out what to do with them.

Because nobody who was present at the time of this Question's introduction had a background in the science of jury construction and selection (except for when the subject came up in a few episodes of 'L.A. Law'), we figured it best to perform some

online research on the history of our current system, and on any theories currently out there for possible change.

We started by searching on the phrase 'jury size', and found an article which referred to the 6th and 14th Amendments of the U.S. Constitution, and which also suggested that 12-person juries were found by the Supreme Court to be a "historical accident" dating back to the 1300's, which we thought would be interesting if true. However, the article also noted that 6-person juries have also been used.

Further research (both online and in Anastaplo's book 'The Amendments to the Constitution') showed that the right of jury is established for criminal cases in the 6th Amendment (although already provided in Article III, Section 2), and for civil cases in the 7th Amendment. Neither amendment mentions size of jury.

There is no direct reference to juries in the 14th Amendment, but it mentions due process generally.

A jury of 6 was declared constitutionally acceptable by the U.S. Supreme Court in the case of *Williams v. Florida* (1970). The Supreme Court ruled against Georgia's 5-person criminal juries in the case of *Ballew v. Georgia* (1978). In *Burch v. Louisiana* (1979), they allowed Louisiana's 6-person juries, but required unanimity if the jury size is that small.

Clearly, then, this issue has given rise to different interpretations and preferences in different jurisdictions at different times.

According to the federal Rules of Civil Procedure, Title VI (Trials), Rule 48, a jury must have between 6-12 members, and must issue unanimous verdicts unless the parties agree otherwise.

Justice Harry Blackmun's opinion in *Ballew* notes that smaller juries are less likely "to make critical contributions necessary for the solution of a given problem", and also less likely "to overcome the biases of its members to obtain an accurate result."

Ballew goes on to cite 'Nagel and Neef' as being somehow related to certain statistical studies which found that incorrect convictions (Type I error) increase with diminishing jury size, and that incorrect acquittals (Type II error) increase with increasing jury size. They weighted Type I as being 10 times more significant than Type II, and concluded that the optimal jury size is between 6-8. We decided to place this citation on our list for more thorough research.

In the meantime, we read further in *Ballew* that reducing from 12 to 6 produces "substantial" financial benefits, but little savings in *voir dire* or other elements of court time.

Everybody on the Court seemed to agree that a jury of only 5 cannot be sufficiently representative of the community to be fair under the 6th and 14th Amendments, especially for "serious offenses", although standards can be different between Federal and State, and among different States, and between Civil and Criminal.

Justice Lewis Powell disagreed with Blackmun's "heavy reliance on numerology derived from statistical studies" which were not "subjected to the traditional testing mechanisms of the adversary process."

We found an interesting article by Dana McKenzie for the online publication *Slate* on "What's the Best Jury Size?". The article cites Jeff Suzuki, a mathematician at Brooklyn College, who concluded that 6-0 and 10-2 convictions should be held unconstitutional, and that the Supreme Court should reconsider the allowability of 6-person juries.

In *Apodaca v. Oregon* (1972), 8 of the 9 Supreme Court justices agreed that Federal and State juries should have the same quota for conviction, but couldn't agree on what that quota should be, and split 4-4 on whether to require unanimity. Justice Powell believed that Federal juries should be unanimous, but that States could experiment with non-unanimous verdicts.

We have not found any argument supporting juries larger than 12, and it appears that 12 is established in common law.

At this point in our research, we began to feel that we probably need to grade jury sizes according to the relative severity of the alleged offenses.

We found an article from 3/23/2012 in 'Inside Science', edited by Chris Gorski, asserting that 12-person juries date back to AD 725, when the Welsh king Morgan of Gwynedd decided upon that number in order to link the judge and jury with Jesus and the 12 Apostles. The article also references Suzuki of Brooklyn College, who pointed out that "the Supreme Court is making these decisions basically on an intuitive basis."

Suzuki apparently has been trying to build estimates of false convictions by counting how many verdicts are later overturned, which was one of our first thoughts, and which we were surprised not to find receiving greater mention in the other sources, but this article makes the good point that many of the overturns have more to do with new technology (such as DNA testing) than with the size of the original jury. Still, we imagine that a count could be taken of cases which were overturned simply on the basis of appeal or other secondary review, as opposed to by the introduction of new exculpatory evidence.

Where space and finance and the interest may exist, jurisdictions may want to experiment with having certain trials witnessed by multiple juries concurrently, with some jury sizes being the same for control purposes and some jury sizes being different, and then we might get a better handle on how much of the distinction is based on jury size versus other factors.

Another consideration which seems important to us is whether the jury is simply being asked to 'try the facts' of the case, or whether they are also being asked to 'represent the community' in terms of assessing the relative acceptability of the established actions.

'Nagel and Neef' refers to a certain article in the *Washington University Law Review*, Vol. 1975, Issue 4, pp. 933 *et seq.*, titled "Deductive Modeling to Determine an Optimum Jury Size and Fraction Required to Convict". The authors were Stuart S. Nagel, Professor of Political Science at the University of Illinois, and Marian Neef, then a Ph.D. candidate in that department. The article states in its first footnote that it is based on a longer paper presented in the workshop on "Science and Technology in Criminal Justice" at the 1975 annual meeting of the American Society for Public Administration.

The article referred to a paper by Zeiser & Diamond in the *University of Chicago Law Review*, where they offered the same suggestion that we have offered above, namely to have criminal cases decided simultaneously by 12-person and 6-person juries. However, their 'flavor' was that the decision of only one jury would be binding, so that either the non-binding jury wouldn't take its job seriously, or else randomizing the binding between the two juries without telling them might constitute a deprivation of the defendant's rights.

The article also referred to a study by Professors H. Kalven & H. Zeisel of the University of Chicago, finding that 12-person juries deciding unanimously convict in 64% of the cases brought before them. They then compare other models with this rate, as though it were an ideal to be matched by any other model, and therefore as though any model not delivering that rate must be bad. We currently are not sure that we go along with that premise.

By the time that we started getting into Section II on "Basic Data and Assumptions", where they started to define some special symbols to reflect various concepts (such as $PAC_{N-1/N}$ to refer to the probability of an 'average defendant' (whatever that means) begin convicted with an N-person jury where N-1 jurors are sufficient to convict), we were beginning to feel Justice Powell's concern about the "numerology" of this approach.

Further reading showed that they were making a lot of assumptions without satisfactory up-front support, such as on p.942 of the Volume 1975: "We will say, for the sake of discussion, that 40 percent of innocent defendants are convicted...." Why don't they just say for the sake of discussion that the rate is 0 percent, and then we can all go on to something else?

The next paragraph similarly claims that "Seventy percent can be used for discussion" of the probability of convicting a truly-guilty defendant.

It occurred to us at this point in our reading that the conviction rate previously determined from Kalven/Zeisel may not continue to hold true if we institute our rules about additional penalties going to guilty defendants who plead 'not guilty', and about reduced penalties for defendants convicted with illegally-obtained evidence. We therefore should not be continuing to seek equality with that standard in any alternative model.

Section II-C begins with a statement that "We now must make some [additional] assumptions", so the conclusions (whenever we once get to them) are becoming less and less credible. In particular, they are assuming that only 5% of defendants are actually innocent, which we find to be an unreliably small estimate.

We were continuing to hope at this point in our reading that we could get to a discussion of how often verdicts are overturned for jury error, although this would tell us only half the story, because double-jeopardy prevents an acquitted defendant from being retried on the same charge.

However, we do acknowledge their qualitative point on p.946 that "When jury size is reduced, unanimity becomes easier to obtain, causing the risk of wrongful conviction to increase while the risk of failing to convict a guilty defendant decreases."

Their table points to a jury size of 6.7 (rounded to 7) as having the greatest balance between correct convictions and correct acquittals, but again those figures are based on a lot of untenable assumptions.

Their footnote #21 actually introduces natural logarithms into the process, and we are having a really hard time accepting the applicability of a logarithm function here.

From their p.954, "we simply do not know" the overall impact of changing jury sizes or voting requirements upon the psychosocial interactions among jurors, making us wonder what the heck we are doing here studying this paper.

Their footnote #30 (which required three pages to express) criticizes several other mathematical jury-size models for various alleged deficiencies, showing again at least that the subject is non-trivial even for 'experts'.

We began at this point to consider different jury sizes for different steps in the trial process, such as starting with a smaller jury in the initial trial, and then moving to a higher level if a successful appeal results in a retrial. On the other hand, a retrial usually results from some kind of defect in the presentation of the case, and not from irregularities within the jury, unless it is a hung jury.

Only in Section V of the Nagel/Neef paper do they begin to look at how changes in some of the underlying assumptions could change their "reasonably complete model of jury behavior": If they knew that the assumptions needed to be changed, then why introduce them in the first place, instead of what the assumptions should have been? Or, if the underlying numbers needed to fall within a certain range, then say that, and use those figures to produce your range of conclusions, but don't state your conclusion first and then change your assumptions.

We do agree with the point on their p.963, "that the choice of an optimum jury size depends heavily on the assumption made about the proportion of truly guilty defendants among all defendants who receive jury trials."

Section V spends more time justifying the original assumptions than showing how the assumptions could be different, but they do often acknowledge that the assumptions may need to be different, hopefully to be refined on the basis of "further empirical research".

According to their p.970, "the most important predictive characteristic of a juror is his propensity to convict", which "We know from the Kalven and Zeisel data" to be a factor of 0.677, but we have not seen by this point anything about standard deviation of the result, so we must allow for the possibility that there could be a big difference between the figure resulting from their sample data and the 'true' factor, if there is such a thing. However, we have to believe on a qualitative basis that different people are going to react differently to how the evidence and arguments are presented at different trials: For example, you may generally have a higher propensity to convict than I do, but you also may be more persuadable than I am on the basis of what happens in court or in the jury room. In other words, different jurors may have different levels of 'elasticity' among their respective average propensities to convict, so it probably is 'statistically suspect' to exponentiate that one average factor by the number of jury members, without allowing for individual variations in the average factor, and without allowing for differences in individual 'elasticity' in their propensity to convict based on what happens during the trial.

We finally began in p.971 to see about how far from the 0.677 aggregate average an individual jury might fall in its collective propensity to convict. Specifically, they appear to be communicating to us a standard deviation of 0.098, such that 50% of all juries will be in the range of 0.579-0.775, which to us seems like a pretty big variation to be coming up with such precise conclusions as 6.7 members in the optimally-sized jury.

It was suggested in p.973 that it may be unconstitutional to vary jury size according to the type of crime, "except for very gross classifications, such as felonies versus misdemeanors", but it does not positively assert that conclusion. We find it hard to imagine that a gradation of jury sizes according to predictable factors could truly be unconstitutional (notwithstanding any current legal opinions to the contrary), since neither the original Constitution nor any of its pre-2017 amendments mentions jury size in any way.

There was a Section VI on 'Variations on the Basic Model', and a Section VIII on 'Conclusions', but no Section VII, so maybe it was considered unlucky, like the 13th floor in a hotel, or else perhaps -- for all their fancy symbologies and formulas and tables and graphs -- they yet ended up being lousy counters.

In any case, their section on 'Conclusions' states: "Because the empirical premises of our model have not been tested, we cannot definitively state how much effect jury size or the fraction required to convict has on the jury's reliability or accuracy." It took them 42 pages to reach that inconclusive conclusion.

They asserted on p.976 that "a 10/12 rule will always result in a higher probability of the innocent being convicted than a 6/6 rule", but that seemed pretty intuitive, and again did not require 40+ pages of analysis.

However, per p.978, "the model is capable of providing insights into the effects of different jury sizes and different fractions required to convict," for whatever good that does us.

Having finally finished with the Nagel/Neef paper, our next step was to look up any scholarly support or criticism of the model, and any more recent thought which may more reliably inform our response to Questions 320 *et seq.* However, our online search of the top 100 entries associated with the expression "Nagel and Neef" yielded only repeated historical references to the original citation, other papers produced by either or both, or biographical information.

Without any scholarly commentary easily available to help inform our discussion, we have come to rely upon our previous findings, standing by the position that the whole approach of the Nagel & Neef paper was bullshit, although we again acknowledge the general point that we should get more empirical data about jury performance under different combinations of jury size and voting requirements, although we should do it in a manner not discussed in their text.

We figure that we can get some good empirical data about jury accuracy if we ask each judge to record -- after the jury retires for deliberation, but before it returns with a result -- what he/she thinks the verdict ought to be, on the basis of the evidence presented. We can then compare their non-binding opinions with the actual jury verdicts, and then we can see what the variances are like with different combinations of jury size and voting requirement.

Mind you, a large variance would not necessarily mean that the juries were usually wrong, because we cannot always depend on the judge's judgment, which is why we have jury trials in the first place. However, if the variances tend to lessen as we approach a particular jury size and/or voting requirement, then we can have more confidence that those levels are generally the most reliable.

Data collection should factor in judicial bias by separately tracking the results for judges who previously worked as prosecutors and as defenders and in the civil courts. We can also factor in years of experience on the bench, the types of verdicts reached (convicted/liable versus acquitted/nonliable), State or region (we may actually want different jury sizes and/or voting requirements in different States or regions), civil or criminal case (we may want different jury sizes and/or voting requirements for different types of cases), and other variables. However, it is the overall combined rate which we suspect would be the most interesting to us.

We asked a practicing attorney not a current member of our group, who reported that such data currently are not being collected. We need to confirm this from additional sources.

Assuming that these data are not being collected currently, we are suggesting that we can effectively compel judges to render these non-binding opinions by posting the summary results on a public website, where the total of such non-binding opinions would need to equal the total number of jury trials conducted within a given time period by each judge. Probably better for this website to track results on an annual basis than monthly, because some trials take a lot of court time over several weeks, so a monthly count probably would not be very indicative of the court's overall workload.

In any case, the secured module of that website could track the number of times when the opinions of the judge were different from the jury verdicts, and then we could collate the data according to our various variables.

When we do start to collect and collate such data, we are suggesting that a much cleaner and simpler notation than that used in the Nagel/Neef paper would be that which is observable in the example of "12-11-10", where "12" refers to the overall jury size, "11" refers to the number of votes needed to find in favor of conviction or liability, and "10" refers to the number of votes needed to find in favor of acquittal or nonliability. It should be much easier this way to categorize various cases according to their jury sizes and voting requirements, and then to break things down further according to the other variables listed above.

In the meantime, on the basis of the very low apparent impetus within our society to even experiment with juries larger than 12 (although certain tables in the Nagel/Neef paper went as high as 15), and on the basis of the Supreme Court findings (we are not seeing any reason to substitute any alternative judgment) that 5 is too small, we are suggesting -- at least temporarily, while we collect more empirical data -- that we graduate standard jury sizes from 6-12 according to the relative severities of the alleged offenses: Because wrongful convictions apparently increase with smaller juries, we should make sure that only lighter crimes get tried by smaller juries. Conversely, because wrongful acquittals apparently increase with larger juries, and because we would rather free the guilty than punish the innocent, we should recommend that we use larger jury sizes for heavier crimes.

We also considered that we should allow the standard jury size for a given alleged offense to be overridden by the defendant, because the whole ideas of allowing the defendant to choose between judge and jury are (1) to accord every practical offsetting advantage to the defendant, and (2) to preclude a convicted defendant from citing the trial format as an excuse to appeal the conviction. We can offer to defendants and their lawyers the general tendency points about wrongful convictions and wrongful acquittals, but they may have different expectations based upon what has been happening recently within their region, and so they may want to try to 'buck the trend'. If so, then perhaps we should let them, provided that they stay within the 6-12 range, again at least until we get better empirical data on jury behavior as compared with judicial expectations, and again provided that they may not use the trial format which they selected as an excuse to appeal the verdict.

Question 321

Shall we continue to require a unanimous jury verdict in criminal cases, or choice of unanimous for 'guilty' or some other number for 'not guilty', or some other set-up?

Generally, our finding from Answer 320 applies here, that we really can't predict the optimal combination of jury size and voting requirement until we get much more empirical data on different combinations in different states/regions, as well as overall, and broken down by various additional factors which may prove relevant and useful in the analysis.

However, we can add a general point here that we probably should be thinking more in terms of allowing verdicts to be decided even with one dissenting vote, and maybe with dissenting votes of two or more for lighter cases. Idea here is that a biased juror may occasionally filter through the *voir dire* process, and could consistently vote for either conviction or acquittal just on general principle, independently of the facts of the case, and we don't want justice to be derailed just because some of our citizens (in the generic sense of that term) feel compelled to play unfairly.

On the other hand, the classic teleplay "12 Angry Men" dramatized what happens when an initial jury vote is 11-1 in favor of conviction, and the requirement of unanimity gives the lone dissenter the opportunity to sway all the other jurors to his side. Those types of cases can occur, and we similarly do not want justice to be derailed because non-unanimous juries arrive too quickly at the wrong decision.

On the previous hand, though, if we can't get a unanimous vote on the Supreme Court, then how can we expect unanimity among ordinary people? Answer here is because we have had unanimous verdicts before, so we know that it is possible. However, it is also true that we have had a lot of hung juries in cases which might have been decided accurately and more quickly if we had allowed a non-unanimous verdict to stand.

Final argument, though, needs to come from our Basic Principle that the defendant's rights must be safeguarded above all other considerations, again because he is so far outnumbered by the various civil authorities who are eager to prosecute him. If even one juror holds out in favor of acquittal, then there must be enough 'reasonable doubt' to allow for acquittal, unless the prosecution can somehow show that a particular juror was 'unreasonable'. On the other hand, the prosecuting attorney found that juror to be reasonable when she was empaneled, so you probably don't get to claim later that she is unreasonable, just because she disagreed with your case.

Therefore, even if the empirical data tend to show more similarity between judicial opinions and actual jury verdicts where conviction could still happen with one dissenting vote, we yet suggest on a purely philosophical level that unanimity must be required in order to convict someone, but that acquittals may happen with one or more dissenting votes, depending upon analysis of the empirical data.

Question 322

What do we feel is the best minimum number of jury votes to use in civil cases?

Before we can discuss this Question, we need to make an important distinction in our terms:

When we speak here of 'civil cases', we refer specifically to the class of legal actions where one party claims to have been damaged by another party, in a manner which does not strictly violate any current prevailing law.

This definition has not always been observed in current real life, however: We all know of one famous instance in particular, where a certain celebrity defendant was acquitted of murder in his criminal trial, but later found liable for 'wrongful death' in a subsequent civil trial, where the voting requirement was much more lenient, and where the slightly-different phrasing of the charge supposedly obviated double-jeopardy protections. We find that a separate civil trial for 'wrongful death' or any other such charge does indeed count as a second trial on the same accusation, and that it should have been prohibited in a jurisdiction which constitutionally disallows double jeopardy.

If we were to allow civil trials to basically double as criminal trials, especially for 'wrongful death', then we should accord the defendant the same rights to which he was entitled in the criminal case, particularly the requirement of unanimous jury agreement as a condition of liability. As it is, because we are disallowing any such shenanigans in our model, we can focus the discussion on cases matching our definition stated above.

Under this definition, we are talking about cases where the alleged actions allegedly caused damage without violating any specific statute. The case therefore is going to require not just a finding of 'whodunit', but also some level of value judgment on the part of the jury.

For, even if there is stipulation between the parties on the sequence of events (or if that can be deduced by the jurors as triers of the facts), and even if it is clearly established that damage was caused, and even if it is also clearly established that the stipulated actions directly caused the stipulated damage, the jury still must consider (unless that part of the decision is being devolved to the judge) how willful or negligent the defendant's actions were, and therefore how much of a penalty should be imposed on top of any strict economic remediation as a means of 'teaching him a lesson'.

Those sorts of value judgments are very hard to find unanimously among 12 randomly-selected (or even pre-screened) jurors, as evidenced by all the arguments which we encounter and witness in so many aspects of our daily lives. We can't even agree on balls and strikes all the time, so how can we always be expected to agree

on exactly how much Joe should pay to Jane for his willful or negligent non-criminal actions?

Even though we currently have a 9-3 standard in California, and even though we do not yet have enough empirical data to conclude that this is non-optimal for civil cases conducted in this State, we yet are tentatively recommending a 10-2 standard: More generally, civil verdicts could be decided with as many as two dissenting votes, but not with as many as three. Idea here is that you are eliminating the high scorer and low scorer from the decision, same as they have done for many years at the Olympic level of Figure Skating and Gymnastics.

Once you eliminate the two outliers, we suspect that a preponderance of the remainder generally should provide a fairly-reliable indicator of the 'true' merits and demerits of the case, but again we are willing to be outspoken by a sufficiently-large sampling of empirical data.

Question 323

Shall all citizens be required to serve periodically on juries, or should there be some restrictions as to who shall serve, or shall we set up a system of professional jurors?

This is another tough one, so we just gotta work the problem:

There is a temptation to require jury service of all citizens as a condition of continued civil protection, same as the concept which we have often heard (and which we also have seen in history) that a term of military service should be required of all citizens. We found in Answer 154 that we should not require people to serve in the military who do not wish to, since we should be listening if a large number of people are telling us that they don't want to do that.

Similarly, if some people simply do not possess the temperament or willingness to serve as a juror even once in their lives, then we do both them and our peaceful society a disservice by sticking a bayonet in their backs in order to compel their nominal participation.

Jury service therefore should be invitational, not compulsory. We should market it as an opportunity to let your voice be heard within 'the system', and to have a direct impact on the administration of justice in your community. We also should make the experience interesting and non-obnoxious for them, so that they will not try to dodge it as much as people have in the past. We also should provide a reasonable stipend for their time, and not require them to pay for parking.

Young people wanting to make their minimal civic statement should be allowed priority access to the jury pool. After that, access should be allowed to as many people as would like to keep serving, even if it's all the time. Priority should be given to those who have served on fewer juries, in order to diversify access to 'the system', but vacancies may be filled by full-time jurors who may be retired or between screenplay sales or something, and who have the spare time and willingness to use it for the civic good.

The stipend should not be so high as to be able to serve as a living wage, so no we don't want there to be 'professional jurors' who contribute nothing toward society beyond their judgments about the actions of others.

If the jury pool still ends up being too small even with all the local retirees and would-be screenwriters sitting on juries on a full-time basis, then this is where you need to consider incentivizing the jury experience better, or else allowing smaller juries for certain types of cases (and, make sure to keep those stats for the different jury sizes), or both.

In any case, no, make it invitational, not compulsory.

The 'black book' (containing preliminary notes compiled for many of the different Questions back in the 1990's) does make a good point that an acrimonious experience between two jurors in one case could make things difficult if they serve together in a subsequent case. We therefore should make it a requirement that prospective jurors disclose during selection if they recall having served with anyone else on the panel of prospective jurors, and then let the court decide based on the specific considerations whether or not they should be allowed to sit together again.

The 'black book' makes another good point that it would be very hard to establish and maintain qualifications for serving as 'professional jurors', so best to avoid that whole trip.

Question 324

If service is to be compulsory, then what happens when an individual prefers not to serve, for whatever reason? Is he not likely to make statements in voir dire that will result in his excusal in each case, or to otherwise gum up the works?

Not applicable. Established in Answer 323 that we would rather have fewer jurors in the available pool than force the inclusion of people who really don't want to be there, and this is one of the reasons why.

Question 325

As to making jury service non-compulsory, might not the pool of prospective jurors be so low that those who do serve will be serving so often that they will be the equivalent of professional jurors, creating the same problems that would exist if we were to set up such a system directly?

Also addressed in Answer 323. Being a full-time juror is not the same as being a professional juror, because you still are receiving only a modest stipend to cover transportation and meals and a little something for your time. It's not supposed to be enough to pay your rent.

Question 326

How do we make jury service more interesting and rewarding, and less obnoxious?

Mostly agreeing with the 'black book', but a couple of exceptions:

We do agree that we should raise the fees at least slightly, that we should not pay for mileage on only a one-way basis, and that we should make parking easier. We also agree that we should reduce the extensive time spent waiting around in the hallways, by scheduling *voir dire* hearings more sequentially within a given building, so that the necessary pool can be smaller, and so that those who are there can be going to more hearings. We also agree that we should streamline *voir dire* hearings

by asking the entire panel first if there are any occupations, past similar crimes, or other disqualifying factors represented among them.

We disagreed with the 'black book' suggestion of streamlining evidentiary hearings conducted outside the jury's presence, by imposing time limits on lawyer speeches. We find instead that sometimes lawyers need the extra time, and that the rights of their clients should not be compromised simply for juror convenience.

We also disagreed with the 'black book' suggestion of streamlining the actual trial by discouraging lawyers from picking at every single little point, and asking ten minutes' worth of questions just to admit a single slide into evidence. It is true that we don't want to sit around for days and days listening to evidence being introduced which may not be needed, but we also don't want to limit the attorneys' ability to introduce evidence simply for time reasons.

On this latter point, we considered that maybe we could speed things up by allowing the prosecutor to present only part of the evidence up front, and then the jury can have an opportunity to render a speedy conviction and wrap up early. If the jury comes back and says no we're not convinced yet, then the prosecutor could present more of the supplemental evidence, or perhaps all of it.

Such a system might end up being too cumbersome to be net-desirable, so it is floated only as an idea at this point: If a particular community is having trouble attracting jurors, then this question might be included in a survey of what factors tend to be keeping prospective jurors away. If enough of them suggest breaking up the trial into primary and supplemental phases, then jurisdictions can experiment with that format and see how it goes.

Question 327

Are there ways that we can improve the speed of voir dire, and/or improve the quality of the jury selected?

We really liked what the 'black book' had to say: Current method is to pick a panel of 12+ people, ask them a bunch of questions, and let the lawyers take turns excusing them. As each excused juror is replaced, more of the same questions are asked, and the lawyers continue to alternate in their excusing, until they end up with a panel that both lawyers can live with. Problems with this approach are (1) that it's very time-consuming, even in the normal case, but especially if one or more prospective jurors are missing when the rest of the panel is ready to proceed with *voir dire*; and (2) and that lawyers are basically rolling the dice that no other prospective jurors remaining in the pool might be even better for their causes than the ones which they are settling for, possibly resulting in an inaccurate verdict, which would be contrary to the public interest.

We therefore need to have all potential jurors answer at least one basic set of questions before they ever enter a courtroom, and possibly additional sets crafted by the lawyers for certain additional cases, and then the lawyers can select a narrower pool to question further in person, until each lawyer has a list of all those jurors whom she would accept, and then we compare the lists to see how many names appear on both.

- If the number of names appearing on both lists is exactly equal to the number of jurors and alternates needed, then those jurors are sworn, and the case moves forward immediately.

- If the number of names appearing on both lists is greater than the number of jurors and alternates needed, then all other prospective jurors may be excused immediately, and a negotiation session can begin to narrow down the field to the required number. Possible method could be for each lawyer to rank the jurors in order of desirability, from first to last, and then those prospects with the lowest combined score are sworn in, with the remainder excused. Alternate selection could be used instead, as long as the process is quick, so that potential jurors are not sitting around for too long getting bored and wishing that they had never volunteered for jury service.

- If the number of names appearing on both lists is less than the required number, then those jurors are sworn, and the remainder are chosen from among those appearing on only one of the lists. Possible method could be for the lawyers to take turns choosing the least odious persons from each other's lists, until the required number is met. Alternate selection could be used instead to nominate additional prospects from each lawyer's own list, with the opposing lawyer allowed a certain number of peremptory challenges, similar to the current system. In either case, if an odd number of additional jurors is needed, then a convention could be set in place to give the prosecution the first choice (since they are the ones bringing the charge, and seeking to have it substantiated by jury analysis), or perhaps the parties could agree on designating an additional alternate in order to equalize the remainder of the selection process.

Question 328

How shall we deal with the reality that many lawyers like to pick jurors in such a way that the overall makeup is 'demographically balanced', and not by individual compatibility with the case?

The group found disagreement here with the ideas suggested in the 'black book', which proposed that we should try to eliminate any form of 'racial balancing' in jury selection, in order to help get us all the faster to the point where race is no longer used as a factor to make any kind of decisions about anything.

While we are sympathetic to this suggestion, yet we have seen what happens when no such standards are in place. As much as we would like for it to be so, and as much improvement as we have made so far in our society, and as much as we hope that maybe we can get there someday, we must regretfully acknowledge that our society is not yet fully ready to retire the 'affirmative actions' which are necessary to re-train our minds away from the paradigm of allowing any decisions on anything to be made on the basis of race.

Further, a big reason why the Supreme Court rejected a 5-person jury in *Ballew v. Georgia* (1978) was that it was seen to be too difficult "to overcome the biases of its members". Generally, we want to be satisfied that the jury is representative of the community, especially in civil cases where a greater level of value judgment of the indicated actions is needed. It follows that we cannot have true representation of such a diverse society as ours if we do not have inclusion of the various ethnicities and cultural traditions which we find in our society.

Therefore, the Answer to the Question as phrased is that we should 'embrace it'.

Question 328.2

Are there any other specifications which we wish to make as to opening statements, introduction of evidence, questioning of witnesses, closing arguments, instruction of the jury on the law, presence of cameras in court, jury deliberation, and/or anything else about the trial proceeding?

As we saw in the Simpson case, it is okay to have cameras in the courtroom, broadcasting on local public-service channels, in order to allow more public oversight of the judicial process, without requiring citizens (again in the generic sense of that term) to contribute to traffic and parking congestions by physically driving to the courthouse. We need only make sure that the juror faces and identities are always concealed, so that they may feel free to do their jobs without fear of reprisal.

No other issues are immediately coming to mind that we have not already covered.

Subsection I-F-8: Punishment

Question 329

Assuming that an individual actually commits what society agrees or perceives to be a 'bad act', is it appropriate for such person to claim either leniency or full innocence on the basis of permanent or temporary insanity?

Leniency perhaps, but not innocence, except possibly in the most extreme circumstances.

We apparently have liked to think that there are 'sane criminals' and 'insane criminals', such that the 'sane' ones can be found guilty and sentenced to prison and/or some other form of punishment, whereas the 'insane' ones can be found 'innocent by reason of insanity' and thereby excused from any punitive action.

Our group finds, however, that anybody who commits an act which he knows to be harmful to one or more others does so either because he can't distinguish right from wrong, or else he can make the distinction but is either unwilling or unable to edit his actions in such a way as never to injure or threaten injury to others. Because very similar (if not identical) phrasings have been used to describe the set of 'insane' criminals who have been receiving different verdicts and different dispositions, we claim that any individual who can control his own actions at all must possess some level of 'insanity' if he performs any knowingly-harmful acts.

We concede that some individuals are so neurologically disordered that they have little or no control over their own actions, and that they therefore cannot be held to be 'guilty' -- in terms of possessing advance criminal intent -- when someone gets shot or stabbed or burned because the subject was allowed access to a gun or knife or lighter without supervision. We presume, however, that any such individuals are going to be identified and properly diagnosed and held in protective custody, without any possibility of access to weapons or other dangerous objects, and that they therefore will not ever have occasion to commit such a harmful act.

That leaves us with the set of people who have been found to possess sufficient mental fitness that they are allowed to move about society more or less freely. That

finding should be officially changed, however, in our group's opinion, if any such individual commits a harmful-to-others act with the apparent knowledge that it was going to be harmful to others. That individual must have some level of mental disorder (for, we find that there are many levels of mental disorder, not just 'sane' and 'insane'), and therefore must be kept away from the general public until such time (if any) that the disorder can be sufficiently relieved.

In any case, regardless of how 'insane' the perpetrator was at the time of the offense, we don't want to call him 'innocent' if his actions did actually cause the alleged harm, because that might imply to some people that he had no part whatsoever in the action in question, and that we therefore should be seeking the perpetrator elsewhere, whereas in fact his actions did precipitate the alleged harm, so the official finding should make it clear that there was causation between his actions and the alleged harm.

We therefore recommend that -- at least for some defendants, if not for everyone -- we should get in the habit of referring to the basic findings as 'causative' and 'not causative', as opposed to 'guilty' and either 'not guilty' or 'innocent'. Using the expressions 'causative' and 'not causative' makes it clear that we are focusing on the 'whodunit' aspect of the case, so that we can at least settle clearly whose actions had the greatest impact on the alleged harm.

Once we establish causation, we can then advance to the further finding of whether the defendant was 'guilty', in terms of possessing a knowledge of his harmful action, or whether his brain was so far gone that he had no idea about his having caused harm to anyone.

We can then consider the disposition of the defendant's case in that context: Those whose brains really are damaged beyond repair can be placed within the safe environments that they need, with little or nothing in the way of punitive actions which would have no constructive effect, which yes we would characterize as a form of 'leniency'. Conversely, those whose minds might still be receptive to rehabilitation can have some other set of dispositions imposed which hopefully are likely to result in their being allowed eventually to resume life within ordinary society.

Question 330

But, we hold it as a right that a defendant must be able to face his accusers, and to participate in his own defense: If he is so insane that he is not competent to stand trial, then should the charge be dismissed?

If an individual is 'incompetent to stand trial' under the current application of that expression, then that doesn't mean that the trial should not be taking place. To the contrary, we still want to make sure that we know 'whodunit', because knowing the sequence of events is in the public interest (which is why we have public judiciaries in the first place, subsidized by the civic fund), and we still want to use the adversarial process as a means of maximizing the reliability of the finding. We therefore should not allow the defendant's alleged mental unfitness to obviate our legal ability to determine the facts of the case.

Regardless of whether the defendant is 'fit' or 'unfit' according to whoever's definition, yet he should always be allowed to be present at the trial, just in case he is able to perceive more than we think that he can. He should not be drugged or otherwise actively hampered from participating to the extent that he normally can.

He also should be represented by a public defender who has special training in acting on the behalf of defendants who cannot contribute actively to their own defenses.

Question 331

Is it appropriate, then, to find a defendant 'innocent by reason of insanity'?

No, not temporary insanity, and not permanent insanity. We will allow 'non-guilty by reason of insanity' if his brain is seriously damaged ('non-guilty' being better than 'not guilty' because the entire phrase 'not guilty by reason of insanity' is ambiguous between 'not guilty, by reason of insanity' (which is what they probably mean) and 'not [guilty by reason of insanity]' (meaning that he could still be guilty for some other reason)), meaning again that he is incapable of forming a criminal intent, but then such conditions generally don't apply on a 'temporary' basis, so we are not allowing such a thing as 'temporary insanity' to exist.

In any case, even if the defendant is totally insane, and therefore 'non-guilty' for that reason, yet we should find that he was 'causative', so that at least we can close the case without ambiguity.

Question 332

Is it appropriate to find a defendant 'guilty by reason of insanity'?

Not really, even though the 'black book' suggested that it might be okay. Our finding is that anyone who is 'guilty' of anything possesses by definition the mental capacity to form a criminal intent, and that anyone who is willing and able to proceed with such criminal action must possess some level of 'insanity'. In other words, anyone who is truly 'guilty' at all is 'guilty by reason of insanity', so the expression is redundant at the very least, and is also dangerously misleading, because it may imply to some that the defendant should receive some lighter sentence than is actually proper under the indicated conditions.

Question 333

What happens if a defendant is acquitted in a criminal proceeding, and later sued in a civil proceeding for the same alleged act?

Theory here has been that different standards of doubt apply, and/or that different numbers of juror votes are necessary, and that the second proceeding therefore does not constitute 'double jeopardy'. However, we found in Answer 322 that such duplicate proceedings should never be allowed to happen. For, how could you be 'liable' if you are 'not guilty'?

Question 334

Suppose that the sequence of events has been determined in a given case, and that the defendant has been found to be in violation of the law or good conduct: What then is to be done?

Technically, it depends: Simply being in violation of the law is not necessarily a bad thing, for we found in Answer 18.5 that individuals should be allowed to disobey laws if they can show in court that those laws are generally bad, or that they are generally good but for some other reason should not apply in the present case. Also, the

phrase 'good conduct' can mean many different things to many different people, and can cover 'fluffy' topics such as table manners or tie patterns, where no real harm is being inflicted, such that remediation can often be accomplished by simple counseling, failing which we would need to decide between simple acceptance of the variation or an exclusion from the social group in question.

What we are really talking about, then, is the type of situation where someone has been injured or threatened with injury, and where the perpetrator appears to have known in advance that his actions were likely to cause harm.

Generally in such cases, we don't want petty crimes to be punished by execution or long imprisonment, as has happened in some of our past cultures, because we do not wish to live in perpetual fear that the slightest violation of the slightest law might get us nailed for life. This means that where possible we would like to get the convict back into ordinary society as expeditiously as we can do so without severely endangering the public safety.

Specifics generally should be left up to the court, because every case is different and every defendant is different. Generally, though, we want to aim for the easiest path which gets the convict back into society. Maybe it is just a warning or a counseling session, or maybe a small fine in addition to any strict compensatory restitution. If the case is more serious, and/or if the defendant has committed the act again after such lighter treatments have already been attempted, then we may need some heavier forms of punishment in order to get the perpetrator's attention, and motivate him to change his behavior if only out of fear of punishment, if not simply for the good of society.

Question 335

What if the allegedly-injured party claims damages for 'pain and suffering', or some other intangible quantity?

All actions requiring any type of punitive response must have caused 'pain and suffering' to somebody, or else we would not be bothering to prosecute them in our model, which (as articulated at the beginning of Subsection I-F-4) does not consider an act to be a 'bad act' if it does not cause injury or the threat of injury to others. It therefore is redundant to claim 'pain and suffering' as an adjunct to the primary accusation. Rather, the court should basically assume that 'pain and suffering' is a component of whatever 'bad act' is being alleged, and should set the disposition accordingly.

Question 336

What manner and extent of limits shall we place on 'pain and suffering' damages?

This is a very subjective area, where the standards might need to vary by region and/or over time. For, stealing a bottle of water from someone trying to cross the Mojave Desert on foot is more serious than it would be at a picnic where dozens of other water bottles are present. Also, crimes such as identity theft can become more serious over time as different technologies get created which can create more risk for damage, or may become less serious over time as greater safeguarding mechanisms get developed.

Generally, though, we want to make sure that no judge having a really bad day is allowed to hang someone for jaywalking, and we also want to make sure that judges (and juries, for that matter) are not allowed to impose 'pain and suffering' damages which are greatly in excess of the amounts which have been charged for similar offenses in that jurisdiction within the recent past. In other words, allow judicial precedent to set effective limits upon 'pain and suffering' damages, and encourage defense attorneys to be sufficiently familiar with such local parameters that they can argue against an allegedly-excessive judgment, and/or appeal it to a higher court.

Question 337

Should the payment of any such non-fiscal recovery (as well as court costs) constitute the full extent of 'punitive damages', since the guilty party is now paying more than he illegally obtained, or should there be some punitive measures on top of that?

Punitive damage may need to come in some form other than monetary, because the super-rich likely will not be moved much even by a monetary fine excessively higher than the usual local standard.

Question 338

Why do/should we have punishment?

This topic was preliminarily addressed in the course of looking at Question 287, where we observed that the threat of punishment is not a 100%-effective deterrent, that an environment of punishment does not completely alleviate people's freedom from fear (although it may help some), that non-punitive alternatives may sometimes accomplish the same objectives, and that it must be up to the Judiciary to assess the most appropriate disposition of any particular case.

Returning to the present Question as phrased: We need for punishment to be inflicted upon the perpetrator in at least some instances, so that the threat of punishment will carry some meaningful value as a potential/partial deterrent. We need to keep the threat of punishment available as a potential/partial deterrent because history has shown us repeatedly all over the world -- and still does so every day, as can be verified trivially by reviewing the court dockets of any large city on nearly any court day -- that some people who had healthy home lives and a quality primary education and a wholesome religious influence still grow up to commit acts which they know are likely to cause or threaten injury to others. The problem can be helped further by counseling sessions (such as traffic school, or the group talks after one's first DUI), and also by warnings which can go on one's record temporarily until a sufficient period of time has passed without repetition. However, we have seen time and again that these measures taken together are not sufficient to alleviate everyone's willingness to commit knowingly-injurious acts.

We further recognize that this condition is likely to continue to exist to at least some nonzero extent, even if/after we implement all the measures which this Plan intends for a more prosperous and equitable society. Some people are still going to have neurological aberrations (possibly from genetics, possibly from a physical trauma occurring either before or after birth) which might not respond constructively to normal education and social conditioning, but which may in some cases respond to punishment or the threat of punishment. Also, some people (especially children, but clearly some adults also) may have brains which are basically 'normal' in their

physical functionality, but which are yet able to 'learn' about proper behavior only through punitive conditioning. (If I am made to stand in the corner enough times, eventually I get the message that I need to be modifying my actions.) Finally, some people with normal brain functioning and normal learning abilities may have had some bad interpersonal experiences in their lives which make them feel like lashing out with one or more injurious acts, as if to punish the rest of the world for their individual problems.

When punishment and the threat of punishment become unnecessary, we will rejoice. For the foreseeable future, however, we expect that punitive conditioning will sometimes be needed to mitigate the occurrence of injurious acts, even in our improved societal model.

Interesting footnote to this discussion, from our subsequent research into Question 342: The "Guidelines Manual" (2016 ed.) put out by the United States Sentencing Commission included a treatment on pp.4-5 on the purpose of criminal punishment. There apparently was a philosophical dispute within the Commission between the 'just deserts' principle of scaling punishment "to the offender's culpability and resulting harms", and the 'crime control' principle of lessening the likelihood of future crime by either deterrence or incapacitation. Turned out that they found the debate to be irrelevant "because in most sentencing decisions the application of either philosophy will produce the same or similar results."

Question 339

Do we agree with the basic concept that it is possible for punishment of a given bad act to be excessive, and that excessive punishment should be avoided?

This clearly is a matter of judgment, because numerous past cultures have routinely inflicted punishments which some of us today find excessive: *Les Miserables* was all about a guy who received a 5-year prison sentence for stealing a loaf of bread. *Shogun* illustrated a time and place where the slightest contradiction of the orders and expectations of one's feudal superior was held to be just cause for immediate execution. *Roots* showed that it was commonplace -- even in supposedly-enlightened America -- for an individual to be horsewhipped simply for not answering to his newly-given name.

It is the same as with a lot of what many of us now consider to be 'fundamental rights' (including some enumerated in the U.N.'s 'Universal Declaration of Human Rights'), but which were not always recognized as such in all places at all times of history.

Is it therefore acceptable for a society today to impose punitive measures which the rest of us find to be excessive? Yes and no: Answer 19 holds that we should not have a one-world government, and that nations generally get to do within their own borders anything which does not create any injury or threat of injury to any other nation, so that's the 'yes' part.

The 'no' part is that our society has progressed to a point far beyond those societies from centuries ago: People at those times often had nowhere else to go, no way to get anywhere else even if they had a secure destination, and sometimes no knowledge that alternative social constructs were even possible. By contrast, our TV and our Internet have managed to reach nearly all inhabited places on the globe. Our coverage has shown repeated instances of internal revolutions against rich and

powerful tyrants (Egypt and Iraq and Libya being recent big examples), so they know that it is possible to do. Anyone ruling or seeking to rule a nation is therefore strongly advised not to be excessive in your punishments, because if you are then the risk of your forcible removal from power is much higher now than it was in earlier centuries.

Question 340

Should additional action focus on rehabilitation, forced removal from the occasion, deterrence of the individual, deterrence of the general public, or some combination?

As previously discussed, all cases are different, and all defendants are different. Further, the characteristics of one defendant can change over time, sometimes from simple differences in life circumstances, but certainly in the number of harmful acts already tallied up in one's criminal record. We therefore need an impartial and objective official, with a strong knowledge of corresponding legal precedent, to adjudicate the case and decide upon an appropriate disposition, whatever combination of forms that may take, provided that the treatment is consistent with recent similar cases in that locality.

Generally, though, we want to have as little disruption as we can in our normal social functioning: Those of us who have been conditioned to respect human life don't want the conscience burden of taking human lives any more than we really need to, and all of us who are not super-rich don't want the economic and logistical burdens of crowding our prisons more than actually necessary. As often as we safely can, then, we want to get people back in ordinary society, functioning as productive citizens and taxpayers. Whether that can happen through simple counselings and warnings, or whether some form of punitive action is needed first, must be adjudicated on a case-by-case basis, with a general aim of striking a balance between leniency and the public safety.

Question 341

If it is possible to make the victim completely whole, and still cover court costs and/or police overhead, should any additional damages be levied?

Again, will depend on the circumstances: For one example, we noted in Answer 337 that the super-rich criminals are not likely to be deterred very much by the prospect of simply making their victims whole and covering court costs. They might just see that as the simple 'cost of doing business', so they may need some additional judgments in order to 'get their attention'.

In other cases, you might be dealing with an individual who is not out just for money, but to commit some violent act simply for the purpose of acting out some pent-up aggressions, which also are not likely to go away simply because restitution has been made to previous victims, so sometimes some stronger measures are going to be needed to at least try to rehabilitate the individual, and in the meantime to keep society protected from the mentally unwell.

Finally, we also need to consider the set of unsuccessful criminal attempts: If I attempt to shoot you, and if I miss simply because I happen to be a lousy shot, then you have not been physically injured at all. Maybe you experience some emotional shakeup from the attempt, but a few bucks of compensatory damage probably will make that better. In any case, we probably should not stop there if we want to

discourage any future attempts, either from me or from society at large, so we generally do want to be prepared to impose additional damages as an attempted deterrent against repeated harmful behavior.

Question 342

Suppose that actual fiscal loss and non-fiscal damages have been determined in a case with multiple defendants found guilty under due process: Should each defendant be required to pay the full amount, or should the amount of damage be apportioned among them?

If the injury is simply economic, then (as the 'black book' describes) it would constitute excessive punishment to require each participant to pay the same amount of damage as he would if he had committed the act all by himself. And, again, we generally want to avoid excessive punishment, because at some point it can lead to civil unrest, because the people now are not as tolerant of government actions as they used to be.

If the case results in a physical injury of some kind, then our preliminary intuitive feel was similarly that the punishment should be distributed among the multiple participants, in proportion to their respective levels of participation. However, we recognized that every attendee present during Session 190 was a professional accountant, who was accustomed to 'amortizing' liability among multiple sources when applicable. We therefore figured that we should think more about how we could convince non-accountant's to change their minds if needed, or about whether it is we who need to change our minds. Good next step would be to find where the alternative doctrine is documented which calls for all participants to receive the same sentences as their solitary counterparts, and the putative logical justification for that doctrine.

This has not been so easy to find. We therefore consulted a lawyer between sessions, who suggested that we review the 'elements of crime'.

According to wisegeek.com, the four key components of a crime are intent, conduct, concurrence and causation:

- Intent (Latin '*mens rea*' = 'guilty mind') requires clarity that the defendant wanted in advance to commit the crime, and that the defendant possessed the mental capacity to form such intent. However, they included a curious example of an intended robber who hits and kills a pedestrian with his car on the way to the robbery, stating that he cannot be convicted of murder because he had no advance intent to kill anyone, but they went on to assert that he can still be convicted of manslaughter, which is still a crime even though advance intent did not exist, so their definition is already fuzzy.

- Conduct ('*actus reus*' = 'guilty act') requires actual action to carry out the intent.

- Concurrence requires a connection between the intent and the conduct, although there may be a separation in time.

- Causation requires that the combination of intent and conduct led to the crime. Here they used the same hypothetical example which we put to the outside lawyer, about a would-be assassin who fires his gun but misses his target, in which case intent and conduct are present, but not causation. Here again, though, the shooter can be charged with attempted murder, which is still a crime even with no causation of harm.

However, Wikipedia (which was not our primary source!) concurred with this summary, but acknowledged that causation is an element of only some crimes. It also stated that omission of an act can also constitute the basis for criminal liability.

Mecklenburgdwi.com left out concurrence, but included 'social harm' as a required element. However, that website was for an attorney practicing in North Carolina, where the standards may be different.

Markedbyteachers.com asserted that the four elements are a law, an offender, a target or victim, and a place.

Answers.yahoo.com suggested that the three required elements are motive, intent, and execution.

Criminal.lawyers.com defined only two types of crimes, being felonies (generally punishable by more than one year of imprisonment) and misdemeanors (generally punishable by less than one year of imprisonment), stating nothing immediately about infractions. However, it also noted that a new 'model penal code' (allegedly adopted by approximately 22 States as of Session 191) recognizes four degrees of crime, not inclusive of lesser criminal actions such as offenses and violations.

This last website went on to assert that there are only two elements required of crimes other than 'strict liability' crimes, and that those two elements are 'guilty mind' and 'guilty act'.

We were generally seeing a lot of variation in the approaches taken by different sources, so we did not seem to have a universal definition which might have been helpful to us.

Even if there were such a universal definition, however, it was not clear from any of the consulted sources how their answer would inform our Question.

We next looked up 'sentencing guidelines', and found through Wikipedia an easily-verifiable citation that a document known as the 'federal sentencing guidelines' was created by the 'United States Sentencing Commission', which was created in 1984 by the Sentencing Reform Act, which sought to alleviate disparities which were observed in the existing sentencing system.

The article went on to describe that the two main factors used to determine sentencing are the conduct associated with the offense, and the defendant's criminal history. There were 43 offense levels at the time that we performed this research during Session 191, but proposals apparently were underway to reduce this number.

Section 5K1.1 of the United States Sentencing Guidelines (2012 ed.) showed that "Substantial weight should be given to the government's evaluation of the extent of the defendant's assistance, particularly where the extent and value of the assistance are difficult to ascertain." This tells us that the U.S. Government officially does recommend the reduction of sentencing according to a defendant's partial involvement in the crime in question. However, it did not go so far as to specifically allocate the aggregate sentence to the multiple defendants proportionally.

A total of 24 grounds for departure from the basic standards were listed, but none of these related to a case involving multiple defendants.

We next looked up 'multiple defendants', hoping for a more on-point discussion.

Justia.com gave the standard post-trial instruction from judge to jury, but most other citations that we could find related to civil cases, including torts and patents and product liability. One citation discussed multiple defendants being indicted for an alleged drug-trafficking conspiracy, but conspiracy by itself -- while potentially actionable -- is too difficult to apportion to fall easily within this Question.

A paper written in 1979 by Prof. Peter W. Tague of the Georgetown University Law Center posited that there is an inherent conflict of interest in having one attorney represent multiple defendants in a criminal case, but our Question would continue to hold even if each of the multiple defendants had separate counsel.

We also saw some citations (including model jury instructions) where each of multiple defendants are being charged with exactly the same crime, or with completely different charges in a single trial. It was hard to find anything on a single action which required multiple different participations, no one of which would have been a possible crime on its own.

Thomasvalonzo.com was a site for an attorney practicing in Louisiana, and stated that he would often seek to sever his client's trial from those of the co-defendant's of the same crime, generally because evidence brought against other co-defendant's (including the testimony of other co-defendant's) could taint his client's case.

We finally went back and downloaded the complete United States Sentencing Guidelines document (2016 ed.), with the aim to review it offline for any treatment of our Question which we could not find in the Wiki coverage of that document.

The entire document ran 628 pages, and it appeared from review of the Table of Contents that Chapter 3, Part B, "Role in the Offense", beginning on p.363, probably would address our main topic, but we still read through the first part of the document for general knowledge and curiosity.

We noted with interest from p.2 that the sentencing range set by a particular court must be narrow, with the maximum of the range exceeding the minimum by less than the greater of 25% or six months, per 28 U.S.C. §994(b)(2), sounding good to us.

Also noted on p.2 that the United States Sentencing Commission "is established as a permanent agency to monitor sentencing practices in the federal courts", because it is expected "that continuing research, experience, and analysis will result in modifications and revisions to the guidelines through submission of amendments to Congress." We agree that this is a useful function, and that we should allow this agency to continue to exist within our model Department of Justice.

We really like the writing in §1A1.3, "The Basic Approach", where they discuss the historical problems which Congress sought to remedy by enacting clearer sentencing guidelines, and the ongoing challenge to maintain balance between uniformity (similar sentences for similar types of crimes) and proportionality (adjusting for specific variations) without making the entire system too complex to possibly manage.

We completed reading of Chapter 1, Part A, "Introduction and Authority", in Session 192. Fun stuff. We really like what the Commission has done and is doing, we feel that they definitely are on the right track, and we especially like that they recognize that keeping the guidelines workable and relevant is an ongoing process of continued monitoring and analysis. We have here caught the Government doing something right.

We completed our review of the document in Session 193. We particularly also like the 'recipe' approach expressed in the beginning of Chapter 1, Part B (of two), "General Application Principles", prescribing certain steps to be taken in a certain sequence. We found it good that one of the listed downward adjustments is for the defendant's acceptance of responsibility, which is our Answer 317 in reverse.

We do not particularly like their application note 3(B), allowing that multiple adjustments from different aspects of a single criminal act generally are to be "applied cumulatively", such as the adjustments for 'bodily injury' and 'official victim' if one shoots a police officer during a robbery. We concur that an upward adjustment may be indicated for such 'special circumstances', but in our opinion it is excessive for the sentencing to proceed as though the two outcomes resulted from two completely separate acts. However, they do also allow that there may be specific instructions to the contrary within the specific guidelines.

Pertaining specifically to Question 342, §1B2.3(a)(1)(B) allows that a defendant is accountable for the conduct of others if it was:

- (i) within the scope of the jointly undertaken criminal activity;
- (ii) in furtherance of that criminal activity; and
- (iii) reasonably foreseeable in connection with that criminal activity.

This makes it seem as though I can be accountable for their actions, and they can be accountable for mine, so the total sentence associated with the crimes is basically multiplied by the number of individuals who participate to even the slightest degree, as long as such participation falls within these definitions.

This seems intuitively excessive and unfair to us, but we resolved to keep reading to see whether further discussion within the document might explain this position.

One example which they gave is when two defendants agree to commit a robbery, and one of them assaults and injures a victim during the act. They claimed that the second defendant is accountable for the assault as well as the robbery, even if he advised against it. This does not seem fair and just to us.

Another example which they gave is when ten defendants are charged with offloading one ton of illegal substances from a ship. They claimed that each of the ten defendants should be charged as though he personally offloaded the entire shipment, because he "aided and abetted" the offloading of the entire shipment by being personally involved with a portion of it. Again, we are seeing no logical or moral justification for this principle.

They extended this example by applying principle (iii) above, that the existence of one ton of contraband was "reasonably foreseeable" because importation by ship often involves large quantities. We found this reasoning to be rather tenuous, because sometimes small quantities get transported by ship, especially if one is seeking to avoid detection. Whether the defendant is doing a lot of damage by bringing in a lot of contraband, or doing a smaller amount of damage by bringing in a

smaller amount, should be taken into consideration by the court, in our current opinion.

Another example which they gave is the getaway driver in a bank robbery in which a teller is assaulted and injured. They claimed that the getaway driver is accountable for the assault and injury as well as the robbery itself, because again it was "reasonably foreseeable" under the circumstances. They seemed to be merely stating that it is so, and not assembling much of a logical defense.

Another example which they gave is two defendants conspiring to sell fraudulent stocks. They each derived a different amount of money from the scheme, but under the stated principle each must be treated as though he was responsible for the combined amount of the fraudulent income. This goes against our intuitive feeling in the initial element of this discussion, being that economic loss should be allocated proportionately among the multiple defendants according to their respective gains.

§1B1.10 establishes that a prison sentence should be reduced if the sentencing guideline is reduced after a defendant was sentenced to a longer term. We agree with this principle.

Chapter 2 of the Guidelines Manual, "Offense Conduct", deals with all specific varieties of criminal activity, for which we generally are content to defer to the guidelines as periodically updated, absent any specific question or complaint coming from any source in the future, because again we generally like the entire systematic approach that they are taking in this document, although so far we do disagree with one of their general principles.

However, we are tending to feel that their collection of 43 "base offense levels" (such that first-degree murder is rated 43, second-degree murder is rated 38, voluntary manslaughter is rated 29, and involuntary manslaughter is rated 12) might be a little too elaborate even for our group's collective taste, but again we are generally content to defer judgment to the Commission and the Legislature to refine the guidelines over time as they deem fit in their professional legal judgments.

We found it interesting that they devoted over 6 pages to a 'drug quantity table' which assigns 17 different 'base offense levels' from 6-38 to different specific quantities of different specific drugs. They do the same thing with a wide variety of 'precursor chemicals'.

We also found it interesting that treason gets a rating of 43 if it is tantamount to waging war against the United States, which action seems to us to be far more serious than a 'simple' first-degree murder receiving the same rate.

Upon skimming ahead to Chapter 3, "Adjustments", we saw that they advocated increasing the offense rate by 3 levels if it is a 'hate crime'.

We looked very closely at §3B, "Role in the Offense", beginning on page 371. We can see an upward adjustment for a defendant who was an organizer as well as a participant. Good that the offense level can be reduced between 2-4 levels if the defendant's participation was "minimal" or "minor". Various other upward adjustments are detailed for certain specific extra-bad elements, such as abuse of a position of trust, or involvement of a minor.

§3D, "Multiple Counts", provides detailed rules for determining the overall sentence range when a given criminal act violates multiple different sections of the Code, so we found it good that these are not always simply added together cumulatively, although again the formulaic structure is so elaborate that we must wonder whether it really fits our human experience, so we probably would not oppose a simplification, but neither are we specifically recommending it.

We did not see anything in Chapter 3 to explain or justify the principle that a defendant participating in only a portion of the criminal act is to be treated as though he committed the whole thing. Absent such explanation, we must hold with our intuitive finding that this is a significant flaw in an otherwise-excellent system of sentencing guidelines.

Chapter 4 discusses "Criminal History and Criminal Livelihood", beyond the scope of Question 342, but we skimmed it anyway. It results in the designation of one of 6 categories of criminal history.

Chapter 5 is "Determining the Sentence", beginning on page 427. It begins with a 'sentencing table' providing a range of months of imprisonment for each combination of the 43 offense levels and 6 criminal-history categories. For purposes of this table, adjusted offense levels ending at less than 1 are treated as 1, and adjusted offense levels ending at greater than 43 are treated as 43. Certain 'zones' in the sentencing table allow for probation under certain additional conditions.

§5E1.5 provides that the "costs of prosecution shall be imposed on a defendant as required by statute." We agree with this general principle.

§5E1.7 discusses "shock incarceration", which blessedly refers not to electric shock, but rather "to a highly regimented schedule [of training and discipline and ceremony] characteristic of military basic training".

Cool that they have an appendix which lists numerous specific sections of the United States Code being violated, according to title and section number, along with the guidelines section(s) relating to each. They also have an alphabetic index of subjects and where they are specifically discussed within the document.

Upon completing our review of the entire 628-page document, we still are not persuaded to change our position on Question 342.

However, we also have had feedback from the legal community that a straight allocation of the standard sentence range among all multiple participants would also be bad, because it might not present a sufficient deterrent to alleviate our collective fear of criminal activity to a satisfactory degree. We therefore agreed in Session 194 that we can bump up each defendant's apportioned offense level by an appropriate increment (we think 2 points in the current 43-level model) to address the conspiracy element in addition to the actual offense. For, crimes committed singly often come about as the result of temporary pressures without thorough evaluation of the moral and legal consequences of the actions, whereas a crime executed with multiple participants clearly involved a deliberate process of advance thought, with an almost-certain knowledge among the group that the planned action constituted a legal violation (which is why they needed to get together to plan it in the first place), so we cannot properly be as lenient with them as we might want to be for a solitary defendant who was just having a really bad day.

Therefore, do apportion the offense level according to the role taken in the offense, but then adjust upward by a couple of points to address the conspiracy element of the crime.

Question 343

Suppose that actual fiscal loss is determined, and that an appropriate level is set for any non-fiscal damage in a particular case: What then happens if the guilty/liable party does not have the monetary resources to make full recovery?

If punishment were only monetary, then it clearly would be too easy for a destitute individual to commit a crime and then claim freedom from punishment because he had no resources to pay the fine. Wealthier individuals also have been able in some cases to avoid having to pay monetary judgments because they had been successful in hiding their incomes and/or assets from attachment. We therefore need to be able to extract in some other manner the retribution which is properly due both to the direct victim(s) and to society generally.

Imprisonment may help with the societal retribution, and may provide some partial comfort to the direct victim(s), but such victims and their families (especially in the case of wrongful death) might not feel fully retributed with imprisonment alone: They may need some monetary compensation for their pain and suffering, as well as coverage of their funeral costs, uninsured medical costs, any rise in insurance premiums resulting from the incident, psychological counseling, and/or lost income. If the defendant is monetarily unwilling or unable to provide the appropriate amount of monetary restitution, then should the victim(s) be required to go through the rest of their lives with no financial help at all?

We think not. Therefore, depending on budgetary availability within each locality, we are suggesting that a revolving fund be maintained for victim recovery, as a supplement to private insurance and whatever can be successfully extracted from the defendant. A portion of each locality's taxes would basically serve as an insurance premium being kept in the fund, and disbursed as appropriate by local officials, who for electoral purposes would be motivated to maintain a healthy balance between liberal disbursements and conservative fund maintenance. In order to alleviate the need for excessive disbursements, localities would generally have increased motivation to provide adequate police protection, in order to mitigate the likelihood of such crimes happening in the first place. The disbursement would be our way of saying as a society that we didn't do a sufficient job of protecting you from crime, so here's something from our public coffer to help make up for it, insofar as the perpetrator is unwilling or unable to subsidize the appropriate recovery total completely.

At that point, because we are paying some or all of what the perpetrator should have paid, he then basically owes the money to us, and needs to make up for it sooner or later, one way or another, including by community service or other productive labor.

Same principle applies to a litterer who causes a flat tire, society needing to cover the costs of towing, parts, and labor because we failed to keep the streets and highways sufficiently clean, so we need to increase taxes to cover the increased maintenance cost, giving taxpayers a motivation to litter less.

Question 344

If we imprison somebody, do we have an obligation to keep him reasonably well-fed, comfortable, and protected from crime?

If we're not going to kill him outright, because we feel that it would be morally improper under the circumstances, then it also would be morally improper to simply toss his body into a dungeon with little or no further care. It might even be morally worse, because the convict is then experiencing the suffering in addition to simply having his freedom of life terminated. One of the major improvements which we have made in our society (including during the French Revolution) has been the improvement in prison conditions, so we don't want to go backward in this important area.

Besides, to maintain inhumane prison conditions sends the wrong message to convicts, potential convicts, and society generally, being that it must be morally accepted within our current society for some people to restrain other people by force, and to make them live in destitute and unhealthful conditions. That is the opposite of the message which we should be sending: We do not want people making other people live in unsanitary conditions, so we should not be setting an example of such bad behavior by committing it ourselves.

Also, it defeats one of the central purposes of punishment as described in Answer 338, being to provide mental training to the convict to enable him to return to society as a peaceful and productive citizen. For, if we are not actively working him toward societal reintroduction, then we have little reason to keep him alive at all. Conversely, if we are actively trying to work him toward societal reintroduction, then we need to make sure that he emerges from prison reasonably well-fed, and not carrying any disease which he did not possess upon initial incarceration, as well as being set up with living quarters and employment upon release as current local conditions allow.

We also have a very big problem with conditions prevailing in many American prisons today, being that prisoners are effectively allowed to commit serious crimes upon other prisoners, including assault, rape, and extortion. If we do not want these actions happening within our ordinary society, then it would be hypocritical of us to allow them within our prisons. As with the issue of maintaining sanitary conditions for the individuals entrusted to our public care, it sends the wrong message to everyone if acts are allowed to occur within prisons which we seek to prohibit everywhere else.

We should allow the press to observe prison conditions routinely, including by gallery over cafeterias and workrooms and exercise areas (possibly showers also, but that might be too creepy, maybe in selected facilities only), so that they can report directly on any fights or rapes or other problems, which reports if sufficiently negative will tell the public that they need to get rid of the wardens and guards, who therefore have a motivation to keep the peace.

We are reminded of the 'L.A. Law' episode where the controversial talk-show host (played by J.T. Walsh) argued in favor of maintaining poor living conditions within prisons, on the grounds that the prisoners are there to be punished, and that if people don't want to live in those conditions then they simply shouldn't get sent to prison. The failure of that argument lies on a couple of levels:

First, not all prisoners should be treated alike, because people are in there for different types of crimes, they have different levels of historical recidivism, and some may have been legitimately unaware that they were committing a crime (such as the drunk driver who sincerely thought that he was okay to drive, and then fell asleep at the wheel before getting into an accident). We might be able to argue for worse prison conditions for serious criminals and repeat offenders, but the 'lighter' criminals -- who committed lower-level offenses for only the first time -- should not be treated so harshly.

Second, the argument fails because it overlooks a key reason for having punishment, being to retrain the individual not to commit crimes anymore: If he is allowed to commit such crimes in prison, and if others are allowed to commit crimes upon him, then that continues to be the only world that he knows, and the only way that he can get along is simply by continuing the same criminal pattern as everyone else only better, and he will never learn how to behave in the way that we want everybody to behave.

It may give us a momentary feeling of satisfaction for being able to say "take that" by sentencing a convicted defendant to rot in an unsafe and unsanitary dungeon with little food and little water and little protection from other prisoners, and maybe some of those folks actually deserve such treatment, but in any case we may with that strategy be causing more problems than we're solving, so each jurisdiction should consider very carefully how much deterioration they are ever willing to allow in their prisons.

Now, that said, we are willing to consider a systematic gradation in the conditions prevailing among different prisons in the country. The 'minimum security' prisons should be made available to those first-time convicts guilty of lesser crimes. They may serve out their entire terms in those locations as long as they avoid escape attempts and otherwise maintain good behavior. If they attempt to escape (whether successfully or not), or if they commit any additional bad acts while in prison, or if their initial crimes were more serious, or if they commit new bad acts after having been released from prison earlier, then they should be assigned instead to other prisons with stiffer security, lousier food, less medical care, lighter internal protections, more difficult labor requirements, and other inferior conditions.

They can keep getting 'sent down' to worse levels if they continue to demonstrate bad behavior, down to and possibly including Hell. Correspondingly, if they are already assigned to lower levels, and demonstrate good behavior for a sufficient period of time, then they can be eligible for 'promotion' to a lighter-grade prison, as a 'reward' to help encourage the kind of behavior which we ideally want to see in all our citizens and all our prisoners.

One other possibility which we might consider is deportation to an insular penal colony, as has happened before within our global history: Drop them off, and let them fend for themselves. If it's so important for them to live in a society without laws, where the biggest and strongest and fastest get their way, then let them have it. If they can make it back to organized society on their own devices, then let them, and maybe they'll think twice about committing another crime and risking going through the whole process all over again.

They might therefore be more liable to gain a much greater appreciation for organized societies which can create food and bandages and textiles and other creature-comforts which they had probably taken for granted before.

If we go this way, then should we have separate islands for convicts of different biogenders, or do we want to allow/encourage heterosexual interaction and species propagation? Maybe have at least one island for all men, at least one island for all women, and at least one for co-ed. Convict could have choice of either single-gender or co-ed, subject to overrule by the court upon sufficient grounds. However, we are presently leaning away from the idea of allowing prisoners to reproduce, because whatever mental aberrations originally caused/allowed their criminal behavior could be passed on genetically, in which case we would not be doing any favors to the human species.

In any case, we generally are leaning away from the whole idea of deportation to an insular penal colony: With our advanced technologies, it is much easier now than in previous centuries for outsiders to smuggle supplies onto the islands, or to help the prisoners to escape. Even if they escape on their own using only primitive technologies, and make it back to organized society before we have confirmed that they are sufficiently fit, then they might be inclined to exact revenge upon other people for their experiences, so we are presently thinking that the strategy would be too unsafe for the rest of us. Probably better to keep them in smaller confined spaces where we can monitor their actions far more closely, and provide them with the direct training which they would need for eventual peaceful reintroduction into ordinary society.

Question 345

By what criteria shall a particular jurisdiction determine the appropriate number of years of imprisonment?

We again are satisfied with the general approach taken by the United States Sentencing Commission, to maintain a single set of standard prison terms to be applied on a nationwide basis, allowing different 'offense levels' for different types of crimes and different criminal histories, and receiving continual feedback from the Judicial and Legislative communities within our country as to what specific ranges for imprisonment appear to be more appropriate or less appropriate for different types of situations.

We see possible opportunities for improvement, including possibly reducing the number of base levels from the current 43, and in any case treating first-degree murder as being less serious than waging war against the United States. However, we are content with allowing the process to continue to produce tactical improvements to the system on an ongoing basis, subject to the specific suggestions which we offered in the course of Answer 342.

Question 346

When a Legislature sets ranges for imprisonment, to what extent should the Judiciary be able to 'review' that legislation, and strike it down as being excessive and/or a violation of the Constitution?

The Constitution does not specifically state when punishment is excessive. It merely states that punishment in a particular case should not be far in excess of the social standards of the day. Those standards may be determined or codified by elected Legislatures, because we select them in order to represent us in creating and modifying laws according to our evolving collective preference.

If the Judiciary of a given jurisdiction feels that the Legislature's setting of imprisonment ranges is inappropriate, then it should not be able to strike them down, since in many cases (including at the Supreme Court level in our current model) it is not elected by society, and therefore does not represent society. They are there to exercise their professional legal judgments to determine (among other things) when a lower law appears to violate a higher law.

When that happens, their role under our Answer 18.5 is to officially notify the offending Legislature of the discrepancy, so that the Legislature can either modify the legislation or appeal the ruling to higher authority, because even people with law degrees can see the same set of circumstances differently.

If the Legislature is under-responsive, then where appropriate the Judiciary may also call for a referendum, so that a popular vote may either ratify or overturn the Legislature's action, and in any case so that the public can be more keenly aware of the legal disagreement between the branches, which awareness may inform their electoral decisions later.

In particular, we again like the general system created by the United States Sentencing Commission and approbated by the Supreme Court, although we again prefer that the Commission be reassigned to the Executive Branch, so that all three branches have input into the process.

Question 347

Suppose that a person commits one or more bad acts, and that he has been found guilty/liable in due process, and that he has completely exhausted his monetary resources in making partial compensation to his victims, and that it has been determined that no amount of community service or forced labor will completely compensate society for its share of the debt load, and that some amount of jail time has been prescribed as alternative punishment: What if the amount of such jail time (that is, adding up the minima of judicially established ranges) is significantly more than the criminal's remaining life span?

There are three scenarios to be considered here. One is where someone has committed many bad acts without ever being caught and tried until now. Second is where someone has been captured and incarcerated, but then escapes from prison before completing all his terms (which is a 'bad act' in itself, because recapturing him consumes a lot of public resources, and because the public is threatened in the meantime), and probably then commits additional crimes after that. Third is where someone remains in prison but commits multiple additional bad acts while there.

In the first scenario, there may be an outside chance in some circumstances that the perpetrator was not completely aware that all his various actions were illegal or injurious, in which case a simple counseling might be sufficient. In other cases, some amount of prison time may still be indicated, as an aid toward retraining the convict's brain to refrain from such bad acts in the future, at least from fear of further punishment if not for sheer moral rectitude.

In still other cases, especially in certain 'war crimes' situations or extensive serial murders, the psychological evidence may indicate that no amount of retraining will ever make this individual a peaceful and productive citizen. If this really is the fact, then we have little motivation to keep him alive, not only because he is compounding

his original evil by forcing society to pay for his livelihood, but also because he presents a deleterious influence on other prisoners whom we do have hope of redeeming to normal status at some point.

Trick there is that we are relying on psychological evidence alone here, which may not be sufficiently compelling to justify the termination of the perpetrator's life. We therefore want to be really sure, and give the perpetrator every practical opportunity that we can to allow him to demonstrate that he will somehow eventually mend his ways to the point where his future contributions to society will at least offset the societal resources which he would consume by continuing to live.

If he still flunks all his chances, then at some point it should be permissible to terminate his life, before he has an opportunity to cause any further damage, but that decision should require the concurrence of at least two separate trials with different judges and different juries.

Second scenario is easier, because he already has had some prison time to allow him to 'think about what he did', and to realize that his bad behavior justly warranted punitive action. If he then demonstrates by escaping that he is not willing to take his mental medicine by sitting out the time that he justly deserves to put in, then clearly the previous treatment did not sufficiently work, so we should try sterner punishments (i.e., worse prison conditions) as an expedited means of 'getting his attention', as described in Answer 344.

If he commits additional bad acts during his period of escape, then that could be a simple result of the fact that he did not complete his mental retraining, so demotion to the lower-level prison might still be sufficient to 'bring him around' eventually, so this probably would not be sufficient to warrant the termination of his life.

Third scenario is when he has committed so many bad acts after initial incarceration (possibly including escape attempts) that he has already gotten demoted to the worst prison level yet conceived by Man, and still shows himself to be a net-destructive presence in our society. In this case, we have both the moral right and the moral duty to terminate his life, again once the same decision is reached in at least two separate formal evaluations. Any right-to-life which he may ever have possessed (whether naturally or civilly granted) has been effectively waived by his repeated destructive acts, and by his unwillingness/inability to respond to any means of corrective treatment. That being the case, society no longer has any moral obligation to help keep him alive, and it should not be required to exhaust any further resources to do so. It might be inhumane to simply allow him to starve, though (even with all his past bad acts), so probably best to terminate his life actively, with whatever final dignities (last meal, visit from a priest, etc.) the local jurisdiction finds to be appropriate under the circumstances.

Question 348

Shall such an individual be committed to prison for the balance of his life?

The only time that we should be committing anyone to life in prison is if he is both willing and able to do some offsetting good while there, maybe community service, maybe some productive manual labor, maybe providing teaching or counseling to other prisoners, maybe something else.

The offsetting good would need to be enough to offset both the original bad that he committed and the continued societal costs of keeping him alive and comfortable and protected while in prison. However, the premise of Question 347 is that his combined bad acts already cost more than he could possibly make up in the form of productive work, so it does not make logical sense to keep him in prison, especially during conditions of prison overcrowding, which we certainly had when this Question was considered in 2017, and in other recent years.

As stated in Answer 347, we are sympathetic to the moral desire not to take other people's lives without their consent, for we actively decry that practice when it is committed by individuals or non-civic groups acting unilaterally. However, this individual has clearly waived his right to live in a civil society by his repeated bad acts committed even after some amount of incarceration, so he either refused to accept corrective treatment, or else was neurologically unable to do so. In either case, he does not deserve to be kept alive at all, and we do not deserve to keep paying for his livelihood, especially not when we have so many innocent people starving in our own neighborhoods, and all over the world.

Therefore, as loath as some of us might be to execute others, yet at some point in some cases we need to simply acknowledge that this guy is a lost cause, and to basically 'write off' the asset before our losses get any worse.

Of course, we should provide him with as many warnings as we can, as well as initial education during the primary stages that being bad enough often enough can get you executed as well as merely imprisoned. And, again, his case should be evaluated independently by at least two separate panels, possibly more if required by the corresponding jurisdiction.

Question 349

If an individual has waived his right to live, including by the commission of multiple serious anti-social acts, is it in the interest of society to continue to keep him alive?

No, as already addressed in Answer 348.

Question 350

Should the termination of his life be passive or active?

Active, as already addressed in Answer 347.

Question 351

If allowing that multiple crimes can result in the forfeit of one's own life, what is the maximum penalty that we should be able to levy on any one single crime?

This is another area where we depart from the United States Sentencing Commission and their 'Guidelines Manual', which prescribes sentences of up to life-in-prison for selected single crimes. We feel that such extensive sentences should be imposed only if someone is guilty of multiple crimes, because we always want to give any first-offender the option of rehabilitating while in prison, so that at some point he can re-enter society as a peaceful and productive citizen, and eventually make up for his bad acts a lot faster than he could do in prison. It is only when he receives such

chances for rehabilitation and flunks them that his cumulative sentences should approach or exceed his maximum life expectancy.

We also allow for the very real possibility of wrongful conviction, for we occasionally hear on the news (as we did for Marco Contreras in March 2017) that someone gets released after up to 20 years had passed before the authorities realized that someone else did it. Hopefully such miscarriages of justice decrease over time, with our advancing technologies in analyzing DNA and other crime-scene chemicals, but we must still allow for the possibility until it is once demonstrated to our collective social satisfaction that it never possibly will happen ever again, which may never be the case.

Combining these factors, we imagine that 20 years is the maximum sentence which should be imposed for any one criminal act. It is long enough to hopefully facilitate deterrence, but it is short enough that someone sitting out the entire sentence without further incident might possibly have time left in his life to more completely make up for what he did, and conclude his life on the plus side of the moral ledger. It is also short enough that we have not committed too grave of a sin by convicting somebody incorrectly, because he still might then have enough life left to net-enjoy the experience, especially with whatever compensation we give him for his trouble.

Question 352

Given that life termination may not be inflicted for any one crime, no matter how heinous, due to the possibility of error, what number of years shall we set as a minimum, beyond which an accumulation of sentence minima shall constitute a waiver of the criminal's right to live, permitting the active termination of his life?

We find in our current situation that the criminal should be allowed to remain in prison if his current age plus the minima of all remaining sentences (i.e., his 'earliest release age') is less than 200 years, but that his life should be terminated actively if the sum exceeds that level. We realize that it might sound/seem illogical to impose either a single or a cumulative sentence which requires the perpetrator to live longer than anyone has ever lived since the time of Noah. However, we again are allowing for the possibility that some of the convictions were wrongful, so some years might need to get dropped off at some point. Also, we recognize that life expectancies are on the increase, such that people may be living to age 150 routinely by the time that the perpetrator reaches age 100.

We possibly could have an 'earliest release age' of more than 200 years, but if it gets too high then we make it near-certain that the convict has exceeded any foreseeable life expectancy even when allowing for the possibility of wrongful convictions, so then we would be back to housing and feeding this evil person for life, which we feel per the previous Answers does not make logical or moral or economic sense.

Our current standard of 200 years is based upon our current life expectancies, which show 72,197 centenarians living in the United States during 2014 (according to a report from the Centers of Disease Control and Prevention), out of an estimated total American population of 318 million (according to the U.S. Census Bureau), for a margin of a little over 2 one-hundredths of one percent. When that same percentage of the population is alive beyond some significantly-higher age down the road, society should consider multiplying that higher maximum age by two, in order to arrive at a revised 'earliest release age' before we start considering life termination.

Added in May 2019: From the post-meeting correspondence of A2E participants, the idea came out that the sentences which add up to one's 'earliest release age' for purposes of possible capital punishment should include only those convictions which involved the death of other people, for no sentence should ever be worse than the crime which it seeks to redress.

Question 353

Shall anyone found to be in excess of such minimum be granted the right of automatic appeal, as currently done in capital cases?

Definitely yes, definitely appeal, definitely make double-sure that each of those previous convictions was valid. Our consciences may be heavy enough in some cases when we determine that we need to execute anyone, and we don't want/need to compound our moral mud-wrestling by fretting about whether any of the convictions were invalid which helped to add up to the minimum cutoff which the individual appeared to exceed.

However, the 'black book' of preliminary ideations reminds us that the presumption of innocence need no longer apply, because the individual was already found causative/guilty under due process, so it is safe to presume his guilt in a retrial, and to require active evidence of innocence in order to overturn the previous verdict, unless the proper court decides that an exception is indicated in a particular case.

PART II - THE ECONOMIC ANSWERS

For this Part of the Outline, as for the other two Parts, we are trashing all current institutions and practices, and starting totally over, and making a brand-new economy from scratch, so that we can see what elements are good and productive, and which ones might not be. We may end up with a lot of the institutions and processes which we have now, but if so then we will know why they are good to keep, meanwhile the exercise of checking everything will allow us to identify some problems which we might not notice if we simply sat down and listed all problems that we could think of, as discussed extensively in Answer 2.

We again are starting out with some Basic Principles upon which we can expect everyone to agree, and then gradually building in the more controversial elements as we develop the means to tackle them.

SECTION II-A: BASIC PRINCIPLES

Question 354

How shall we define 'economy' for the purposes of this discussion?

Before we begin to talk, it is important that we come to a common understanding of just what it is that we are talking about.

Both in the news media and in our own everyday conversations, we frequently speak of the economy being 'good', or the economy being 'bad', or the economy getting 'better' or 'worse' over time or in different countries: What do we mean by that?

We must mean when we observe that the economy is 'good' or 'better' that most people have access to the resources which they need and want and value, and that the economy is 'bad' or 'worse' when such access is more limited.

Access to valuable resources generally increases when more such resources are produced, and when more of those resources are able to be accessed by the people who wish to consume them.

Economy therefore is 'production and distribution of valuable resources', such that it is 'good' when those functions are operating well, and it is 'bad' when there are problems in one or both.

Question 355

Why should we concern ourselves with looking at economy at all?

It is clear from obvious inspection all around us, both in the so-called 'Third World' and even on our own American streets, that many millions of people are suffering from homelessness and hunger and disease. In addition, many others of us are fortunate enough to have access (at least for the present, knock wood) to the basic human needs of shelter and food and medical care, but we would like to have access to additional resources which are presently denied to us, because so many of us are unemployed, or employed but not making as much as we deserve, or making as much as we deserve but having to pay too much of it in taxes to 'the masters'.

Now, we can sit back and ignore this situation (as a lot of our current corporate and political 'fatcats' appear very content to do), or we can choose to do something about it.

We probably will always have some people who have no scruples and no morals and no concern for the welfare of others. We cannot persuade them to have a conscience, they either don't believe in after-life punishment or else they believe but don't care (remember Mordred's line in *Camelot*? -- "I cannot wait to rush in / Where angels fear to go"), they already have enough 'stuff' that they would not be interested in an argument that caring about others would be in their own economic interest (even if they were convinced of it, which also would be non-trivial in many cases), and they are complacent enough to have no fear of 'the masses' coming to take their resources and lives away.

But, perhaps they should have such fear. Upon further reflection, that is indeed a point which even the richest of individuals should consider actively: We have seen in history (the French and Russian Revolutions being two key examples, there are others) that large numbers of people may initiate a forcible redistribution of wealth if they ever once perceive that the disparity between 'rich' and 'poor' is too wide for their collective taste. Therefore, in order to mitigate civil unrest (which is the same basic reason why we like to avoid excessive punishment, as described in Answer 339 *et seq.*), even those who currently enjoy the highest positions of economic wealth should be interested in making sure that at least some minimal provision is made for the poorer segments of the population, because otherwise they someday might decide to come after you in force, in which case I will not be able to talk them out of it.

That leaves the rest of us, in either the middle or lower classes of our present economic structure. Most of us want more than we currently have, or at least want

to preserve what we have for the remainder of our lives and the lives of our children and grandchildren. Those objectives become endangered if the economy (that is, the "production and distribution of valuable resources") is inadequately managed. It therefore definitely is in the self-interest of all of us non-wealthy types to be interested in how the economy is managed, and to exercise our voices and our other energies to help shape it to our collective satisfaction, even if we don't happen to have any concern of conscience over the many millions who are even worse off than most of us reading this report.

Besides, the threat of assault and theft is not limited to the super-rich: Many others of us in the 'middle' class, and even among the homeless populations, have been victimized by people taking things from us, including by actual force or the threat of force. We therefore share this attribute (if no others) in common with the 'super-rich', that we want to make sure for our own self-preservation that everybody in each of our respective communities is somehow enjoying enough of an economic benefit on an ongoing basis that he will have little or no motivation to try to take things away from the rest of us through theft or assault or other illegal and injurious means.

Question 356

Is it agreed, then, that we want to try to take some proactive measures to optimize the production and distribution of resources, as opposed to isolationism and economic anarchy?

The same principle applies at the international level that applies to individuals and local populations: If you don't want anyone (either an individual, a gang, a mob, or an entire nation) attempting to invade your space and to take away what you got, then you are strongly advised for your own self-interest (if not also for any moral reasons of not wanting other innocent people to suffer if we can help it) to see to it that all individuals and all populations in all nations have access to at least a modicum of resources sufficient to mitigate their motivation to acquire additional resources through illicit means.

It therefore follows that we should not have a policy of pure economic isolationism, as tempting as the idea may initially appear to the more selfish among us. Provide to other people and other nations, and they will be motivated to protect you and help you. Deny resources to them, and you make yourself a target for attack, as we saw when Japan launched a military offensive against America in 1941, and also in several more recent terrorist attacks by individuals and groups who have opposed the actions of 'the Great Satan' to accumulate the resources of the rest of the world unto itself.

We still should be concerned about the economic welfare of other nations even in the global non-war environment which we are proposing, partly because nations with nothing to lose might feel free to go ahead and take their best shot anyway, and partly because we would rather not need to launch a global military attack upon a nation which simply wants a loaf of bread.

Question 357

How shall we proceed to devise the optimal production and distribution of valuable resources?

The 'parameter' approach rejected in Question 2 for the overall project might work a little better in just the economic Part, although it still carries the disadvantage of being overly obvious in the numerical goals: We would like 0% hunger, 0% unemployment, 0% disease, 0% crime, and 0% complaining over not having enough 'stuff', but that's just not realistic (is it?), and any non-zero figures which we might assign to those different categories would be arbitrary and perpetually mutable.

Rather than try to create and reach specific numerical parameters, then, better to at least describe on a more philosophical level what factors would constitute a 'good' or 'healthy' economy, and then try to create (or maintain) those institutions and practices which appear most likely to further those objectives.

Question 358

What are the features of a 'good' or 'healthy' economy?

First, we claim that under an ideal economic system there would be zero or near-zero poverty. That is, everybody on the planet would have at least their basic human needs satisfied of food and clean water and shelter and reasonably-decent health. If large numbers of people on a global scale are suffering from privation, or if the same is happening to smaller numbers in affluent communities like New York or Los Angeles, then either we are not producing enough of those basic goods, or else we are producing enough but not doing a good-enough job of connecting people with resources.

It is hypothetically possible that some population counts are simply too high, on either a municipal or regional or national or global scale, but it's difficult to accept that this is the actual case: We see so many livable areas of the planet still being underutilized (remember Sam Kinison's line? -- "Move where the food is!"). We also see large quantities of food being either dumped in the harbor because of inadequate distribution, or consumed by overweight populations who clearly have enough already, or tossed in the garbage because some of us have more than we can possibly eat. We also see a lot of physical materials going into military equipment which could instead be going into low-income housing. Finally, we see a few individuals controlling billions of dollars of wealth, when billions of other people have little or no wealth at all.

Now, we realize that some people feel that at least some of these factors are as they should be: Some feel that populations should be allowed to become poor if that is the natural tendency in the applicable regions, on the premise that it is Nature's way of communicating to those regions (as described by both Malthus and Scrooge) that they need to reduce those populations, either through voluntary birth control or through the deaths of young people before they have an opportunity to have many or any children. And, perhaps that is actually true to some extent in some specific cases (China and India being possible examples). However, just because large numbers of people in a region are consistently hungry does not necessarily mean that the population is too large: It may be that the size of the population is fine as it is, but that we instead need to be doing different things with our valuable resources, either making more of them or distributing them differently.

In any case, a lot of those poorer populations are going to keep having kids anyhow, as we have consistently observed in the 'real life', one big reason being to maximize the chances that some of those kids will survive long enough and prosper well enough that they can take care of the parents in their old age. If we really want

those populations to thin out, then, we must convince the fertile adults to have fewer kids, and the only way that we can do that (absent a program of forced sterilizations, which could create more harm than good) is by somehow guaranteeing that they will be taken care of in old age, even if they have few or no children.

There is also the school of thought that individuals should be allowed to become 'super-rich' if they have somehow managed to acquire and/or inherit that wealth within 'the system', because either they and/or their ancestors did enough constructive good in society to deserve that wealth, such that anybody who is not enjoying such wealth clearly didn't do enough to deserve it, and that everybody is basically getting what they deserve.

It is a tantalizing premise, especially to those who already have lots of 'stuff', and who naturally are not eager to give it up. However, we yet must hold against it on a philosophical level: If you have 1 super-rich person and 9 dirt-poor people, then the 1 super-rich person clearly has not done enough on an ongoing basis to deserve all that wealth. The only way that one can deserve wealth is by providing wealth to other people. Anyone who acquires wealth solely at the expense of others is just a bully, and we don't tolerate bullies in our ideal society.

Besides, we directly observe that the concentration of large amounts of wealth in the hands of a few individuals is not entirely the result of those people having done the equivalent amount of good in society. Rather, a lot of it appears to stem from tax breaks and other economic practices which are specifically designed to help the rich to become richer, and which have been enacted by rich politicians (or by poorer politicians acting on behalf of parties and other external 'sponsors') in order to further their own economic interests. In other words, they are 'gaming the system', by creating and maintaining artificial conduits which channel wealth away from where it would go under a truly free market.

Then, of course, there are those who have consistently argued for generations that concrete and steel and other physical resources should be going into weapons and military installations rather than toward shelters and schools and hospitals and the conveniences which could be going into them. As previously described (including in Subsubsection I-D-1-b), we readily acknowledge that we should never completely disarm, because if we did then some individuals and some nations would endeavor to attack others and possibly take away what they got, no matter how prosperous and equitable our society ever becomes, either just to break the boredom ("Fie On Goodness!") or else to show that they can do it ("I'm the best man in Inisfree!") or else to act out unrelated frustrations. Beyond the necessary levels, however, continued military buildup not only fosters an environment of continued aggression and threat of aggression, but it uses up valuable resources which could instead be used to provide a greater life experience to millions of innocent people.

Corollary to this general principle is the specific controversy debated in 2016-17 over building a large wall on the Mexican border in the hopes of controlling illegal immigration. As one might have guessed who has read our previous positions on various topics, we vigorously oppose this plan or anything like it, on several grounds: First, we find it to be antithetical to a core American value (inscribed on the Statue of Liberty) of accepting people from all areas of the world who are seeking either personal freedom or economic opportunity; it would be completely selfish and un-neighborly and un-American to not only take the country away from the indigenous populations, but then to tell everyone else that now that we've got it none of them may share in it. Second, it probably would be highly ineffective, as Patton wisely

observed. (The exact phrasing of the attributed quote varies among different reference sources, but the expression in the classic 1970 biopic is eloquent and reflective enough, viz.: "Fixed fortifications are monuments to the stupidity of Man. If mountain ranges and oceans can be overcome, anything built by Man can be overcome.") Third, insofar as it ends up being effective at all, it would hurt our own economic interests by cutting off the flow of laborers and tourists and businesspeople who could continue to help us in various ways, as immigrants have done since the early 1600's. Fourth, it ignores the possibility that we might agree upon a new border with Mexico at some point, just as the Chinese border with Mongolia changed after the Great Wall was built. Fifth, if you later decide that building a big wall was a big mistake, then reversing the action would involve large amounts of labor, in addition to the labor required to build the dumb thing in the first place. Sixth, it ignores the much simpler solution to illegal immigration, being to make it all legal [*also suggested by Jeffrey Miron in USA Today on 31-Jul-2018, and probably elsewhere as well]. Seventh, as previously suggested, the structure would tie up construction materials and other resources which could instead be used to provide large numbers of people with some basic human comforts, a need to which super-rich individuals like the one who suggested it during the 2016 Presidential campaign may not be sufficiently sensitive. And, all that assumes that there would be no negative environmental impact, which of course would be an eighth reason if there were.

Another concern frequently mentioned about eliminating poverty, by making sure that everyone has a place to stay and enough food to stay minimally healthy, is that providing such valuable resources to poor people for free might remove any motivation for them to work and support the economic system from which they are benefitting. This can be true to some extent, so one additional factor of a 'good' or 'healthy' economy is that people should have an ongoing incentive to work and produce, or else our supply of valuable resources is likely to go way down, as we predicted would eventually happen in Communist countries, and as has actually happened in many such real-life cases. OK to provide minimal care to the poor, as a means of 'deserving' whatever additional wealth you may enjoy as an individual or as a nation, but also give them the opportunity to improve their standard of living further by actively working for it.

An additional point can be inferred from the above points, namely that the disparity between rich and poor should not be so severe that people notice it and complain about it: It's a waste of valuable resources to have too many of them controlled by individuals who could never possibly utilize them all, it's an illogical redistribution to allow people to inherit large quantities of resources who did little or nothing to earn them other than getting themselves born, and it's an invitation to civil unrest to have large palaces sitting in fixed locations as targets for groups of people who eventually get sick of passively tolerating the gross inequities which can come about through the wrong type of economic system.

Another additional point can be inferred from the above points, namely that we should not be allocating too much in labor and materials to products and activities which do little or nothing to benefit society. Societal benefit need not be either tangible or quantifiable, because we also benefit from Art and Science and Entertainment, but we also waste a lot of resources in bureaucratic circularities, and in holiday gifts which the recipients don't actually need or want.

The 'black book' reminds us of an additional factor which we might want to specify at this early stage, being "that the prices that people pay for various goods and services

[should] reflect their true relative value, so that some consumers are not required to pay more than they should, and so that all producers of goods and services receive all that they deserve." Corollary to this principle is that wages also should accurately reflect the true relative value of the work performed, and should not vary according to race or gender or any other immaterial attribute.

Another element of a good-or-healthy economy which we can think of right now is sustainability: It is not enough to satiate all the poor people living today, if we are not able to keep satiating poor people in all future generations. We must not commit the same moral mistake by which we were victimized by our ancestors, namely to borrow from future generations to pay for immediate pleasures. We discussed this in Subsection I-D-1-c as applying to the specific example of forest land, but it applies to all expendable resources. We must make sure always that we do not extract so much from the Earth that future extractions will need to be excessively curtailed.

Final element is protection of the natural environment. England (especially London) enjoyed a huge economic boom in the Industrial Revolution of the late 19th century, but it came at the cost of devastating pollution of the local air and water. There also are those who suggest that our modern-day lifestyle is creating (or exacerbating) changes in our upper atmosphere which could lead to radiation sickness, the flooding of seaside communities, and other bad things; whether those suggestions are actually correct or not (or partly so), we certainly do want to make sure that we avoid such considerations going forward.

In sum, the main factors of a good-or-healthy economy are:

- (1) zero or near-zero poverty;
- (2) incentives for people to improve their standard of living by working to help the society which provides it;
- (3) non-excessive disparity between rich and poor;
- (4) non-excessive allocation of resources to non-beneficial products and activities;
- (5) relative accuracy of wages and prices;
- (6) sustainability of natural resources; and,
- (7) protection of the natural environment.

Question 359

What are the basic methods by which these goals can be achieved?

First basic method is a straight barter system, which is what we were doing back when we were simply running around randomly. Every individual or family produces whatever it can, and then trades any excess to other individuals or families for other desired goods and services.

Second basic method is having all goods routed to a central public authority (let's here call it 'The State'), who would then have the responsibility of distributing all goods to all people as it deems most net-appropriate. This is the so-called principle of "from each according to his ability, to each according to his needs", frequently associated with the theories of Socialism and Communism. Under the former, The State is the nominal owner of common property and the means of production; under the latter, they are nominally owned by The People; in real life, it amounts to basically the same thing.

Question 360

What are the main advantages and disadvantages of these systems?

Barter systems have several big disadvantages:

(1) It can be considerably inconvenient to transport the applicably-sized container of pumpkins every time that you want to acquire any amount of any commodity from anybody, especially if the trading partners are located far away.

(2) The vendor from whom you wish to acquire commodities may already have enough of whatever you're offering, or maybe he just doesn't like pumpkins.

(3) You would need to negotiate separate deals with each trading partner, and may need to renegotiate periodically depending upon local supply and demand, which can take a lot of time which could otherwise be spent on either more production or simply enjoying life. Some vendors in certain cultures appear to be really into that, and we suppose that they should be allowed to do so if they really want, but it's not the most efficient way to proceed.

(4) There can be so many localized variations in supply and demand of the various regionally-produced commodities that it can be difficult to tell what the 'actual' relative value of each commodity is. Without a clear picture of how much each unit of each commodity is worth, it can be possible for some people to get more than they deserve, meaning that other people would be getting less, and therefore -- according to Answer 358 -- we would not have a healthy economy.

(5) A system relying completely upon individual control makes no provision for the care of elderly, orphaned, ill, or otherwise-disadvantaged persons who may have worked before and/or may work later, but who in any case need help from society in the meantime.

(6) Individual production without a central monitoring agency could result in the production of too much of one commodity and not enough of something else: In theory, we could allow producers to find out about these disparities for themselves when the collective demand for their goods drops below the cost of producing them, but we don't want to be that heartless, and besides it makes more macroeconomic sense to tell people up front how much of each commodity is being produced on the aggregate scale, so that some producers can switch to other commodities and fill in the gaps before they go bankrupt and starve. That way, we end up getting enough produced of all the commodities which we want, and we do not end up with so many units of other commodities that they end up going to waste.

Systems involving central distribution of all valuable commodities also have several disadvantages:

(1) They depend upon the central authority being able to assess accurately the needs of each individual and family, which would require either an assumption that the needs of all individuals and families are exactly identical (which is clearly untrue on the basis of diet and geography and age and family size and medical conditions and numerous other factors), or else a personalized assessment of the needs of each individual and family. The latter would be so labor-intensive that the field enumerators would continually be so swamped with work that they would not always have the time (and maybe not the patience) to make accurate analyses, and even if they could then it would be a highly wasteful effort. It further assumes that all individuals and families are stating their needs honestly, which is by no means a trivial proposition.

(2) As we have seen time and again in history, the central authority in charge of receiving and distributing the goods cannot be depended upon to avoid for very long the natural human temptation to skim resources 'off the top', in excess of

whatever they would justifiably deserve for the work which they are performing, such that everybody else gets less.

(3) There is an additional inefficiency factor, which we again have seen in many 'real-life' times and places (including during the American Depression of the 1930's), with people spending so much time waiting in line for bread or other public handouts that they don't have enough time left over to work to help create and distribute additional resources.

(4) As discussed in Answer 358, people will tend to slack off in their production if they know that it will not have any impact on the benefits which they receive from the central authority. Humans and many other living beings tend to do whatever makes them feel good, and tend to avoid doing whatever makes them feel bad, so they naturally will avoid strenuous work in favor of restful ease if they do not have any incentive to do otherwise. Less work therefore ends up getting done on the macro scale, fewer commodities get produced and distributed, and we end up with more poor people as a result.

The main disadvantage which attends both systems of Individual control and State control is that neither completely works. If it did, then we would have seen it emerge long ago as the one-and-only system which everybody should and did embrace. As it is, both systems have shown themselves to be inadequate when applied on any scale larger than a village, which would not be enough to provide for even the basic needs of everyone on Earth, let alone the advanced conveniences to which many of us in the industrialized nations have become accustomed.

Therefore, in order to maintain a healthy economy which will adequately provide for the needs and desires of our current population levels with our current technology and our current collective appetites, we need a hybrid system which combines elements of Individual and State control.

Question 361

Considering all these factors, which basic economic system would we prefer to have in America?

We generally prefer Individual control to State control, both because of the problems attending State control as described in Answer 360 (including reduced incentive to work, the waste of trying to assess everyone's production abilities and consumption needs accurately, and the temptation for the central authority to skim resources off the top), and because our historical heritage in America has been for individuals and families and corporate entrepreneurs to build homes and businesses and cities for themselves. However, it must be tempered by some amount of State supervision, in order to mitigate some of the Individual disadvantages also mentioned in Answer 360.

At this point, absent a specific Question or series of Questions on the subject, we need to talk about Land Management, at least in terms of how we want things to happen in America, if not also globally.

Let's first try on a global scale: Generally, who owns or can own The Land?

Although some Biblical fundamentalists may still care to contest the point, the overwhelming astronomical and geological and biochemical and paleontological evidence suggests that the Earth has been here for several million years, and that Human Beings as we know them have been around for only a few millennia. As such

relative 'latecomers' to the planetary scene, can we properly think of ourselves as 'owning' the planet, or any portion(s) of it?

We initially found that there are 5 main possibilities to consider, *viz.*:

(1) that no one owns the Earth (other than possibly itself), because it existed long before living beings came to exist on it, and may possibly continue long after the last living being deceases;

(2) that the Earth belongs to the Transcendental Being who created it, and is here only as our 'playground' but not for our ownership;

(3) that the Earth previously belonged to the Transcendental Being who created it, but that He subsequently gave it to Human Beings, on the stipulation that we should "replenish the earth, and subdue it" (Gen. 1:28);

(4) that the Earth belongs to those who have conquered it, regardless of what they do with it; and,

(5) that portions of the Earth belong to those who have applied the first constructive labor upon them, then to be deeded to other entities according to mutually-agreeable terms.

Before attempting to consider these possibilities further, we felt that we should consider on an even more fundamental philosophical level what it means to 'own' anything.

If any piece of Art or Literature which I create is immediately subsumed by 'The State', who then disposes of my creation however it may decide, and who realizes any economic benefit which may attend such disposition, then I will very quickly lose any motivation to put my heart and soul into any such work, and so it makes little economic or artistic sense to consider The State as the immediate and automatic owner of all property produced within The State.

Similarly, if all the pumpkins which I grow are immediately subsumed by The State, to be dispensed as it will for its own economic benefit, and if I receive no compensation for my effort beyond a simple addressing of my basic human needs, which I still would get anyway no matter how many or how few pumpkins I produce, then (as discussed in Answer 360) I will have little motivation to try to maximize my pumpkin crop. To the contrary, my principal inclination would be simply to go through the minimal motions of pumpkin husbandry, and then claim to The State that I have produced according to my ability, because these are all the pumpkins which this plot of land would produce this season: How could they prove me wrong? With that reduced motivation, our agricultural output would drop rapidly across the board, so again it is economically illogical to assert that The State is the immediate and automatic owner of all agricultural commodities.

I must therefore have initial Individual ownership of all goods which I produce. If either The State or any private entity wishes to acquire any of the goods which I create, then they must provide me with an appropriate amount of compensation. If they want more of my created goods, then they must provide me with more compensation, such that I finally have an incentive to create more marketable goods.

Therefore, any person or group of people may 'own' a commodity only if they have created it, or if they have acquired ownership of it in exchange for an appropriate amount of valuable consideration, i.e., if they have 'purchased' it.

But, can that principle be applied to the entire Earth generally, or to any portions of it? After all, however the Earth got here, it certainly was not we Humans who created it.

If -- as many people believe -- the Earth came into existence entirely through mechanistic means, with no 'intelligent design' or other transcendental intervention on anyone's part (which is hard to believe for a universe which has Bacon in it, but maybe...), then yes it could be asserted that the Earth created itself, and therefore would be its own owner, at least initially. However, if the action was purely mechanistic, then there was no conscious effort involved, so the same principle could not apply as attends the pumpkins or sonatas which I individually produce. Possibility #1 therefore seems unlikely.

If -- as many other people believe -- the Earth was created (or at least influenced) by one or more transcendental entities, then yes it could be asserted that they own the Earth, or at least did initially. However, if I create anything, then either I am going to keep it under my own direct control until I once sell or donate it, or else I am going to lend/lease it to another entity with the express stipulation that it must eventually come back to me, or else I am going to deposit it in some kind of 'bank' with appropriate documentation to establish clearly to The State and all private entities that the property in question belongs to me. In contrast, it is not clear that the transcendental creators of the Earth have retained such proof of ownership unto themselves: They have effectively allowed Mankind to run around all over the planet, polluting or even destroying large portions of it as though it belonged to us, with no clear and uncontroverted claim coming to our collective attention in recent human memory, alleging that we have been abusing their current property. (The 1977 film "Oh, God" comes close, but the authority is contestable.) Therefore, either they never had ownership of the planet, or else they once had it but have since effectively waived it. Possibility #2 therefore seems unlikely.

Possibility #3 is at least supported by an increment of literary evidence, although even the strictest Biblical fundamentalists acknowledge that the Book of Genesis (being one of the five 'Books of Moses') was compiled several hundred years after the events described in it allegedly occurred, so it is distinctly possible that the narrative somehow morphed along the way. The fundamentalists will tell you that the Book of Genesis was basically 'dictated' to Moses and his assistants during his lifetime, but there is no independent evidence to support that assertion, and we know from the example of Joseph Smith of the Latter-Day Saints that simply claiming that a certain book was divinely dictated to you does not necessarily mean that it actually was.

Even if that did actually happen, though, then the Earth was given to us humans because we already were the most advanced and net-powerful species on the planet, whether by evolution or by design, so the conditional gift was based directly upon our position of collective strength. If another species had been more powerful (as the *T. Rex* apparently was during the Cretaceous Period), then they would have been given control (or assumed it themselves), which would seem to speak more in favor of Possibility #4.

We hesitate to agree with Possibility #4, however, because it seems to send the signal that right of ownership comes from physical conquest, which would mean that the bullies have a fair right to everything, which on a philosophical level we simply cannot accept. Nevertheless, this has been our apparent history for millions of years, including within recent centuries of Human interaction. At this point, then, we felt inclined to consider this question in two separate parts, being who has control versus who has ownership. In other words, we can ask separately who does own the Earth or who should own it.

On the first element, again we have to acknowledge the reality that many countries (including America) have gone to those groups with the largest armies and the fastest horses and the most powerful weapons. That will continue to be the case if we will it so, or if we disagree with the concept but fail to do anything about it.

That brings us to the second element: Here is where we get to say (if we wish) that maybe the previous 'conquest rule' applied in earlier years, but can be overridden if our collective intellect ever once advances to the point that we can create a new rule which operates to our collective advantage.

We have already done this to a certain extent, as far back as the Roman Empire (if not earlier), by designating that certain clearly-delineated plots of land were to be sold or even given away for free (as in the Homestead Act of 1862) to those individuals and families who demonstrated that they could and would utilize them effectively, or that they deserved them in some other way. It therefore appears that Possibility #4 may have prevailed earlier, but that we have since supplanted it.

Possibility #5 is the most philosophically tantalizing to us, and it actually was the position which our SIG preliminarily adopted in our Session 11 back in 1997. We initially considered it a 'natural right', then later concluded that there were no 'natural rights', then changed our collective minds and found that there were some 'natural rights', although this one did not make it to our revised list (although 'property voluntarily created' did). This does not necessarily mean that it is not a 'natural right', and it also does not mean that it is not a 'civil right'; it just means that we now need to examine the possibility more closely.

The condition of 'constructive labor' would need to include building a home somewhere (right?), because homefulness is an economic commodity: When you create a home that somebody else can live in, both immediately and after you eventually vacate it, then you are contributing to our collective economic wealth. But, do all such homes qualify? When a bird builds a nest in a tree, does it then own the tree? When a beaver builds a dam in a river, does it then own the river? When a nomadic tribe pitches tents in a desert or on a prairie, does it then own that land? If someone cuts down a bunch of trees in order to build a city, has he then assumed ownership of that property, and with it the retroactive right to destroy those trees, even if it means a net-destructive impact upon the planet?

There does appear to be a certain level of 'finders keepers' going on here: We started out occupying a very small amount of land, but basically had effective 'ownership' (at least 'control') of the entire land as a result of our superior ability to occupy and utilize it. It then became a matter of spreading out to actually explore and occupy the planet. As we got to each new spot, we either spread over it for nomads, or else we basically took possession of it by building fixed homes and farms and civic facilities.

That process stopped when we reached the point where all land areas of the planet were explored and mapped and assigned to this 'tribe' or that 'nation'. The equation changed at that point: From then forward, all parcels of land 'belonged' primarily to different tribes and nations, and then secondarily to any individuals or corporations to whom the land was lawfully deeded by the tribal and national governments. That's basically how it is today.

We therefore concluded that the question of who generally owns the Earth needed to be addressed in stages, *viz.*:

(a) Prior to the appearance (however and whenever it happened) of Humans on the planet, different areas of the world effectively 'belonged' to those species and specimens which had the greatest ability to exert physical control over them, until they either deceased or moved on to other areas.

(b) At the time when Humans appeared, we basically assumed (or perhaps were divinely granted) the authority to 'fill the Earth and subdue it', because we were the most net-powerful species then in existence. However, that authority can not extend to being able to destroy the Earth at will, in the same way as you might discard a paper napkin when you're finished with it. It would be philosophically illogical to allow any species to 'own' a planet if it is going to wipe it out and kill all other species in addition to itself. We therefore may have 'authority' as a species, but not full 'ownership'.

(c) This means that -- even after the advent of Humans -- the Earth must actually belong to all beings who live upon it, because we are all stakeholders, and we all contribute to the ecosystem in one way or another. It was the same before Humans showed up, and even during the prevalence of *T. Rex*, because numerous other species and specimens were then 'allowed' to thrive on the planet, as long as they stayed out of *T. Rex's* way. In fact, *T. Rex* could not have survived at all without the other species being around to maintain the ecosystem upon which *T. Rex* depended. Then, of course, as individual *T. Rex* specimens deceased, they were in many cases consumed by other 'lesser' living beings which continued to maintain the ecosystem as a result. Notwithstanding their relative power levels, then, all the species constituting the ecosystem at any given time needed one another in order to keep the ecosystem going. We are all partners, then, and we all share in the ownership of the planet.

(d) That is the case even now that we have asserted dominion over the planet, by exploring and mapping all areas of the world, and settling many of them. We still need the other species (including the Birds and the Bees and the Fish and the Plants and the Bacteria) in order to continue to survive ourselves, and as the dominators we therefore have a responsibility -- not just on moral grounds but also for self-preservation -- to use our higher powers to keep the planet healthy.

(e) Therefore, even with different areas of our land mass assigned by global recognition to different 'nations', yet the Earth actually 'belongs' to all living beings collectively, so the primary assignment of different land masses to different 'nations', and their secondary assignment of internal land areas to different provinces/states and districts/counties, and their tertiary assignment of specific land tracts to certain individuals and families and corporations, are actually 'civil rights' of principal control over those areas, on the condition (either implicit or explicit) that each such subject should exercise said control in a manner which is not net-destructive to the overall global society.

In other words, there are no real 'owners' of any particular piece of property, only 'renters', so it is reasonable that we should be expected to pay something in 'property taxes' on an ongoing basis, as a periodic fee for being allowed to use a particular piece of land in our own way instead of how 'The State' might prefer to dictate.

This approach again allows for the Individual control which we generally prefer to have in America (to return to the original language of the main Question), and also for the degree of State control (including through both regulation and taxation) which is needed in order to make sure that we are all generally operating in society's collective interests.

To sum up everything, then: The Earth is owned collectively by all beings who live upon it. Human Beings claim (through either evolution or divine assignment, same result) principal dominion over what happens on the planet, but only on the condition that our actions are not net-destructive of the planet and its collective ownership. Our general dominion of the land can be parceled out to specific nations in exchange for a periodic payment of valuable consideration to the overall Human society, and by those nations to specific provinces and districts and individuals in exchange for periodic payments of valuable consideration to the next higher civic levels, all upon the same general condition that each renter's actions are not net-destructive of the property. Any agricultural or intellectual commodities which an individual creates belong to that individual until ownership is once duly deeded under agreeable terms to another entity, which can successively deed ownership to additional other entities.

And no, the bird does not come to 'own' the tree simply by building a nest in the tree, he owns only the nest which he built: The tree existed long before the bird, and probably will exist long afterward. It probably owns its own life if it grew principally through its own effort, or it could be said to belong to an individual human who planted the tree and cultivated it until it reached maturity, same as a mother effectively 'owns' the life of her child until he grows into adulthood and self-ownership.

In general, for nations like America, where we generally prefer to privatize land management over having everything be run by The State, the base rate of 'property tax' should be somewhat higher than what we think that we could get on a net basis (that is, gross income minus gross expense) if we were to exercise the property ourselves, and somewhat less than what the individual renter thinks that he can net-get under his own control, since he is so convinced that he can manage the property better than The State, which maybe he can, but in any case we will not give up the land unless we derive more from the transaction than we would have net-gotten had we retained direct control. Maybe he just wants it for the pure pleasure, but in any case that land was assigned for control (not ownership) to the Nation, so that we can use it for the betterment of the local human and non-human population, and we are going to cede control of it only to whoever is going to give us more in net-resources for it (regardless of what he aims to do with it, as long as it is not net-destructive of the planet) than we would have generated with it ourselves.

Question 362

If control were left solely with individuals, how could we prevent unscrupulous persons or groups from taking unfair advantage of others by theft, coercion, extortion, etc.?

Yes, this is one of the reasons (there are others) why governments must continue to exist, and why they must continue to wield some level of operating authority over any territory, even if it has been deeded to private individuals, as we like to have happen in America. You do not get to purchase right-of-control over a piece of property, and then invite people onto your property, and then kill or rape or otherwise assault or otherwise victimize them. Rule of Law must continue to extend over private property (subject only to the conditions of Answer 18.5), unless you have been duly recognized as a sovereign nation by the prevailing 'international oversight organization', in which case of course you could make up all your own internal laws. If you are not a sovereign nation, and if you are strongly suspected of having committed a sufficiently-serious 'bad act' on your property, or if you have committed it elsewhere but then retreated to your property, then local law-enforcement authorities still get to cross your property lines and take you into custody for due process of law.

Question 363

Given a system of individual economic control, with government supervising people's actions and protecting individuals from violence and other unfair practices, what generally are the best means of production and distribution?

This may seem at first like a very broad and vague Question, and so it probably is.

Blessedly, we do not need to start entirely from scratch on this one, because we already have many factories and roads and distribution centers in place in many areas of the globe. However, they do not exist everywhere, and even where they do exist it may be possible to engineer improvements.

We have some guidance from the preliminary notes originally compiled in the 'Black Book' back in the 1990's, suggesting in this instance that we start with the basics: The first need that we all have (other than air and water, which usually can be had with little or no real effort) is for food. As discussed earlier, it is theoretically possible for each person/family to grow his/their own food, but some people will be more successful than others, owing to variations in skill and mechanical resources and arability.

Also, it is unlikely that any one individual -- or even an entire family working together -- can produce and process enough different kinds of food throughout the year to make for a varied and healthy diet, so everybody's quality of life often can be improved through cooperation and trade: You make coffee, and I'll make milk; we exchange some coffee for some milk, and we can both have coffee with milk, whereas we might not both have enjoyed such had we attempted to produce both by ourselves.

This barter system can also include services such as massaging, haircuts, transportation, repair, cooking, security, garbage collection, entertainment, etc., which do not produce any food or other physical commodities, but which yet enhance the quality of life of others. Individuals providing such services can get away with producing less or no food, but can receive food or other commodities or other services in exchange for their work.

We will look more closely at production and distribution in the next two Questions.

Question 364

What are the production limitations of a straight barter system, and how can we improve upon it while still emphasizing individual control?

This was largely discussed as part of Answer 360, but the 'Black Book' offers some additional notes, updated to the conditions prevailing in June 2017, viz.: Due to local climate and soil conditions, multiple individuals producing food in the same locality are likely to produce similar foods, so there's not always that much to trade. In order to obtain foods or other commodities produced a large distance away, it often would be necessary either to travel to every such place with one's own goods to trade (highly impractical, especially if you specialize in growing pumpkins), or else to give some of your goods in advance to a broker who travels back and forth and gives you a little bit of everything each time that he swings by (potentially doable, but it is unlikely that the broker would have everything that you want, including all foods, appliances, clothes, tools, furniture, cars, etc.). We now have the technology widely available for online ordering, but the system probably would not work very well if all that you had to offer in payment were physical commodities like pumpkins, or personal services like massaging.

Further, as discussed in Answer 360, we theoretically could allow individual propertyholders (we don't get to call them 'property owners' anymore) to decide for themselves what agricultural commodities they wish to produce, but that approach would lead to an inefficient market, and likely shortages in certain popular commodities. Better to have a central agency at least tracking the goods which are being produced, so that growers can make strategic decisions without needing to work for entire seasons growing certain crops and then finding out through trial-and-error whether or not their crops will yield a price which exceeds the cost of production.

We do not approve of the practice of paying people to refrain from growing certain commodities, because that would create an incentive for people to perform no work at all, which would be economically illogical. Even if we have an overabundance of corn, and if you still want to raise corn and try to sell it, knowing that your sales price would need to be very low if you could successfully get anyone to buy at all, then that's on you. What we do want to do is to provide you with the information which you will need to make good strategic decisions for yourself, especially to emphasize the production of commodities which are currently in shorter supply.

Agricultural commodities therefore should belong to individual growers and not The State (as previously described), to be sold to other entities for their fair market value (if The State were to attempt to purchase the crops for direct distribution, then it probably would screw up the price calculation, due to insufficient information on current demand, so better to leave it open to the free market), but growers should report all their sales to the applicable governmental agencies, so that they can track production on a season-to-season basis for each commodity, and then report that information back to the growers for future strategic planning.

Same goes for any non-agricultural commodities, and for any personal services such as massaging or legal counseling: We would like to know on an ongoing basis how many aggregate hours are being invested in different kinds of professional services, and how those aggregate levels are either rising or falling or cycling on a year-to-year basis, so that potential service providers can have a better idea of which

professions have the greatest needs, before they waste their resources on education and training for professions which already have an overabundance of practitioners.

Now, we cannot very easily force growers and service providers to report their economic output if they don't want to, and it currently happens that a lot of personal services (prostitution being a key example) are being provided without any governmental reporting, but maybe we can somehow work it into the economic infrastructure that bills are submitted to the central agency instead of directly to the clients, and then the clients pay the bills through the central agency, which then would be able to keep track of how much money everybody has, as well as the quantities of all commodities produced and services provided. This could replace the current system, where private funds are held in banks, and exchanged among individuals through the issuance of paper checks.

Whether we do anything like this or not, growers and service providers would still have the practical option to keep their economic output partly or completely secret. We can talk about the 'honor system', but we can't really depend upon it, because (as discussed in Answer 17) we expect that some people will always try to take unfair advantage of the socioeconomic structure, no matter how fair and equitable it ever is. However, we hope that all such would-be non-reporters would realize that it is to their economic advantage to have reliable advance information available on recent economic production, and that our information is only as reliable as the sum of our individual reports: The more that people refrain from reporting their production accurately, the more unreliable our aggregate reporting will be, and the more likely it will be that individual growers and service providers will make strategic decisions which will work to their own economic disadvantage. It therefore is in everybody's economic interest to report their output figures accurately, neither inflating them nor deflating them for any reason.

For, if you deflate your quantities, then everybody else thinks that we are producing less of your crop than we actually are, and so they will move into your market, increasing the aggregate quantity, lowering demand, and reducing the unit prices which you can get on your crop. Conversely, if you inflate your quantities, then everybody will think that the unit prices are lower than they actually are, so you will not be able to command the unit prices from other customers that you previously did.

Question 365

What is a more efficient method of distributing all produce everywhere, so that everybody everywhere has their choice of stuff to get?

This is a very big current problem, because we have heard for many years about agricultural commodities needing to be dumped into harbors because they could not reach market before spoiling. The phenomenon was referenced in the 1970 Moody Blues song "How Is It We Are Here?", viz.: "While a starving frightened world / Fills the sea with grain."

There are two basic aspects of the problem to be considered: One is the physical infrastructure needed to connect people with resources. The other is the economic infrastructure which will provide incentives for people and governments to make it happen.

Again, fortunately, a lot of the physical infrastructure is already in place. We have many roads and trucks and harbors and ships and warehouses which allow food and other physical commodities to be moved from growers to processors and then to retailers and then to consumers. There are certain regions of the world which are too densely populated to allow new roads and plants and warehouses to be built even if the economic incentives were in place, so those regions will need to consider strategies for population mitigation and/or redistribution, because otherwise they're simply getting in their own way, and we can't do anything about that.

Once those population solutions happen, the applicable national governments will need to invest in physical infrastructure as other nations have done, or else they will need to acknowledge that they are not economically independent enough to retain their positions as sovereign nations, and they will need to consider mergers with other nations, same as corporations need to do in America when they once become unsuccessful enough.

In any case, here in America (being the central focus of this particular project), we do already have extensive mechanisms in place for getting agricultural commodities from the growers to the plants where they can be processed and packaged, and from there to the stores where people can buy them, so lack of physical infrastructure is not the reason why we still have hungry people in America.

We therefore need to be looking more closely at our economic infrastructure. Among the various improvement options which may be available to us, one possibility is to allow government to purchase commodities at cut-rate prices for direct distribution if growers cannot get the prices which they are demanding from the private sector, and then to provide those foods to our hungrier populations at little or no price, possibly in exchange for work performed. Once there is no more hunger in America, we may be able to ship any excess food to other nations, but we will need to consider the prospect of spoilage and the extra costs needed to keep food in good condition during shipping, so again part of the solution may be to ship people over here instead of food over there. For, if we actually do have so much food over here that we do not actually need so much of our land to be devoted to agriculture, then maybe some of that land can/should be converted into living space for additional immigrants.

As long as we have obese people in America, and/or individuals who are credited with far more wealth than they could ever possibly spend for themselves and their immediate families, we cannot accept that we do not have enough food in this country. We therefore need either to accept/embrace the huge disparity between rich and poor in this country, or else to relieve it at least to some partial degree.

Our SIG's position is that we should not be accepting (let alone embracing) the huge disparity between rich and poor, because that would violate one of our basic axiomatic attributes of a good/healthy economy (cf. Answer 358), and we want our economy to be good/healthy (cf. Answer 355), so we therefore need to do something about the disparity problem.

We can attack the problem from two directions: We can make the rich a little less rich, or we can make the poor a little less poor, or perhaps both concurrently.

On the 'rich' end, we do want individuals and their families to be able to enjoy a higher standard of living if they have worked and/or invested toward the improvement of our aggregate economic output, because otherwise the motivation

for such work/investment will decrease (cf. Answer 360), as will the total amount of such work/investment, and with it our overall economic health. However, at some point it becomes economically illogical to allow individuals to accumulate additional wealth without limit, because that takes too much away from the people whom that work/investment was intended to serve (cf. Answer 358 again), so we will need some mechanism to 'tax the rich' in such a way that their wealth does not get too high relative to that of the people whom they are supposed to be serving. We will examine these possibilities more closely in Section II-C.

On the 'poor' end, we can use the additional financing coming from increased taxation of the super-rich to build more centers where poorer people can get more meals and a decent place to sleep and bathe until they can more completely get their own personal acts together, as described in Subsubsection I-D-1-h.

However, another factor which we have identified as attending a good/healthy economy is that people should have incentives to improve their standards of living by working for it, so we should not be seeking in these centers to provide all the food and all the other comforts of life which anyone could ever possibly want. We can get them the basics for survival, enough to at least keep them off the streets, so that they are not intimidating or otherwise disturbing innocent pedestrians, but there should be opportunities to improve their standards of living through work.

These orientation centers therefore should include offices for employment referral, which should emphasize the industries of agriculture, infrastructure, and transportation: If you are working at a place which grows or packages or transports foods, then you should be able to take a little extra home with you each night, in addition to your nominal salary. If you are working on highway construction/maintenance, or construction/maintenance of orientation centers, or other improvements to our distribution infrastructure, then you should receive a salary which is substantial enough to provide for you a standard of living which is significantly higher than what you would enjoy if you were simply accepting bread and soup at the orientation centers.

The places where these various jobs exist should have facilities nearby where workers can rest and sleep between working days, so in that sense we are moving more people to where the food is, instead of concentrating all the poor people in the urban population centers and trying to get a sufficient quantity of food there to feed the multitudes.

Government agencies should exist to make sure that this stuff all happens, but okay to outsource the day-to-day operations to private companies if that appears more net-effective at any given time and place.

Question 366

Wouldn't a single distribution network have the ability to control prices as they liked?

Yes, which is why the network of orientation centers should be a supplemental program only, where excess foods go which the growers can't sell for their preferred prices, or which do get sold to regular markets but which sit around for a certain period of time without getting sold to regular consumers.

Primary method of distribution still is in the transport of large quantities of agricultural products from growers to processing plants in exchange for a valuable

consideration, and then the sale of the processed-and-packaged foods to private consumer markets for another valuable consideration, and then the sale of the processed-and-packaged foods to end-consumers for another valuable consideration. The individuals who are able and willing to pay the higher prices should have first choice of products and freshness, with the excess foods getting sold for lower prices -- or given away for free -- if they have been passed over by the richer consumers but before they have had a chance to completely spoil.

Question 367

But, where does the local dropoff center of the chosen network get the power to issue credit?

As the 'black book' says, this is where we need to introduce the concept of money as the 'medium of exchange'. We cannot reasonably expect an individual to buy a car with only pumpkins, so he needs first to exchange his pumpkins for a certain amount of credit, and then use that credit to buy his car.

Credit therefore comes from having previously produced some commodity or provided some service, such that it can be used later to purchase other goods and services when desired.

Question 368

How shall we keep the aggregate amount of credit stable?

If we were to allow growers and other employers to issue new credit for themselves, at whatever rates they felt like, then they would designate wage rates which are arbitrarily or infinitely high, in order to attract the desired quality of labor, but then the value of such credit would be meaningless, and it would be no actual credit at all. It is important (and another axiomatic attribute of a good/healthy economy) that wages should be assessed at approximately the same level for the same type of work performed, and that prices should be assessed at approximately the same level for the same type of commodity produced.

Now, we could have all these rates set by some governmental agency, which has been attempted by different nations at different times, but that approach suffers from the fact that these third parties who are neither buyers nor sellers do not really have a solid basis of determining accurately what these prices should be, except possibly by reliance upon previous free-market mechanisms.

Besides, the price for each commodity or service will need to fluctuate over time, according to the changing levels of supply and demand. Government can maybe monitor and control supply, but can it monitor and control demand?

The most effective way of determining how intensely people want things is to see how much they are willing to pay for them, given a limited credit supply. This is especially true of computers and other electrical appliances which can become obsolescent over time with improving technologies, but it can also apply to certain agricultural products such as tobacco or lima beans, or certain mineral products such as gold or crude oil, if the market collectively finds that they are not as interested in the products as they once were.

Again, however, this approach works only if the aggregate amount of credit remains relatively stable, such that the amount of credit needed to buy a pumpkin today will also buy a pumpkin twenty years from now, if the supply and demand for pumpkins have remained relatively stable over that period of time. Same for any other product or service which can be expected to retain its extrinsic value over time. Individual wages and prices can and should fluctuate somewhat according to evolving supply and demand, but the aggregate amount of credit needs to remain relatively stable, so that the individual wages and prices can be allowed to find their true relative values, and so that we can avoid runaway hyper-inflation, which we have observed in other nations before (Germany in the 1920's being a key example, along with Mexico at nearly any point in its history), and which we continue to observe to some extent in America even today.

The total amount of credit can rise if the population rises and more services therefore are being performed, and/or if there are more goods being produced, and/or if the quality of the goods is going up, but it should not rise beyond a proper proportional level: If the total amount of credit is ever allowed to exceed that proper proportional level, then we have an environment of inflation, where a given quantity of credit has decreasing purchasing power over time, as we see even today in America, where pennies used to have meaning and buy things, but now homeless people will not even take the time to bend down and pick them up for free.

Another problem which exists in America today is that the decreasing value of the Dollar is making it difficult to process mortgages and annuities and insurance policies and other long-term debt instruments accurately, because such pricing depends on either the value of the Dollar remaining the same over time (which it currently is not), or else our being able to predict accurately what the value of the Dollar is going to be at each year of the contract (which has also proven to be non-trivial). If we want to be able to execute such long-term contracts going forward, with all parties to the contracts getting exactly what they deserve out of the transactions, no more and no less, then the purchasing power of your basic unit of credit should remain relatively stable over time, meaning that the aggregate amount of credit should increase by only a proper proportional level.

To return to the original language of the Question, there are two basic approaches for keeping the credit supply stable: One is to try to assess what the aggregate quantity should be, based upon current population levels, agricultural supplies, housing inventories, and quantities of any modern conveniences. However, with these rates and quantities and technologies continually evolving, it may be non-trivial for 'The State' to figure out the right formula to apply at any given time.

Other basic approach is to focus on those commodities and services which can be expected to be desired by all people of all wealth levels at all times of history, and to try to keep those rates stable, allowing the aggregate level to do whatever it will, as long as the purchasing power of the base unit remains relatively stable.

This is what the Consumer Price Index (CPI) seeks to do, but of course we have allowed it to increase over time, so either there's something wrong with the formula, or else the formula is right but we are messing up the management of the factor in some other way, so we should look at that more closely.

The 1965 book "Preface to Econometrics" (by Michael J. Brennan, professor of economics at Brown University) does not mention the CPI, which was invented later, so we looked online for additional background.

We started our online research with Wikipedia, even though we realize that the source is not completely reliable. As of our inspection in June 2017, the article got into very heavy statistical terminology which most ordinary adults (and even some professional mathematicians) would not be able to understand, so we will need a simpler standard for this reason alone.

We noted with interest, however, that insurance and other financial services may be included in the CPI, which initially seems counter-intuitive to us, because we thought from the name of the index that we were talking about consumption, not about financial investments.

The article did mention in fairly simple language that different price variations are weighted according to different formulas which may be somewhat arbitrary.

America apparently uses several CPI's. The weighting factors for CPI-U (urban consumers) and CPI-W (urban wage earners and clerical workers) are held constant for 24 months, and updated in January of even-numbered years. The weights for C-CPI-U (chained CPI for urban consumers) are updated monthly, but produces indices which are 0.25-0.30 percentage points lower than standard CPI measurements.

We have a major disagreement with the Wikipedia assertion that "Everyone agrees that repairs and maintenance expenditure of owner-occupied dwellings should be covered in a Consumer Price Index...". We find that this factor can vary too widely according to both material availability and the average urgency of the desired repairs. The amount which I may spend on fixing my air-conditioning may depend not only on the price of the repair but also on my current funds availability, so it is not a valid factor to tell us how prices are moving generally. It may also depend on evolving technologies. Besides, from an accounting standpoint, such 'leasehold improvements' are actually assets which get depreciated over a long period of time (usually 15 years), so again they do not tell us very much about current consumption.

Rent is another factor which varies too much over time to be useful in a Consumer Price Index, based on changes in housing inventories and population distributions. Fuel costs also vary according to shifting demands resulting from improved technologies. Health-care costs depend directly upon the success of any governmental efforts to regulate prices for what is an effective monopoly, because when you need to have a gangrenous appendix removed you don't have a whole lot of time available for comparison shopping, and besides your insurance plan might not even allow it.

Everyone has to eat, though, and you are going to need to eat a certain amount of food each day, regardless of how much available funding you have, and regardless of what is happening with industrial technology and other areas of our economy. In order to have a more reliable 'apples-to-apples' comparison of price environments at different times within a given region, better to rely on only those factors which remain relatively constant over time.

It seems to us that the only really reliable factor is food, because the amount required to feed the average person in a minimally-healthy manner remains nearly constant over time, whereas everything else appears subject to very wide variations.

We therefore are inclined to define the Dollar as the 'amount needed to feed one person in a reasonably-balanced manner for one day'. Thus, if you are earning at least a dollar per day, then at least you will be eating, and hopefully living to work another day. Of course, if you want more food or better food, or if you want the food to be prepared freshly for you and brought to your table by a server, then you would be expected to pay more than the base rate. You also would need additional dollars if you would like to have shelter and clothing and transportation and other human amenities.

By contrast, a certain radio advertisement from 2017 for the Salvation Army asserted that a \$100 contribution would feed a family of 4 for 3 days, so the then-current Dollar would have had only 12% of the purchasing power which we feel that it nominally should.

As an alternative, if it turns out to be too economically traumatic to transition to that definition from our current environment, then the rate for one day of minimal eating by one individual could be expressed in terms of a set number of dollars, maybe 10, maybe 100, or maybe as little as 1, to be determined. However, we hope that we will be able to retain the singularity of one Dollar feeding one person for one day. That way, when you decide that you are willing to pay 50 Dollars for a single restaurant meal, you will be easily aware that you are spending enough to feed 50 individuals for an entire day, and therefore that maybe you want to be a little more charitable in your expenditures. If any level of arithmetic division becomes necessary, then we will lose a good portion of our audience, so best to keep it as simple as we practically can.

However, revaluing currency may not be seen as worthwhile for that reason alone. We therefore also considered the fact that it is becoming less and less cost-effective to mint pennies, and that pennies were beginning to become so valueless that even homeless people would refuse to take the time to pick them up from the ground; however, if we phase out all physical currency as suggested in Answer 375, then this argument ceases to be available as a reason to revalue our base currency unit. We therefore also wanted to look at how the economy has tended to perform when Dollars were worth more versus when they were worth less.

We therefore constructed a table of per-capita GDP during the years when we tracked the CPI, and adjusted the annual GDP figures accordingly. Apart from a slight spike at the end of World War II and a slight dip immediately afterward, the data showed a gradual rise from 1950 to the present date, indicating either that the deflating Dollar directly facilitated our economic growth over that period, or else that it did not interfere with the growth resulting from improvements in technology. This means that we will not be able to use this information to help find an ideal value for the USD.

We therefore rest with our previous ideal definition that a Dollar should be able to feed one person on a minimally-decent level for one day, again so that it will be mathematically easy for ordinary people to apply that standard when considering how much they should consider paying for this product or that service.

Question 369

Shall one aggregate credit amount be determined for the entire world, or shall separate amounts be determined for individual nations, or some third thing?

We certainly are tempted to consider actively a harmonization of all national economies into a single global structure, and that may possibly end up needing to happen someday. For the present, however, we are continuing to advocate keeping the systems separate, for multiple reasons:

(1) It appears on the face to violate our core principle (cf. Answer 19) that we generally should not have a one-world government, except insofar as we need it for the management of certain issues (such as Peace Enforcement) which history has shown cannot be adequately managed by the collection of nations operating independently.

(2) Conditions are too far disparate in different nations (especially when they are located on different continents) for the same index formulas to apply equally everywhere. For a simple example, if it were to be decided that the average price of sandwiches at Burger King should be a factor in helping to assess our aggregate food pricing, then we could not apply it in all areas of the world, because not all areas of the world yet have any Burger King outlets, let alone enough of them to have a significant impact on the overall index in each locality.

(3) If we ever once go there, and decide for any reason that it's not working out, then it would be non-trivial and potentially problematic to try to reverse the decision. The United Kingdom has attempted to 'Brexit' from the Euro, and even the dialogue on the topic has caused significant disruptions in economic management within Europe.

(4) It probably would simply be easier to collect price information solely from within a given nation, and then to control the aggregate credit supply accordingly within that nation alone, than to try to do so for the entire world.

(5) We already have major vulnerabilities in our accounting systems from 'ransomware' and other types of computer viruses which are propagated by sociopathic individuals who get no pleasure out of life other than by demonstrating to themselves that they have the technical power to make life difficult for others. If we keep the systems separate, then at least some areas of the world can continue to operate if others get infected. If we were to place all our electronic eggs in one basket, then the entire world could be hit at once, and we do not care to contemplate the possibility any further than that.

We can see carrying some continental currencies like the Euro, especially for regions each containing a lot of small nations grouped together in a small geographic space, such that there might be a lot of travel and tourism and trade within such a region which would be much more difficult if each constituent small nation had its own currency. In any case, however, larger nations like America probably are better off with their own national currencies and credit measurements.

Question 370

Given that we will not attempt to carry a single currency for the entire world, should there still be such a thing as an International Monetary Fund, and if so then why?

According to the 1985 book "Principles of Economics" (by Thomas J. Hailstones, professor of economics at Xavier University in Cincinnati), the International Monetary Fund (IMF) was established in 1944 "in an attempt to stabilize exchange rates"

following the "demise of the gold standard in the 1930s", and "to provide temporary assistance to nations with deficit balances of payments."

It is in the interest of each nation or region using a given currency to keep the nominal purchasing power of its base currency unit as stable as it practically can, so that all producers and consumers and financial institutions and governmental agencies will know exactly what they currently have to work with, and what they are likely to have to work with if they once proceed with this or that financial transaction. If all nation/regions successfully keep their currency values stable, then exchange rates would also remain relatively stable, and so stabilization of exchange rates would not be a reason to maintain an IMF.

Besides, even if an IMF were maintained for this purpose, then not only would it appear to violate our Answer 369 that different nations/regions should have their own currencies without creating a one-world economic structure, but it also would appear to falsify the value of the currency unit of any nation/region which 'borrows' from the Fund, especially if the advance is never repaid.

We generally can see needing more affluent nations to help less affluent nations along from time to time, especially if the latter have recently suffered large natural catastrophes, or were excessively victimized by external military attack before the international community successfully intervened. Except for very short-term needs resulting from disasters which were not really their fault, most such assistance should be less oriented toward retail consumption, and more oriented toward infrastructure investment, to develop the means for the affected nations to increase their own agricultural outputs, and to facilitate the distribution of agricultural products from producers to consumers.

If a given nation's needs are so chronic that they are continually dependent upon other nations for their ongoing livelihood, then it probably should not continue to be recognized by the prevailing 'international oversight organization' as an independent nation, and its territory probably should be reassigned to one or more neighboring nations who have the political and administrative and economic systems in place to make more efficient use of that country's economic potential.

OK therefore to have an insurance-type fund available for short-term disaster relief, and to charge premiums to different nations according to their respective economic power. OK also to have a separate fund available for longer-term financial advances such as for infrastructure improvements, with the understanding that any such advances are eventually to be repaid to the fund when the improvements have once yielded their economic increases.

Any nation which needs any further aid -- or which defaults on its loans from the international fund -- should be considered for dissolution by the international oversight organization.

Question 371

Which agency of the American government shall monitor and control the credit supply for America?

Notwithstanding our original statement in Answer 137 that one of the nine departments in the federal Executive Branch should be 'Treasury', we are now disliking that term, partly because it incorrectly implies that we have one or more

physical vaults containing all our physical wealth (which might have been the case under the gold standard, but not in our current or model economic environment), and largely because it does not sufficiently describe everything which is going on in that agency. Therefore preferring the term 'Finance'.

We had a bureau set up for 'Currency & Banking', but we may or may not end up with a Banking function similar to what we have had in the past, so now thinking it better to just call it 'Currency', with the primary mission to monitor and control the aggregate amount of credit available for circulation within the nation, in such a way that the amount of credit needed to provide a minimally-reasonable quantity and variety of food for one individual remains relatively constant.

The Budget Office of the Administrative Services Department will use information obtained from the Currency Bureau to help determine how much credit it has available each year to pay for any services or entitlements or other expenditures on behalf of the federal government.

Question 372

By what mechanism shall the relative value of a good or service be determined?

As previously discussed, best to have a finite-but-flexible supply of credit, so that both individuals and governments are motivated to conserve, and so that the price of that most basic of economic necessities (i.e., feeding an individual human for a day) remains relatively stable, and so that the evolving values of all other goods and services can find their true values relative to that standard.

Question 373

Given that many goods (particularly food items) are consumed shortly after production, and also given that a large part of the economy comprises human services which cost nothing other than time to provide, shall the total credit amount be a fixed figure, or shall it fluctuate with population, or shall it fluctuate with the total amount of material wealth currently in existence, or shall some other means be used to determine it?

This also has been addressed above: Total amount shall be allowed to fluctuate in such a way that the price of feeding an individual for a day remains relatively stable. Different factors can cause the total amount of credit to rise and fall, including population levels, agricultural variations, consumption rates, government spending, taxation, natural disasters, foreign aid, infrastructure investment, etc.

It is not important that we try to maintain a money supply of exactly 1 Trillion Dollars, or exactly 5 Trillion Dollars, or exactly 100 Dollars per person, or any other exact figure. What is important is that the nominal purchasing power of our base currency unit remains relatively stable and predictable over time.

Question 374

However we determine the aggregate amount of credit, how shall it be initially apportioned among the different segments of the economy?

It may be tempting to redistribute the wealth of all existing individuals and corporations to the current averages, and then let them go to work, and then see

where they end up under our new economic model. However, we do not actually wish to do that, because that would bring our economy to a complete halt, and unjustly penalize both individuals and corporations who really have made significant contributions of effort to our society.

Conversely, we do recognize that many individuals (and possibly some corporations) have more wealth currently than they actually deserve, as a result of tax breaks and other 'gamings' of the system, and that in some cases even those who have exactly what they deserve still could not possibly spend it all within their lifetimes or even the lifetimes of their kids and grandkids.

On the other hand, we don't want to spend a whole lot of time trying to make subjective judgments about how much each individual deserves to have, for the same reasons that we don't want to try to evaluate the production potential and consumption needs of individual households under a Socio-Communist system, being that it would be an unproductive usage of time, and that we probably wouldn't have the analytical skills and collective patience to get it right anyway.

Instead, best to consider that one of our axiomatic factors of a good-or-healthy economy is a non-excessive disparity between rich and poor, and that one of the ways by which we achieve that goal is to make the rich less rich, even if they truly deserved all of their riches, which again we feel is unlikely, because it is hard to accept that people truly deserve all their riches if their hoarding is causing massive hunger and poverty.

Therefore, insofar as we need any additional amount of credit in circulation in order to stabilize our base currency unit, and/or for transitional goals of feeding/educating our poor and improving our infrastructure, we should be taking first from those who have the most, so that the fiscal distance between the richest person and the poorest person will be shortened. Specifically, we should tax from the richest individual/corporation until his/its total wealth reduces to that of the second-richest individual/corporation, and then we tax them equally until their totals reach that of the third-richest individual/corporation, etc. If we were instead to tax the top N individuals/corporations proportionately, then the total wealth of the richest individual/corporation would reduce by a much smaller amount, so the disparity between rich and poor would similarly reduce by less, so that would be an inferior approach.

One argument against this approach is that the rich do not deserve to have any of their wealth taken away just to help the poor; to that we counter-argue that the rich did not deserve all that wealth to start with. Another argument against this approach is that giving dollars away to the poor tends to encourage laziness; our answer is that we can institute measures which inhibit benefits for able-bodied non-elderly adults who are provided with paying work but who refuse to perform it, but that we have a moral obligation to take care of our elderly and orphans and sick and disabled, or else we have no business going around the rest of the world telling everyone how morally superior we are, and that they therefore should adopt all our political and economic practices.

This approach means that we will need to maintain a public record of the total net wealth (that's Assets-minus-Liabilities) of each individual and corporation claiming domicile within this nation. We hear some such figures quoted through various sources (including Forbes and Fortune), but these are often based on tax returns upon which we may not be able to rely completely. Besides, if we start taxing on the basis of net wealth, then a lot of those folks will have a stronger motivation than

ever to try to shelter some of their assets from public declaration, so we will need a separate system which does not depend on truthful declaration by the subjects.

Again, we don't want to be excessive in our attacks upon private bank accounts, generally because doing anything to excess is unfair by definition, and specifically because we don't want elected officials feeling free to spend as much as they like with the knowledge that the super-rich will pay for it all. We still want some constraints on our spending, if not for the sake of fairness to the super-rich (who still have some inherent rights, don't they?), then at least in furtherance of our other axiom, that we should work for sustainability in our aggregate consumption patterns. Super-rich individuals therefore have a motivation to provide financial support to those candidates who if elected will work sincerely to limit government spending while still providing a minimal obligation of care to the poor.

Question 375

Once we decide how we are allocating credit, shall some portion of it (or all of it) be distributed in the form of physical currency?

We are intensely tempted to aim for that 'cashless society' that we have been hearing about since the 1960's, and we easily envision having a government agency basically serving as an omnibus bank, keeping track automatically of everyone's incomes (including from gambling) and expenditures (including for prostitution) and tax contributions and long-term debts, and utilizing fingerprints or face-recognition technology in order to improve security over our current debit cards with PIN's.

Adding to the temptation is that getting out of cash would make it much harder to engage in bribery, blackmail, mugging, street begging, counterfeiting, and other illicit transactions.

Also adding to the temptation is that getting rid of cash would discourage tipping, which no one liked who attended Session 204, on the grounds that you have agreed to purchase some product or service at a certain advertised rate, and then someone comes along and asks you for more money, and that screws everything up, whether you agree to the request or not.

However, there are some tipping opportunities which we may want to retain, including for club dancers who will provide you with a better experience if you once tempt them with a sufficient number of bills.

Buying concessions from walking purveyors at the ballpark would also be more difficult without cash, but not impossible.

Basically, if you're going into some venue like a stadium or a dance club where you are going to want to provide variable amounts of compensation for spot sales or services, then you should be able to purchase vouchers from that venue upon entry, provide the individual purveyors with whatever numbers of vouchers you agree to, and then they can cash them in with their employers at the end of their workdays. Meanwhile, you get refunded when you leave the place for any vouchers which you don't use, possibly minus a transaction fee for their trouble.

With that condition, we are tentatively concluding -- pending cogent counterargument from individuals not currently in attendance -- that a cashless society actually would be net-beneficial for us, so we do want to be phasing out our

physical currency, once we have all the infrastructures in place for automatic recording of all sales transactions everywhere.

Added in May 2019: Until we completely phase out physical currency, we are recommending to dump Andrew Jackson from the \$20 bill. Even though he distinguished himself as a military commander during the War of 1812, and later as President, we have learned more in recent years about his mistreatment of local populations, so as with Columbus we really should be backing off of our historical veneration of him. We didn't learn until after we reached this decision that a movement had already been underway to replace Jackson with abolitionist leader Harriet Tubman, and that the rollout for the new bill was being delayed by the Treasury Department for questionable reasons; we certainly concur now that Tubman would be a fine replacement for Jackson.

Question 376

If some or all of the credit amount is funded by a physical money supply, then some of the money will tend to get lost, worn away, or destroyed: How shall it be replaced, so that the aggregate money supply remains stable?

N/A if we do away with cash.

Until we actually do it, though, we can treat any cash withdrawal from a private bank as an unreported expense, and apply any sales-tax rate directly to it. Conversely, we can also provide sales-tax credit upon any cash deposit. Then, if any currency erodes or is lost/destroyed, then there would be no accounting effect, because we have already written it off as an end-consumer expense, and not tracking it as part of our aggregate credit supply, which will be used indirectly to determine our government spending and tax rates and price observations and other economic indicators.

Question 377

Shall banks be owned and operated by a governmental entity, or by private interests?

We are very tempted to nationalize all banks into a single Federal agency, but there are both upsides and downsides.

Upsides include:

- that citizens would not need to generate profits through account fees and loan interest, for something which is an essential civil function;
- that we could process tax contributions, student-loan repayments, and other required transactions directly, instead of waiting for some private bank to agree to do it; and,
- that we could exercise direct authority over interest rates and loan inventories, instead of leaving it up to the private sector, which basically operates as a collusive monopoly which has a financial interest in maintaining a nation of net-debtors.

Downsides include:

- that citizens would have no option if they can't get a loan from the Fed, or can get a loan but don't like the interest rate;
- that it would create additional work for government when we are trying to reduce our public workload; and,
- that a single network would be too vulnerable to computer hacking.

We do want to maintain an ongoing governmental record of the net wealth of each individual, so that we can see who needs to have their wealth taxed* [*Senator Elizabeth Warren tweeted on 24-Jan-2019 that she was "proposing something brand-new" in introducing a 'wealth tax' on the richest individuals, but we mentioned the concept in our Report #45, published in the August 2017 issue of the L.A. Mensa newsletter] in order to supplement whatever we can get from property and sales taxes (although only the top N individuals would need to be revealed to the public, where N may vary with time and economic evolution and collective attitude). However, it may not be necessary to combine all private banks into a single public entity in order to do this: As long as each account held in a private bank is associated with a particular individual or corporation (including estates and any other entities carrying either a Social Security Number (or equivalent), which everyone should need to have in order to open a bank account), and as long as all those bank balances are continually uploaded to the central authority (which must continually consolidate the balances of all accounts pertaining to the same individual, then we can leave that system basically as it is, in order to reduce governmental work, facilitate the transition to our new model, and provide citizens with choices.

We originally thought to include corporations among the set of subjects of a possible 'wealth tax', but after some reflection we decided against doing so. Four main reasons why: First, to include corporations in the same listing as individuals who own shares in them would constitute 'double-dipping'; if your economy consists of one corporation with \$1 million of net assets, and with one shareholder who has no other wealth, then the total wealth of that economy is still only \$1 million. Second, it might be tough enough for corporations to have to pay money to buy back shares from wealthy individuals who need to sell off their excess holdings in order to pay an extra tax bill, and we would not want to compound their misery by requiring them to liquidate their other assets. Third, imposing an extra tax on corporations would penalize middle-class shareholders, whereas the aim here is to reduce the disparity between rich and poor. Fourth, the goal of reducing the disparity between rich and poor requires that we compare individuals on an 'apples-to-apples' basis.

OK for the private banks to charge fees to cover the infrastructure of maintaining everyone's balances, the amounts and conditions of such fees to be left to the free market in order to maximize appropriateness.

But behold, another big thing which banks do is to provide loans to individuals and corporations: How do we want to deal with that?

First aspect of the question to consider is whether we still want to have loans at all. We are very tempted to say no, no more loans, earn your money through work and then live within your means. The Moderator lived that way for many years, and has personally concluded that it is a good way to mitigate spending. However, there are several legitimate and important functions which would be undesirably curtailed if we completely did away with debt: These include student and home loans for individuals, and equipment and inventory financing for businesses. In addition, we

have been speaking about providing assistance to individuals and regions in case of disaster, and generally about investing in infrastructure in order to improve a region's economic productivity, both of which functions also would be undesirably curtailed if we depended upon everybody paying for everything up front.

And then there's the whole concept of maintaining a public debt, which Hailstones claims to be an essential ingredient of a good-or-healthy economy, although we vigorously disagree. As much as we dislike the concept of a public debt, though (how can we legitimately expect/demand other people to live within their means if our own government is unable/unwilling to do so itself?), we suppose that we must yet at least allow for the theoretical possibility, because we don't want government payroll to be stopped, nor any other essential governmental operations curtailed, simply because we have temporarily run out of cash.

We therefore are continuing to allow individuals and corporations and governments to carry debt, pending cogent counterargument. How we collectively manage our debts is the subject of the next Question.

Question 378

Shall banks have sole authority to issue loans, or shall other private firms do it, shall government do it, or some combination?

As discussed extensively in the book "Thieves in the Temple" (by Andre Michael Eggelation, will finish reading when we get time), we dislike the fact that most banks are organized into a 'Federal Reserve System', which is managed by a 'Federal Reserve Board' comprising a few self-selected private individuals. These individuals act as a collusive monopoly to set interest rates according to what works best for them, instead of allowing the free market to decide interest rates according to evolving economic conditions.

However, we also don't want any governmental agency at any level to be in the business of issuing loans, because that would be another public function which maybe could be handled privately at least as effectively, and because it would involve the government making value judgments about what the money is wanted for, about the borrower's credit history, and about the borrower's expected propensity for paying the loan back. We probably would be either too stingy or too generous, so best to have these decisions made by entities who actually have a financial incentive to issue some loans in consideration of an appropriate interest rate, and also a financial incentive not to be reckless in their lending.

This leaves either banks or non-bank lenders or some combination.

We suppose that we could have private firms in place who are specifically in the business of lending money for an appropriate profit, with the understanding that they will be on the hook for paying the balances of any loans which are defaulted by the borrowers. Where would they get that kind of capital, though, if not from bank deposits? Well, private lenders have been in business since Shylock's time, and they can grow or fail like any other business, so it is a conceivable way to go, even in our modern environment. We would just need to be aware that lenders who agree to underwrite higher risks can be legitimately expected to charge higher interest rates in order to cover their higher defaults, so borrowers are advised to shop around, so that all lenders are motivated to remain competitive.

If we were to go entirely with non-bank lenders, then what would the banks do with all their deposits? Well, it must be remembered that -- in contrast to the non-bank lenders -- the money is not theirs, but instead belongs to the depositors. However, we suppose that a certain portion of it can be allocated to a reserve for issuing loans for profit, as a way of keeping themselves in business if deposit fees prove to be insufficient. If they do so, though, then the loans must be priced in such a way that the bank never runs out of cash and becomes insolvent, so any such activity on their part would need to be closely regulated by the Federal government, in order to make sure that all depositors who previously earned legitimate credit through work maintain that credit amount, one way or another.

Under these conditions, we are prepared to allow both banks and non-bank firms to issue loans to individuals and corporations.

Question 379

Given that the Federal government shall not be in the business of issuing loans, shall any agency of the Federal government have any say in determining interest rates?

As discussed in Answer 378, the Federal government (not the Federal Reserve Board) should be in a position to establish minimum and/or maximum interest rates which banks may charge to their borrowers, as a means of protecting the assets which belong to their depositors.

We generally do not want any regulation of interest rates charged by non-bank entities, who are putting up their own capital entirely. We recognize that we would like to prevent 'usury', i.e. the charging of excessive interest rates, but interest rates become excessive only when the free market says so. In a free market, anyone who charges an excessive interest rate will not get any business, and will be forced to lower rates in order to remain competitive.

The important thing is that we always have competition, which keeps all fees and interest rates at a reasonable and appropriate level, and which gives at least some people at least some alternatives.

Question 380

To recapitulate, what is the basic form of our preferred economic structure?

The basic elements of our model fall within five main categories, as follows:

Land Management

Our model system combines elements of Capitalism and Socialism, and is based principally on the premise that The Land does not belong to any Monarch or 'The State' or the Conquerors or the Laborers or the Capital Investors, nor even to Humanity collectively, but rather to all the creatures who live upon it, because we all contribute to the ecosystem in various ways, and therefore are stakeholders in it.

The Land rests in the primary custody of Humanity, being currently the most net-powerful species living upon it. We may (and do) by global agreement designate that custodies of specific portions of The Land are allocated for direct administration to certain 'nations' of people, who generally may do within their borders anything which does not adversely impact life or health or property outside those borders, and

who generally owe some manner of periodic payment to the global collective for the privilege of self-administration.

Nations may further parse their lands into 'provinces', 'districts', and other administrative subdivisions as they see fit, which subdivisions similarly owe a periodic payment of some kind to the higher levels in consideration of the privilege of direct administration. The lowest administrative division may lease specific tracts of land to individuals and/or corporations (calling them 'indcorps' collectively) in consideration of a periodic 'property tax'. Such 'indcorps' may be called 'property holders' accurately, but 'property owners' only loosely, because they actually are renting the land from the community.

Production and Distribution

Those 'indcorps' who control any tracts of land, and who possess the necessary skills and resources, should devote some/all of their land to agricultural and/or industrial production, in order to help provide food and other care for all Humanity. Such production should be monitored by national (and possibly global) authorities, with the totals reported back to the individual producers in order to help them with their strategic planning.

Producers may sell their crops and other products to willing buyers, in return for a compensation commensurate with the relative value of the product and the amount of effort required to create it. Products which are not purchased by independent buyers may be purchased by governments at cut-rate prices in order to provide supplemental care to the poorer populations.

Buyers (including governments) may sell elements of their purchases to other entities who will package and distribute the products as needed, until they finally reach markets where they may be purchased by individual consumers.

Currency

In order to obviate the transportation of large numbers of physical pumpkins whenever you wish to purchase some product or service, we allow you to earn credits in exchange for work, and then to use those credits to make your purchases. Credits may be created by nations or by geographically-affiliated groups of nations, but not by the global authority.

Issuing governments may decide whether to create and release new credit units on the basis of work or on the basis of existence, or in some combination, but in any case the aggregate supply of credit should be controlled in such a way that the relative purchasing power of each unit of credit remains approximately the same over time. Specifically, we are suggesting that each currency unit be defined in terms of how much it costs to provide a minimally-acceptable level of feeding for one person for one day, because the relative values of all other goods and services can change very drastically over time. In other words, it should always cost N 'flubbits' to feed a person for one day, where we generally prefer for simplicity that $N = 1$, but where N can be defined differently by different governments according to local conditions as needed.

Credit transfers shall be recorded electronically, such that the national government always knows exactly how much credit is retained by each 'indcorp' at each moment. Credits shall not be circulated in the form of physical currency, except that

entertainment venues may sell a certain number of vouchers for a certain number of credits to a customer upon entrance, after which the customer may pay vouchers to individual purveyors within the venue, and then cash in any remaining vouchers upon exit for a reasonable transaction fee, the paid vouchers being redeemable by the individual purveyors for electronic credit at the end of their workdays, and having no circulatory value after that.

Banking

Credit transfers shall be recorded by private banking organizations, who may charge fees to some/all of their depositors in order to remain in operation. All transactions shall be promptly and automatically uploaded to the national government, who will combine all account balances in order to track on an ongoing basis the net wealth of each 'indcorp'.

Banks may lend depositor funds, according to interest rates which are regulated by the national government in order to protect depositor assets. Non-bank entities may lend their private capital at interest rates which they decide according to market tolerance.

Taxation

The individuals who work for national and local governments deserve to be compensated for their time and effort, even if they are not directly producing any tangible goods. Their compensation can come in the form of new credit units if and only if the relative purchasing power of the base credit unit remains approximately the same. Insofar as new credit issuance would cause the purchasing power of the base credit unit to diminish, compensation to government workers should come by recycling the excess units previously issued to other 'indcorps'.

Such 'taxation' can come in multiple forms, to be examined more closely in Section II-C, but one backup measure that we envision is for any supplemental taxation to come from those who currently have the greatest net wealth. For, we do believe in the Capitalist principle that people should be able to benefit according to the amounts and relative values of their efforts and investments, so that we all have incentives to maximize our economic outputs, but we also believe in the Socialist principle that wealth should not be concentrated too heavily among a few individuals at the expense of the overall society. We therefore may need occasionally to 'tax the rich' in order to maintain societal functionality and currency stability, and also in order to help prevent the disparity between rich and poor to become so severe that it may someday result in new civil unrest.

SECTION II-B: GOVERNMENT SPENDING

We have established by this point that we need some degree of government, basically to protect everybody's rights and to provide a system to facilitate economic production and distribution. With that:

Question 381

Is it better for a larger portion of our collective resources to be devoted to government operations, or for government operations to require the minimum amount of resources; or, does it even matter?

This question is basically: Do we want big government or small government? Notes in the 'black book' of preliminary ideas from 20 years earlier were now found to be flawed, because they presupposed that we were going to find in favor of maximum Individual control over economic production and distribution, whereas we actually concluded that we should have a hybrid of Individual and State control.

It was noted in current discussion that big governments trying to control policy over wide areas would often lead to conflict with smaller governments who disagree with the larger policies, the issue of slavery being a big historical example.

Having larger governments would mean that individuals would not need to do as many things, including selection of health insurers. However, while some people like to have decisions made for them, others like to decide things for themselves. This probably will continue to be the case going forward, as it has gone in the past and present.

That being the apparent case, maybe the Answer to this Question (and generally an 'Answer to Everything') is that we should encourage Variety, and allow different cities and counties and states and nations to decide for themselves how big their governments are, and how much they will need in taxation to fund those operations. Then, people could move to other places where the size of the government is more to their liking, or else they could work with others to enact changes in their current governments if there is enough collective desire among the local populations to do so.

But, if we allow different governments to have different sizes and tax rates, then what if you want to travel to different areas? If a jurisdiction like Florida which depends on tourism wants to attract tourism, then they will be motivated to minimize their sales-tax rates, and therefore the size of their government.

But, what happens if you get sick or injured in a different jurisdiction which does not subsidize health care as much as they do in your home area? That's a more complex topic which probably will need to be addressed when we look more closely at health care later. However, for now, we are leaning toward having States decide their own levels of health coverage, and we therefore will need systems in place where someone who is universally covered in her State of residence continues to be covered while traveling in States which do not carry such coverage, because the State of residence will somehow reimburse the State where the care is provided.

When we took this Question up in our Session 207 in March 2017, we were not entirely sure that this is the correct Answer, but it was our best for the time, so sticking with it until we once find to the contrary later.

Question 382

For those jurisdictions which prefer smaller governments, what if the government is able to provide jobs for people who would otherwise find it a challenge to be gainfully employed?

Contrary to another note suggested by the 'black book' of preliminary ideas from 20 years earlier, some government jobs are actually worthwhile and important, including the monitoring of economic production for reporting back to growers and other producers. However, it appears to our observation that there are numerous

government jobs which are generally unproductive and wasteful, including particularly in the IRS.

If a given jurisdiction has a smaller government and higher unemployment, then unemployed and low-wage workers might be motivated to move to other jurisdictions where they can get steady work at higher wages, including within the government sector, which might cause a problem for the original jurisdiction. Answer to that problem is that growers and other private employers in the original jurisdiction would then be motivated to increase their wages in order to attract labor, whether a 'minimum wage' is in place or not.

Generally, agreed in discussion that we should not create government jobs simply for the purpose of providing employment, both because it's wasteful generally, and also because government could instead subsidize Education at community colleges as needed, to provide cross-training to make it easier for people to obtain good productive jobs.

Question 383

But, what about the economic theory which has it that continued government spending is good, to stimulate the economy?

We focused on the following paragraph appearing on p.299 of the Hailstones book referenced in Answer 370, viz.:

"A **deficit budget** exists when the government spends more than the amount it receives in taxes. A deficit budget will generally increase the level of economic activity or will be inflationary, depending upon the status of employment in the economy. If the government borrows idle funds or money created by banks, the total effective demand of the economy will be increased. The increase occurs because the total spending by the government is greater than the amount of spendable funds given up by firms and individuals through taxation. Therefore, the level of economic activity will increase if the economy is at less than full employment, and inflation will occur if the economy is at full employment. It is for this reason that a deficit budget is frequently referred to as a fiscal stimulus. The fiscal stimulus, however, will be offset to some extent if the government borrows funds that individuals and businesses might otherwise spend on consumption and investment."

The paragraph appears to claim that deficit spending will increase economic activity if we have unemployment, or will be inflationary if we have full employment. We find the premises leading up to the "Therefore" statement to be insufficiently supported, but more than anything else the conclusion is suspect by inspection of recent history, where deficit spending has allowed inflation even with unemployment.

We are not convinced that any artificial mechanisms are ever needed to stimulate the economy: People always need food, and most will want periodic replacement of their wardrobe because of erosion and/or changing fashions and/or body evolution. Those with more affluence will periodically want replacements and upgrades of their various items of equipment, and larger houses to accommodate their larger inventories and growing families. If we ever reach a point where everybody is happy with everything that they have, with only the slightest investment needed for ongoing agricultural production, then we should declare victory and be happy. Conversely, if -- as is

usually the case -- we have a situation where people tend to want significantly more than what they've got, then that simple fact is enough of a mechanism to stimulate higher employment and higher economic production and higher consumer spending.

If we ever have a situation where aggregate demands are unsatisfied because agricultural growers and/or other economic producers are allowing their lands to sit idle (presumably because they feel that they have enough 'stuff' already to hold them for the rest of their lives, and therefore don't feel like working anymore), then at some point the national government will need to exercise its right of 'eminent domain', and either compel them to produce at previous levels, or else seize their lands and auction them to whoever promises to make the best use of them. Such purchases may be financed by private lenders, on the condition of government-forced repayment of the loans off the top of new sales.

Question 384

How shall we determine what level of government spending is appropriate in any given period?

As established in Answer 381, different jurisdictions at different levels should be making and updating this decision on an ongoing basis. We experience continual changes in demographic distribution, technological advancement, economic production, and other factors which could influence the feelings of an individual voter or a collective jurisdiction as to how much the government should be spending on various programs.

We also have ample opportunities to observe what works and what doesn't work within other jurisdictions of the same bureaucratic levels, as well as within our own.

Each jurisdiction therefore should poll itself periodically, to see how much it collectively wants to spend on government operations, relative to recent levels, and then it would be the job of that jurisdiction's legislature to enact specific budgets to reflect those aggregate sentiments, and the job of that jurisdiction's executive branch to administer the budget as enacted.

Question 385

Are there any additional mechanisms or incentives which we can concoct to allow or encourage governments to regulate spending?

There are two phases of this Question to consider, being how to regulate the Budget and how to regulate spending relative to the Budget.

On the first element, if a Legislature could pass whatever budget it wanted, regardless of popular preference, then the poll recommended in Answer 384 would be useless, and the action of the Legislature would tend to increase the perception of disconnectedness between the Government and the Public, which would be a bad thing for the civil peace.

We therefore should have some kind of provision whereby the Legislature must budget within a certain range based upon the official poll, unless it has sufficient reason to budget outside of that range, the validity of which reasoning can be confirmed by achieving a sufficient supermajority on the Motion to Adopt.

Primary recommendation -- if only to make the concept more understandable by the general population, and therefore hopefully more acceptable to them -- is to allow a 10% variation on Income and a 10% variation on Expenses, relative to the most recent official poll of the local electorate, to be approved by a simple majority of the Legislature. A variance of 10-20% shall require a 3/5 majority, a variance of 20-30% shall require a 2/3 majority, a variance of 30-40% shall require a 3/4 majority, and more shall require 4/5. OK to modify the variance ranges and/or specific voting requirements according to more detailed analysis or actual experience, but the main idea is to make it harder to vary further from the expressed public preference, but still possible if the need is urgent enough.

On the second element, as with any large corporation, every Expense incurred by any government should be allocated to a particular 'cost center' (i.e., a bureaucratic unit of the organization which incurs expenses in the course of its operations), and each 'cost center' should be under the control of a particular manager. It then is each manager's responsibility to keep her expenses to within a particular percentage of the budgetary allocation, or else to explain any large variances, with her job being in jeopardy if the explanation is not satisfactory. A certain SIG attendee shared his experience from working in a large corporation that management typically requested explanations of any variances of more than 5%, so that seems like a good benchmark to apply to government, although individual jurisdictions may find from deeper analysis and/or actual experience that a different percentage threshold would be net-better for them.

As described in Section I-D, we feel that the United States Vice-President (as well as any corresponding official at a more local level) should be actively involved as a Chief Operating Officer, and act as a 'watchdog' to control spending in all areas of the Executive Branch. If she fails to do so to the satisfaction of the electorate, then she risks losing her current job and/or any prospects for future employment.

More specifically, we envision that the U.S. Vice-President should participate with the President and the entire Cabinet in a weekly meeting on Monday morning (primary suggestion is 0930, being late enough to have a leisurely breakfast but early enough to wrap up by lunch), and then spend each of the 9 remaining timeslots of the week (Tuesday-Friday mornings, Monday-Friday afternoons, latter probably starting at 1330 to allow time for lunch) in one-on-one meetings with the 9 department heads (probably best to do Foreign Relations on Monday afternoon, so that the department head can travel after the day of the Cabinet meeting if needed, Administration being best for Friday afternoon because it's mentally easiest), to focus not only on current issues concerning those departments, but also on how closely their spending is meeting their budgetary targets, and the reasons for any significant variances. If time permits (and a responsible VP would see that it does), each one-on-one session could be followed by a meeting with both the department head and all the bureau chiefs, who could present more specific reports to the VP on any current issues, and on how they are individually progressing with expense regulation. On a weekly basis (could be either after the Cabinet meeting or after the final one-on-one on Friday afternoon or some other time, depending on what appears to work best with experience), the VP should hold press conferences to update the Public on the state of the Government's expenses and other financial matters, and/or present that information on a Government website; probably best to do both, so that the Public can absorb the website material at their own convenience, and so that members of the Press can ask questions to clarify and/or challenge any results which are reported at a press conference.

But, if we allow any shortage in Expenses over ordinary Income to be covered by taxing the wealth of the richest 'indcorps', as suggested in Answer 374, then what is to prevent all non-rich citizens from voting for infinite Expenses in the official polls, so that all the excess can come from the super-rich? That would be a problem, so we cannot allow it, and so that's a third element of the Question to consider. It's one thing to ask/require the super-rich to fund any excess of legitimate Expenses over otherwise-available Incomes, on the premise that they have already diverted an excess of the World's wealth unto themselves, so we are just partly offsetting the excess in order to make the overall economy a little more equitable. However, if we go beyond that point, and take from the super-rich more than we really need, then our taxation of the super-rich would become excessive and therefore unfair.

We solve that problem by creating a counter-motivation for taxing the super-rich, so that people will tend to vote for it only when it is really needed, and not otherwise. Specifically, we make it part of the 'game plan' that any excess of Expenses over existing Income can only partly be funded by taxing the super-rich, and that the remainder must come from all the other 'indcorps' by increasing tax rates on other sources such as Property and Consumer Sales.

If more than a majority of the excess were fundable by excess taxation on the wealth of the super-rich, then people still might tend to vote in favor of such excess, so it probably should be only a minority at most. However, if the share were too small, then that would tend to obviate the value of that backup funding mechanism. Our intuitive feeling is that most appropriate would be a 30% share of any budgetary excess being fundable by direct taxation of the wealth of the super-rich, with the remaining 70% needing to come from ordinary citizens in the form of increased regular taxation. That is only a starting point, however, and can be modified through experience as appropriate.

This appears to cover the three main phases of appropriateness in public polling, budgetary enactment to reflect the public polling to the maximum practical extent, and actual government spending to match the budgetary targets as closely as practical.

We also approve of the supplemental suggestion offered in October 2017 from one of our newsletter readers, that once we get to a balanced-budget environment, the proponents of any new spending program (whether for finite-term construction or for permanent administration) must specify where the funding for the new program is to come from, whether by increasing revenue or by cutting other expenses or by some combination. Simple projections or estimates should not be considered sufficient, nor should borrowing either to increase our current debt or else to create a new debt after the old one is eventually paid off.

Question 386

Do we have room to reduce Federal spending from recent levels? If so, then where and how much?

As a starting point for consideration, we determined that we would like to review the Federal income-expense statement for the fiscal year most recently completed. We feel philosophically that such statement should be easily downloadable from the website of the General Accounting Office, so we went to see whether it is.

We found that the General Accounting Office has been renamed as the 'Government Accountability Office', now being charged (according to its own website of www.gao.gov) "with the auditing and evaluation of Government programs and activities". This is already a problem in our estimation, because we want for there to be an office whose mission is solely to acquire, ledger, and report all the correct and complete financial information pertaining to the Federal government, without subjective evaluation. The evaluation should be managed by a different Government agency, specifically the Office of Management and Budget in our recent structures. If the GAO is now less of an accounting agency and more of an auditing agency, then can we expect to find the recent financial statements there?

Main menu of the GAO website included a heading for "Reports & Testimonies", so we started there, but it appeared only to list a bunch of articles on diverse topics, with no obvious links to recent financial statements. Clicked on "Resources" in the main menu, then "For Researchers" (because the Harmony Research Group overseeing this project comprises researchers), then the tab for "Quick Links", but that listed only writeups of agency procedures and protocols. Tab for "GAO.gov Search Tips" was of little help. Typed "financial statements" in the search field, but that resulted only in links to various reports and articles on the subject matter, and not obviously (if at all) to the financial statements themselves.

Therefore abandoned the GAO website with great disappointment (but participated in a survey to express our disappointment), and performed a general Google search on the expression "united states government financial statements 2016". Top link took us to the 'Bureau of the Fiscal Service' under the Department of the Treasury. Again, probably not how we would organize things, but at least the links were there to download the latest financial statements. Report was in PDF format, and consumed 8.8 megabytes and 274 pages.

Our immediate goal in reviewing this report was to map the elements into the cost-center codes which we envision for the Federal Government going forward. After that, we felt that we could begin looking at the individual bureaus and offices as outlined in the upcoming Questions 387-411.

Generally, our overall objective in this section was to reduce Federal spending to at most our current level of income, because we hold that it is fiscally irresponsible to the stakeholders for any organization to deficit-spend indefinitely, and to borrow indefinitely to pay for this habit. The investors are without that capital during the term of the borrowing, they stand a chance of never recovering their investment if the organization becomes insolvent, and the stakeholders (the American taxpayers in this case) usually will be expected to pay a significant interest on the outstanding balance, which the Government will never be able to cover unless either it creates more currency (thereby deflating the purchasing power of the base currency unit, which according to Answer 368 would be bad), or else it lives under a surplus operating budget, and uses its (not it's) excess cash to reduce its (not it's) outstanding loan principal as well as simply covering new interest charges.

We therefore expect that we will want a significant surplus in our operating budget, but nobody wants to hear about new or increased taxes, so our main focus will be on reducing spending to at most our current income levels, and then we can see about opportunities for either increasing income and/or further decreasing expense.

Before beginning to actually examine the report, we thought it best to draft the cost-center codes into which the various expense elements of the report were to be mapped. The first digit of each code will correspond to the Branch of government:

- 1 - Executive
- 2 - Legislative
- 3 - Judicial

Each operating expense will go into one of these 3 categories, so that the ordinary citizen can see how much each Branch is costing, without needing to worry about any 'miscellaneous' transactions. However, there will be one further top-level category,

- 9 - Non-Operating

to include Depreciation, Debt Servicing, and any other charges which descend from the decisions made by previous governments (often involving both the Executive and Legislative Branches) and which therefore cannot be altered at the present point, so that no manager of any current cost-center need be held responsible for it.

For 3-Judicial, we thought that we might break things down for the second digit by the Federal circuit, since there happen to be 9 of them, or that maybe it would be better to structure things according to levels, with the Supreme Court being 1, and the next-highest level 2, etc., or that maybe we should somehow do both. For that, we figured that we should see how they currently break things down in the Federal financials, and decide from there whether any improvement is indicated.

For 2-Legislative, we know from Subsection I-E-1 that there shall be an office for the 'Custodian of Congress', who will manage all staff who work for Congress as a whole, so that office will be '20' in our list of cost-center codes, and then the Senate shall be '21', the House of Representatives shall be '22'. If we create a third house for area-based representation, as also recommended in Subsection I-E-1, then it shall have '23'. The next 3 digits for each house shall designate the federal number of the jurisdiction being represented. Within each 5-digit set, we might assign a 6th digit according to the class of position within each jurisdiction, '1' being for the actual representative, '2' for any traveling personal staff of the representative, '3' for any staff stationed in the representative's Capitol office, and '4' for any staff attached to the representative's field office(s). Database should allow comparison of expenses being incurred at each of the several 6th-degree levels, to see who is generally managing her jurisdiction most efficiently.

For 1-Executive, the second digit of '0' goes to the President and Vice-President and anyone else who works for the Executive Branch as a whole. The third digit of '1' goes to the President, and the third digit of '2' goes to the Vice-President, with additional third digits going to other offices as may be needed. Each 3-digit level can be organized similarly to the 5-digit levels in the Legislative Branch, but can allow for deeper subdivision if desired.

The other 9 second-level digits for the Executive Branch will go to the 9 federal Departments, using the order in which we would recommend having the Vice-President hold weekly meetings with them, the heavier and more serious ones generally coming earlier in the week when the mind is fresher, and the lighter and easier ones later in the week when everyone's a little more tired. Also wanting to

get potentially-related subjects next to each other, to make it easier for the Vice-President to transition between them. Our primary recommendation is:

- 1 - Foreign Affairs
- 2 - Defense
- 3 - Domestic Affairs
- 4 - Transportation
- 5 - Science
- 6 - Health & Safety
- 7 - Justice
- 8 - Finance
- 9 - Administration

We have proposed Bureaus in Section I-D for all these Departments, but we felt that we could wait until we reviewed the actual expense statement before we began assigning cost-center codes to that level.

Statements of Net Cost began on p.52 of the document as published, and on p.60 of the document as downloaded. The statement for the most recent fiscal year takes up about one page, and is directly followed by a listing for the same agencies in the preceding fiscal year, to make comparisons possible if a little cumbersome. Then, each year's listing is presented in descending order according to net cost, which we find to be a good thing.

They use a fiscal year ending September 30, but behold we are recommending for general ease that we adopt a fiscal year for everyone forever which is equal to the calendar year. If any organization has a 'holiday season' which surrounds calendar year-end, then all incomes and expenses related to that holiday should be accrued as needed to the year in which the actual holiday falls.

That all said, here is our initial mapping of the agencies listed in the most recent Statement of Net Cost:

- 16 - Department of Health and Human Services (HHS)
- 13 - Social Security Administration
- 12 - Department of Veterans Affairs
- 12 - Department of Defense
- 91 - Interest on Treasury Securities Held by the Public
- 13 - Department of Agriculture
- 18 - Department of the Treasury
- 14 - Department of Transportation
- 13 - Department of Education [although not appearing in our current Federal structure at all, because our model in Section I-D places Education at the County level -- still, any expenses related to the function at the national level should go somewhere, just in case they exist, so placing them here for now]
- 15 - Department of Energy [also not specified in our current model structure, but would go here if anywhere]
- 12 - Department of Homeland Security
- 13 - Department of Labor
- 17 - Department of Justice
- 12 - Defense Security Cooperation Agency
- 13 - Department of Housing and Urban Development (HUD)
- 11 - Department of State

- 15 - National Aeronautics and Space Administration
- 13 - Department of the Interior
- 11 - U.S. Agency for International Development
- 14 - Railroad Retirement Board
- 13 - Federal Communications Commission
- 13 - Department of Commerce
- 16 - Environmental Protection Agency
- 15 - National Science Foundation
- 13 - U.S. Postal Service
- 92 - Pension Benefit Guaranty Corporation
- 13 - Smithsonian Institution
- 11 - Millennium Challenge Corporation [foreign aid]
- 13 - Small Business Administration
- 16 - U.S. Nuclear Regulatory Commission
- 19 - General Services Administration
- 18 - Overseas Private Investment Corporation
- 18 - Securities and Exchange Commission
- 18 - Farm Credit System Insurance Corporation
- 18 - National Credit Union Administration
- 13 - Tennessee Valley Authority
- 18 - Export-Import Bank of the United States
- 19 - Office of Personnel Management
- 18 - Federal Deposit Insurance Corporation
- XX - All other entities [presumably including the Legislative and Judicial Branches, although this is not specified]

If we kept this mapping, here are the numbers of current agencies and the current expense dollars (in Billions) which would roll into each of the 9 currently-envisioned Departments of the Executive Branch:

1 - Foreign Affairs	3	41.0
2 - Defense	4	1,342.9
3 - Domestic Affairs	12	1,306.8
4 - Transportation	2	91.2
5 - Science	3	91.1
6 - Health & Safety	3	1,083.0
7 - Justice	1	37.1
8 - Finance	7	117.1
9 - Administration	2	(-8.3)
Non-Operating	2	277.7
<u>All Other</u>		<u>19.8</u>
TOTAL		4,404.4

This intuitively seems very disproportionate to us upon initial inspection. It seems that three Departments are assuming the vast bulk of the expense of the Executive Branch, so -- unless we cut their spending by about 90% each, which intuitively seems a bit drastic even for our libertarian tastes -- it would appear that the other groups of agencies might not deserve to remain as Cabinet-level Departments, and/or might not need weekly visits from the Vice-President in order to focus on expense mitigation. On the other hand, we don't want there to be only three Departments represented in the Cabinet, so we may need some further reorganization to accompany our expense-cutting, such that each of the nine Departments in the final structure bear an approximately-equal share of the overall expense of the Executive Branch.

According to the summary table on p.8 of the Financial Statement document as published (p.16 of the document as downloaded), the \$4.4044T of Net Cost compares with \$3.3453T of Revenues during fiscal 2016.

Also interesting to see that they factored in \$11.7B of additional income as resulting from "Unmatched Transactions and Balances", stemming from "such items as restatements and errors in federal agency reporting and unreconciled intragovernmental transactions and balances among agencies", so clearly whichever government office is currently in charge of the actual accounting function is doing an inferior job of it.

More specifically, because all automated accounting programs will not post any transaction unless the total of debits equals the total of credits, such that it is impossible for there to be any "Unmatched Transactions", either some of the tracking is performed manually on paper or Excel spreadsheets, or else different government agencies are using separate programs, such that when Bureau 1 posts a liability credit payable to Bureau 2, it is merely hoping that Bureau 2 will post a corresponding asset debit for the receivable, in the exact same amount. We understand about the potential security risk involved with having one single financial database for the entire Federal Government, yet we are not prepared to tolerate the possibilities of accounting mismatches adding up to as much as \$11.7B per fiscal year.

Furthermore, the discussion in Answer 364 suggested that all financial databases for everybody in the nation should be linked together anyway, in order to facilitate bill payments, loan payments, tax payments, and other transactions, so we had better get used to the idea of having everything linked together. It need not all be one single company file, because certainly that would take a long time to load on anybody's system, and if it ever crashes or otherwise gets compromised then it would suck for everybody. However, we imagine that we could find a way to have separate databases which are linked together, same as banks currently do for linked deposit accounts, so that any transaction which affects more than one entity will still reflect immediately and automatically in the databases of all the affected entities. Until we can make that happen on a nationwide (or possibly even worldwide) basis, better at least make that happen within the Federal Government, forthwith.

Even with that additional \$11.7B of unallocated net-income, the FY2016 deficit of expenses over incomes amounted to \$1.0474T. If we want to maintain a balanced budget, then we need some combination of expense decreases and income increases which add up to this deficit. If we want to maintain a surplus budget (so that we can pay down our current principal instead of simply covering new interest charges, as established earlier in this Answer 386), then we must go further than that. If we want to avoid any increase in our current tax load (remember from Answer 385 that any direct tax on the wealth of the super-rich would need to be matched at a rate of 233% by increased conventional taxation upon the rest of us), then the desired deficit reduction must come entirely from expense reduction.

In other words, we need to decrease the expenses of our Federal Government by 23.78% just to achieve a balanced budget, and by more than that if we want to pay off the borrowing commitments made by our ancestors.

The extent of our targeted budget surplus is going to depend on multiple factors, including the amount of federal services and/or entitlements which we are prepared

to do without, the amount of tax reduction which we might be able to realize by possible reallocation of our tax load according to whatever decisions we reach in Section II-C, the length of time for which we are prepared to tolerate the continued existence of a 'national debt', the amount by which we may elect to shift certain federal responsibilities (including health care?) to lower governmental levels, and the effects of any (sudden or gradual) revaluation of our base currency unit to whatever we may collectively find to be a more optimal level. We will need extensive input from the general public and the political community on all these points, and those collective preferences may evolve over time, according to our actual experience of what works and what doesn't work, so we cannot reasonably be expected here to get all the constituent factors exactly right on a single set of darts.

However, we do need a set of starter assumptions, so that we can have at least a general idea of where we need to cut expenses and by approximately how much, so let's go ahead and do that now, and then we can modify the assumptions as needed once we escalate this conversation to the national level, and once we see just how much our legislature and our people are actually prepared to tolerate.

Let us therefore assume for now -- to be conservative, and then hopefully our experience will be even better than our assumptions (in which case we could accelerate the paydown of our national debt), but in any case it will be no worse -- the following:

(1) That any reallocation of our tax load in Section II-C will simply shift the aggregate tax burden but not reduce it;

(2) That we will take the same amount of time to pay down the national debt that it took to create it, so that the reduction will not 'shock the system' any more than the creation did;

(3) That we are not currently shifting any federal functions to lower governmental levels, because if we did then those levels might collectively pay as much as the Fed is paying now, although our hope would be that shifting to lower levels would improve our overall efficiency and lower our overall cost, because otherwise there would be little reason to make the shifts in the first place;

(4) That we are keeping the purchasing power of the U.S. Dollar at its 2016 level; and,

(5) That the effective interest rate which we are paying on our national debt remains constant until paydown.

We realized during our Session 211 in August 2017 that we still had some Questions coming up later on Debt Servicing, but we rather felt at this time that that we needed to tackle that subject up front, so that we could get an idea of how much surplus we need in our current budget in order to meet our paydown targets, and then so we could get an idea of the degree to which we need to cut our operating expenses, so we went ahead and did that at this time, *viz.*:

The table on p.8 of the Financial Statement document as published shows that we had a total debt of \$19.2924T as of 30-Sep-2016. The previous table of agency costs showed that we expensed \$273.0B of loan interest during the year. This translates to an effective interest rate of 1.415% per year.

However, the note on p.19 of the document as published (p.27 of the document as downloaded) discusses that "Federal debt held by the public and accrued interest totaled [only] \$14.2 trillion as of September 30, 2016 [and that] the Government has about \$5.5 trillion in intragovernmental debt outstanding, which arises when one part of the Government borrows from another." In other words, of the \$19T-plus-change of total government net-liability, only \$14.2T is generating interest expense, so this translates to an effective interest rate of 1.923% per year.

This means that some portion of any budget surplus might end up needing to be allocated to the portion of government debt which is not generating interest expense, even though our fiscal preference might be to eliminate interest-generating public debt first. Because we will not know this until after a much deeper analysis of our liability structure, let us make an additional assumption:

(6) That any budget surplus will be allocated proportionally to the portions of governmental liability which generate interest expense and those which do not.

With that assumption, we can go back to assuming an effective interest rate of 1.415% on the total net-liability balance of \$19.2924 trillion.

Now, a review of various web sources (including the Congressional Budget Office, <https://www.cbo.gov/publication/21728>) shows that we had a national debt in place going back as far as the Revolutionary War. We think it safe to assume that we do not wish to wait another 200+ years to resume a net-neutral financial position, so we should look at when the debt really started to become significant.

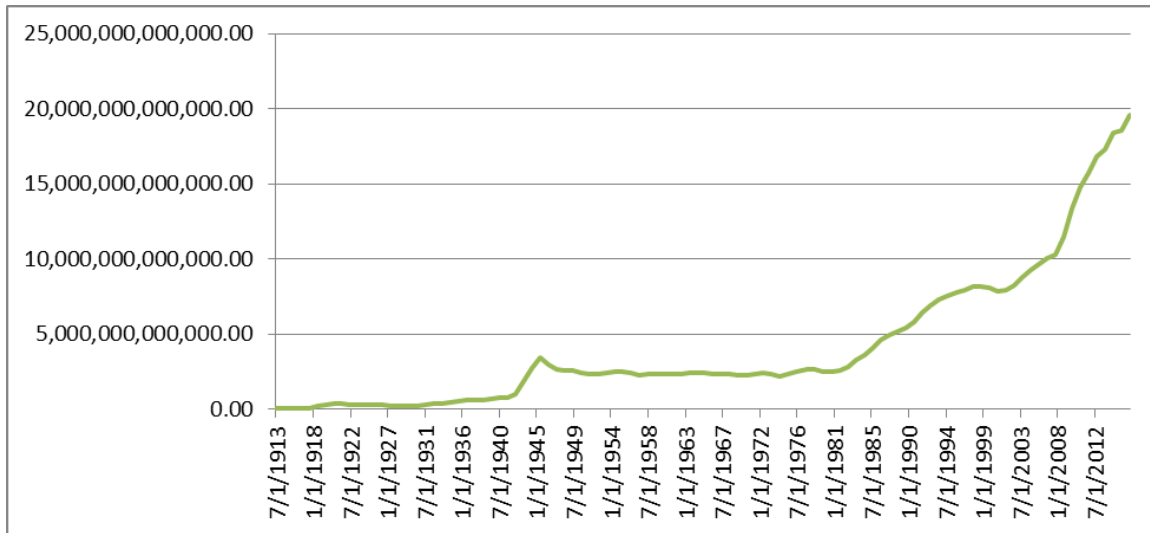
The website <https://www.treasurydirect.gov/govt/reports/pd/histdebt/histdebt.htm> lists the year-end debt figures going back to 1790, but it is not clear whether the figures are adjusted for inflation. However, our impression is that they are not, because the figures are closely approximated by those shown in the table of p.59 of the 2007 paperback World Almanac, and probably would have been significantly different if inflation adjustments had taken place. Numerous web sources show graphs of the national debt as a percentage of annual Gross Domestic Product (GDP), which may be utile for certain purposes, but not so much for our present purpose of seeing when it really took off in terms of dollars as valued during some fixed index year. We did not see such a source online anywhere, so it appeared as though we needed to construct such a chart manually.

Next step therefore was to find online a reasonably-reliable table of CPI figures going back to 1790, remembering that there are multiple versions of the CPI out there for different varieties of measurement. However, we did not find any tables going back further than 1913, but that probably will be good enough for our needs, because again we probably don't want to wait as much as a full century to relieve our borrowing obligations.

Therefore pulled from www.inflationdata.com, and also from www.usinflationcalculator.com, both of which referenced the CPI-U variation for 'all urban consumers', which is good enough for us. The data in the two tables were very close, but not always identical, so we created a hybrid table which produced averages of the two datasets.

A higher total debt figure of \$19.5734T as of 30-Sep-2016 comes from www.fiscaltreasury.gov, so we used that as the final figure in our table.

Collated the data and prepared the chart during our Session 212 in September 2017, as follows:



U.S. National Debt adjusted from CPI to 2016 Dollars

Chart shows that we hit a low of 244B 2016\$ in 1929, after which the government began to start borrowing to pay for its various relief and work-stimulus programs. The debt really spiked to 3.4T 2016\$ during our involvement in World War II, after which it leveled off to a pretty steady 2.5T 2016\$, until the early 1980's. At that time, the higher military spending initiated by the Reagan administration began to contribute to larger budget deficits. We enjoyed a couple of years of surplus budgets in the late 1990's, and then the debt surged back up when we created a larger 'homeland security' network after the 11-Sep-2001 attacks. The debt began climbing at an even greater rate after 2008, when the various social entitlements (including especially for health care) were enacted during the Obama administration.

Clearly, large deficit spending by the Federal Government is not limited to either one of the so-called 'major' political parties.

If we plan to pay off most or all of the debt within 75 years, then we will reach the level at which we began to spike for World War II, and hopefully that will be net-satisfactory for all stakeholders.

Once we settled upon 75 years as our recommended paydown period, next task was to construct an amortization table which would tell us how much we should be planning in the way of budget surpluses in order to have enough left over to meet our paydown target.

We assume for now that the paydown actually started in September 2016, although in real life we know that it didn't happen; we will update the projections later, as we get closer to finalization and publication, and again when we determine when we might realistically expect the government to adopt and implement the paydown package.

We figure that we do not need to show the entire amortization table in this General Summary, but our calculations showed that an annual surplus of 425.2B 2016\$ would pay down our current debt, if we can continue to pay an annual average of 1.415% on the unpaid balance.

In summary, what we now have is \$3.3453T of current revenues, of which \$425.2B needs to be allocated over the next 75 years for paydown of the national debt, leaving \$2.9201T available for current operating expenses.

Of this available total, the \$19.8B of 'All Other' federal expenses not directly relating to departments in the Executive Branch represents less than 1% of the total, so clearly that is not 'where the game is happening', so seeing no urgent need to look for cuts there.

That leaves the 9 actual departments of the Executive Branch, which we would ideally like to share the remaining \$2.9003T of operating expenses in approximately equal proportions, so that they can properly merit equivalent amounts of attention during weekly Cabinet meetings and mid-week focus sessions.

If we were to split the remaining expense load exactly equally, then each department would end up with approximately 325B 2016\$ of operating costs, so next focus is to see how to construct 9 departments which each operate at that level, in place of the 9 departments originally conceived back in Section I-D.

Before we can do that, however, we need to cut the current net costs by a certain percentage in order to meet our budgetary targets for paydown of the national debt.

We therefore constructed a spreadsheet which lists all the agencies appearing in the table on p.60 (as downloaded) of the Financial Statements document, with the current net cost of each agency, the total net cost excluding debt servicing and 'All Other', and the prorated net cost of each agency which would bring the total to \$2.9003T.

Current total of the affected agencies is \$4.1116T, which we would need to get down to \$2.9003T, resulting in an overall target reduction of 29.46%, which we could call 30% for ease of conversation.

But, can we really cut Social Security (SSA) benefits, given that recipients have come to expect -- and budget for -- a certain amount coming to them each year?

By similar token, would we really want to cut Veterans (VA) benefits at all? Or the Railroad Retirement Board (RRB)? Probably not.

If we cut the size of our military by a certain amount, then the amount being paid in Veterans benefits can reduce over time by attrition, but we probably should not be seeking any current cuts to that budget.

Conversely, with our current growth in the retirement-age population, we might expect the SSA cost to rise not fall over time, but in any case we probably should not plan for any drastic cut in that area.

This means that other agencies will need much deeper cuts in order for VA and SSA to remain intact.

While we're at it, those agencies which currently serve as profit centers should not have their rates cut, because they basically are fine as they are.

We therefore constructed a second table which leaves the government pension centers (VA, SSA, RRB) and profit centers intact, and which renormed the remaining agencies to meet our overall budgetary target.

If we exclude all these 'sacred cows' (adding up to \$1.6205T) from our total, then we are left with \$2.4911T which theoretically could be modified downward. This 'non-sacred' portion would need to be trimmed down to \$1.2798T in order to meet our budgetary target without affecting the 'sacred cows', so we are looking at 50% cuts across the 'non-sacred' board.

If we go for 50% cuts across the 'non-sacred' board, then that takes our total to \$2.8661T, so maybe (and hopefully) we could spare the less-expensive agencies from any cuts.

That being the case, the Department of Defense (DoD) can remain as a stand-alone department with its new total net cost of \$304.6B, without needing to be segregated into its foreign and domestic components, as might have been necessary had we not cut their overall net cost by 50%.

With its new target net cost of \$537.2B, the Department of Health and Human Services (HHS) can be broken up into its nominal components of Health and Human Services, which makes sense because the functions overlap some but yet are largely distinct.

All remaining agencies are less than \$70B each, so they would need to be combined into some number of departments, but before we can assess that number we need to look more closely at whether SSA or VA or both can/should be split into multiple departments.

According to the discussion beginning on p.177 of the Financial Statements documents as published, "social insurance" comprises Social Security, Medicare, Railroad Retirement, and Black Lung. Social Security comprises the Old Age and Survivors Insurance (OASI) Trust Fund and the Disability Insurance (DI) Trust Fund, often referenced collectively as 'OASDI'. Medicare comprises the Hospital Insurance (HI) Trust Fund (aka 'Medicare Part A') and the Supplemental Medical Insurance (SMI) Trust Fund (aka 'Medicare Parts B and D'). According to the table on p.181 of the Financial Statements document as published (p.189 as downloaded), OASDI currently results in a net loss of \$56.6B, whereas Medicare (i.e., HI and SMI) currently results in a net loss of \$316.8B, which of course is much bigger.

Where then are we getting the current total of \$981.8B for the SSA collectively? Can administration of the benefits actually cost us that much? This is where we certainly would like for each line-item total on the primary income-expense statement to be a weblink which would easily and immediately break down that total to its next-level constituents, and then each next-level constituent could break down to further levels until we get to listings of the individual transactions.

No such breakdown appearing in this 266-page Financial Statements document, next step for us was to research the breakdowns from separate online sources of the current \$981.8B of SSA net cost, and the \$649.1B of VA net cost. After that, once we saw how many departments these two agencies would actually require at an

average of \$325B per department, we could see how many other departments were available for rearrangement of the remaining agencies as halfway-trimmed.

To do this, we went back to the website for the Bureau of the Fiscal Service, to see whether we could extract any breakdown of the net costs shown in the financial statements for SSA and VA. We located a reference to the United States Standard General Ledger (USSGL), which appears to be what we were looking for; however, we had trouble locating the actual file for the fiscal year in question. We could find various documents which listed guidelines and transaction codes and Frequently Asked Questions, but not the actual General Ledger.

With some digging, we finally found the 'Combined Statement of Receipts, Outlays, and Balances', which provided agency-level details in Part Three. Spreadsheets in this section were focused on individual agencies and provided considerable detail of different kinds of outlays to the penny, although the overall format of the reports was somewhat confusing.

Still, we were able to determine the following agency outlays for FY2016:

Legislative Branch	\$	4,343,885,157.64
Judicial Branch		7,496,688,902.63
Agriculture Department		138,161,667,212.62
Commerce Department		9,162,455,068.85
Defense Department		565,363,934,819.56
Education Department		76,981,407,439.42
Energy Department		25,851,930,711.49
HHS Department		1,102,964,841,780.24
Homeland Security Department		45,195,366,139.33
HUD Department		26,392,604,435.75
Interior Department		12,584,331,466.08
Justice Department		29,523,425,684.67
Labor Department		41,370,676,605.41
State Department		29,448,163,778.06
Transportation Department		78,419,079,873.80
Treasury Department		526,116,049,561.23
Veterans Affairs Department		174,018,161,803.04
Corps of Engineers		6,388,208,341.91
Defense - Civil Programs		64,505,389,186.23
Environmental Protection Agency		8,728,979,420.83
Executive Office of the President		395,272,606.26
General Services Administration		(-735,164,946.24)
International Assistance Programs		16,241,154,426.70
NASA		18,828,577,328.00
National Science Foundation		6,904,413,041.71
Office of Personnel Management		91,316,306,995.45
Small Business Administration		(-444,346,897.68)
Social Security Administration		976,783,034,405.57
Independent Agencies		13,161,693,455.99
Total	\$	4,095,468,187,804.55

Notes on the above:

-- Unclear whether any elements of any of these listings also appear in other listings, or whether they are all mutually exclusive, and if the latter then whether these listings are collectively exhaustive. In other words, is there any omission or duplication here? We are not sure.

-- The VA's \$174.0B is not nearly the \$649.1B indicated in the Statement of Net Cost.

-- Defense (Civil Programs) includes retirement programs for the military, so we are wondering why this is not part of the VA.

-- Executive Office of the President does not immediately appear to show anything for the Vice-President, and not seeing that anywhere else.

-- Most negative stuff in General Service Administration comes from 'real property activities', but then we are wondering why these would be treated as negative outlays instead of positive revenues.

-- Why would the Office of Personnel Management not be part of the General Services Administration?

-- Most negative stuff in Small Business Administration comes from 'intrabudgetary receipts deducted by agencies', which would look highly suspicious if it did not constitute a net-gain for us, and which still could be a little clearer. In any case, again wondering why treated as negative outlay and not positive revenue, especially in this case where they are specifically referenced as 'receipts'.

-- The \$976.8B for the SSA does at least come close to the \$981.8B figure in the Statement of Net Cost.

-- Independent Agencies includes the Corporation for Public Broadcasting, the CIA, the Civil Rights Commission, the Consumer Product Safety Commission, the Export-Import Bank, the FCC, and others.

-- The total of \$4.0955T compares with the \$4.4044T on the Statement of Net Cost, but outlays are not the same as net cost.

-- However, the government's summary spreadsheet of 'Outlays by Function' shows a total of only \$3.8541T of outlays for FY2016, which is different from the total of the above list.

Going back to the Financial Statements document, we saw that the \$649.1B of net cost for the VA included \$377.5B of 'Loss from Changes in Assumptions', whereas it showed only \$276.5B of gross cost, so that's a big difference.

Generally, the gross costs in the Financial Statements document (adding to \$4.5077T) only vaguely approximate the precise figures in the spreadsheets of agency outlays. We therefore needed to figure out this stuff more clearly before we could take the time to examine HHS and SSA and any other specific agencies.

We therefore looked back through the 266-page Financial Statements document, to see if they distinguished within the text between 'outlays' and 'net cost'. It had come to us between meetings that 'outlays' may mean the same as 'cash basis' in

accounting, in which payments are ledgered according to when they were actually issued, whereas 'net cost' may refer to 'accrual basis', in which payments are ledgered according to when the original liabilities were incurred, so we checked into this possibility.

Neither the word 'outlay' nor any inflection thereof appears in the table of contents, which we took for a bad sign. However, p.2 of the main document as published (which excludes the opening statement from the Secretary of the Treasury, the table of contents, and a list of Social Insurance charts) defines 'outlays' as payments made by the Government to the public. It also establishes that receipts and outlays are compared to see whether we are operating in a budget surplus or a budget deficit.

Converse to the budget, which focuses on receipts and outlays, the Financial Report focuses on 'revenues' (amounts earned but not necessarily collected) and 'costs' (amount incurred but not necessarily paid), to derive net operating cost. This basically is the distinction that we previously envisioned, that 'outlays' equates to 'cash basis'.

Because outlays can include capital purchases which should be depreciated over some period of time, and may not include new liabilities not yet relieved, we ideally should focus on the net costs after all.

We therefore went back to the website for the Bureau of the Fiscal Service, to see whether we could find a spreadsheet similar to the one which we explored in Session 214, but focusing on net cost instead of gross outlay. We did not locate such a spreadsheet or set of spreadsheets on the site, so we determined that we needed to rely on the outlay spreadsheets to at least provide good approximations of where our current and future tax dollars are going.

Recalling our debt-paydown calculation from Session 212, we saw that our \$4.0955T of gross outlays must be reduced by \$425.2B in order to see how much is remaining which possibly could be trimmed, which now leaves \$3.6703T, which we found in Session 212 as needing to be reduced to \$2.9201T in order to pay down our debt while still maintaining a balanced budget without raising taxes, so our total reduction needs to be \$750.2B.

Of this amount, we dug into the individual spreadsheets to isolate how much is currently being paid out in the form of 'sacred cow' benefits which ideally should not be touched. This may be the better approach anyway, because maybe for 'net cost' purposes they treat as liabilities-previously-incurred the benefits which are now being paid to VA and SSA recipients, whereas we want to know what is currently being paid out, regardless of when you consider the liability to have been incurred.

The \$526.1B for the Department of the Treasury includes \$430.0B of interest on the public debt. Accounting for this figure in our overall target totals gives us:

	<u>Current</u>	<u>Target</u>
Total Outlays	\$4,095.5B	\$3,345.3T
Debt Servicing	<u>- 430.0B</u>	<u>- 425.2B</u>
Operating Expense	\$3,665.5B	\$2,920.1B

We therefore need an overall operating-expense reduction of \$745.4B, which is an average reduction of 20.3% of current operating expenses, although not all programs and agencies will be hit to the same proportional degree.

Biggest target for possible reduction is the agency with the largest outlay total, currently being the Department of Health and Human Services, whose \$1.1030T of FY2016 outlays (see above table) breaks down thus:

Food & Drug Administration	\$	2,566,120,348.24	
Health Resources & Services Adm.		10,262,806,999.95	
Indian Health Service		4,682,925,844.04	
Centers for Disease Control & Prevention		7,501,643,413.87	
National Institutes of Health		29,255,099,865.93	
Subst. Abuse & Mental Health Svcs. Adm.		3,442,764,087.84	
Agency for Healthcare Research & Quality		268,815,994.44	
Centers for Medicare/Medicaid Svcs.		1,417,340,201,371.04	(whew!!)
Adm. for Children & Families		50,905,434,297.07	
Adm. for Community Living		1,972,702,314.12	
Department of Management		2,510,144,448.94	
Program Support Center		506,496,841.35	
Office of the Inspector General		81,785,987.16	
Offsetting Receipts		<u>(-428,332,110,033.75)</u>	
Total	\$	<u>1,102,964,841,780.24</u>	

The \$1.4173T of outlays for Medicare and Medicaid in the above table compares with \$80,996,234,151.03 of "Medicare Premiums and Other Charges", according to the spreadsheet of "Receipts by Source Categories" in Part Two of the Combined Statement of Receipts, Outlays, and Balances. This looks way too far off to be right, so we went through and itemized every line item in the receipt spreadsheet which referred in any way to either Medicare or Medicaid or the HI Trust Fund or the SMI Trust Fund. There were 35 such line items, and they added up to \$389,259,695,613.42 of total Medicare-related receipts.

Conclusion is that the Medicare program is operating at a deficit of (\$1.4173T of outlays minus \$389.3B of receipts) equals \$1.0280T, which is easily enough to cure our overall budgetary shortfall, with \$282.6B left over which could be used to bolster other programs (such as Social Security) and/or reduce our overall taxes and stimulate the economy.

[Session 216 took place the evening after the 1-Oct-2017 mass shooting at the Mandalay Bay Hotel in Las Vegas. This was a highly-publicized news event, of course, and it made us think about a few things: First, it seems to us that we need a lot more weed-smoking in this culture, because we have never once heard or read about any violent act either committed or threatened by anybody who has recently smoked marijuana. Second, the preponderance of weapons both in the perpetrator's hotel room and in other residential locations makes us wonder why and for how long he had been collecting them, especially given that not all of them were used during his lifetime, but in any case we feel that we need at least enough gun control that individuals cannot amass nearly that size of an arsenal; specifically, we feel (subject to further discussion) that one rifle or shotgun for your home (and possible militia use) and one handgun for travel (following all appropriate protocols, of course) should be sufficient for any one individual, and that we therefore should flag any

shotgun purchase being attempted by anyone who is already registered as owning a shotgun, and any handgun purchase being attempted by anyone who is already registered as owning a handgun. Third, the incident makes a further argument in favor of forced sterilization of serious criminals, because the perpetrator in this case was the son of a bank robber considered by the FBI to be mentally disturbed, but again -- as we discussed at length in Section I-F -- we need to consider that every serious criminal is mentally disturbed to some degree, and we don't need people like that passing their genetic characteristics on to other individuals who then grow up to be serious criminals on their own.]

Subsection II-B-1: Operating expenses

Question 387

How much can we reduce the overload of ongoing administrative expenses?

The previous breakdown of federal agencies shows (-\$735M) going to the General Services Administration, and \$91.3B going to the Office of Personnel Management (OPM). The total of these two agencies is well below the target average of \$325B per federal department, so we don't feel on that basis that we need to reduce the administrative load all that much.

Still, if we leave the Legislative Branch at \$4.3B, and the Judicial Branch at \$7.5B, then we would have \$2.9083T left over for the Executive Branch, and we are not sure that we would want 3.1% of our budget to be purely administrative, although maybe the percentage is not all that bad at that.

In any case, to give a more robust answer to this Question, we took a fresh look at the spreadsheet for the Office of Personnel Management from the Bureau of the Fiscal Service (BFS). Major categories are:

Salaries and Expenses	\$	112,094,009.40
Civil Service Retirement and Disability Fund		36,664,016,634.00
Employees' Health Benefits		12,116,860,734.99
Office of the Inspector General		5,775,156.50
Employee Life Insurance Benefits		43,808,218.43
OPM Building Delegation Fund		(-1,387,373.02)
Flexible Benefits Plan Reserve		7,220,359.79
Undistributed SIBAC Chargebacks for DC		(-593,577,234.64)
Offsetting Receipts		<u>(-38,215,641,803.28)</u>
Total	\$	91,316,306,995.45

Conclusion is that maybe we could manage to trim about \$10M off of Salaries & Expenses, but that generally this does not seem to be 'where the game is happening' in terms of opportunities for expense reduction.

Question 388

What other areas should we target for possible expense reduction?

Biggest non-entitlement cost centers are Agriculture at \$138B, Defense at \$565B, Treasury at \$526B, and the VA at \$174, although the last could possibly be considered to be more appropriate for the Entitlements category.

In any case, we do not have any need or desire at this time to trim either Agriculture or the VA, so the only targets worth discussing at this general planning stage are Defense and Treasury.

Question 388.1

How can we reduce Defense spending?

As suggested in the 'black book' of preliminary ideas compiled in the mid-1990's, there are three main points which we can consider here:

First, we don't need necessarily to be better than everybody else in nuclear armaments. If we (and they) know that we can completely obliterate all comers with a single motion, then that is more than sufficient, so we probably don't need to 'keep up' fully with everybody else's technological investments.

Second, with Communism seen to have grown rapidly in disfavor, and with no nation as large as the previous Soviet Union seeking to present a military challenge to our ongoing role in international affairs, there generally is far less of a need to maintain high troop levels, and large numbers of domestic and foreign military bases. We still need some, of course, both for our own security and also in order to help the global community to maintain the international peace, but probably not nearly as much as we needed before.

Third, we should fix Pentagon procurement as needed to encourage/require more competitive bidding with contractors. This can be facilitated by periodic audits from the Legislative Branch, to supplement any internal audits performed within the Executive Branch, and to help maximize bureaucratic independence from the officials being audited. In fact, we are suggesting that each house within the Legislature maintain its own separate auditing office, not just for Pentagon procurement but for all operations within the Executive Branch, and establish/maintain its own separate standards for what to look for and where/how to look for it.

Question 388.2

How can we reduce Treasury spending?

The BFS spreadsheet for FY2016 shows numerous line items each of less than \$1 billion, which we find to be not worth itemizing in this general overview, so looking for now just at those programs which cost over \$1 billion. These are:

Bureau of the Fiscal Service	\$ 18,988,013,060.83
Internal Revenue Service (IRS)	133,125,784,234.39
Interest on the Public Debt	429,962,550,585.09

The second line above is our bogey!! It should not cost us \$133.1B to collect \$3,345.3B in revenues. In fact, with our current technology, enabling us to collect taxes immediately and automatically from vendor sales and other financial transactions, we claim that it should not cost us anything at all, maybe a million or so to keep the servers in shape and to spot-check our records for accuracy, but basically we assume that we can wipe the \$133.1B of IRS costs off of our books, and we do so with the greatest of glee.

Question 389

If we make these huge cuts in Defense and other operating expense, then thousands of Government employees will be put out of work: Isn't this bad, and won't it create a sudden economic havoc?

We reviewed the following entry appearing in our 'black book' of preliminary ideas compiled in the mid-1990's, in order to gauge the extent to which we still agree with it now:

"All the money that government is spending is going to people ultimately, people who can be doing more productive work in the private sector, if individuals and businesses in the private sector were allowed to invest more of their own money. To reduce government spending and the public debt requires that we lay off a whole bunch of people. Now, we don't want them to starve, nor do we want a sudden crime wave, or any other kind of economic calamity. On the other hand, we do want immediate and widespread relief from government burdens. The best way to accomplish this end is seen to be to announce to the entire country that we plan to make war on huge government, and cut back policies and programs and agencies and administrative overhead and other stuff, and that businesses can expect a reduced tax load quickly; in anticipation of this, they should make plans immediately to expand their operations and take on more staff; current government employees should start moving towards these private-sector opportunities at once, so that when we are actually able to effect some of these changes, many of the staff reductions will already have taken place by attrition."

Trouble with this analysis is that it depends upon businesses getting significant tax breaks up front, to enable them to hire former government employees, whereas all our current projections assume that we are not planning to cut the overall tax burden. However, if we completely balance the budget in Medicare (which from Session 215 would free up \$282.6B), and if we can completely eliminate the IRS (another \$133.1B), then that would give us at least \$415.7B, plus whatever we might be able to safely generate from Defense reduction.

That's an average of about \$1,056 per man-woman-child (not including Defense, and also not including gradual interest reductions), most of which presumably would be paid by individuals into various businesses, increasing their capital to the point where in some cases they actually could take on more workers.

Also, smaller businesses can expect to benefit from our tax model, which is expected to shift the existing tax load to richer 'incorps'.

Plan therefore may actually work after all, but it still may be better to cut expenses and taxes and government payrolls more gradually than more quickly, in order to give things a chance to work out and re-adjust as we go along, without anybody suffering too much, especially the Medicare recipients who may need more gradual paydowns.

Question 390

How shall we deal with pensions or severance packages for government employees who are actually laid off?

We feel -- from a combination of intuition and professional experience -- that three months of severance is sufficiently generous, particularly in that we are announcing our 'war on big government' in advance, so everybody should already be sharpening their private-sector marketability in advance of any actual layoffs.

The 'black book' of preliminary ideas notes that we don't have a special trust fund for separated employees. However, that funding can come out of the regular salary budget, which will simply get attenuated at the end of the severance period and not at the time of layoff. This means that any severance should be paid on the same schedule as the original payroll, e.g., by 6 semimonthly installments at the previous semimonthly pay rate of \$2000, as opposed to a single lump-sum payment of \$12,000.

The 'black book' makes a good supplemental note that severance packages should not be so attractive that employees stick around in order to try to obtain them. Rather, they should be motivated to seek out superior employment before the layoff notices hit. We feel that the '3-month rule' satisfies this condition.

Question 391

Can we establish any limiting mechanisms on Congressional salaries?

As we saw from the analysis in Answer 386, the budget for the entire Legislative Branch is barely 1/10 of 1% of the total Federal expense budget, so it is not 'where the game is happening' in terms of productive expense reductions.

However, that doesn't mean that we should allow legislators to abuse the privilege and declare million-dollar salaries for themselves, so we still should have some kind of limiting mechanism in place which the legislators would not be in a position to override easily, if at all.

By way of Answer, we refer to the poll suggested in Answer 384, to be conducted periodically by each jurisdiction at each government level, to see how much the electorate generally wishes to pay for its current government operations: Regardless of how detailed that poll generally gets, they probably should make sure at least to have a line item for legislative salaries.

As suggested in Answer 385, we could have voting requirements in place, establishing that increasing vote proportions shall be required for increasing variances from the amounts produced in the most recent polls. Or, perhaps better yet, we could let each State and District to decide for itself through the periodic polling how much that State's senator or that District's representative should make annually until the next periodic poll, thereby taking it completely out of the hands of the legislators.

We like this last concept best, because it is the voting taxpayers who are the 'bosses' of the legislators, so they are the ones who should be stating directly what the current pay levels should be, and also because different legislators probably should be drawing different salaries, owing to varying market conditions, same as for everything else. If we want to attract more qualified candidates for public office, then we will want to make the compensation package more attractive; conversely, if we're just getting a lot of do-nothing fatcats on the ballot who clearly are in it for the 'cush' more than to serve the public with sincere vigor, then it could be time to cut the salaries in order to filter down the field.

Question 391.5

Shall we continue to give pensions to retired Presidents?

Yes, we do favor the continuation of generous-but-not-luxurious pensions to former Presidents, except when individually restricted by extraordinary act of Congress (such as in case of a criminal conviction or other duly-established wrongdoing), because they generally deserve a pleasant retirement for their lifetimes of public service, and because they may not be sufficiently good speakers or writers to make a satisfactory living in those ways.

Besides, we want them to remain in good physical and mental condition, and in good spirits with no resentment toward the Government or the People of the United States, so that they will be in good positions to provide us with important consultation when we may need it.

Subsection II-B-2: Special projects

Question 392

Should special projects be undertaken simply to provide work for people, and hopefully stimulate the economy?

No. We do not wish to waste valuable labor and physical resources on projects which will be of little practical use to our nation. In the unlikely event that we actually run out of potholes to fill, and bridges to paint, and trash to pick up, while still producing and delivering as much food as everybody wants, we would do better to reduce our average workdays and enjoy our greater luxury, than to give ourselves stressful and debilitating 'busy work'.

Subsection II-B-3: Entitlements

Question 393

To what extent should we continue to grant consumption-based entitlements?

Generally, we observe that different people have different feelings about this Question, on either an individual or sometimes a geographic basis. A unanimity of attendance at Session 217 supported minimal entitlement expenditure, apart from appropriate government pensions and the public 'orientation centers' discussed in Section I-D. However, we recognize that our opinions represent only a small sampling, and are not universally held, at least not yet.

We therefore propose that the periodic poll suggested in Answer 384 also make sure to specify at least how much should be going to consumption-based entitlements generally, and possibly how much should be going to specific programs. If a large jurisdiction (such as the U.S. Federal Government) observes a very wide variance in the non-frivolous poll results, and especially if the split appears to vary with geography, then it can and should delegate that entire program and funding debate to the next-lower level of government, allowing different subsidiary jurisdictions to experiment with different strategic approaches, and then see which ones turn out to be the most effective and the most popular.

As a general philosophical 'basic principle' for this subject, though, we take it as axiomatic that we generally want to keep the Earth in a sustainable and renewable condition for our kids and grandkids and all future generations. If we agree on that, then it follows that Humanity should be seeking at all times to produce at least as much as it consumes, and preferably more for safety. If we agree on that, then it also follows that most (if not all) of us should be seeking -- as nations and communities and households and individuals -- to be producing at least as much as we consume, and preferably more for safety, or else the risk of collective over-consumption becomes too great. If we agree on that, then we need to take a dim philosophical view of consumption-based entitlements generally, because they generally represent the fruits of the net-producers going to the net-consumers, effectively rewarding them for their helping to detract from our general goal of keeping the Earth sustainable.

That said, we still readily acknowledge that many members of our 'human family' (if we may thus refer to ourselves) are too young or too elderly to be expected to produce within the active workforce, and that some other members may be in an appropriate age range but have some other condition which inhibits their productive capacities. Some extremists may prefer to take the Spartan approach of throwing our weakest members off the nearest steep cliff, but we perceive that the prevailing public sentiment is to take care of our weaker members to the extent that we practically can, if not for the simple impulse of being humane, then at least as an 'implied social contract' that we will take care of other people now if future generations will similarly take care of us when we need it.

Thus, we probably should have consumption-based entitlements in our public sector generally, but for our long-term prosperity let's do try to keep effective reins on them.

Question 394

Should the Government continue to manage state-run Health Insurance programs?

Well, here's a big one.

Still, the 'black book' of preliminary ideas makes a strong point that government in a non-Fascist environment generally should not be in the business of doing anything which can be satisfactorily managed by the private sector. It makes another strong point that government is stretched in its ability to manage functions like that because it is already doing 18,003 other things at once.

Privatization of all insurance coverage would mean that administrative costs can be allowed to skyrocket, because they would not be controlled by sworn government managers and workers. However, privatization also implies competition, so more business will go to those carriers who keep their premium rates attractive by limiting their overhead costs.

But, the 'black book' was assembled during the mid-1990's, and did not have occasion to mention anything about 'universal health care', which became more of a prevalent notion during the Obama era. Now that it seems to be more in the national conversation, and expected by many even if it is still opposed by some, we had best plan for it, because we fear that our Agenda will not be approved without it.

So, universal health care it is, but again that doesn't mean that it should be either administered or financed in any way by any level of government, least of all the Fed. What we want to do instead is to leave both the administration and the financing to the private-sector industry which is already in place for this sort of thing.

Trouble is, private insurers currently get to turn away prospective insureds because they have some 'pre-existing condition' which increases their liability risk, or because they simply cannot afford to pay the premium rates which would be needed if all medical costs which are incurred within the nation were spread out to all individuals equally. Therefore, in order to have 'universal health care' happen entirely within the private sector, it will be necessary for wealthier individuals to pay higher-than-average premiums in order to support the poorer populations, and for healthier individuals to pay higher-than-average premiums in order to support the medically-challenged.

We are very sympathetic to the argument that people should be motivated to maintain wellness by being allowed to avoid having to pay any insurance premiums into 'the System', and conversely that individuals under a universal coverage system could feel free to engage in riskier lifestyles because they know that any damages will be covered. However, it is pretty clear (if only from the \$1.417 trillion of gross outlays issued by the combined Medicare-related agencies in the Federal government during fiscal 2016) that the sick cannot be expected to finance their own health care without assistance.

Some may suggest that they therefore should either be allowed to suffer and die, or else be thrown off the nearest steep cliff, but the prevailing mood of most of the nation seems to be for a more humane approach, and this SIG certainly will not argue against it. It makes sense on a general social basis, and applies specifically to all active parents in the world (including among other animal species), that we agree to care for you while you're young and healthy in exchange for your taking care of us when we're old and sick. Also, an attendee recalled specifically that he once needed to have a gangrenous appendix removed in a hurry, and would not have wished to be allowed to die just because he didn't have the \$95,000 cost which the insurance company needed to absorb for that operation.

So, we're going with universal health care, moved entirely to the private sector, with private insurers being required collectively to provide coverage for all with low incomes or pre-existing conditions. They still can charge higher-than-normal premiums to individuals with pre-existing conditions who can afford it, and can require deductibles and/or copayments in order to continue the motivation to maintain wellness. And, perhaps some individuals end up needing to go into debt because of medical expenses which exceed their coverages, and sometimes they will die before paying off such debt. But, that's part of the cost of doing business in the industry which the insurers selected, which is to provide financial benefits to those in need.

Further, the insurance companies themselves should not be required to assume the full brunt of any defaulted medical debt: Seems to us that the doctors and other medical providers should be expected to provide some services on a *pro bono* basis, same as lawyers, and same as the TV/radio broadcasters who are required as part of their license agreements to provide certain amounts of time for public-service announcements.

Exact proportions can be worked out by the actuaries, and may evolve over time, but the main objective is for all individuals who can afford it to pay enough premium into 'the System' that all patients get medical care when they need it, including by some amount of *pro bono* coverage by medical providers and/or insurance companies, without any level of government either charging medical taxes or issuing medical benefits.

We previously felt that this entire question should be devolved from the Fed to the States, and very possibly to the County level, so that the people in different jurisdictions could decide what kind of environment they collectively wanted to live in. However, upon reflection in the new context of universal coverage, we recall from our insurance studies that people generally do better when they pay a fixed and predictable insurance premium and have all their applicable damages covered, even though it means that some people will end up over time paying more in premiums than they collect in benefits. The variance could be very high for States with smaller populations, or for States where certain higher-risk industries are more prevalent. We therefore now imagine that it would be best after all for 'the System' to include all individuals within the Nation.

People with pre-existing conditions or documented inability to pay full premium should be placed into an 'assigned risk' pool, same as for the auto-insurance industry, and assigned for coverage to the different current carriers on a proportional basis. Higher individual coverages can be spread among multiple carriers through a 'reinsurance' program, same as for the life-insurance industry. All such decisions can be made by the office of the State's Insurance Commissioner, unless the private sector wishes to assemble its own internal panel to manage the assignments, as long as it happens.

The foregoing all applies to prescription-drug coverage in particular, so we do not need to have a separate conversation about that.

Question 395

To the extent that some Government jurisdictions choose (imprudently) to stay in the Health Insurance business, should they be permitted to require forced contributions from workers?

We claim no. We claim that premiums should be paid directly to the insurers by the insureds, without the employers having anything to do with it. We can set up automatic bill payments for our medical premiums, same as for our utilities and our long-term loans and many other services, so the function doesn't need to involve any employer's payroll.

Question 396

Might it not be overly difficult for people to have to choose from among many health providers and insurance carriers?

Yes, it might be, but better to have freedom of choice than to have to live with whatever decision your company's insurance advisor makes. When individuals are all making these purchase decisions individually, we get a much better feel for how different combinations of price and services and advertising are most popular and therefore the most net-desirable. Make your own decisions. Shop around.

The 'black book' of preliminary ideas reminds us (sure is a good thing that we have that....) that individuals may have the option of dealing with brokers, who presumably are trained to find the net-best coverage options for individuals in different situations. Downsides are that you are trusting the relative competence and diligence of the brokers to a very large extent, and that in any case you can expect to pay a brokerage fee in consideration of the luxury of not having to shop around yourself, so it may not be for everybody, but for some it may be a net-good way to go.

Question 397

If government doesn't force people to pay into a Health Insurance program, might some individuals not be inclined to blow it off, in order to save money or spend it elsewhere, presenting a potential burden to government if they get sick?

Already addressed in Answer 394. The 'black book' of preliminary ideas asserts that people should be allowed to self-insure for health, which makes sense at the individual level, but which apparently doesn't work out at the national level, so we have changed that preliminary position. If the sick were able to cover all their own medical costs, then by all means we would gleefully grant them leave to do so. As it is, however, they apparently cannot do so, so regrettably we must ask for contributions from individuals who are still young and healthy, and who should remember that even the young and healthy and risk-averse can experience an accident or sudden medical problem for which they will want immediate coverage, so yeah they had better pay their fair share now, regardless of previous philosophy or action.

Question 398

If an uninsured individual loses her job, or gets sick or injured, to what extent should government be involved in paying for recovery?

Also diverting here from the 'black book' of preliminary ideas: All individuals should pay proportionally into the insurance pool to the extent that they practically can, but should be covered in case of any urgent illness or injury. OK for more discretionary levels of supplemental medical care to be provided only on a pay-as-you-go basis, but at least the life-threatening emergencies should be addressed for everyone, regardless of employment status or other ability to pay premiums.

OK for missed premiums and uncovered medical costs to be tracked by the State's insurance agencies or by industry panels or by the national financial database described in Answer 364, and then for such liabilities to be repaid by automatic deduction at appropriate rates from future earnings, but in the meantime the care is to be provided to everybody, and we should simply figure out as best as we can how much the wealthier need to provide in order to pay for it all.

Question 399

If people are allowed to 'self-insure', then will we not see some antiselection, making claim rates and premiums go higher?

Yes, antiselection is a problem. That's when enough people opt out of insurance coverage that there are not enough premium dollars in the pool to pay for all the covered losses. Apparently, it is large enough of a problem in the modern healthcare

industry that many people and numerous political candidates have called for a 'universal health care', in which everybody gets covered but everybody pays premiums who can afford it.

If the actuaries ever come to support the notion that all individuals still receive the medical care that they expect (including the prescription-drug coverage) even while some individuals back out of 'the System' and avoid paying premiums for some period of time, then by all means allow the option. As it currently stands, though, the aggregate costs of medical care are so high within the Nation that we probably cannot reasonably expect only the self-selecting premium participants to pay for them.

Question 400

Wouldn't actuarial projections be more accurate if all workers in the State were in a single pool?

Yes, they would, and they would be even more accurate than that if all non-workers were also included. This actually is another reason to support universal participation, and not just within each State but within the Nation entirely, because then we get data on everybody, and the premium rates can be made generally more accurate and more reliable and more fair.

Question 401

A lot of people out there may feel very uncomfortable in contributing higher tax dollars to allow economic aid (read 'welfare') to individuals: How shall their preferences be accommodated?

Under our model, they would not be paying any tax dollars at all. However, they probably would be paying premium dollars, so the 'meat' of the Question still remains.

We hope that some of the problem is addressed by continuing to require deductibles and copayments, so that individuals still have some motivation to maintain wellness and avoid risky behaviors. And, we remind them that we can still track unremitted premiums and excess medical costs in each individual's overall financial position, to be remediated when practical, and affecting their credit in the meantime.

Among those insureds who can afford it, premium rates can be graduated according to apparent risk, as long as coverage is not entirely refused. We also remind the uncomfortable individuals in question that they also will get covered by 'the System' in case of accident or sudden illness, whereas they might not be if all coverage were allowed to remain voluntary.

If that's not enough, then there's not much else that we can do for them. Universal coverage appears to be the way that we're going, whether we all like it or not, because too many people are now expecting it as an essential requirement of any modern political/economic system.

Maybe we can set aside a very small number of States to 'opt out' of the national network, such that people living in those States have the option to self-insure, and then we leave it up to those States to figure out how they are going to deal with their sick and injured, and don't come crying to us. How many of you really wish to

do that, and which States or Counties do you live in, and do you represent a majority of your local populations?

Assuming that any such individuals represent only a minority of their States and Counties, we are proceeding in the context of a national healthcare system with universal coverage and required premium participation by those who can afford it.

Question 402

What if the majority of a particular County wants to have such aid available, but simply does not have the resources to do it, even with all their residents participating?

Notwithstanding the language in the 'black book' of preliminary ideas, this is one of the reasons in favor of national coverage. The people of some Counties may be working very hard, doing what they can, saving where they can, and maybe even at their best levels they cannot provide as much funding as some more prosperous Counties elsewhere. Should we abandon those Counties to fend for themselves?

We claim no, both because we seek to be more humane at least toward our own fellow Americans (if not also toward the rest of the World), and also because they are still participants in our national economy (however meekly), so they are still partners and should therefore receive proper partnership benefits.

>>> We have thus fixed Health Care: Wasn't nearly as tough as everyone made it out.....

Question 402.5

What about other forms of state-run insurance programs?

Disability and Workers Compensation can continue to operate through one's employer as current. We probably could also make an exception for Unemployment Insurance by allowing Government to administer it as it currently does.

We probably do need all those coverages, and they usually do involve private third-party carriers, so no major need to mess up that system. They all need funding only from employing companies and those in the labor pool who do not work directly for a farm or other family business.

However, we should also make sure that there is little or no supplemental funding coming from general taxes except when duly approved by a particular jurisdiction, in which case we should still make sure that the government of that jurisdiction is never running a budget deficit as a result of such funding.

Question 403

Suppose that we minimize economic aid to individuals and families: What happens when people without sufficient economic resources continue to bear children? Should the kids suffer just because their parents are irresponsible?

This is a very sensitive topic, but we must confront it if we are to purport to cover 'everything' in this Agenda.

When children are born to parents who cannot afford their care, it becomes a strain upon the children themselves, or a strain upon society, or some combination. We therefore feel that poorer families generally should try to avoid increasing their sizes beyond sustainable levels, and we agree with the 'black book' of preliminary ideas that we should somehow try to incentivize them to limit their births.

Generally, we expect that any set of one or more parents should demonstrate satisfactory financial means before they have even one child, but let's face it, those initial pregnancies sometimes happen before we're fully ready for them. In many cases, they will continue to happen unless stricter preventive measures are taken at some point.

We generally don't begrudge a child to even the poorest of couples, and in some cases even a second for the purposes of helping with that 'implied social contract' of 'we will take care of you kids when you are young, if you will take care of us when we are old'. Two parents bringing up two kids, and two kids taking care of two parents later on, that's a balanced division of labor, and avoids uncontrolled population growth.

Once we exceed the 'replacement level' of two children per couple, we get to a point where we are consuming more than we are producing, unless the kids are born into a family which can provide them with an education and maybe some business opportunities or some other means by which the additional kids will not present a net-drain in our economy.

At some point, if the population of our world or our nation exceeds some particular level which we somehow collectively determine to be unsustainable, then we may eventually need to talk about forced sterilizations after a family has their second child. In the meantime, we probably need to agree as a society now that at least one partner in any couple should volunteer to become sterilized after the birth of the couple's second child, unless they can provide satisfactory evidence of financial responsibility.

This way, we reduce both the economic burden on our society, and the number of children who must suffer because their parents were both poor and too irresponsible to practice sufficient birth control on their own.

Question 404

Anything further on foreign aid?

Referring back to our notes from Answer 147 in Subsubsection I-D-1-a, we find that we continue to support the stated policy: Generally good for wealthier nations and corporations and individuals to provide charitable support to poorer nations and corporations and individuals, because otherwise the disparity between rich and poor can become (or remain) too great, and by our definition our economy would be 'bad', so we eventually would need to find some other manner of relieving the imbalance. In particular, a lot of nations have for some time been pissed off at America, because they perceive (however correctly or incorrectly) that we are hoarding too much of the world's collective wealth, notwithstanding our past and present foreign assistances. We therefore are philosophically in favor of providing reasonable amounts of foreign aid, especially if it goes to infrastructural or other systemic improvements which will help enable the region in question to produce more for itself going forward.

However, Answer 147 makes another good point that such foreign aid should not be sent at the expense of the needy here in our own nation. We are still having trouble getting all of our own populations fed and bathed and sheltered and educated and provided with basic medical care. Until we get our own internal problems sorted out, we generally should give ourselves the higher priority.

It's kind of like when you're on an airplane, and the flight attendants are providing the required safety instruction, and they always remind us to get our own oxygen masks working before we seek to assist anyone else. If we do not get ourselves in good shape, and stay that way, then we will not remain in a good position to help others, and we all will suffer and die. Let's first make sure that our own people have what they need, and then see about giving to or investing in others.

Question 405

How shall we deal with the Social Security program?

First, whether we leave it exactly as it is or do something else with it, this is one of the big reasons (and there are others) why it is so critically important that our base unit of currency retains its economic value over time: In our modern inflationary environment, the dollars which we collect in Social Security taxes during our workers' younger years do not have nearly the same purchasing power when those same individuals are ready for retirement. Those dollars have lost value in the course of sitting around in the Social Security Trust Fund. In order to keep our currency unit at a stable value, we need to quit growing our money supply at a faster rate than our total amount of 'stuff' is growing, so we need to stop consuming more than we're producing, and spending more than we're earning, and borrowing more than we're paying back. That goes for our Government in particular and for our entire Nation collectively.

That said, our philosophical feel about Social Security is basically the same as it is for Medicare: We should not be borrowing from the future in order to pay for the present, because the future will have its own needs to pay for. Our current eldercare must be funded by current dollars, comprising whatever is sitting in the Social Security Trust Fund, plus supplemental taxes from wealthier 'indcorps' as appropriate.

On an ongoing basis, people should be putting portions of their wages away for retirement, but we have seen that people often neglect to do so, if given the option, in which case society is on the hook for providing eldercare in our 'orientation centers', which is a drain on everyone, including the elders themselves. It therefore is in society's interest to make sure that people are putting something away from each paycheck into an annuity fund, which will then provide retirement benefits for the remaining lifetimes of the annuitants.

That's what Social Security was designed to do, but it has not always worked, partly because of the diminishing value of the Dollar, partly because of inaccurate actuarial projections, and largely because having the Government hold the Social Security Trust Fund leaves it available for 'raiding' when the Government is otherwise short of cash, as we have seen in our actual history. Because the Government clearly cannot be trusted to maintain the Trust Fund in a trustworthy manner, it should not be allowed to do so at all.

This means that the retirement annuities that we need must be managed within the private sector, same as the medical insurance coverage. We still need to mandate universal participation, however, again same as for the medical insurance, and for the same basic reason, that otherwise there will not be enough benefit dollars to go all the way around.

In order to mandate participation, annuity premiums can be skimmed off the top of all paychecks, same as we currently do with Social Security taxes, but the funds are instead to be remitted to the employee's annuity carrier, who must be selected within the first pay period of employment, or else both the employer and the employee are subject to penalty.

The annuity carriers will price their packages in such a way as to create a certain periodic amount of 'life only' benefit, where the benefit rate can increase when the retirement date is delayed, same as in our current Social Security environment. Privatization allows the increased use of professional actuaries, who have an incentive to make their contribution projections high enough that their employers will remain solvent and keep employing them, but also low enough to be attractive in the new competitive environment.

Annuity carriers -- again like their cousins in the insurance industry -- should be required to maintain reserves which are sufficient to provide for their current participants in case of a sudden dropoff in revenue, but not so high that beneficiaries are being made to suffer unduly. Therefore, government regulators can require that reserves beyond a certain level (which can be allowed to vary according to the number of annuitants currently in each carrier's pool) should be promptly rebated to the annuityholders, as the equivalent of 'unearned premium'. Alternatively, any excess in reserves can be donated directly to private 'retirement centers' and/or our public 'orientation centers', to supplement their own eldercare resources.

In any case, all of our elderly populations should be accorded the best care that we can practically give them for the remainder of their lifetimes, and the funding needs to come from all of us who have and/or are earning money, without the pool ever being either too high in Assets or too high in Liabilities, and without any level of government ever touching any of the premium or benefit dollars at any time.

Question 406

But, can people be trusted to plan effectively for their own retirement?

The language of this Question was formed at a time when we considered making participation in retirement annuities voluntarily. As it is, we have already addressed this point in Answer 405, viz.: No, we cannot expect people to plan effectively for their own retirement, even if we emphasize the value of such planning in our educational system, and even if we leave open the alternative of vegging for the rest of their lives on bunks in a public 'orientation center' (read 'poor house'). That is why we must require participation when one is earning new income, and that is why we must take those premium dollars off the top of each paycheck.

If for some reason enough members of the public finds this too onerous a burden, then let them come forward to show how they can and will provide for their own retirements without such forced financing, and we will be happy to reconsider. As it now appears, though, we are going to need to deal with this societal problem as a society, and require everybody to pitch in their 'fair share' whether they like it or not.

Question 407

How shall we deal with the needs of those people (both retirees and those currently employed) who have already paid large amounts into the Social Security system?

The 'black book' of preliminary ideas suggests the option of lump-sum payments, but we are now leaning away from that. It now seems to us both easier and fairer if everybody receives an annuity benefit beyond a certain chronological age, unless their current net worth is above some specific threshold of 'non-poverty', which is another benefit of this national financial database proposed in Answer 364. If some 'prodigal sons' receive a lump-sum payment, and then blow it all on a weekend in Vegas or something, then we are back to the same problem that we had before.

Each worker's share of the Social Security Trust Fund should be turned over to the annuity carrier of the worker's choice, and then future contributions (if applicable) and benefits will happen normally after that.

Question 408

To what extent shall the Federal government get involved in art funding?

Generally concurring here with the 'black book' of preliminary ideas: The Fed should get involved in only those activities and projects which serve the entire Nation, or large sections of it. Any artist who can make a sufficiently-compelling case that her project will somehow serve the entire Nation, or a large section of it, can apply for a grant. However, most art projects serve only those who visit local museums and galleries, so any public funding for those projects should be sought at more local levels.

Subsection II-B-4: Debt servicing

Most of the Questions presented in this Subsection are addressed above already, so this Section will need to be restructured when we package the completed version, but for now:

Question 409

Is there any constructive purpose to maintaining an ongoing national debt, or similar debt for smaller governmental jurisdictions?

This is specifically addressed in the course of Answer 386: No, we want to eliminate our national debt, and never again create one.

The 'black book' of preliminary ideas adds that borrowing may be considered useful for new construction projects, but also that adding frequently to our existing bond load makes the potential bondholders think that they will not be repaid on schedule (or at all), so the price of the bonds goes up, possibly beyond anyone's willingness to pay it. Better to simply allocate a portion of each year's tax revenue toward construction projects if needed/desired, and amortize the costs of each project at least over the period of construction, and possibly over the projected useful life of the project, depending upon the prevailing Accounting standards (i.e., the 'Generally Accepted Accounting Principles' or 'GAAP') of the day. Meanwhile, allocations for

research and emergency relief should be part of each year's normal operating budget.

We also had written a note in the 'black book' to remind us to address a certain suggestion made in 2005, that any bond issues should be paid for by just the people who voted for them, instead of coming out of the General Fund. Problems here are (1) that such a practice would violate our current standard of voter confidentiality, (2) that it would require enormous recordkeeping and tracking on the part of the government, and (3) that many of the original voters are likely to die before those bonds mature and would need to be repaid. Better approach is not to borrow at all, except in a sufficiently high emergency, in which case you should have no trouble achieving at least a 2/3 majority of your local electorate, or maybe 3/4 or some other level under certain conditions, as you may work out and occasionally modify within your respective jurisdictions over time.

We also reminded ourselves to consider Jefferson's argument, expressed in a letter written to Madison on 6-Sep-1789 (ref. "The Earth Belongs to the Living"), and previously referenced in Subsection I-E-7 above, that national debt should be limited. We continue to feel that we should go further, and eliminate national debt completely. To 'borrow' from the future when you will not have the means to repay the debt later is in effect to 'steal' from the future. Even if future generations do have the means to repay, we still find it immoral to make them pay for decisions in which they did not participate, and one of the big reasons why we are in our current economic bind is because we are still needing to deal with the 'borrowings' perpetrated by our ancestors. Long-term economic stability and equity and fairness can be achieved only in a debt-free environment.

Question 410

The current national debt is enormous: Even if we do balance the budget, should we take on the chore to pay down the debt until it is eliminated?

Also addressed in Answer 386: Yes, we want to pay down the current debt.

Question 411

Over what time frame should we plan on paying down the national debt?

Also addressed in Answer 386: We have calculated a 75-year timeframe based on current data as of 2017. May need to be recalculated when we are ready for implementation.

SECTION II-C: TAXES

Thought that we'd never get here!!

We will place this Section ahead of II-B in the final packaging, because the latter assumes certain conclusions about Taxes which had not yet been ratified in actual group sessions, but for now:

Question 412

Should each governmental jurisdiction raise its own revenue, or should revenues be calculated in such a way as to allow for some funds to be apportioned to either higher and/or lower jurisdictions?

This is the 'revenue sharing' question, and we don't care for the concept at all.

We generally find it unfair for one State to help pay for projects or other expenditures which benefit only some other State. Same for Counties within a State, and Cities within a County. Each jurisdiction at each level should focus only on those projects and activities which are assigned to it, and raise the revenue internally which it needs to support them, without needing to clog its budget with expected revenues which may dry up unexpectedly, or expenditures which are outside its proper scope.

Only exception which we would make is from the earlier decision about Land Management and Eminent Domain, where we found that each Nation owes a periodic payment of some kind and amount to the Global level for the privilege of controlling its land on a sovereign basis, and similarly that subnational jurisdictions owe some level of periodic payment to their respective parent entities for whatever levels of self-administration they get to enjoy. That's not really 'revenue sharing', though, and the amount should be fixed by treaty, possibly to vary over time according to population and/or some other such easily-quantifiable factor(s), but in any case reliant upon the base currency unit retaining its approximate purchasing power over time, which of course is another reason why we need that.

The 'black book' of preliminary ideas reminds us of the additional argument that eliminating 'revenue sharing' allows different subnational jurisdictions to compete for business and labor by keeping their expenses and tax rates as low as they practically can, which works well for everybody.

Territories are a special case, because the whole idea is that they have not been determined to be sufficiently developed politically and economically to function as full-fledged States, so the Fed needs to provide them with whatever revenue they may need but cannot raise internally.

Question 413

But, if 'revenue sharing' is removed, then what leverage will the Federal government have in enforcing its policies at State and local levels?

We generally feel that the Fed should not be in the business of establishing any policies (drugs, immigration, etc.) which need to be enforced at the local level. Insofar as the Fed is allowed to do so anyway, it should provide its own funding for its own police force.

If violation of Federal law is happening at a sufficiently large scale that an entire State can be found under due process of actively abetting or passively allowing such activity, then Congress may vote to revoke Statehood, but that should require a very high majority vote.

At more local levels, those who live in unincorporated areas of a County should pay two levels of local tax: One should be a general County tax for the general projects and activities which the County undertakes to benefit all its residents equally. Second should be an increment to pay for the same services which Cities typically

contract for themselves, such as garbage collection and street maintenance and traffic control, such that each community is getting those services and each community is paying its fair share for them.

Question 414

Are there any methods other than traditional taxation which might be considered for raising Government revenue?

Bake sales, voluntary donations, investment income from bond principal, but we don't see these as particularly effective or even safe.

In particular, a government's budget should not depend upon voluntary donations which may or may not actually arrive, so best to simply rebate any sufficiently-large donations as temporary tax breaks, without upsetting the government's general budgetary projections of income and expense very much, or at all.

Lotteries do seem to work well, however, even though the players know (or should know) that the odds are usually against them. We therefore should factor these revenues into our current analysis of where money comes from and where it goes.

In addition to these sources, a cursory review of recent Government financials shows that they have come up with more. These include Charges for Services, Operating Grants, and Capital Grants.

Question 415

What would happen if, instead of traditional taxation, we gave to the Federal government the power to print money for itself?

We found against this concept during the discussion of Question 368, which is another reason why these Questions need to be rearranged.

To recap, it is important for numerous reasons to keep our currency unit fairly stable, and that will not happen if we simply print or otherwise issue more dollars whenever we need to cover our uncontrolled expenses.

Question 416

With other methods of revenue generation not to be depended upon, and with Government not having the power to generate currency beyond the level needed to keep the base unit stable, shall we agree to chip in a certain amount of our collective resources, to be paid out to those individuals who provide various forms of civic service to us?

Yes, generally, those of us who can afford to support the economy which provides us with our material wealth should do so, because it is unrealistic and unfair to expect that all of our civic needs are going to be satisfied entirely by volunteer labor and donated equipment.

Question 417

Given the theoretical (at least) appropriateness of taxation, what are the different ways in which we could be taxed?

As with public revenue generally, there turn out to be more types of taxation in active use than the average American might concoct on her own. The complete list includes taxing on stuff earned (income), on stuff produced (excise), on stuff bought or sold (sales), on stuff leased (property), on stuff owned (wealth), on stuff bequeathed (estates), and on all (or certain sets of) persons equally.

Question 418

Of these basic types, which is the fairest method of taxation, or is it appropriate for more than one type to be levied at once by a single jurisdiction?

We reviewed for starters the paragraph in the 'black book' of preliminary ideas, but we disagreed with the proposition that military protection benefits only those who own property, because it actually benefits all of us. Still, not all of us can afford to pay according to the full benefit which we receive, so the clear-if-unfortunate reality is that wealthier 'incorps' must pay somewhat more than their true 'fair share' if the functions are going to be discharged at all.

While we like the general approach of the 'black book' here (that people generally should be taxed for Government services in approximately the same proportion to which they benefit from them, so that might mean different rates for different types of services which benefit different constituencies), we are not totally happy with all the specific assertions as currently stated, so we will need to modify before final packaging. However, even though it does appear that different types of taxation are most appropriate for different types of Government service and functionality, whichever way we engineer that structure will require additional contributions from wealthier 'incorps' to cover those who cannot afford them.

Specifically, property taxes can pay for firefighting, garbage collection, and any other services which specifically benefit propertyholders. Population (or 'capitation') taxes can pay for police protection, parks/libraries, military protection, and any other services which benefit all individuals regardless of age or economic status. Sales taxes can pay for currency maintenance, the Commerce Department, education, and any other services which benefit those who participate in and/or benefit from our economic system.

Generally agreeing with the conclusion in the 'black book', that we don't want to penalize workers by taxing income, and that we should instead tax according to the proportion by which people use up our collective resources, both to discourage excessive consumption and because people who are paying for pleasures clearly have enough to contribute some toward our civic functionalities.

We next need to address the arguments for and against sales tax, both those expressed in the original 'black book' and those added by subsequent notations.

One of the biggest arguments against sales tax is that it is allegedly 'regressive', meaning that a tax rate of N% applied to everyone and everything would tend to hurt poorer people to a greater proportional extent than richer people. We are not completely convinced that this is actually the case, but to be on the safe side we are happy to incorporate factors into our process which will tend to mitigate any effects of 'regressivity'. Specifically, we can make sure that taxes are not exempted on luxury purchases such as cars and boats and houses, nor on stock/bond transactions or corporate acquisitions, and maybe we could charge a higher tax rate on more

luxurious purchases, such that the wealthy would be subsidizing so much of the Government's operations that the actual net tax rate paid by the poorer people will still be lower than it is now. At the lower end, if needed, we can also exempt certain staple commodities from taxation, or simply those with a unit price below \$1 or some other fixed threshold (again requiring that our base currency unit retains its approximate purchasing power over time), so that poorer people could feed their families without needing to worry about taxes. We do have a concern that such artificial constraints might tend to 'skew the market', and result in inequitable distributions of wealth and capital, but they are available as possible options if the people of a given jurisdiction at a given time feel strongly enough that they are needed.

Added in January 2019: If we do decide that we want to exempt items with lower unit prices from sales tax, because they presumably are more likely to be purchased by poorer people, and because by exempting lower-priced items we help to make the sales tax less 'regressive', then there are a few things that we need to do in order to make that happen. Key point to figure out is what that price cutoff should be, which will strike an optimal balance between generating revenue for the community and easing the tax burden on the poor people whom we are trying to feed. That cutoff will need to vary among locations and over time, according to numerous economic factors, so it must be recalculated by each jurisdiction for each budget cycle. In order to make those ongoing decisions effectively, the folks performing those analyses really ought to have good data available on how much total sales volume each jurisdiction has experienced at each level of unit price within the review period. They then would be able to calculate how much tax revenue they would lose for each price level which got exempted. If the data show that exempting the lower price levels would not result in too severe of a drop in total tax revenue, then that jurisdiction could feel a lot more comfortable in exempting more of those lower price levels from taxation. If the data show that exempting those lower price levels would result in substantial revenue loss, then they would need to re-evaluate. Either way, you want to make sure that you have that good data available for your analysis, and so far our group has not been able to discover any examples of such data being available online for either the Fed or any subsidiary jurisdiction of the U.S.A., so we are recommending that we bump that up on our collective to-do list.

Another argument in favor of sales tax is that purchasers are removing resources (whether food, gas, cars, other consumables, other fixed assets, or real property) which could have been accessed by the rest of us, meaning higher prices for the remaining resources if there any at all. For that privilege, we are assessing the purchaser a fee to help offset the higher prices which the rest of us need to pay, again in proportion to the degree to which the purchaser is taking away from our common resources.

Not liking the concept recorded in the 'black book' on 20-Apr-2012, to tax sales only on the excess of consumption over the per-capita average, because it depends upon us knowing how much each individual spends in the aggregate, whereas another benefit of sales tax is that it is much easier to administer (especially if governments promptly notify all local businesses of any changes in the local tax rate (not currently happening in California!!), so that they can update their payment systems, or else somehow get all those systems updated automatically after any rate change), by taking effect immediately and without any kind of tracking or reporting or filing at the individual level. Besides, if we wait until after people have surpassed some threshold of spending per month or per year before we start collecting tax, then the

earlier portions of those months and years will see no revenue, whereas under a straight sales-tax system the revenue flows in all year round.

We theoretically could also continue to tax estate distributions, but we find that the strategy does not make nearly as much sense in a sales-tax environment as it may have made in the old income-tax environment. Specifically:

-- If the estate-tax rate were higher than the prevailing sales-tax rate, then people would be motivated to spend their money liberally before they die, treating their beneficiaries as guests for extravagant periods of 'riotous living' at the regular sales-tax rate, so that the funds would not be taxed at the higher estate-tax rate.

-- If the estate-tax rate were equal to the prevailing sales-tax rate, then the funds would effectively be taxed twice, including once at the time of transfer, and once when the money is actually spent on stuff later on. This would be good for our budget but would be unfair to the beneficiary/taxpayer.

-- If the estate-tax rate were lower than the prevailing sales-tax rate, then people would be motivated to mislabel their purchases as preliminary distributions from a living trust or something, in order to qualify for the lower tax rate.

Best probably to allow all estates and other gifts to be transferred without tax, such that the funds are taxed only when they are actually spent on various commodities and services which are in limited supply. OK to assess a modest service charge of maybe \$100 per disbursement to each beneficiary, partly to cover the administrative costs of recording the transfers on the public ledger, and partly to discourage excessive disbursements in favor of simplicity and transparency.

Above finding was modified in our Second Pass, on the basis of the analysis which we performed deeper into this Section. Specifically, we were seeing that Estate/Gift Tax accounted for \$453.8 billion in 2016, and we are not eager to drop that revenue source at this time, and probably not at any time, so we are now deferring to the subsequent analysis.

Question 419

Wouldn't a sales tax tend to reduce spending?

Yes, but that is the desired result. With millions of hungry and homeless people living on our own American streets, let alone the rest of the world, the rest of us collectively need to consume fewer resources so that more can be allocated to those who need them the most.

We also want to mitigate the global perception that America is a consumer nation, and we help with that challenge by being able to report gradual reductions in our domestic spending, which reporting again will be made much easier once we can get our base currency unit to retain its approximate value over time.

Besides, as the 'black book' of preliminary ideas points out, a decrease in spending means an increase in saving, and we want to encourage increases in savings in order to facilitate our retirements and reduce the need for long-term entitlement programs such as Medicare and Social Security.

Also, as the 'black book' suggests, a greater emphasis on taxing sales may motivate the manufacturing sector to de-emphasize the production of 'gag gifts' and other frivolous goods which people don't really want and won't really use. That means a greater emphasis on products which people really do need and really do want.

Also suggested by the 'black book', the whole idea of deferring income taxes on contributions to IRA's and other deferred annuities is that we want to tax the money only when it is available to be spent, so similarly with sales taxes we are taxing the money whenever it actually is spent, not before and not after.

We are not thrilled with the 3-Sep-2001 argument in the 'black book' that shifting to sales tax will encourage boycotting of certain products as a means of pressuring the Government to change certain policies. When we boycott anything, we often hurt ourselves more than we hurt some intended target, so it is not always a very effective tactic. Better to use our existing electoral process to help influence Government policies, and to make effective use of the periodic public polling suggested in Answer 384 to determine tax rates and spending priorities.

Question 419.5

How can we make sure that businesses report sales figures accurately for tax purposes?

Even though we have the mechanisms already in place to collect sales taxes, businesses may try harder to circumvent them if the stakes are higher as a result of shifting from income taxation. Therefore adopting the suggestions written in the 'black book' on 22-May-2001, viz.:

- 1) Make sure that each business is licensed, and prosecute any individual or organization found to be doing business without a license;
- 2) Make sure that each licensed business produces periodic records of sales, accompanied by applicable tax payments;
- 3) Maintain a listing of accredited accountants and accounting firms;
- 4) Make sure that each set of books provided by businesses has been audited by a qualified accounting entity;
- 5) Perform random audits of businesses, and prosecute both the business and its accountant if any discrepancies are found.

Question 420

Wouldn't elimination of income tax inhibit the use of certain tax exemptions?

Yes, and that's a good thing. Many (if not all) tax exemptions are created for the purpose of allowing wealthier 'incorps' to retain more of their wealth, such that the slack needs to be taken up by the middle and lower classes. Reducing/eliminating such exemptions will help ensure that all 'incorps' are paying as close to their 'fair share' as we can practically manage.

Also, as the 'black book' of preliminary ideas points out, allowing certain tax exemptions means that they need to be priced and reported and tracked, which

requires further consumption of taxpayer time and Government funds for a function which doesn't really add any value to our society.

Question 421

To the extent, then, that income tax will continue to be a part of our lives, what types of loopholes (if any) should we close?

All of them. Make sure that you are contributing your 'fair share' of the funds needed to keep our society running, if you have the means to do so. Only with whatever you may have left over should you be thinking about making any kind of investment (home, car, education) which might have been tax-exempted in the 'old days'.

The 'black book' of preliminary ideas reminds us to specify church expenses and charitable contributions and capital losses, for the reasons indicated, viz.: Exemptions should not be claimed on the basis of religious vocation, since almost anyone can start a virtual church, and write off practically everything. Charitable donations should be charitable, and not done just for tax purposes, because the Government is then effectively subsidizing the charities without having specifically resolved so in its periodic budgets, and already has arguably been spending too much on entitlements and other forms of human consumption. Capital losses shouldn't be written off, because that causes the Government to help pay for one's poor investment choices.

Question 422

Is an income tax even constitutional?

This was addressed earlier by the Wednesday general-public group, who found that the point was covered on p.187 of Anastaplo's book 'The Amendments to the Constitution', viz.: Congress apparently did levy income taxes during the Civil War, and the constitutionality of the practice was not settled until the Supreme Court decision of 1895 and the passage of the 16th Amendment in 1913.

Section I-9 of the Constitution requires that 'capitation taxes' (i.e., taxes levied on a per-capita basis to everybody in the Nation, regardless of age or economic standing) must be based on the most recent Census, but Section I-8 generally allows Congress to collect Taxes and Duties without explicit limitation on variety, provided that they are imposed uniformly throughout the United States.

Question 423

To the extent that income tax continues to hang out, shall rates be graduated at all with respect to income levels?

We are not sure that we really need to address this Question at all. However, just in case, yes we imagine that we probably should tax higher levels of income at higher rates, in order to elicit more contributions from wealthier 'indcorps'. However, the quantum jumps in tax rates currently seen at certain income levels can be pretty severe, but on the other hand creating more graduations or some kind of advanced continuity formula might make things more difficult to understand and administer.

Again, best to simply skip the whole thing, and have constant rates for certain taxes other than on incomes.

Question 424

If an income tax is retained to any significant degree, then do we want to revisit the immigration question at all?

One argument which we have heard a lot against immigration is that it encourages employers to hire 'undocumented workers', from whom income taxes could not be collected easily (or at all), meaning that they would be sponging off our system without contributing anything to it beyond their actual labor.

Conversely, if we shift from income taxes to sales taxes, then everybody must pay (except possibly for the very cheapest commodities, as discussed in Answer 418), so that argument against immigration is no longer available.

We found in Subsubsection I-D-1-a that we prefer to keep our borders as open as possible, in order to continue America's role as the one place in the world where people can go if they're getting hassled in their own countries, and in order to improve the size and diversity of our labor pool. We continue to believe in that principle, and we do not feel that it should be compromised because of any reliance upon income tax. If anything, the ability to deregulate immigration is yet another reason supporting the elimination of income tax.

Question 425

Given the foregoing conclusions, what are the approximate rates that we can expect to see for the different types of taxes for different levels and functions of government?

Of course, this Question depends largely on how much we continue to spend as a society on certain common functions, on how much we may shift certain functions to the private sector (where they may end up costing less), and on how much we may shift certain functions to different governmental levels. Even for those functions which stay exactly where they are, we will see a lot of variation among different States and Counties and Cities, so all that we can practically do here is to assume that we keep all public functions exactly where they are, and to select one set of localities as an example just to give everyone a general indication of what they can expect on average.

For our sample, simply because the Moderator has the most individual familiarity with them, we are selecting the State of California, the County of Los Angeles, and the City of Pasadena.

At the Federal level, we recall from the analysis in Answer 386 that we issued \$4.0955 trillion of outlays during the fiscal year ending 30-Sep-2016. This includes all the benefits paid out for Medicare, Social Security, and all other entitlement programs, for if we didn't pay for them with taxes then we would need to pay for them with premiums to private insurance carriers. However, we can expect still to eliminate the \$133.1 billion of costs relating to the soon-to-be-defunct IRS, leaving only \$3.9624 trillion of Federal expenses that we still need to worry about. Again, we hope to be able to cut our military budget by a significant amount, but for now to be conservative let us assume that it stays at its current level.

Couple of technical reasons (OK for non-accountants to skip this paragraph) why we decided to switch from [Receipts & Outlays] to [Revenues & Costs/Expenses] as our accounting basis for the purpose of this sample analysis: One reason was that the Federal record for 2016 showed Receipts actually outpacing Outlays, even though we know that there was a significant Federal deficit that year, apparently because some of the Receipts were 'interbudgetary' while others were 'intrabudgetary', such that not all of them actually related to fiscal 2016, whereas the Costs definitely outpaced the Revenues. Other reason was that the available online records for the State of California, the County of Los Angeles, and the City of Pasadena all spoke in terms of Revenues & Costs, so we figured best to keep all the levels using the same accounting basis.

The following table summarizes the actual totals for the 4 sample jurisdictions from the fiscal year ending in 2016, which was on September 30 for the Fed, and on June 30 for the lower 3 levels:

	Total (millions)		Pop. (mil.)	Per-Capita	
	Costs	Revenues		Cost	Revenue
Federal - U.S.	\$4,404,400	\$3,345,300	326.5	\$13,490	\$10,246
State - CA	272,668	283,255	39.1	6,974	7,244
County - L.A.	23,344	22,556	9.8	2,382	2,302
City - Pasadena	570	662	0.1	5,700	6,620

Nice to see that the State of California and the City of Pasadena seemed to be operating on a surplus budget at that time, and that the County of Los Angeles came pretty close. Somewhat surprised at first that per-capita expenses were greater at the City level than at the County level, but then reasoned that the smaller locality is often more 'hands-on' in its provision of services.

We initially considered at this point that we should be adding to these figures the costs paid by families to private entities (schools, hospitals, insurance companies, etc.), on all those functions which recently have been subsidized significantly by government, particularly including for Medical Care, Eldercare, and Education. But, then we reconsidered: The family shares of these functions have been priced according to their apparent direct shares of the provided benefits, whereas the portion covered by taxes represents Society's share of those benefits.

For example, the family directly benefits when the daughter goes to college and learns a marketable profession, and when she eventually is able to earn enough income to help take care of her parents in their retirement if needed, but Society also benefits by having more educated people in its labor pool and electorate, so it should somehow share the costs of the education process.

Similarly, the family benefits when their older members are having their medical needs satisfactorily addressed, but Society also benefits when we live knowing that we are forever preserving a system which will help us to address our own medical needs when the time comes, so again the private family and the public fund should somehow share in paying the costs of medical care.

Apart from the extremists who feel that tax revenue should pay for all Education and Health Care, and those other extremists who feel that tax revenues should not in the least bit help to pay for any Education or Health Care, there seems to be little ongoing dispute as to the specific proportions between private and public funding,

and we have no challenge of our own to the pricing calculations which have been made by schools and insurance companies and other such institutions.

That being the case, we are not immediately projecting any significant change in what families currently pay in direct contributions for their share of Education and Health Care. That means that we also are not immediately projecting any significant change in how much Society subsidizes Education and Health Care from tax revenue. The money is currently going to the Government (where it sometimes 'sticks' a little bit before it reaches its ultimate destinations), and we are recommending that it instead go directly to the private carriers of the taxpayers' preference, and we hope as a result to see some overall net-reduction, but to be conservative let us assume for now a straight shift without numerical adjustment to what people actually pay to their various carriers on a consolidated basis.

We therefore decided at this time to recap all those changes which we are proposing which will have an impact on our bottom lines, viz.:

A361 - Each civic jurisdiction and individual propertyholder owes some amount of periodic tax to the higher level, for the privilege of controlling what happens within that territory.

A361 - Base rate of property tax should be somewhat higher than what we think that we could get on a net basis if we were to exercise the property ourselves, and somewhat less than what the individual renter thinks that he can net-get under his own control.

A365 - Tax the super-rich to build more centers to help the poor.

A368 - Base unit of credit should remain stable over time.

A368 - USD currently holds only 12% of the purchasing power which we feel that it should have.

A377 - No ongoing public debt, but maybe temporary.

A381 - States determine their own levels of health coverage, with the States of residence to reimburse the States of occurrence for health problems incurred while traveling.

A385 - Targeting a maximum of 30% of tax revenue to come from the super-rich, with minimum of 70% from everybody else.

A386 - We will want a significant surplus in our operating budget.

A386 - In FY2016, the Fed had \$4.4044T of net costs, and \$3.3453T of revenues.

A386 - Need to cut Fed expenses by 23.78% just to achieve a balanced budget, more to have a surplus to pay down our debt, unless we try to increase revenue instead.

A386 - Overall tax burden to remain same as current for now.

A386 - No shifting of government functions to lower levels at this preliminary time.

A386 - Keeping the USD at its 2016 level for now.

A386 - Interest rate on the national debt presumed to remain constant until payoff.

A386 - National debt was \$19.2924T as of 30-Sep-2016, loan interest was \$273.0B during FY2016, interest rate was 1.415% annually.

A386 - Paydown of national debt to take 75 years.

A386 - Therefore need \$425.2B of annual surplus.

A386 - Our \$3.3453T of current revenue, minus \$425.2B for loan servicing, leaves \$2.9201T for operating expenses.

A386 - Need overall reduction of \$745.4B in operating expenses, or corresponding increase in revenue.

A386 - Medicare is operating at \$1.4173T of outlays, minus \$389.3B of receipts, leaving \$1.0280T of annual deficit.

A386 - Cutting the Medicare deficit would leave \$282.6B of budget surplus.

A387 - Can trim \$10M of salaries/expenses from the Office of Personnel Management.

A388.1 - Could cut Defense spending by some amount to be determined.

A388.2 - Definitely cutting \$133.1B for the Internal Revenue Service.

A389 - Medicare balancing and IRS elimination give us \$415.7B of budget surplus, in addition to any Defense cuts.

A394 - Health Care is to be managed by the private sector instead of by the Fed, but it still will be universal.

A405 - Same as for Medicare, eldercare (read 'Social Security') should be financed only by current dollars.

A412 - Each nation owes a periodic payment to the global community, and each lower jurisdiction owes a periodic payment to the next-higher level.

A414 - Revenue calculations should include Lottery proceeds.

A417 - In addition to Lottery proceeds, taxes hypothetically can be assessed on Income, Sales, Property, Estates, and/or Existence.

A418 - Property taxes can pay for Firefighting, Garbage collection, and other services which benefit propertyholders. Capitation taxes can pay for Police protection, Parks & Libraries, Military protection, and other services which benefit all individuals. Sales taxes can pay for Currency maintenance, the Commerce Department, Education, and other services which benefit participants in our economic system. There should be no Income tax.

A418 - Maybe could charge higher Sales-tax rates on more luxurious purchases, and/or exempt lower-level purchases.

This brings us back to the beginning of Answer 425, so now ready to combine everything together.

To be clearer on this Question, we eventually figured that we should create four charts, including two for current Government revenue and cost, and two for proposed Government revenue and cost. Each chart would have four columns for the four levels of Government. The revenue charts would have enough rows to cover all the different types of taxation and other revenue. The cost charts would have enough rows to cover the different types of expenses which might best be funded by different types of taxation. Therefore creating the following, in which the first line for each category represents the gross total in millions, and the second line represents the per-capita average in single dollars:

	Fed(U.S.)	State(Cal.)	Co.(L.A.)	City(Pas.)	Totals
Pop. (mil.)	326.5	39.1	9.8	0.1	
CURRENT REVENUE (2016)					
Income	2,897,500	89,100			
Tax	8,874	2,279			11,153
Sales/Use		39,200	107	37	
Tax		1,002	11	370	1,383
Property			5,774	59	
Tax			589	590	1,179
Excise	100,400	5,000			
Tax	308	128			436
Utility Users			58	28	
Tax			6	280	286
Unemployment	46,900				
Tax	144				144
Insurance		4,200			
Tax		107			107
Estate/Gift	21,000				
Tax	64				64
Documentary Transfer			85		
Tax			9		9
Wealth					
Tax					0
Other	228,000	2,528	398	40	
Taxes	698	65	41	400	1,204
Other	51,500	143,227	16,134	498	
Revenue	158	3,663	1,646	4,980	10,447

	=====	=====	=====	=====	=====
Total	3,345,300	283,255	22,556	662	
Revenue	10,246	7,244	2,302	6,620	26,412
Total	3,293,800	140,028	6,422	164	
Taxes	10,088	3,581	655	1,640	15,964

To recap, the specific changes which we would like to make in the above chart are as follows:

- (1) Start by moving all Income Tax to Sales Tax, pending subsequent adjustments.
- (2) Rows 4-9 are not considered for specific adjustment at this time, so they can all be rolled into Other Taxes with no further adjustment.
- (3) We can fill the Wealth Tax field with the amount needed to create a balanced budget in any jurisdiction currently carrying any deficit, and also to meet our annual debt-reduction level until completion (projected at 75 years for the Federal debt), at which time we can reevaluate our tax strategy based upon then-current economic conditions. Doing so will make certain that we never again need to endure a 'government shutdown' as has happened at various points in our history (including in January 2018), nor to deny entitlement benefits to those individuals who have been found to deserve them.
- (4) When we do fill in the Wealth Tax field, check to make sure that it is less than 30% of the total.
- (5) After all the above, consider reallocating revenue according to the types of expenses covered, to be prepared if someone raises a complaint about a given revenue source allegedly being depended upon too much to support a given type of outlay, although no problem to continue allocation derived above if there are no complaints, because there is an argument in favor of stability and familiarity as long as the bottom line remains at its target level.
- (6) Amend the 'wealth tax' line with specific taxes on richest individuals (including Bezos of Amazon at \$105B, and Gates of Microsoft at \$100B), based upon listings available online through Bloomberg and/or Forbes.
- (7) Add a column for 'Fed - was', to highlight where the biggest changes are happening in our model.

Time therefore to construct our summary chart of current costs. Again, the first line within each section represents the gross total in millions of dollars, and the second line represents the per-capita average in single dollars. Category titles come from the mapping suggested in Answer 386. Figures come from the financial statements provided online by the applicable governments.

	Fed(U.S.)	State(Cal.)	Co.(L.A.)	City(Pas.)	Totals
Pop. (mil.)	326.5	39.1	9.8	0.1	
CURRENT COSTS (2016)					
Foreign Affairs	41,000				126
	126				
Defense	1,347,900				4,128
	4,128				
Domestic Affairs	1,306,800	93,895	228	293	
	4,002	2,401	23	2930	9,356

Transportation	91,200 279	12,121 310	381 39	36 360	988
Science	91,100 278				278
Health & Safety	1,083,000 3,317	127,543 3,262	21,406 2,184	129 1,290	10,053
Justice	37,100 114	11,875 304			418
Finance	117,100 359	6,316 162			521
Administration	(-8,300) (-25)	16,686 427	1,236 126	59 590	1,118
Non-Operating Expense	277,700 851	4,232 108	93 10	9 90	1,059
All Other Government	19,800 61			44 440	501
	=====	=====	=====	=====	=====
Total Cost	4,404,400 13,490	272,668 6,974	23,344 2,382	570 5,700	28,546

To recap, the specific changes which we would like to make in the above chart are as follows:

- (1) Add a column for 'Fed - was', to highlight where the biggest changes are happening in our model, same as for Revenue.
- (2) Make sure that we have a row for the level of Operating Surplus (previously calculated at \$425.2B) which will be going to Debt Reduction.
- (3) Cut the Medicare deficit by \$1.0280T, but reflect it as a Revenue increase and not a Cost reduction.
- (4) Trim \$10M of Salaries & Expense from the Office of Personnel Management.
- (5) Cut \$133.1B from the IRS.
- (6) Go back to our previous notes, and create new Department-level cost centers within the Executive Branch, based upon the largest current outlays, aiming for an average of about \$475B per Department.
- (7) Specifically, break up the \$1.3479T of Defense into the three Departments of Veterans Affairs at \$649.1B, Defense at \$609.2B, and Homeland Security at \$89.6B, unless we determine that the last can be rolled into other Departments. We justify the distinction *vis-à-vis* Defense (always had thought that they should be together, because they have the same basic mission of defending Americans and our homeland) by distinguishing between uniformed services and civilian analysts.
- (8) We considered that Domestic Affairs should be three Departments, where one is everything except the Social Security Administration, and where we break up the \$981.8B of SSA into two somehow. However, upon closer examination of the federal financial statements for the fiscal year ended 2016, we found that \$769.8B of the total amount directly relates to the Social Security program, so we decided that it would be easiest to leave it as its own undivided cost center.
- (9) The costs from all other agencies add up to \$1.8668T, to be divided among six Departments, for an average of \$311.1B per Department, so Health & Human

Services with its \$1.0743T theoretically should be split among three Departments, although much of this total involves Medicare, so we need to examine the financials more closely to see just how much Medicare is involved here, and what (if anything) there is in HHS outside of Medicare, because it may turn out that we need to keep Medicare as its own Department-level cost center, same as Social Security. The chart appearing within Answer 386 shows that -- even if the unspecified Offsetting Receipts of \$428.3B all related to Medicare and/or Medicaid -- that combined program would still come out as \$989.0B, with a remainder of only \$114.0B, much of that remainder pertaining to other types of Health programs, so may not make much sense to break these units into different Departments.

(10) In particular, the many outlay lines for Medicare and Medicaid address both programs jointly, so they would not be easily separable.

(11) We theoretically could separate HHS into Medical Support and Health, but several of the non-Medicare programs currently administered within HHS also involve medical support, so splitting up the programs would offer no real advantage. Therefore best to leave it all as Health, and to take 'Human Services' out of the name in order to introduce transparency as to what this total actually comprises.

(12) After the main four of SSA, VA, Defense, and Health, we have \$792.5B of net costs to divide among five Departments, for an average of \$158.5B per Department. Agriculture is easy at \$133.6B, and we used our spreadsheet of net costs from 2016 to figure out the remainder. This analysis showed that Administration should not be a separate federal Department after all, but rather a set of cost centers within the Branch umbrella. Further narrowed the field to 11 Departments, then combined further, deciding against having a Department of Domestic Affairs because there are too many disparate functions which are domestic to group them all as Domestic Affairs.

(13) Decided to move the Justice Department to the Judicial Branch, partly because the net cost is so relatively small that it may not deserve recognition as a full Department within the Executive Branch, partly because the function does not relate enough to other Executive Departments to be attached to them, and partly because the mission of the Justice Department is more in line with the mission of the Judicial Branch.

(14) Final change at the Federal level was to recombine Veterans Affairs with Defense, partly to get the field down to nine clearly-separated Departments, and partly to show how much the overall Defense function is still costing us, relative to the other Departments.

(15) Once we finalized our new Federal Departments, we redid the mapping of non-Federal functions, and have now come up with the following chart of consolidated government costs, again with the second line of each category referring to the per-capita averages in single 2016 dollars, now sorted by per-capita category totals:

	<i>Fed(U.S.)-was</i>	Fed-prop.	State(Cal.)	Co.(L.A.)	City(Pas.)	Totals
Pop. (mil.)		326.5	39.1	9.8	0.1	
PROPOSED COSTS (in 2016 million-dollars)						
Health	1,074,300	1,074,300	127,543	7,728		
	3,290	3,290	3,262	789		7,341
Defense	1,258,300	1,258,300				
	3,854	3,854				3,854
Social Security	981,800	981,800				
	3,007	3,007				3,007

Energy & Environment	95,400 292	95,400 292	8,803 225	87 9	220 2,200	2,726
Education	74,000 227	74,000 227	72,667 1,859	141 14		2,100
Economics	214,100 656	81,000 248	18,741 479	6,192 632	73 730	2,089
Public Safety				7,098 724	97 970	1,694
Debt Reduction*	-0- -0-	425,200 1,302				1,302
Administration	(-8,300) (-25)	(-8,310) (-25)	16,686 427	1,236 126	59 590	1,118
Transportation	117,800 361	117,800 361	12,121 310	381 39	36 360	1,070
Non-Operating Expense	277,700 851	277,700 851	4,232 108	93 9	9 90	1,058
Non-Executive Expense	56,900 174	56,900 174	11,875 304		44 440	918
Agriculture	133,300 408	133,300 408				408
Foreign Affairs	129,100 395	129,100 395				395
Recreation				388 40	32 320	360
Total Costs	===== 4,404,400 13,490	===== 4,696,490 14,384	===== 272,668 6,974	===== 23,344 2,382	===== 570 5,700	===== 29,440

*Technically is an outlay, not a cost, but needs to be included in this table in order to project taxpayer cashflows accurately.

That \$29,440 bottom line represents the average amount which each American person would need to come up with in order to subsidize all our current government functions (including a gradual reduction of our Federal debt), if we did not make any large-scale reductions in Health or Defense or Social Security. Obviously, many Americans do not make that much money annually at all (especially children and the retired), and those who do must first take care of their own rents and groceries and other basic expenses, so a higher-than-average contribution to the public pool must be made by those individuals with higher-than-average financial resources.

In accordance with our Answer 418, certain types of taxes should pay for certain types of costs, so our revenue distribution should reflect the above cost breakdown.

Specifically, we feel that: Capitation taxes should cover Defense, Safety, and Recreation, because the entire population benefits from these functions. Property

taxes should cover Energy & Environment, because those functions benefit propertyholders the most. Sales taxes should cover Economics, Agriculture, Transportation, and Education, because it is those individuals who purchase and consume our economic commodities who should be contributing the most towards the perpetuation of our economic system. Wealth taxes should cover Social Security and Health, as a means of peacefully reducing the disparity between rich and poor. Estates and other sources should cover the remaining functions of Administration, Non-Executive, Foreign Affairs, Non-Operating, and Debt Reduction, allowing the Estate rate to vary according to how much is needed to cover the 'leftovers' of government net-expense.

Currently allowing any revenue sources which currently exist but which are not specified in the above paragraph, until we once determine that any particular amount is causing some kind of undue harm to someone or something.

When we first applied these rules, the Estate factor for States, Counties, and Cities ended up negative, so we reduced the factors of Wealth and Other Revenue accordingly.

We also found after the first pass of applying the above rules that -- while our 30% rule for Wealth tax was satisfied at the overall level, it was exceeded at the Federal and County levels. Wealth tax needs to be a maximum of 30% at each level, so it was necessary to increase the Sales-tax component until the Wealth tax was reduced to its maximum of 30%, on the premise that we shouldn't tax the wealth of the super-rich until we first extract an appropriate amount out of our active consumers.

The net results after all the above applications are as follows. As before, the first line of each category represents the total in millions of dollars as valued in 2016, and the second line represents the per-capita average in single dollars.

	Fed(U.S.)	State(Cal.)	Co.(L.A.)	City(Pas.)	Totals
Pop. (mil.)	326.5	39.1	9.8	0.1	
PROPOSED REVENUE (in 2016 dollars)					
Income Tax	-0-	-0-			-0-
Capitation Tax	1,258,300 3,854		7,486 764	129 1,290	5,908
Property Tax	95,400 292	8,803 225	87 9	220 2,200	2,726
Sales/Use Tax	1,053,253 3,226	103,529 2,648	7,439 759	109 1,090	7,723
Wealth Tax	1,408,947 4,315	5,381 138	7,003 715		5,168
Excise Tax	100,400 307	5,000 128			435
Utility Users			58	28	

Tax			6	280	286
Unemployment Tax	46,900 144				144
Insurance Tax		4,200 107			107
Documentary Transfer Tax			85 9		9
Other Taxes	228,000 698	2,528 65	398 40	40 400	1,203
Other Revenue	51,500 158	143,227 3,663	788 80	44 440	4,341
Estate/Gift Tax	453,790 1,390	-0- -0-	-0- -0-	-0- -0-	1,390
	=====	=====	=====	=====	=====
Total Revenue	4,696,490 14,384	272,668 6,974	23,344 2,382	570 5,700	29,440

In our previous revenue chart, the per-capita revenue generation from other than Wealth and Estate taxes was $(\$26,412 - \$64) = \$26,348$. In our revised model, per-capita generation from other than Wealth/Estate tax is $(\$29,440 - \$5,168 - \$1,390) = \$22,882$. This means an average reduction to middle-class taxpayers of 13.155%. Took us nearly three months to figure this out!!

SECTION II-D: INDUSTRIAL PRODUCTION & DISTRIBUTION

Question 426

Any changes in corporate finance, particularly the stock market?

Two changes which we are recommending until we are once persuaded to the contrary:

1) Go to 24-hour stock trading. You can still show daily closing prices as of midnight, in order to track evolving share values same as we currently do, but we are just making the cutoff time later, and allowing new trades immediately after. Advantages are that it increases transaction options for both corporations and stockholders, who can now buy and sell with partners all over the world, for this is becoming more and more of a global marketplace, whether we all like it or not.

2) Allow a portion of Federal sales-tax revenue to come from stock transactions. Think of it as an additional commission, same as you pay to your broker, but instead for maintaining systems in which these transactions can take place, for tracking everybody's recent transactions and current wealth, for building and repairing transportation networks to allow companies to conduct business, and for educating the future managers of our economy so that we may all enjoy comfortable retirements. Also will have the effect of reducing volatility by discouraging 'quick-buck' stock purchases and encouraging longer-term investments in worthy companies.

Question 427

Shall we have measures on the books to prevent monopolies?

The 'black book' of preliminary ideas suggests that we should allow monopolies as long as we disallow unfair business practices, but at this point we are not sure that we go along with that. As of 2018, we have heard about several recent attempts to merge large companies in the Healthcare and Entertainment and Communications industries, which deals blessedly were always subject to anti-trust review.

If two or more companies with large market shares were allowed to get together, then they could manipulate prices unfairly, causing certain commodities and services to cost more than they're really worth, skewing the economy, penalizing consumers, and excessively enriching the corporate owners.

Thus, even if the monopoly comes about through completely fair and legal means, it still would be in society's interest to block its creation, so yes we do wish to maintain legal measures to prevent monopolies.

Question 428

What business practices shall we consider to be fair and unfair for this discussion?

The 'black book' suggests that we continue to prohibit false advertising, arson, competitor picketing, and slander. Generally, we don't want to allow any action which physically prevents a competitor from doing business, and we also don't want to allow any company to make any public statement about a competitor's product/service, except only by direct quotation of independent industry-review organizations.

Question 429

Shall the Government get involved at all in rate regulation if a concern has more than a certain percentage of market share?

Actually, what we now have in mind is that companies generally should not be allowed to have more than a certain amount of market share, specifically so that they cannot have too much of an influence over prices, in turn so that prices can be allowed to find their true market value relative to other popular products and services.

If we have only two competitors in a given industry, then whoever has the greater market share still is in a position to determine what prices 'should' be, such that the one competitor is either slightly undercutting the 'primary' price in exchange for lower quality, or else charging a slightly higher price with the promise of higher quality. In either case, there still is too much effective collusion as to the primary price, so we want to make sure that there are always at least three competitors in any industry, so that consumers will always have sufficient options available, and so that all competitors will be motivated to keep their prices affordable but still sufficient to cover their expenses and remain in business.

In order to ensure that there are always at least three competitors within any industry, we feel that we should set a maximum of 33.3% of market share to be held by any one company. If any company exceeds that maximum, then either it must

decrease production until its market share reduces to an acceptable level, or else it must divest its business among multiple independent brands.

To make this process work, we must make sure that it is treated as a prohibitive 'conflict of interest' for any one individual to own shares of more than one company operating within the same industry.

Monopolies and semi-monopolies can happen at the global scale as well, as in the case of OPEC controlling fuel prices in the 1970's, so the prevailing 'international oversight organization' (or 'i.o.o.') should have steps in place to prevent such collusive actions.

Another reason to prevent companies from owning more than a 1/3 market share is because any company with a higher share is in a position to engineer 'planned obsolescence' into their production schedules. We have seen this with certain Computer companies which create hardwares or softwares which they plan to be unusable or 'no longer supported' after a certain period of time, such that consumers are effectively forced to purchase both the original inferior product and its subsequent upgrade.

However, if we divide Telephone service among multiple companies, then each phone in the world still should be able to call any other phone in the world. Similarly, if we divide Computer access among multiple companies, then our e-mail's and file attachments and other media should understandable in all platforms, or at least the major ones. It may therefore be necessary for all companies within certain industries to conform with certain production standards maintained by the applicable national or international governments.

Only exception that we would make to the above is if an inventor of a proprietary new technology wishes to form a business to apply that technology within the marketplace, as Bell did with his telephone, or as Bill Murray and his buddies did in 'Ghostbusters'. In this case, we want the inventors to be justly rewarded for their creative and physical and entrepreneurial energies, and we don't want the value of those investments to be undercut because some 'copycat' companies wish to generate cheap knockoffs at cut-rate prices. We therefore feel that an inventor should be allowed to maintain a monopoly over the use of her invention for as long as her patent remains valid according to the laws of the day. During that period, the inventor may sell the production rights of her invention to other manufacturers in exchange for agreed-upon royalty payments. After that period, the inventor retains no further right of ownership over her invention, and production must be made available for free to all business concerns who wish to engage in it.

If there are not enough companies willing to compete for market share within a given industry, or if for some reason a given government specifically wishes for monopolies to prevail in certain industries (such as Utilities), then it may regulate prices as it sees fit, except always remembering that setting prices too unduly high could eventually inflame the public to the point of civil disorder, which our SIG will not be able to stop once it starts.

Question 429.5

What can we do to mitigate the effects of 'planned obsolescence' within our industrial production?

This is where some manufacturers decide in advance (although they might not admit it in public) that they will sell and support a particular product for only a limited period of time, after which customers will not be able to get their products serviced or purchase replacements. They then will be effectively forced to purchase the newest 'thing' at a much higher price, and then they probably will need to do the same thing again just a few years later, spending more money all the time because the manufacturers want you to do that.

One recent example of product obsolescence which may or may not have been planned was in our home-video market. A lot of us above 'a certain age' owned video-cassette players (commonly known as VCR's), and we spent a lot of money building collections in 'VHS' format of our favorite movies and TV shows, and behold we were very happy.* [*The author was especially happy because his tight personal schedule often required him to watch his movies in two or three stages, and it was very convenient to eject the tape at any desired stopping point, and then reinsert it again a few days later to pick up exactly where I left off with no thinking and no fuss. Every subsequent technology which I have yet seen forgets where I leave off, and so whenever I want to pick up again later I usually (if not always) need to go through a series of introductory videoclips and a cumbersome 'scene selection' process, consuming much more time and effort for a supposedly 'advanced' technology.] It would have been just fine with us if we could get our machines inexpensively serviced when needed, and to replace the occasional VHS tape whenever it finally wore out. If we ever needed to get the machine itself replaced, then at least our video collection would still be usable.

A few years later, though, they stopped selling VCR's, and they stopped selling videos in VHS format. It has become increasingly difficult to find any local craftsman who will actually fix your VCR, and once any of your tapes wear out that's it. Instead, they made us all buy 'DVD' players, and now we needed to begin our video collections all over again in a new format, at considerable effort and expense.

DVD's now appear to be on their way out, too, to be replaced by 'Blu-Ray' and whatever other technologies may come after that.

Another recent example of product obsolescence which may or may not have been planned was in our computer technology. Certain manufacturers sold us servers and monitors and operating systems and program applications which were all compatible with one another, and we did some great and fun things, and behold we were happy. Some years later, they stopped 'supporting' those earlier technologies whenever they needed to be serviced or replaced, and they instead made us buy fancier and more expensive technologies which we did not need and did not want, and which in many cases were actually less user-friendly and less productive than what we were using before.* [*The author has multiple specific examples in mind, but does not wish to risk legal trouble by mentioning any specific corporations by name.]

Must that be the way of the world? Must we always be at the mercy of the Great Corporate Powers who keep our entire lives on their master calendars like so many golf dates?

Our group has a suggestion to mitigate this problem. Big part of the issue is that these manufacturers have obtained patents which prohibit others from utilizing those same technologies for a certain number of years without negotiating a licensing agreement of some kind, usually at considerable cost. However, seems to us that any manufacturer who stops supporting a particular technology must be thinking that it is too primitive to bother with any longer, so they should not object if a competitor wishes to step in and resume selling and supporting those products.

Therefore, we suggest that any patent on any technology should expire immediately and automatically whenever the patentholder declares publicly that they are ceasing to support that technology, which then becomes part of the 'public domain' and freely available for anyone else to manufacture and sell and service as they like.

We also suggest that some of you folks out there can help the cause by maintaining an ongoing market to sell and service technologies which the original manufacturers have stopped supporting. We realize (especially from the long lines on launch dates) that a lot of folks are continually eager for the latest 'new thing', and that's perfectly fine. However, others of us don't want to spend so much time learning new technologies, and getting accustomed to new looks and new feels which are sometimes uncomfortable and unproductive for us, and having to pay out large sums of money for the privilege of getting something which we don't really want. If we can please have at least a few of you out there still making and selling and servicing the old things, so that people have a real choice, then we all could be happy.

That way, if the original manufacturers once observe that a lot of people still want things the old way, and that there still is a sizable market out there for them to squeeze, then maybe they won't be so quick to abandon the old technologies, and maybe they will be a bit more willing to continue supporting those older technologies even as they also make and sell the new things for the people who want those.

Question 430

How shall we deal with the fact that industry is currently using up a tremendous amount of coal, petroleum, and other non-renewable energy sources?

Our observation is that -- while we certainly still have a long way to go -- yet we have managed to accomplish quite a lot during recent years in the development of clean and renewable energy sources (including solar, wind, hydroelectric, and hemp), and in encouraging or requiring industries to phase out their uses of coal and petroleum within reasonable timeframes. We should continue with these processes, and provide our political and economic support to them insofar as we practically can.

For, even if you refuse to believe in the widespread scientific assertion that burning coal and petroleum causes serious (if not critical) damage to our atmosphere, in addition to other environmental problems, you should at least consider the fact that these resources are in limited supply, so the only smart thing to do is to figure out how to satisfy our energy demands without reliance upon those dwindling resources, which will only keep going up in price as supply diminishes (no matter what we do with monopolies and cartels), unless we reduce demand by shifting to viable alternatives.

Question 431

Shall tax breaks or other such incentives be offered to encourage the use of electric cars or solar heating?

The 'black book' of preliminary ideas (compiled back in the mid-1990's) says no, but we now think that we probably could provide sales-tax exemptions on electric cars and solar panels and certain other products which are intended to reduce our consumption of physical resources.

For, one of the big reasons for emphasizing sales tax is to discourage consumption, so it follows that we should not tax products which are designed to reduce consumption.

Question 432

Isn't it unfair to oil companies for the Government to subsidize research and products that will effectively put them out of business?

Unfortunate yes, but unfair? Sorry, we have a hard time buying that.

First, the oil companies have been making billions off of our hefty energy appetites for many years, and they would keep much of those profits even if we completely closed all production tomorrow, so it's hard to feel sorry for them.

Second, some might argue that a lot of their profits came from collusive raising of prices far above what we would have had in a more competitive environment, so maybe if anything they should be giving some back in addition. If so, then our new wealth tax will see to that.

Third and most important, industries come into and go out of existence all the time, as a result of our technological advances and other evolutions in our demographics. (For example, TV repair was a big industry in the 1970's, but not anymore.) The fact that they did a certain thing in the past -- when there was much higher demand -- does not imply that they get to keep doing it indefinitely.

Question 433

To what extent do we want to allow nuclear power in this country?

That's a tough one. It's much cleaner and cheaper than either coal or petroleum, but there are safety issues, including that we need to deal with a growing stockpile of radioactive waste.

Generally, our goal should be for 100% of our energy demands to come from solar, wind, hydroelectric, geothermal, and other completely clean and safe and renewable sources. Until we are able to make that goal a reality, we require some dependence upon less-desirable sources, including nuclear.

Until we can make them all obsolete, we imagine that we generally should be preferring nuclear energy to either coal or petroleum, because at least it doesn't directly damage the atmosphere, except of course in case of accident. However, we generally want to phase out nuclear in favor of the net-safer sources.

Question 434

How shall we deal with the fact that industry is currently using up a tremendous amount of physical resources, such as steel and timber?

We spoke specifically about timber in Subsubsection I-D-1-c, proposing that we should make sure that the Federal government includes an agency which manages a strategic reserve of forest land, both as a backup for our lumber needs and to replenish our oxygen supply.

Steel and other mineral resources are harder to manage, because they are not as renewable as timber. However, if we can manage to level off our global population at some point, and keep it at or below the maximum level which our existing mineral supply will shelter and support, then hopefully renewability will not be a problem, if we do a satisfactory job of recycling the raw minerals whenever we tear down a stadium or warship or other large construction.

We can also help the issue by expending fewer mineral resources in military buildups, and more in civilian housing.

We can also help the issue by limiting the size of our personal vehicles. Ever since the 1990's, we have been seeing large numbers of Americans driving around in big trucks and vans and SUV's who clearly were not immediately using them for anything other than local personal transportation. Maybe they do so at other times when we don't see, but we also observe that a lot of those drivers are very small and slender, not the type which we would normally associate with hauling around large amounts of freight or heavy equipment or anything like that. Maybe the same vehicles are used at other times by bigger and stronger people who are doing all the heavy lifting, but still we have to wonder: Do at least some of these individuals own vehicles which are significantly larger than they really need to be?

If so, then this is causing problems on a number of levels. First, in direct response to Question 434 here, we are using up our physical resources (especially steel and petroleum) more quickly than we need to be, which could be both an economic and an environmental problem down the road (and maybe not too far down the road), if supplies get scarcer and harder to replace, and if everybody's prices go up as a result. Second, the unnecessarily-large sizes present visual hazards to other drivers, who cannot see around you to learn what is happening on the side of you, whereas they could normally see through the windows of a regularly-sized car. Third, the larger cars decrease the distance from other cars, both on the highway and in the parking lot, increasing the risk of accidents while driving and exasperating an already-pernicious parking problem in our populous cities. Fourth, larger cars generate increased fuel emissions which cause greater damage to our atmosphere. Fifth, driving an unnecessarily-large vehicle sends a message to other Americans that it's okay to squander all our resources and use up all available space, and a message to the rest of the world that Americans don't give a crap about either environmental control or resource management, which is a really bad look for us if we have any remaining eagerness to 'lead' the rest of the world in any political or economic or military sense, and any remaining hope of ever doing so again.

Solving these problems will require a team effort. All individuals and families in America (and everywhere else, really) are urgently requested and encouraged to reassess their personal transportation needs, and where practical select smaller vehicles going forward. Lead the fashion. Define the trend. Stand up against Evil. Be comfortable, even stylish if you can manage it, but don't be needlessly and recklessly Obese.

In addition, insurance companies who are not doing so already should feel free to track your claims experience in terms of the size of the vehicles involved in each loss, and accordingly to assess higher premium rates for larger and riskier vehicles. Also, any State Insurance Department not already doing so should actively consider setting higher registration rates on vehicles which consume more of our planetary resources, and which increase the risk of accidents on our public streets and

highways, and which exacerbate the pre-existing public stress in trying to squeeze safely into and out of parking spaces.

Question 435

How shall we deal with the impact on a local economy when such resources dry up?

Not applicable. We make sure that they do not dry up, including through the use of resource-management techniques as exemplified in Answer 434. Communities which previously focused on mining and refinery can retool toward recycling and reconstruction.

Question 436

Should the Government continue to make sure that product and workplace safety are maintained?

Yes, definitely. The development of workplace safety standards was a major advance in our society, and we don't ever want to go back. Besides, businesses which want to attract quality labor will have a built-in incentive to maintain comfortable working conditions.

Since one of the principal missions of government is to protect the rights and safety of all individuals (certainly to include both workers and consumers), this is an appropriate and important function of government.

Question 437

At what levels of government should product and workplace safety be managed?

Industries are often limited to particular States, but also cover numerous Counties. We therefore feel that States are generally in the net-best position to focus on those industries which are prevalent within them, and to develop applicable safety standards which can be widely known and implemented, instead of making each County do the same analytical work as other Counties performing within the same industries.

Product safety should be handled at least at the Federal level, and may someday need to escalate to Global, as our economic interaction continues to increase.

Question 437.5

Do we have any product suggestions to be advanced by American industry?

For all products generally, please be more careful in considering whether you really want to change the design of your packaging, as has recently occurred with Stouffer's and Bud Light. You might suspect that 'newness' will improve your sales, and if you have no new product ideas then your only opportunity for 'newness' is your packaging, so that might be your fallback if you have nothing else going on. However, you may be creating more problems for your business than you are solving: Changing your packaging may make it harder for customers to locate your products on store shelves, so some of them may suspect that you have gone out of business (or at least discontinued certain product lines), and so they might move on with their lives without you. Those who do still notice your repackaged product on

the shelves might abandon you because they suspect that you have changed the actual product in some way, and they liked it before so they don't want anything different. Even if they know from your advertising that it's the same product in different packaging, some of them may see your repackaging as a desperate effort by a company which sees itself as a loser, and so they might abandon you on that basis. If a product and its packaging have been working well for decades (WD-40 is a great example), then we will keep buying the product forever as long as you don't change things. Changing creates a business risk, so choose wisely.

For specific categories of products, we are adding suggestions to the following alphabetical list as we think/hear of them:

Accounting Software

In addition to allowing a date to be entered for each transaction, it would be helpful for some individuals and firms if there were also an optional field to record the time (probably as HHMM in a 24-hour format, Army-style) which may be shown on the receipt, and then if the user could sort all transactions within a given report by date first and time second in order to get everything into chronological order. As it currently stands with certain programs, the user who wishes to record transaction time must enter it at the beginning of the Memo field, and then must either enter them all in chrono order the first time (very rare that we have all the receipts available to do that up front) or else copy certain transactions and delete the originals in order to create the appearance of chrono order (which can be risky and can temporarily mess up your bank reconciliations). Easier with a Time field.

Air Conditioning

Many air-conditioning systems which we have seen (both in cars and in buildings) have separate switch positions for Cooling and Heating. Each switch position often has its own thermostat setting for when the system is supposed to stop generating the conditioned air. Problem with that approach is that sometimes the temperature keeps on progressing in the opposite direction, so that you need to get up and switch back from Cooling to Heating, or the other way around.

It would be far easier for us if we could simply designate one desired temperature on each air-conditioning system. Whenever the ambient temperature is more than one degree above the target, the Cooling system kicks in until the target is reached. Whenever the ambient temperature is more than one degree below the target, the Heating system kicks in until the target is reached. All that we need is an on/off switch and a setting for desired temperature, then everything should be automatic.

Automobile Controls

Some cars have controls for the radio or A/C which are flush together with even height, and therefore cannot be operated without eye contact, which takes the driver's attention away from the road, which is bad. All dash controls should be identifiable and operable by touch only.

Some cars have signal levers which release when you want them to stick, and stick when you want them to release. Requires the driver to look back at the signal to see whether it is still operating after the merge has been completed, which takes the driver's attention away from the road, which is bad. Each lever should have one setting in each direction where it can be held manually for as long as desired but

discontinued immediately upon release, and a further second setting where it will lock in place until it is manually pulled or until a full right-angle turn has been completed.

Automobile Service Indicators

Some cars do this to some extent already, but too many newer models still do not do it, and we need to make it a standard expectation at this point: We have numerous sensors embedded throughout the vehicle to indicate when there is some problem which needs servicing, but too often a sensor triggers only a 'Service Engine Soon' light, and provides no other useful information. We are therefore required to figure out whether to take the car in for inspection, and if we do then we must face the embarrassment of telling the service attendant that we have no idea what the heck we are doing there, except that the one-phrase computer said that we should come.

Cars routinely have displays now which can show maps and satellite images and all manner of other video output, so at this point in our technological evolution any sensor finding any trouble within the vehicle should be able to trigger a message or display showing both *where* the trouble is and *what* the trouble is. We then would have much more information available to help us decide what is to be done next.

Beer

Some beermakers (both in the US and elsewhere) seem to be harboring the false belief that the location of your breweries doesn't matter. It does matter. The taste of Newcastle completely changed when they recently moved their brewing operation from England to Holland, to some people's delight and other people's chagrin. Even if you use the same recipe and techniques and equipment, differences in flavor may yet occur from the different water that you are using, the different soil where your ingredients are grown, the different climatic conditions (temperature, pressure, humidity, etc.) surrounding your new plant, and other factors. If you simply think that switching to a cheaper location will reduce expenses without also reducing revenue, then you may possibly turn out to be mistaken. Location matters, so please consider very carefully whether you want to risk alienating your original customer base -- and destroying your business as a result -- by fundamentally changing the product to which they have been expressing their loyalty all this time.

Cellphones/Celltowers

Added in May 2019 from post-meeting SIG correspondence: One of our panelists raised a concern that cellphones and celltowers may be emitting more harmful radiation than we were previously led to believe. Insofar as this may be the case, we request that further studies be performed in this area, and the results made public with due dispatch, so that we can all assess further whether we need to make any additional changes in our technological lifestyles and/or infrastructures.

Public Telephones

Totally understand and agree that we don't need nearly as many pay telephones as we did in the 'Superman' era, because so many more people now carry mobile communication devices on a virtually-umbilical basis. However, we still should have a few machines around as spares, especially in crowded places such as shopping malls and airports and train stations, in case people run out of battery power or they're in a 'dead zone' or their carrier gets clogged or they have some other

technical problem preventing their mobile devices from operating normally. We also should still have at least one at every post office, so that there is usually one within possible walking distance of any urban spot, not only for mobile users who currently have mobile problems, but also for individuals who for any reason (including sensitivity to cellphone radiation, as mentioned above, or maybe they just don't use phones often enough to make a monthly plan economically worthwhile) do not carry any mobile devices at all. By all means do charge a reasonable amount for usage, to at least partly offset the cost of maintaining the equipment and carrying the calls, but please don't make the rates so high as to negate the convenience of keeping those units available as a public benefit.

Showers

One suggestion that we have is to create a better approach in our shower management. Some showers are designed with a single knob which controls both volume and temperature. Problem with that approach is that closing the knob in order to save water during certain portions of your shower often causes the temperature setting to adjust, so the water is either too cold or too hot when you turn it back on, and you need to waste more water while you readjust the temperature.

Our idea is for one shower head which controls volume while another maintains temperature, so that you can adjust either setting without affecting the other. The author asks no royalties for this idea, but would appreciate if you would please kindly mention in all your various publicities that your invention was based on an idea described in 'The Answers To Everything', so that we can generate additional book sales and spread further all the other messages contained within this document.

Spreadsheets

We like that modern spreadsheet packages allow us to post a 'comment' next to any cell of our choosing, but some funny things have still been happening with some of those comments in certain spreadsheet programs. Specifically, sometimes the comment ends up scrunching to zero height, and sometimes it expands to be dozens or even hundreds of rows high. Also, sometimes the comment ends up getting relocated dozens or hundreds of columns away. In all such cases, manual intervention is required which annoys us and wastes our precious time.

In an ideal world (which is what we are asking for with this document), each new comment would start a designated short distance from the corner of the applicable cell. It would start with a very small width and height, but expand horizontally with increased typing until the user hits the 'Return' key, at which time it would expand vertically. It could also be resized and repositioned manually as currently allowed. Once the comment is completed, it should retain that same width and height and position until it is deliberately changed, no matter what ever happens with inserting or deleting rows, inserting or deleting columns, resizing rows or columns, copying or moving ranges, or any other structural actions.

Toy Weapons

We understand (all too well) the corporate desire to make and sell whatever products people will buy, and that families have a long history of buying toy handguns and toy rifles and toy sabers and other 'toys of mass destruction' as Birthday or Christmas gifts. The intent may be innocent enough, but the family members who give those

gifts may not be aware of the long-term psychological impact which they can have on a young mind.

When you give that gift, you are sending the message that it's okay to pretend to be hurting and killing people. Every time the child plays with that gift, he is creating a 'muscle memory' for holding the weapon and assuming an offensive posture with it. It becomes more natural and comfortable the more that he does it, and in many cases it makes him want to continue to wield weapons in his real adult life.

Even if he eschews the criminal life in favor of channeling his offensive tendencies into the Police or the Military, that can still be a problem too, because we have all seen or heard about their powers occasionally having been abused because the individual officers turned out to be too aggressive for their professions.

Manufacturers who create toy weapons for children's gifts may therefore be creating a social blight which they do not intend. Maybe we can legally prevent them from creating toy weapons, and maybe we can't, but in any case we are politely asking and encouraging them to reconsider their priorities. Even if you are making some money on the sales, do you really want to be perceived by the public as contributing toward increased violence in our society through repeated psychological conditioning of our young children? We hope not.

SECTION II-E: LABOR

Question 438

Shall any American company be required to hire American citizens for employees?

N/A if we abolish citizenship as resolved in Answer 21.

Even if we retain the institution of citizenship for some nonzero period of further time, we still don't want to make this a requirement: One of our core American values (see Answer 38) is a free-market economy, which means that all participants in the economy (producers, employers, workers, retailers, and consumers) compete with one another for whatever economic advantages they can lawfully get. If someone other than you shows himself to have better productivity and/or quality and/or attitude, and/or is willing to work for a lower wage, than an employer in a free-market economy generally (if not always) should be allowed to hire him.

Many (if not most) employers will have a natural preference toward American workers. Even if we abandon the institution of citizenship, anyone who has lived in a certain area for a long time will tend to be more stable and a longer-term employee, and will have knowledge about the locality which may be useful in the course of his work. However, it is the prerogative of each employer in each industry to decide which factors are most important for her particular company, and to select her laborers accordingly.

There may need to be some exceptions, such as airline pilots or the military, where we as a society might want to insist that all employees be American citizens while we still have citizenship, and afterward that they meet some other set of qualifications (such as length of residence, or number of years of domestic education) for being sufficiently 'American'.

Question 439

Should it be lawful for a company that so wishes to require that all of its employees be American citizens?

Yes, it is appropriate for an employer to decide that she wants to hire only Americans (however we may define that expression over time), just as she generally has the right to hire non-Americans.

Question 440

But, if an employer is allowed to hire non-citizens, then won't many employers be motivated to hire aliens who are not subject to minimum-wage restrictions, and won't this tend to divert jobs and resources away from Americans?

This goes to whether we should have a minimum wage at all. We don't want slavery or anything remotely resembling it in our society, and we do want everyone to be able to afford at least a minimally-decent standard of living with a reasonable work schedule. However, if we arbitrarily dictate some minimum rate which all workers must get per hour, then employers must pay more in wages than they would have paid otherwise, so they will need to raise prices on their goods and services, so consumers will have to pay more, creating an inflationary environment where the purchasing power of the Dollar (or other currency unit) goes down.

For example, let's pretend that the previous minimum wage was \$10 per hour, and that I could keep myself reasonably nourished by two \$5 meals per day from the local fast-food places. Then, let's say that they increase the minimum wage from \$10/hour to \$12/hour. The growers and the processors and the drivers and the restaurants all need to raise their payroll outlays by 20%, as well as most/all of their other expense categories (because their various suppliers and other vendors will also need to raise their payrolls), so they need to raise their menu prices by 20% in order to stay in the same financial shape. Therefore, those meals which previously cost me \$5 each will now cost me \$6. I now get \$12 per hour instead of \$10, but that \$12 will still buy the exact same two meals per day which \$10 bought before the increase. The increase therefore didn't really accomplish anything for me as a worker and consumer, but it did lower the purchasing power of the Dollar for no particular reason at all.

Therefore, if we remove the artificial restriction on wages, then they will be able to find their true relative values, and we can keep them at those levels by maintaining a stable currency value.

What we have left, then, is an environment where both employers and workers compete for each other's attentions in a fair global market. As discussed in Answer 438, it will often be advantageous to hire workers from among your own national kin, because they may have more allegiance to your company and your community, and may also have more knowledge of local language and customs and other factors which may be beneficial to your business. However, you may someday encounter a non-American candidate whom you find to be 'good enough' in all the other categories, and in addition is willing to work for a lower wage. In order to remain competitive (a free-market economy again being one of our core American values from Answer 38), we therefore should be prepared either to demonstrate why we actually deserve the higher hourly rate, or else to lower our salary expectations by some degree. In this way, we will have a clearer idea of the true range for what a worker in a given type of job should be expecting to receive in hourly compensation,

which will help us make sure that all employers and employees are getting what they deserve, no more and no less.

Question 441

Is the conclusion, then, that the minimum wage should be lowered?

Addressed in Answer 440. It shouldn't be lowered, it should be eliminated.

Question 442

In this case, won't many wage ranges go down?

Also addressed in Answer 440. They will lower until they find their true relative values, and then they can remain stable where they belong. Also as discussed in Answer 440, it's not so much the number of dollars which you earn, it's more about how much 'stuff' those dollars can buy, and prices will also be able to come down once wholesalers and retailers observe that wages are coming down, so your overall purchasing power will remain the same.

Question 443

How do we solve the problem of unemployment in America?

Movements to lower the maximum length of the workday date back to the early 19th century. Reformers over time advocated for a 12-hour maximum, then a 10-hour maximum, and later the 8-hour cap which is currently encoded in American federal law. It may now be time to lower that expectation further.

Some people work part-time, and some work more than 40 hours per week. Many (if not most) work approximately 40 hours per week, either because that's as much work as they can expect to get without incurring overtime costs, or else because many employers don't want to limit their labor pool by offering only 30-35 hours per week (although a lot of them do), or both. The preponderance of workers who each have scored 40 person-hours of the aggregate weekly workload means that millions of other people just in this nation (let alone the rest of the world) don't have any work to do at all, so they become homeless and often suffer, and require subsidies from wealthier individuals in order to have just the most basic comforts of life.

Is it not better for everyone who wants to work to have some work to do, so that he can earn a wage which will keep him off the streets and off of public assistance??

If we agree on that, then we must do one of two things: Either increase the amount of work which is to be done, or else redistribute our existing workload.

As discussed in Answer 392, we don't want to create 'busy work' simply for the purpose of keeping people occupied. It is a waste of public resources if we are not realizing any constructive value from public workers, and few private employers (although we certainly have seen it happen!!) are willing to pay a wage to someone who is not really doing anything.

Further, the whole idea of improving all our technologies is so that we can accomplish more with less effort. It therefore follows that we should be expecting (if not demanding) a gradual lowering of our workweek standard over time.

We therefore suggest that the Fed should be calculating on an ongoing basis (could simply rely on decennial Census data, or else collect ongoing data from all employers) the total number of hours of work that is being done per week, and dividing that by the total number of individuals who want to work. You will arrive at an idea average, at which all the necessary work is getting done, everyone is getting a fair share of the work, and nobody is being forced to work for excessive hours without appropriate additional compensation.

Suppose for example that we determine that the total person-hours needed per week, divided by the currently-available labor pool, translates to an average of 36 hours per person per week. We then make it a Federal requirement that overtime must be paid in excess of 36 hours instead of the current 40 hours per week. Then, employers will be motivated to hire more workers in order to get the same amount of work done without paying overtime. An employer who currently has 9 employees each working 40 hours per week can now have 10 employees each working 36 hours per week, and still get the same amount of work done without incurring overtime. Meanwhile, we have increased our employment rate from 90% to 100%.

Of course, this means that workers currently getting 40 hours per week will need to settle for 36 hours or some similar level, but that disadvantage is offset by the fact that overtime will kick in sooner, and that you get more leisure hours per week.

Also, reducing the standard workweek will mean that we will have more flexibility as to when people start and end work for the day, which will spread out our traffic load among more hours, helping to reduce traffic congestion and increasing our leisure time even further.

Question 444

If people are doing less work per day/week, then won't they be earning less money, and have less purchasing power?

Addressed in Answer 443. It will be easier to earn overtime when the cap is lowered, so some employees will actually come out ahead. On an overall basis, though, we all win if more people are employed, and fewer people are receiving unemployment benefits and other public assistance, and our government is not spending so much, and we are able to pay less in taxes, and we actually have more purchasing power than we did before.

Question 445

Many people's lives revolve principally around their work, and they derive enormous satisfaction and personal fulfillment out of doing a job that takes eight or more hours per day: If the average workday is reduced, then won't there be a negative impact on such people?

Anyone who loves working that much should have little difficulty finding opportunities to volunteer within your community for little or no additional compensation. Do that if you are so eager for meaning.

Question 446

To what extent shall we allow or disallow child labor?

We are happy with our existing laws restricting child labor, because we don't want anyone taking advantage of a child's limited education to make her think that she must perform manual labor at all, especially under inferior working conditions.

We also want to be competitive on an ongoing basis in our ever-developing global society, so we should be making sure that our kids are getting the best education which we can give them, while the adults do the work.

Any children who are working as actors or models should have adult representation by licensed professionals in order to prevent any kind of abuse, because the experience with the Perris family from 2018 showed us that parents cannot always be trusted to act in their children's best interests.

Question 447

Shall the Government require that employers must provide a certain level of non-salary benefits to their employees?

It should not be required, but probably will happen simply as a result of market expectation, which is how it should be decided.

Question 448

It is appropriate to deny salary or continued employment to an employee who must go on maternity leave?

The employer would argue that the employee is not performing for the period of leave, and that wages should therefore not be payable. However, in addition to sympathy toward the mother and her new child, we have a societal interest in maintaining a certain amount of healthy reproduction, and that objective is damaged when a woman suffers a loss of income during maternity, or else is forced to avoid maternity in order to preserve her salary.

We therefore generally should provide full income for the period of maternity. However, with our national and global populations continuing to rise, we also have a societal interest in limiting our reproduction, so we probably should limit employer support to the first two healthy births per woman, after which she is on her own for any supplemental pregnancies.

Question 449

Is it fair to prefer male employees over female employees because female employees may be susceptible to pregnancy, resulting in maternity leave?

Some employers might argue that they should be allowed to discriminate in favor of workers who definitely will never get pregnant. However, if we were to allow that, then we would run the risk of far too many employers taking advantage of that allowance, and hiring only male workers. This deprives the female population of their opportunity to work, thus depriving us of all their contributions, or else they must accept lower wages in order to be competitive in hiring.

Asking a company to shoulder up to three months of maternity leave, up to twice in an employee's lifetime, is not so huge a burden in the greater scheme, especially when you consider the many improvements which come from increasing diversity in the workplace.

Besides, there is a growing trend as of 2018 for men to request/expect/demand a certain amount of 'paternity leave', because they still are providing various types of assistance to their pregnant partners. If the time expectation is equal between the genders, then there is no advantage in preferring men over women during hiring.

Question 450

If a particular company avoids providing benefits to their employees, or if they pay salaries significantly lower than their competitors, is it appropriate for them to be boycotted, or otherwise punished in the marketplace?

Boycotting is one mechanism by which a free economic market validly expresses itself, and is far more tolerable than either violence or intimidation or property damage, so it should be permitted wherever and whenever it wants to happen.

The converse is also true, though, that employees and consumers should be allowed to ignore any boycotts that they wish.

Question 451

If a worker is dissatisfied with salary, benefits, or any other working conditions, should he be allowed to strike?

Same as with boycotting, striking is a means of expressing your opinion that wages or other working conditions are not sufficiently well-suited for your taste, so feel free if it's that important to you.

Question 452

If a worker decides to strike, shall the employer be required to pay him?

No. This situation is materially different from parental leave, where a worker needs just a few weeks off in order to help with our species sustainability. A striker is willingly refusing to work when work is available to be done, so he does so at his own risk. Employers generally (if not always) should not be required to pay an employee while he is striking, nor to accept him back as a worker after he has finished striking.

Question 453

If an employee strikes, should the employer have the option to terminate his employment permanently?

Addressed in Answer 452. An employee who willingly refuses to perform available work is abrogating his contract with his employer, so the employer is under no further obligation to him. If anything, the employer may be due some amount of damages for breach of contract, since they have invested training time and are now suffering diminished production as a result of the employee's refusal to work.

Question 454

Should employees be allowed to gather themselves together into unions, and to present collective demands to employers?

The Moderator was brought up to believe that labor unions were generally bad, generally disruptive of the economy, an upward influence on consumer prices, and a step closer to Communism. That last part may possibly be true, but even if so then that is not *ipso facto* bad. The first parts may not be as true as we were originally taught.

Labor unions arose in the late 19th century out of a growing awareness that workers in a given company or industry have great influence over the means of production, and that they therefore should have a voice in any corporate policies or practices which affect them. We cannot find philosophical fault with this development, because a central theme of this whole project (expressed as a core American value in Answer 38) is that the People should be able to express themselves peacefully, so that they will not be moved to do so through violence.

And, at least to a certain extent, the influence of labor unions over salaries is one of the engines of a free-market economy, inasmuch as workers within a given industry agree to expect a certain minimum wage as a condition of their employment, thus expediting the gravitation of the standard wage for that industry toward its 'true' relative value faster than it would have taken if all workers were negotiating only one at a time.

Further, there are certain professions (carpenters, electricians, airline pilots, and others) where public safety requires that all workers have received the proper amount of education and training, and labor unions can help to ensure that practice by requiring the applicable professional certifications as a condition of membership.

Now, it can also happen that some particular unions may occasionally 'abuse the privilege' of their positions, and demand wages and/or other working conditions which employers simply cannot afford, and then they get mad when the employers are forced to turn to non-union personnel (including from outside the United States) in order to stay in business at all. With our remaining questions, we hope to be able to prevent (or at least mitigate) such abuses, so that this does not need to be considered as a reason to prohibit labor unions entirely.

Question 455

Should employers ever be required to hire union personnel, or to give them any preferential treatment?

As mentioned in Answer 454, we may require union membership in certain industries as a matter of public safety. The specific industries falling within that category may come and go over time with advancing technologies and other changing factors, so those specific exceptions can be decided by the general public and the political community on an ongoing basis.

Beyond those specific statutory exceptions, though, employers generally should be allowed to decide whom they will hire, because it's their money on the line. Employers may find certain non-union employees to be net-better than the available

union personnel, in terms of either work quality or attitude or salary requirement or some other factor or some combination. It would be unfair to the employer, and a major skew in the free market, to require the hiring of union personnel, when the lower salary requirements of non-union workers might allow the employer to stay in business, as well as provide a check on union demands.

However, this raises the question of why it would be considered okay to picket or otherwise demonstrate against an employer who hires non-union personnel, as partly discussed in Answer 450 for the specific action of boycotting. We have to feel that this should not be considered socially acceptable, even if perhaps it should be legally allowed: If a given employer is able to conduct business to her satisfaction with the use of non-union personnel, then that is a sign that the salary requirements or other demands of the unions have become unnecessarily stringent. Rather than demonstrate against that employer, then, perhaps the more appropriate course would be for the union to reexamine its demands, and to reduce them to more market-tolerant levels if so indicated.

Question 456

But, certain trades -- such as acting, trucking, or construction -- require a certain amount of expertise that union membership can guarantee: Is this not a sufficient reason to require union membership at least in certain instances?

As mentioned in both Answer 454 and Answer 455, yes we may want to require union membership for employees within certain industries, particularly those which are affected with the public safety. The 'black book' of preliminary ideas (compiled back in the mid-1990's) suggests that non-union personnel always have the opportunity to acquire the same amount of knowledge and training that their union counterparts have, so the public may wish to consider that option for certain industries which have less public-safety risk than others.

On the other hand, it saves employers a lot of time when they need only to ask for proof of union membership, rather than apply a whole battery of tests and evaluations. The public may therefore wish to require as a matter of hiring efficiency that all personnel within a given industry (particularly within the public sector) are union-enrolled. As suggested in Answer 455, these decisions may need to change over time, according to the prevailing economic conditions of the day.

However, for certain other professions such as acting and athletics which currently are union-dominated, even though there is little or no threat to either public safety or governmental budgets, we feel that we must revert to the core American value (see Answer 38) of maximum personal and economic liberties: Individuals generally should be able to get work if they can without a lot of unnecessary administrative requirements, and employers generally should be able to hire whoever will help them to get the job done with a minimum of cost. If workers and businesses can get together to form employment contracts without the involvement of any unions, then we feel that this should generally be allowed in a free-market economy.

Question 457

Should an employer be allowed to discriminate against a candidate for employment simply because he belongs to a union?

Union membership by itself should not be a disqualifying factor, if the worker is otherwise able to do the job satisfactorily, and is willing to work for a competitive wage.

Membership in a union does not directly imply that a particular worker is likely to strike for frivolous causes, and belonging to a union is not *ipso facto* a bad thing, as they are there simply to protect workers' rights by joining their voices together.

The presumption probably should be that any candidate -- whether belonging to a union or not -- will apply himself diligently to his work, as long as the working conditions remain satisfactory. As long as he does, the employer should have no problems, and there should be no reason for a union to ever get involved. If the employer does create any problems, then she is open to job actions being taken against her, again whether a given employee is union or not.

Therefore, there is no valid reason to justify the disqualification of a candidate solely because of union membership.

Question 458

Should an individual worker be required to join a union in order to be eligible for gainful employment?

This question seems like the converse of Question 456, to which we answered yes, the public may have reason or desire to mandate union membership for hiring within particular industries. If that is the case, then yes any individual wanting to be employed within any such industry will need to be a member of the applicable union, with whatever certifications such membership may entail.

The 'black book' of preliminary ideas suggests that this should not be the case, but it ignores the big public-safety industries, and focuses on SAG as a counterexample. For that, as discussed in Answer 456, we have to agree as a matter of free-market philosophy that any industry which has not been constrained by public statute should be allowed to hire non-union workers if for any reason they appear to be net-better (including by being willing to work for less) than the available union candidates.

Question 458.2

Shall we impose any maximum chronological age for working?

We're thinking no, for a few reasons:

- 1) Any arbitrary constraint on any element of the economy tends to skew the economy, such that wages and prices do not find their true relative values, such that some people end up with more than they deserve, while others end up with less.
- 2) We would rather have people working than drawing retirement benefits, so that we do not need to tax the wealthy (or ourselves) quite so much.
- 3) Our lifespans are increasing rapidly, along with the numbers of years during which we can be productive in employment environments, so any requirement which we might set now would need to be re-analyzed in the future anyway.

We may establish a minimum chronological age or minimum length of service before being eligible for public retirement benefits (with possible exceptions for veterans and other special classes), but otherwise you retire whenever you practically can and feel like it. We are asking that you please register yourself as retired with the applicable governmental agency, even if you are not filing for governmental aid, so that we know how many individuals out there are available for work, so that we can do a better job of allocating our aggregate workload. As long as you do that, then retire earlier, retire later, retire whenever you can and feel like it, and enjoy, you've earned it.

SECTION II-F: TRADE

Before we got into the specific Questions planned in the original Outline, we decided to introduce a couple of general Questions at the beginning of this Section, viz.:

Question 458.6

What the heck is all the fuss about Trade??

We talked about this in Answer 363: Trade happens when each of two or more economic entities possesses certain commodities which are desired by the others, and they negotiate to exchange certain quantities of those commodities, in such a way that each entity feels net-better as a result of the transaction.

In the A363 example, both parties to the trade feel better having both coffee and milk than either would if each had only coffee or milk by itself.

If the parties cannot agree upon mutually-acceptable terms, then the trade doesn't happen, each entity keeps what she has, and nobody loses anything, no big deal. If they do agree on terms, then the trade happens and everyone feels net-better. We therefore can see that some people might have a hard time understanding why our various political personalities complain about an alleged problem with International Trade, or why there can be such a thing as a 'trade deficit'. We hope to clarify these issues in the course of the upcoming Questions.

Question 458.8

Do we actually have any problems with Trade?

We researched various news sources online in March of 2018, but most references which we found spoke more about certain statements made by the then-President of the U.S. than about any actual issues with Trade. However, we were able to distill that America was then facing a 'trade deficit', and that this fact was widely perceived as constituting a problem for us. But, is it actually a problem??

The expression 'trade deficit' is defined by several online sources as occurring when a nation's imports exceed its exports. Nominally, this seems good to us: We are getting more stuff, and needing to give away less. However, they also speak in terms of currency flow, because there is a net outflow of domestic currency to foreign markets. Again, though, so what??

We found a quote originating from the 1549 work *Discourse of the Common Wealth of this Realm of England*, attributed to one Sir Thomas Smith, claiming that "We must always take heed that we buy no more from strangers than we sell them, for so

should we impoverish ourselves and enrich them.” We still are having a hard time seeing it, though, because again we end up with more stuff. Who cares how our dollars are distributed?? We get the stuff, so we are able to spread it out among more of our people at lower cost, and thereby improve our average standard of living.

We look at the issue from an accounting perspective: Most individuals and corporations and nations possess a certain amount of cash (an Asset) and a certain amount of physical stuff (another Asset). Whenever you take some of your cash and buy more physical stuff, the value of your cash decreases, but the value of your physical stuff goes up by the same degree. You therefore are not gaining or losing any total asset value as a result of your purchase. Converse when you sell, value of your physical stuff goes down some, but your cash increases by the same amount, so no net gain or loss. You lose Asset value only when you consume things, but you are deriving a certain amount of ‘quality of life’ or other benefit from the consumption, which is why it is normal for any individual or corporation or nation to incur a certain amount of Expense as part of the normal financial cycle.

Our research went on to show that both the 19th-century French economist Frederic Bastiat and the 20th-century economist Milton Friedman argued that a so-called ‘trade deficit’ actually is an indicator of a successful economy, rather than a failing one.

We then consulted the Hailstones book “Principles of Economics” from 1985, first referenced in Answer 370, and we were pleasantly surprised to find that it actually concurred with our position: They assert that the “so-called **favorable balance of trade** [bolding theirs], in which exports exceed imports, ... is a misnomer”. They go on to report that the concept is a holdover from the 18th and 19th centuries, when it was considered more important for a nation to hoard gold and silver than any other physical commodities.

It therefore appears from a preponderance of our research that all the fuss about Trade is actually misplaced. Our political personalities were told during the course of their educations that an excess of imports over exports constitutes a ‘trade deficit’, and that all deficits are bad by definition, so they now tend to get angry with nations who are actually supplying us with the goods which our people want. Until we are once convinced of the contrary, our position must be that they are full of shit.

Question 459

Shall we impose tariffs or other trade restrictions on goods produced in foreign countries?

Tariffs were recommended by the U.S. Executive Branch as recently as 2018, and no we feel that such things should not ever happen.

We are only hurting ourselves with tariffs. Remember that both parties to a trade transaction feel net-better as a result of the exchange, so they will feel not-as-good if the trade doesn’t happen, and we discourage trade by making it more expensive for distributors to bring foreign products into this country.

In addition, if the trade does yet go through, then the distributor must charge higher rates to release their products to retailers, so the retailers need to raise the prices

which they charge to their consumers. When this happens, either the consumers must decide against making those purchases, or else the purchasing power of our Dollar (or other unit of currency) goes down.

Any nation which has been recognized as sovereign by the global community has the right to remain economically isolationist if it really wishes, and to limit their citizens/residents to whatever resources can be produced domestically, but we claim that it's a dumb idea: If we can have access to goods which are produced elsewhere, then good they're doing all the work and we're reaping all the benefit. Conversely, with freer trade we have a much larger market for those goods which we do still wish to produce domestically, so we have that much more capital with which to remain in business and keep our society operational.

If anyone is afraid that freer trade will encourage foreign imports and mitigate our Gross Domestic Product, then we suggest that we prepare to be more competitive in the new global marketplace: We have been advocating a free-market economy around the world for many decades now, and have even engaged in military action to promote the concept, so now that it's the prevailing system among many nations we should be fully prepared to allow foreign nations and companies and individuals to participate, and to attempt within the rules to prevent them from beating us at our own game.

This means that we should either lower our prices (and therefore our salary demands) to be more commensurate with those of our competitors, or else establish to the satisfaction of the marketplace why our goods have higher quality and therefore deserve to cost more, or some combination.

Tariffs simply constitute 'giving up' on this challenge, and going with the easier/lazier approach at the expense of your people. So no, definitely not recommended.

Question 460

But, what if some other nation is charging tariffs for our goods? Shouldn't we be able to respond in kind?

Again, you can if you really want, but we recommend against it. If a given nation or corporation wants to make the trade terms more expensive for us, then we can either agree to the increases or else stop the trade. If they want to take their coffee without milk, then that's on them. There are plenty of other nations and corporations who will be willing to pay a fair market value for our commodities, so we don't need or want to punish our domestic consumers by doing any business with an entity who wishes to impose tariffs as a condition of trading with us.

Question 460.5

What about the argument that enacting/maintaining tariffs would help protect American jobs, particularly in the automobile industry?

We asked around between sessions, and heard the argument asserted that enacting and maintaining tariffs would help protect American jobs, particularly in the automobile industry. But, is this actually the case?

The argument alleges that excluding tariffs on foreign imports makes them cheaper for Americans to buy, so they will tend to buy them in greater quantities than they

would if tariffs were in place. This supposedly means that Americans would tend to buy American products less, so with decreased sales the American factories (particularly in the automobile industry) would need to reduce production and working hours, such that many workers would need to accept shorter working schedules, or else lose their jobs entirely.

On the surface, this argument raises the suspicion that its chief proponents may be American workers (particularly members of certain labor unions) who naturally want to maintain the high wage levels which they have managed to achieve as a result of past contract negotiations and other job actions. They naturally want to maximize their domestic market by effectively eliminating all foreign competition, so they 'persuade' the political community to enact tariffs which will make the foreign products too net-expensive for Americans to want to buy. In effect, they seek to create a completely 'protectionist' market, in which we produce and trade and consume only within our own national borders, and engage in little or no commerce with foreign nations.

That's a theoretical way to go if you folks really want, but we're recommending against it. Two main reasons why:

First, on a more philosophical level, we claim that we are all richer when we all have access to more different kinds of products made in more different countries. Sometimes, it's a matter of expanding our range of available experiences, and being able to enjoy product variations which are better suited to our individual tastes, as with cars and foods and adult beverages. Other times, it's a matter of accessing products which are not made within your home nation at all, although this is more applicable in many other nations than it is here in resource-rich America. Many times, however, it's a matter of the foreign products being cheaper to buy in America than the American-made versions, even when including the costs of importation. To this last point, we repeat our previous recommendation that American workers and American companies should be more prepared to compete in this worldwide capitalist economy which we ourselves worked so hard to create, and in the meantime to allow American consumers to have access to a wider variety of products at attractive price levels.

Second, on a more practical level, we recommend against tariffs because they probably would do little or nothing to encourage foreign governments to alleviate or eliminate any tariffs which they may have against American products. If anything, they would only raise their tariffs in retaliation, thus increasing barriers to international trade, so again we all suffer by having fewer products to choose from, and by having to pay higher prices for those fewer products because there are fewer vendors competing to sell them. Again, if certain other nations are stupid enough to enact tariffs against American products, then that's on them, they are doing a disservice to their own people, but likewise would we be doing a disservice to our own people by effectively denying them access to non-American products.

As a further result, enacting tariffs against non-American products (and thus encouraging additional tariffs by foreign governments against American goods) means that you are drastically limiting the market for your American-made products. If we permanently exclude all tariffs from our national trade profile, then at least some foreign governments will be willing to ease up on their restrictions against American imports, so we are likely to have more customers around the world for our goods, so we should be able to increase production and increase jobs and increase hours.

In addition, if we were to maintain a strictly protectionist economy, then any market downturn or fiscal crisis or other economic problem would have a much greater proportional effect on our financial health, on both a national and an individual scale, because we would not have the purchase funds continuing to flow in from other nations as we otherwise would. Keeping the purchases coming from most/all other nations at all times helps to keep our economy operational and healthy.

Therefore, seems to our group that those of you who work in the auto industry, and who are naturally eager to keep your jobs and your wage levels, should be more supportive of lower tariffs against non-American products, so that foreign customers will be more likely to buy our goods. Just be prepared to be competitive with foreign producers, in terms of either quality or diversity or low production cost or some combination.

Question 460.7

To what extent is this view on trade shared among professional economic analysts?

In order to help increase everyone's confidence in our having extended adequate evaluation to these matters, we located some opinion pieces from a variety of online news sources which explored the issue from multiple angles, at a time when tariff increases were actively recommended/threatened/enacted by the U.S. Executive Branch. Those pieces are as follows:

(1) "Why steel and aluminum tariffs matter to the U.S. economy", Chris Isidore, *CNN Money*, money.cnn.com, 19-Feb-2018 ==> According to this piece, imposing tariffs and thereby reducing steel and aluminum imports would motivate increased domestic production to fill the gap, so the domestic steel and aluminum industries applaud the concept. However, even spokesman Matt Meenan of the Aluminum Association conceded that the U.S. aluminum industry could not satisfy all domestic demand. In addition, metals analyst Philip Gibbs of KeyBanc Capital Markets noted that a lot of mills would need to retool in order to create the specific steel products (such as piping and tubing) which are currently being imported, which would require a lot of additional capital. We therefore would still need to import some steel and aluminum, but with increased tariffs those purchases would cost more for American producers, who then would need to raise prices for their products. "If you impose tariffs, you might think you're doing a good job saving jobs," said KeyBanc's Gibbs. "But at the end of the day, people will farm out components and products offshore."

(2) "Steel, aluminum tariffs could boost jobs but hurt auto industry", Todd Spangler, *Detroit Free Press*, usatoday.com, 1-Mar-2018 ==> According to this piece, the proposed tariffs "could increase American jobs in those sectors but also raise prices [and] could hurt a number of industries including automakers and suppliers, boat and plane manufacturers and even beer companies." Jason Ware, chief investment officer and chief economist for Albion Financial Group, explained why the stock markets reacted negatively to the threat: "There's a quiet concern among investors about the potential of a trade war [which would be] scary because it could lead to higher costs and thus be inflationary in a general sense." In addition, John Bozzella, CEO of the Association of Global Automakers has urged against tariffs and quotas, saying that they could force auto prices and those of other consumer goods higher, and citing an analysis of steel tariffs put in place in 2002 that he said cost some 200,000 jobs nationwide, including 30,000 in Michigan, Ohio, and Pennsylvania.

(3) "Trump plans to impose stiff steel, aluminum tariffs", Eric Kulisch *et al.*, *Automotive News*, autonews.com, 1-Mar-2018 ==> According to this piece, the auto industry had been urging against the adoption of recent Commerce Department recommendations to limit steel and aluminum imports, arguing that measures intended to shore up U.S. material producers would end up undermining the competitiveness of the domestic auto industry. "We are concerned with the unintended consequences the proposals would have, particularly that it will lead to higher prices for steel and aluminum here in the United States compared to the price paid by our global competitors," stated the American Automotive Policy Council, which represents Fiat Chrysler, Ford Motor Co., and General Motors. In addition, Nicole Bivens Collinson, who then headed the international trade and government relations practice at Sandler, Travis & Rosenberg, stated in a company webinar that she expected retaliation by other countries against U.S. exports. "They may hurt not only U.S. manufacturers and farmers exporting to those countries [but also] downstream [companies] who are using steel and aluminum [such as construction firms]. ... I think it may be worse than shooting ourselves in the foot," Bivens Collins said. "It could be shooting ourselves in the face."

(4) "Trump's Steel Tariff View Sends S&P 500, Dow Jones Tumbling On Trade War Risk", Jed Graham, *Investor's Business Daily*, investors.com, 1-Mar-2018 ==> According to this piece, steel and aluminum stocks were boosted by the proposed new tariffs, but the Dow Jones industrial average fell 1.7%, with the S&P 500 index and Nasdaq composite off 1.3%. "There's little reason to think that the action would comply with World Trade Organization rules," the report suggested. "There's also a risk that a pullback from globalization could add to upward pressure on inflation."

(5) "As NAFTA weighs, Trump's tariffs drive new U.S. auto concerns", Lesley Wroughton, *Business News*, reuters.com, 3-Mar-2018 ==> According to this piece, American makers of auto parts had expressed concern that the proposed metal tariffs would force them out of business. Ann Wilson, a senior executive at the U.S. Motor and Equipment Manufacturers Association (MEMA), stated that some of their member companies "would be deeply affected by Trump's tariffs because they rely on specialty steel and aluminum products imported from Europe, Asia and other regions." In addition, the article warned "that instead of increasing employment, price increases for consumers of steel and aluminum such as the auto and oil industries will destroy more U.S. jobs than they create."

(6) "It's Not Just China's Retaliatory Tariffs That Should Worry U.S. Businesses", Charlie Campbell, *Time*, time.com, 2-Apr-2018 ==> According to this piece, "common consensus among economists is that all parties lose" any trade war, citing an editorial in the *Global Times* that an "unofficial" trade war has resulted from China imposing tariffs of up to 25% on 128 American goods — including pork, wine and fruit — worth an estimated \$3 billion, following the recent U.S. announcement on steel and aluminum tariffs. In addition, continued the article, "China not only represents a large chunk of current foreign earnings but also represents a key sector for future growth. Apple, the world's most valuable firm, earned \$17.9 billion in Greater China in the last quarter of 2017 — about 20% of global revenue. Trump has accused China of unfair trade practices that led 60,000 American factories to close at a loss of 6 million jobs. But the U.S. has never felt the devastation wrought by 1.3 billion angry Chinese consumers."

General consensus (outside of the U.S. metals suppliers and the Executive Branch) does indeed appear to concur with our intuitive assessment, that trade wars tend to do more harm than good for all participants, and that we should generally refrain

from imposing/increasing tariffs against other nations, lest they do the same with us, making everyone net-poorer.

Question 461

Having concluded that tariffs are bad, can we agree on the best way to manage trade on a day-to-day basis? Does it need to be coordinated entirely through the Fed, or can States and Localities administer, or can private 'distribution centers' get involved without government oversight?

There are two basic approaches possible here: Either we can allow corporations to trade among themselves in a one-world economy, or else we can task our national governments with negotiating trade terms for everything.

If we go with complete free trade among corporations, then we probably will still need some amount of ongoing inspections of all imports by our Federal government, in order to make sure that the products are safe for our consumers, and that they comply with all advertised standards. As long as that happens, we are not seeing an immediate problem, because the free market should be able to determine that all sides get what they deserve, no more and no less.

If we go with national control over the trade process, then we see both upsides and downsides. One upside is that the national government may be able to summarize on an ongoing and aggregate basis how much of each commodity we collectively want; it then may be able to negotiate terms for larger quantities than corporations might be able to deal with alone. It can also make sure that certain commodities are not left out of the total trade profile.

A downside is that trade may become over-politicized, as we may possibly have observed for the last couple of centuries, with tariffs and embargos and excessive regulations, intended to discourage global interaction in favor of economic isolationism, at the people's expense.

As a matter of general philosophy, we feel that we should allow the free market to do as much as it safely can, but maintain continued public monitoring of all transactions, not only for safety and compliance, but also so that we are not excluded from trading or acquiring any key commodity, and generally to make sure that there are no abuses in the process. If it eventually appears that trade cannot happen without additional governmental intervention, then we can gradually introduce tougher measures, but in general we want everything to be as easy and inexpensive as we can practically make it.

In sum, do introduce and maintain whatever level of governmental intervention may be required at each successive stage of our economic future, but probably no more than that.

SECTION II-G: INDIVIDUALS & FAMILIES

Question 462

In general, do we concur that maximization of individual rights and freedoms generally carries with it maximization of individual responsibilities?

No, actually, that does not necessarily follow as logically as we thought when we first composed the 'black book' of Questions and preliminary notes back in the mid-1990's. If we claim that rights and freedoms of the Individual are to be maximized, then that implies that any rights and freedoms pertaining to the State must be deemed to be subordinate to the rights and freedoms of the Individual. It may therefore be necessary for the State to assume certain responsibilities in order to maximize the rights and freedoms of Individuals.

This may apply particularly to the subject of Health Care, in that there are those who argue that the State has the responsibility to provide medical care for all its citizens, regardless of their ability to afford any deductibles or copayments, and maybe even without any deductibles or copayments at all.

Answer 10 goes into responsibilities and rights, but we found on that occasion only that certain rights carry certain responsibilities, but not all rights and not all responsibilities.

Question 463

Does the responsibility to provide for an individual's own health and safety, and for the health and safety of those to whom he may accidentally cause injury or other damage, ultimately rest with the individual?

Afraid that we must find against this proposition as well. It would be nice to say yes, and then require each family to provide for its own Health coverage, without any support from the State. However, we feel that we must overcome temptation, and conclude the opposite: A civilized and enlightened and moral society takes care of its citizens, including especially when they develop medical conditions which were not their fault, so the levels of responsibility which Individuals and States incur -- whether for Health Care or for any other subject -- appear to be a matter for different societies to conclude for themselves.

Question 464

Shall our economic system continue to include mechanisms whereby individuals can shift their share of responsibility to a pool?

However, yes we can include Insurance as a feature of our economic system, and we do also concur that Individuals should contribute at least something to the premium pool, insofar as they can genuinely afford it, in order to discourage people from taking reckless risks with their lives and healths at the public expense.

Question 465

Shall insurance be managed only in the private sector, only in the public sector, or both?

The Government has enough to do without actively writing and managing individual insurance policies, for either Life or Health or Auto or any other product line. They also have enough assets and liabilities on their balance sheet without also needing to maintain one or more reserves for insurance claims.

Also, as noted in Answer 394, the 'black book' of preliminary ideas reminds us that Government generally should not perform any function which can be handled

adequately by the private sector, which has shown itself in recent centuries to be able to manage our insurance needs without Government competition.

In addition, we know from actual experience with the Social Security Trust Fund (see Answer 405) that the Fed generally cannot be trusted to keep their sticky fingers out of any large treasuries which are designated for certain limited purposes.

So no, no level of Government should be involved in active management of any insurance program. They should act only as regulators and monitors of what happens within the private insurance industry.

Question 466

In general (possible exceptions to be noted hereafter), shall an individual have the option to participate in pooled insurance, or shall she be required to participate?

Our intuitive answer was no, that individuals in a supposedly-free society should be allowed to self-insure at will, and to suffer the consequences if they experience losses which outstrip their individual reserves and any individual credit. However, we have rethought our position.

On an individual level, those of us who lead risk-averse lifestyles may be tempted to self-insure, especially when we are young adults trying to save our limited incomes for rent and groceries and student loans. However, we still can suffer losses which are not foreseen and which are not our fault, like the Moderator's appendicitis from 2016. When something like that happens, it is unlikely that any of us (outside of the super-rich) are going to be able to cover all those costs from personal savings alone.

You might then argue that you are the owner of your own life (see Answer 11), and that you therefore should be allowed to die from appendicitis rather than participate in an insurance program which could save your life. Well, if you're really that obstinate about it, and if you are willing to sacrifice your life in order to prove your point, and if there are enough other people living nearby who share your philosophy, then we suppose that the bunch of you should get together within the same State or County, and maintain an environment in which Health Care (even in emergencies) and other such benefits are provided only to those who can pay for them out of savings or who voluntarily agree to participate in an insurance pool, and let's just see how that works out for you.

If you choose to go that way, then remember from Answer 399 that your State or County may need to deal with 'antiselection', where premium rates need to be increased in order to make up for the dollars which are not coming from the non-participants. It is possible that this additional burden may become too burdensome for you and your fellow self-insurers, so choose wisely, as recommended in Answer 401.

On a national level, we recall from several Answers appearing in Subsection II-B-3 that the overall society has a legitimate interest in making sure that everyone in the society is contributing as much of their fair share of our insurance requirements as they practically can. Greater diversity among insureds and insurers will give us a much better feel for which different combinations of price and services and advertising are actually the most popular and therefore the most net-desirable. If people are allowed to self-insure, then the insurance industry will probably not have enough funds collectively to provide even the most essential of medical services to

everyone who needs it, and maybe not even to their own insureds. Actuarial projections are more accurate when we can include data on all individuals within the Nation, including the unemployed and those who consider themselves too healthy to bother with insurance.

Finally, if certain poorer States and Counties elect not to require their residents to insure for various economic needs, then the Nation faces a very awkward choice, either to extend supplemental economic aid to those jurisdictions in order to cover their neediest residents, or else to sit back and watch them die. Neither choice is morally palatable, and neither is likely to be politically popular. It could be argued that it is unfair to place your parent jurisdiction in such a predicament, and that you therefore should 'get with the program' and swim in the insurance pools with the rest of us.

OK to charge lower premium rates to younger insureds for Health, and to older insureds for Auto, insofar as the actuarials continue to show that those classes tend to experience much lower losses. However, let's make sure that everybody continues to participate, so that we can educate our young people to expect insurance as a key component of their adult lives, track individual records more easily, and maximize the accuracy and reliability of our actuarial data.

We can exempt Life insurance from the above, because generally it is only those with an 'insurable interest' who should be expecting or receiving any benefit in case of a particular individual's death. If no one with an 'insurable interest' steps forward and requests coverage within the prospective insured's lifetime, then everyone presumably can get along well enough without such benefits, and maybe no one really has an 'insurable interest' after all, in which case there is no reason to mandate coverage for everyone.

Question 467

Shall an individual be permitted to self-insure for Auto?

This is basically addressed in Answer 466. As an additional specific note, the 'black book' of preliminary ideas reminds us that having faith in your driving ability may not be sufficient to cover your own losses, and certainly not those of a party whom you yet manage to injure.

Everyone should expect to be covered in case she suffers a traffic loss which is not her fault. Because the at-fault party often will not have enough resources readily available to cover such losses, we had better make sure that everybody is covered by insurance.

Question 468

In an instance of damage caused by an uninsured motorist, should the applicable government level step in and cover the damages to the injured party?

Not applicable. The private sector should maintain reserves sufficient to cover their claims. Government never should need to get involved.

Question 469

What levels of government should establish and administer insurance laws?

Administration can be devolved to the County level if a particular State wishes. However, the establishment of any regulatory policies over the insurance industry should continue to happen at the State level.

We would not mind allowing the Fed to establish all insurance laws for the whole Nation, if we could all agree on one way of doing things. As it is, we see enough variations in local requirements (including especially in the State of New York, whose standards have been so unusual that some insurance conglomerates have needed to create separate subsidiary companies just to get licensed to do business within that State) that we had best not try to get everybody harmonized together. Diversity is one of our key Answers to Everything.

To allow Counties to legislate insurance practices as well as administer them would likely be far too chaotic to be practical. Insurance companies have a challenging enough time trying to keep track of 50 sets of State requirements (again, sometimes needing to create separate subsidiary companies in order to maintain compliance), and we could not consider making them keep track of over 3000 sets of insurance regulations. No way. State level it is.

Question 470

With these findings in mind, what are the problems with the current Health Care system, and how shall we solve them?

Covered extensively in Answer 394.

Question 471

Shall an individual be permitted to self-insure for Health?

No, as covered in Answer 466.

Question 472

What about the impact on one's family, or on the Government, if a self-insured individual becomes sick or injured?

Our SIG's 'black book' of preliminary ideas took a sterner approach when it was drafted in the mid-1990's, and argued that heads of families should actively consider obtaining insurance protection for their dependents, but also that they should be allowed to self-insure if they judge that the prevailing premium rates are too high for their current resources and risk levels.

As we think about it more, however, we tend to feel that parents have an affirmative obligation to act in the best interests of their children. If we agree on that principle, then it could be argued that parently are morally responsible for making sure that their kids will be taken care of in the event of any unforeseen loss.

Question 473

What happens, though, when a self-insured provider becomes sick or disabled? Shall her family members, who may not have been in a position to participate in the

decision-making process, be forced to go to orientation centers or other such facilities, and shall the provider be prosecuted for negligent care?

Covered in Answer 398. Pay premiums to the extent that you practically can, when you practically can. If those premium dollars are insufficient to cover everybody's insurable losses, then we must pull some from the super-rich, who probably ended up with too many dollars in their accounts in the first place.

Alternative is to let people die, if you folks within certain particular States or Counties have the stomach for it. However, we cannot morally bring ourselves to recommend any kind of economic system in which some individuals have far more millions and billions than they could ever possibly use, while other thrifty and hard-working individuals are allowed to suffer and die because the available dollars are concentrated elsewhere.

Question 474

Does an individual have a responsibility to her society to try to produce as much as possible for the benefit of all, and therefore to try to stay alive, healthy, and productive for as long as possible?

We have not defined Life as a natural right, but we did identify 'Non-Injurious Self-Determination', meaning that an individual has control over her own life insofar as she does not inflict or threaten any injury upon others, where 'injury' is defined as 'comprising a person's ability to do what they would otherwise be physically and legally able to do'.

It could be argued that this definition implies a responsibility to keep alive and keep working, because otherwise other people would be compromised by your reduction in productivity. However, we find that the argument fails on a few key grounds:

First, people don't live forever, so any definition or policy or philosophy which requires them to do so is ridiculous on its face.

Second, we claim that it is normal and natural and desirable to allow people to retire who have put in their fair share of work during their lifetimes. Societies which require all their members to work until they drop dead are not likely to have many members.

Third, even if an individual's retirement or suicide causes a net economic impact on her society (which is not a given, because some people consume more than they produce), it is only an economic impact, and not physical or legal, and therefore does not constitute 'injury' under our current definition, and therefore does not violate Non-Injurious Self-Determination, so we claim that people have a natural right to commit suicide or retire under certain conditions.

Question 475

Should the society serve the individual, or the other way around?

This historical dilemma has both social and economic import, but we are emphasizing the economic impact in the present discussion.

We must make sure when considering Questions like this that we do not fall into the trap of assuming that our current American way of doing things is the one and only best solution for everybody. Numerous authors and politicians have asserted over several millennia that some or all individuals belong to The State, or to The State's political leader. (Remember Yul Brynner's line in 'The Ten Commandments': "The slaves are mine. Their lives are mine. All that they own is mine.") If our way is so trivially obvious, then why was the contrary proposition upheld for so long?

In order to give this Question a fair and unprejudiced consideration, we must consider the economic impacts of the different approaches, and then hopefully the moral and philosophical arguments will logically follow.

If we went around asserting that society completely serves the individual, then many or all individuals would take that excuse to sit around all the time waiting for society to serve them, so little or no work would ever get done, and society would not be in a position to serve any individuals at all, so that can't be it.

Conversely, anyone who claims that all individuals are completely beholden to The State is also an individual who would also be beholden to The State. Under this approach, everybody would be a slave and nobody would be a master, and everybody within that society would have a generally lousy quality of life, so that can't be an effective approach for any society anywhere at any point in history.

Of course, there has long been the slight variant to the above paragraph, in which some monarch asserts authority of ownership over all his people, as exchange for their being able to live under his protection. While that may have been the law of the land in some areas of the world for centuries, with our advanced historical perspective we now look upon that approach as a 'protection racket' and an example of 'bullyism' on a national scale. Anyone trapped in such an environment who ever tried to speak out or escape would be overrun by Pharaoh's chariots, or suffer whatever other consequences were applicable in any given time and place in history.

Therefore concluding that an effective society has individuals and the collective working together in a relationship of interdependency: I will contribute some effort to the society, in exchange for the society providing some benefits to me, if not now then at least when I retire. Thus, individuals have some level of responsibility to The State, in order to keep the society operational and productive, but The State also has a level of responsibility to all its member individuals, to sincerely take care of them, instead of simply squeezing as many working hours and tax dollars out of them as possible.

Question 476

Does an individual have a responsibility to continue participating in such a contract?

In other words, if we accept generally that most individuals have a responsibility to provide some years of productive labor to support The State, can we make an exception for certain individuals, and allow them to goof off while everybody else works?

It certainly is tempting for many humans to relax as much as they can, and to work as little as they can get away with. And, if we've got five million other people working actively within my city, what difference if my buddies and I fritter away our years in quiet laziness, and live 'off the grid' of corporate labor?

Well, that may work if you want to live out in the wilderness with the other animals, without trespassing on any lands which have been duly designated for particular public or private purposes. And, if you prefer to be homeless within an urban environment, there may possibly be some less-traveled areas where you might be allowed to hang out, if you can somehow subsist without either begging or stealing.

Thing of it is, though, many people who do not wish to participate in our 'social contract' choose to resort to either begging and/or stealing in order to survive, and we don't want either one of those things ever happening in our ideal society. Further, during those hours when those folks are not actively begging or stealing, they often are hanging around on heavily-traveled public streets, tacitly intimidating innocent pedestrians, blocking paths with their tents and shopping carts, scattering trash on the sidewalks, excreting in the open areas, and generally stinking up the joint, causing eventual reductions in business activity and property values. If we want to have that an ideal society, then we can no longer tolerate this.

In sum, then, you are not required to participate in our 'social contract' if you are willing to leave our society completely. However, if you insist on hanging around in the same cities and towns as the rest of us, then you must forever refrain from either begging or stealing, and you must never encamp on our public rights of way. If you can manage to hang out while fulfilling these two key conditions, then our blessings upon you. If not, then we will need to escort you to our 'orientation centers', so that you can eat and sleep and shower and urinate in a clean and protected environment provided by society, but we will be encouraging you on an ongoing basis to perform some work in exchange for the public accommodation, so at the end of the day you will be participating in our social contract.

Question 477

Does this principle apply in the specific case of suicide?

The natural right of Non-Injurious Self-Determination implies that you generally may terminate your own life if you wish to. On a moral basis, it could be argued that your life is your own, and that you should not be expected to remain alive if you somehow find the experience too net-distasteful to endure. On an economic basis, your suicide means that you will no longer be able to produce, but you also will no longer be able to consume, apart from the small final expense required to clean up your remains and update the public records, which expense might very well be less than what we would need to incur by keeping you alive against your will.

Yes therefore, on both a moral basis and an economic basis, we claim that you generally have the right to exit the 'social contract' by way of suicide. Asking that you please kindly do us a favor by not making the act overly messy.

Question 478

But, what about the loss to society of an individual's ability to produce for the common good? Does that not give society a voice in whether a person may or may not bail from the social contract?

Already addressed above. True that you are not producing, but you are also not consuming, and you might not have been producing all that much in the first place, if you are so despondent about life that you have been actively contemplating suicide.

We therefore probably would not suffer a very big economic impact by your suicide, and may actually come out ahead. So no, society does not have an economic hold over your decision as to whether or not to remain alive. It is your call.

Question 479

If a loved one does not want an individual to voluntarily end his life, is she empowered to try to dissuade said individual?

This is a much tougher aspect of the discussion, and it is much more social than economic, but for now we will keep the relevant points together in the Outline.

When this Question was treated in April 2018, the Moderator revealed that he had a sibling recently deceased from diabetes who had refused any medical efforts to keep her alive. Her husband had tried to persuade her to accept treatment, and we claim that he had every right to make the attempt, because he had invested both economically and emotionally in the relationship, and because her early death would constitute a severe emotional blow for him and their children. When the siblings found out about the extent of her condition, we too all wished that she would accept treatment, because we were not yet ready for her to leave our world. However, in the end, we all needed to face the fact that she was the master of her own life, and should be allowed to die early if that truly was her wish.

We also thought during this discussion about the guy standing on the ledge of a tall building, threatening to jump, and taking up the attention of numerous police and firefighters and psychiatrists trying to get him down, as we have seen in several movies, including 'The Enforcer' and 'Lethal Weapon'. We have always wondered about scenes like this: If the guy wants to jump, why don't we just let him? Well, one reason might be that jumping off a tall building would likely cause some property damage to the sidewalk below, or maybe a parked car. Another reason is that such a dramatic death could be emotionally devastating for the nearby pedestrians. For both reasons, maybe you try talking him off the ledge only with a promise to allow him to commit suicide by lethal injection administered by a medical professional in a controlled environment, which option he should have had made available to him in the first place.

Then, there is also the criminal defendant who prefers to commit suicide rather than face the ordeal of prison life, or even the humiliation of a public trial (like the Nazi leaders who committed or attempted suicide before and during the Nuremberg tribunals). It beats us why we would want to place these folks on 'suicide watch', and not allow them any means to kill themselves. Can't be because we hope to extract some useful information from them during the trial, because if they really are suicidal then they would have little or no motivation to cooperate truthfully with our questioning. Maybe because we want to punish them further by forcing them to stay alive to witness our judgments and experience our tortures, but even if such action is morally defensible (by no means a given), there could be a significant economic impact in keeping a person alive for purposes of torture. Best let them commit suicide if they wish, and let's the rest of us all move forward.

Question 480

Does the right to end one's own life extend to the case of a hospitalized individual who orders the attending physician to arrange for the termination of life support?

Yes, it does generally extend, as discussed in Answer 479. Only question is if someone's condition is so far gone that we cannot rely on their expression of preference, in which case we should assume for safety that they want to continue to live, unless they have executed a Do Not Resuscitate order or similar document, in which case we should go along with whatever they indicate.

One reason is simply to give those individuals what they want. Another reason is that we are all participating in a 'social contract', in which we will give those other individuals what they want now if we can have our wishes respected when it is our turn to make those kinds of decisions.

Question 481

Shall an infirm patient be permitted to take an experimental drug?

Yes, we do not see any reason why not. Our lawyers and bureaucrats may prefer that every drug be duly tested and approved before it is ingested by any human with an actual medical condition. However, the goal of medicine is to save people's lives, and we cannot always wait around for all the regulations of testing and approval to run their full course, so we should get our patients what they need when they need it, if we are to fulfill our primary goal of saving people's lives.

Whether such drugs should be covered by insurance is another question. For that, we are reminded of the last episode of the fifth season of 'L.A. Law', in which an AIDS patient wanted to take a certain non-approved drug, and the insurance company was refusing coverage. Insurer's lawyer argued in court that they simply could not afford to cover all experimental drugs which people might ever want to take, but the patient's lawyer (played by Jimmy Smits) countered that in this particular instance all the approved drugs were shown to be ineffective, and that this other drug was the patient's only hope. Court sided with the patient, conceding that insurers generally need not be liable for all experimental drugs, but should be liable if the attending physicians affirm that the particular drug in question constituted the patient's only hope of survival. This makes intuitive sense to us, so we concur with the fictional court's position.

Question 481.3

If people may donate spare kidneys and other non-essential organs during their lifetime, then why may they not sell them?

This topic was treated in the fifth season of "L.A. Law". New junior associate Tommy connects new partner Grace with a kidney broker in order to save her friend's life, but the transaction is technically illegal, so senior partner Leland blows up (not 'literally', in accordance with Answer 654). Question which they never really resolved is, if this was the only way to save Grace's friend's life, and nobody else was directly harmed in the process, then why was it illegal?

Presumption is because it created a danger for the kidney seller, in that any eventual malfunction with her remaining kidney would be bad. But then, any malfunction in any of our other singular organs (such as our heart, our stomach, our liver, our pancreas) would also be bad. We do what we practically can to maintain wellness, and we seek medical attention in case of any problem, hopefully before it becomes too severe to treat.

How much different is it, then, to gamble on a single kidney than it is to gamble on a single heart or stomach or liver or pancreas? That's a medical question, of course, and nobody on our current panel was sufficiently qualified to answer it, so ordinarily we would be content to defer to the medical community: If they could cite for us some compelling medical reason why allowing ourselves only one kidney is significantly worse than having one each of most of our other organs, then presumably we could go along with their professional judgment, and allow the current laws to stand.

However, it is hard to do so in this particular instance, because we know from history that people donate their 'extra' kidneys to relatives and other qualifying recipients in order to save their lives, and this apparently is allowed under the law.

In both cases, the donor is placing his/her life at the same level of long-term risk. In one case, though, the donor is realizing a financial benefit in addition to the satisfaction of saving somebody else's life, and suddenly that's illegal? Why? Who is being harmed or threatened who would not have been harmed or threatened under a straight non-monetary donation?

The recipient? If they have that much money to spend, then they probably will be all too happy to part with some of it in exchange for not dying immediately. The recipient's insurance company? That's a maybe, but then the policy could limit the insurer's liability to whatever is found to be the 'usual and customary' rate for such transactions, and premiums could be adjusted accordingly. If it turns out that no organs are currently available at the standard rate, then the recipient would need to go through the brokerage process to locate someone who is willing to sell at a higher rate, in which case the recipient would be responsible for any overage beyond the policy proceeds, unless they have purchased excess liability coverage in advance.

In any case, everybody in the transaction gets what they want most. The organ recipient gets his/her life restored. The insurance company pays a limited claim, but is able to charge higher premiums to offset and remain profitable. The seller realizes a substantial financial benefit which they might never derive from other sources. With that large financial benefit, the seller can purchase her own organ-replacement coverage, and become eligible for somebody else's kidney if ever necessary.

We certainly are not recommending this for the general public, of course, but neither are we presently convinced that either selling a kidney or brokering such a sale should be illegal, especially if no other options are practically available for saving the life of an individual who is willing to pay (either directly and/or with insurance) for the privilege of not dying immediately. Receptive to being convinced otherwise.

Question 482

Shall customers of restaurants and certain other establishments be expected or required to tip in most/all instances?

At the very least, they should not be required to tip, because if it is a requirement then it is not a tip at all, but rather a required price element which the vendor is designating for a particular purpose.

As to whether it should be expected in most/all instances, on one hand we can see allowing vendors the liberty to ask for tips if they wish, and allowing customers the liberty of paying the tips when asked, or even when not asked. However, as

unpopular as the position may be within certain communities, we are recommending against any such expectation in most instances. Two main reasons why:

First reason is that the practice has become exceedingly lopsided in recent history. Tips are currently expected for some very easy and straightforward tasks, such as filling a glass with beer from a tap, or carrying a plate of food from the kitchen to a counter or cash register, or driving somebody a short distance through a familiar city. Conversely, we now refrain in most cases from giving tips to certain workers who are required to exert much greater effort, often in very uncomfortable working conditions, such as roofers and street pavers and firefighters and mail carriers and post-office clerks and fry cooks.

Second, even if you somehow instilled/restored equity to the tipping culture (such as by having all workers in all professions ask for tips routinely), we philosophically disapprove of the idea of advertising a particular price for a particular product or service, and then asking for more money at the conclusion of the transaction. We had already agreed upon the terms of a contract, in which I pay you a certain amount in exchange for your providing me with some kind of product or service, and now you are seeking to amend the terms of the contract after the contract has already been formed, and after certain specific acts have already been performed under the terms of the contract. How is this not a breach -- or attempted breach -- of our original contract?

The very act of asking for a tip places the customer in a very awkward and embarrassing position, either to pay the uncontracted supplement against her will, or else to be considered a schmuck for 'stiffing' the worker in question. Because the customer is providing the capital which the provider is eagerly seeking, we should not be placing her in such an awkward position by even *asking* for a tip, let alone expecting one. Better to set a price, agree upon the price with your customer, and perform the contracted service at the contracted price. Clean. Fair. Truthful.

Whatever amount is expected to go to some particular worker for his individual labor should be included in the overall price paid to the vendor, and conveyed by the vendor to the worker. In any case, prompt and courteous service should be expected from all workers in all industries, whether they are getting any uncontracted payments or not.

Couple of exceptions to the above: One, do feel free to provide tips if you really feel that a particular worker has gone way above and beyond the normal expectation, but again be careful about maybe creating an ongoing expectation on the part of that worker, and on other workers within that industry generally (because we have often heard workers swapping stories with their colleagues as to how much or how little they received in tips on different occasions). Two, we spoke in the conversation on Currency about dancers in private clubs who will provide a better dance experience to those patrons who pay extra for the privilege; as indicated at the time, we certainly see no reason to discontinue this practice, and it will still operate even in the absence of traditional cash, through the use of voucher tickets as described in the Currency discussion above.

Added in May 2019: A certain prominent sandwich-making chain recently began to add a tip option on their debit-card readers, after many happy years of not asking overtly for tips. Businesses are urged to choose wisely (with negative prejudice) when considering this option, because it can drive away long-time regular customers who were happy with the previous paradigm, so maybe you end up losing more

gross income than you're gaining. Again, just charge whatever you need to cover all your operating expenses, including a decent and reasonable wage to all your workers, plus an appropriate profit margin, and don't demean yourselves or annoy your customers by begging for more than your declared price.

Question 483

But, the IRS currently assumes that a fixed portion of income in certain jobs is earned in the form of tips, and taxes on that basis: Is this sufficient justification to continue asking for tips?

The current practice stems from the fact that the IRS has been taxing for over 100 years on the basis of income, so a lot of workers have tried to avoid tax liability by extracting certain incomes in cash, without reporting that increment to the IRS, so the IRS has imposed certain additional regulations in order to collect on the unreported income.

However, in our model system, we not only get rid of cash, but we also get rid of the Income Tax. Workers therefore have no motivation to conceal their income sources, and employers have no motivation to conceal incomes earned by workers on their premises.

Question 484

But, we can currently use withholding of tips as a sign that we were dissatisfied with the service: Is this sufficient justification to keep at least some expected tipping?

If we are dissatisfied with a given worker's service, then there are other means of expressing such disapproval than by paying less than the requested amount of additional money. You can contact the employing vendor with your complaint, or the vendors can volunteer to solicit input from the customers on all their staff. These things already happen now, so we can simply continue them, and not require or expect or ask any customer to pay more than the advertised price.

One specific opportunity for communicating service levels in restaurants, very easily and conveniently and confidentially, is if we include a tear-off tab at the bottom of the restaurant check, showing the server's name: Don't require the tab to be marked with a pen, because not all customers carry pens with them, and because we are no longer going to be loaning pens to customers because we are no longer going to be begging them for tips. Also don't use punch-hole dots, because they create a mess requiring further clean-up. Instead, have small tearlines at the top of the tab, as in this sample:

EXCELLENT	GOOD	POOR
Please tear above the rating which describes		

Pick an option that you like, make a small partial tear above the label for that option, and drop it in the restaurant's lockbox on your way out. Server does not need to know how you voted. Restaurant gets to add the ratings for each server, and can set working hours and wage rates accordingly. You get to express your opinion very quickly and easily, without ever needing to pay one cent above the advertised price.

Question 485

Any other suggestions as to probate, inheritance tax, or anything else on personal/family economics?

A brief word of caution to the upper-middle class: If we do go forward with a 'wealth tax' on the upper class, as described in Section II-C above, then at some point you may be called upon to remit a certain amount of your excess personal wealth for redistribution among the poor. The threshold for who shall be considered rich enough to need to participate in wealth redistribution will vary over time within any community, depending on how much help the poor require at any given stage of time, on how much excess wealth is concentrated among richer individuals, and on the pendulating political sentiment within your community as to how much the rich should be helping the poor. As your personal wealth increases over time, you would be well-advised to monitor how close you are getting to the redistribution threshold. If you find that you are beginning to get very close to it, then you should actively consider donating significant chunks to worthy individuals and charities of your own choice, before the Government takes some of your wealth away and redirects it to their own purposes.

Or, you may prefer to keep your excess wealth where it is, and to allow the Government to take off the top if you are over the redistribution threshold, so that you can give without worrying about who exactly is to receive or how they are going to do it.

We can make the probate process a lot easier if we announced a standard practice that each original copy of any will should have an embossed serial number with reference to how many original copies there are in all ("copy 2 of 3", *e.g.*). Then, keep all previous copies after any will is changed (don't destroy them -- keep the paper trail!), but mark them with a clearly-written indication (maybe in some special highlight marker) that this will has been superseded by another will of the applicable date. That way, we know when we're looking for the most recent will that this one isn't it, and that we therefore have to keep looking for the latter one, which we now know will also be marked for supersession if applicable (because we know that we will now have that habit), and which we can presume is current if no such indication of supersession appears on it when we find it.

Rent control is an issue now, because of inflation, but should become less of an issue once we settle on a level value of currency.

PART III - THE SOCIAL ANSWERS

SECTION III-A: BASIC PRINCIPLES

Generally, this Section will include the basic questions regarding Rights and Responsibilities and other human interactions which we addressed in Section I-A.

We had had considerable difficulty with the placement of those questions at the time, because we had correctly seen them as fundamental to the rest of the Outline, but we had insisted that all the Political questions should come before all the Social ones, so we treated the questions on Rights and Responsibilities as Political questions, which probably not was the correct thing to do.

Rather, we have learned through experience that the three main types of questions in the Outline will need to be jumbled up in order to get everything into a logical sequence, so okay to treat the questions on Rights and Responsibilities as Social questions, insofar as the distinction may make any difference in the final packaging.

At this time, however, with no other specific questions needing to be addressed in this Section, we reviewed the notes entered by hand over the years in the corresponding space in the 'black book' which contains our original Outline of questions, the preliminary ideas which we conceived and catalogued at the time, and any thoughts which may have come to us later.

Four main points are thus being added here, to be rephrased into our standard Q&A format later:

-- We heartily affirm the permanent global prohibition of any kind of slavery, finding that it logically follows from the idea of The Individual not belonging to The State.

-- As part of Answer 16, we will include a note offered by one of our participants in December 2003, that having more means of mutual alliance makes us into a 'web of interconnectedness', and makes it harder to go to war; it is 'the ultimate feature of a peaceful humanity'.

-- We will include the basic expectations of Truthfulness, Courtesy, Cooperation, and Compassion as part of an overall 'implied social contract', which all residents of an area are expected to observe (whether written into any local statutory code or not) as a condition of your living in our cities and towns, but we will also address the fact that some people want to live in the city while behaving like assholes.

-- When someone calls you an asshole, let your next words be an offer of peace.

SECTION III-B: SEX, MARRIAGE, & FAMILY LIFE

Subsection III-B-1: Sex and Relationships

Most people seem to have some impulses for some flavors of sexual expression at some stages of their lives, but there has been much disagreement and debate over the centuries as to what forms or circumstances of sexual expression are considered either 'acceptable' or 'unacceptable'. We will address each such question in turn:

Question 486

Under what conditions is it acceptable for two unmarried people to have sex with one another?

We see a situation in the phrasing of this Question (remember, we drafted it more than 20 years before we formally addressed it within this SIG) which suggests that we may need a certain other Question in our social Basic Principles, viz.: To what extent does Society get to have a voice in the regulation of our individual behaviors?

As a general social position, we are going to need to go with the idea that it depends on the collective preference of a given culture at a given stage of its history. We are tempted to default to the traditionally American (and Libertarian?) viewpoint of "Don't Tread On Me", and basically allow me to do whatever does not hurt others unduly. However, we recognize that there are numerous examples within history,

and several still today, in which large numbers of people not only allow themselves to be told what to do by remote political or military or ecclesiastical leaderships, but actively wish it. It seems to give some people comfort and satisfaction to feel that they are part of a culture which agrees to forgo certain freedoms and pleasures in favor of some common purpose or ideal, and if that helps them to become a happier and healthier society then we will not be the ones to stand forward and assert that they are doing it wrong, and that they should not be allowed to live their lives that way, let alone go to war with them over it.

This general Question therefore will need to come somewhere before Question 38 in the final Outline, because we will then be addressing the general topic of what kind of country we want to have in America, at which point we can argue as planned that we generally want broad liberty here, even if certain other countries want to experience more individual regimentation in their daily lives.

Therefore, if we can't establish it as a general social principle, then hopefully in our Answer 38 we satisfactorily established for America that we want to have a society in which the standard default expectation is that we each get to do whatever we want, except where it injures or threatens injury to one or more others.

To return to the original Question, then, we claim generally that -- for America at least -- any behavior is 'acceptable' as long as it is not 'inappropriate' for any reason.

For this Question specifically, we claim that the partners of a marriage contract should be the ones deciding which conditions of sexual interaction are or are not accepted under that particular contract, and that unmarried adults generally get to have sex with other consenting adults at will, with certain specific exceptions and circumstances to be noted hereunder.

Question 487

By what means shall we determine whether an individual (male or female) is physically and mentally and emotionally mature enough to handle sex?

As a general philosophical foundation, we appear to have near-universal consensus that people generally should not be engaging in sexual activity before they are mature enough for it. But, by what criteria do/should we make that assessment?

A standard paradigm observed in America within recent decades is that anyone at least 18 years of chronological age is considered mature enough for sex, regardless of any individual attributes. This same paradigm holds that no one under chronological age 18 is considered mature enough for sex, unless she is married and maybe fulfills some number of other conditions.

While we understand the convenient appeal of a fixed number of chronological years to define 'presumptive maturity', certainly saves us from having to think, yet we have a hard time accepting that this really is the net-best criterion upon which to depend.

On one side, there are numerous examples -- both in history and within our own modern communities, maybe you remember some from high school -- of individuals who were below chronological age 18, but who yet managed to engage in perfectly happy and healthy and responsible sex, including by properly raising any children coming from the unions. On the other side, we also have observed that some

individuals are never mature enough for a happy and productive sex life, so simply reaching 18 shouldn't mean that all individuals should be engaging in sex indiscriminately.

On the other hand, if we decide to completely abandon the chronological parameter, then we are faced with having to make a subjective decision as to whether someone else is ready for sex. Or, are we? Again, maybe it's none of our business what other consenting individuals do, provided that they are not injuring or threatening injury to others in the process.

As a general social standard, we do have a legitimate interest in making sure that a minimal condition of engaging in sex is a basic understanding of the biological consequences of the act. In the specific case of mixed-gender interactions, unplanned pregnancies can result from uncontrolled sex, and Society definitely should have a voice in any social paradigm which has a direct impact on its population level and sustainability. In the general case, many kinds of diseases can be transmitted through sexual contact which would have remained more confined without it, so again Society gets to have a say as to the general conditions of sexual acceptability.

In both cases, we establish through a process of education that all individuals who would ever engage in any flavor of sexual activity must first know at least the basic biological potentials of the act. This can be a single course from a sufficiently-reputable education outlet, or else we can presume from a primary-school diploma that the bearer has been sufficiently schooled in the basics. Such a course should include the fact that any individual is entitled to refuse any unwelcome sexual advance, and what to do in case an unwelcome advancer persists.

We should not have a squadron of 'sex police' going through our neighborhoods looking and listening for sex, and then interrupting the partners to check for educational credentials. However, we do see it as the responsibility of each partner to check up on the other in advance of any sexual interaction, if there is any question as to the prospective partner's level of sexual knowledge: Same as you might ask for an ID now in order to establish chronological age, you would ask for that course certificate or primary-school diploma, because Society would have every reason to pounce upon you if you engage with a partner who is not thus certified.

Educational knowledge is not enough, however. One must also have gone through the physical process of puberty in order to engage in adult sexual acts, or else all manner of physical and emotional problems may ensue, and in any case we don't want to take the chance of any twisted old farts preying upon pre-pubescent children just because they happen to know the medical basics.

However, any physical criterion applying after puberty would probably need to be a chronological age (because what else is there?), but again that would be completely arbitrary, and would often be an inaccurate and misleading indicator of a given individual's receptivity to sex. We are all different, and we claim that there is no valid reason to assume that being 18 years old is always good enough, and that being 17 years and 11 months never is.

And, it's not just unfair to the pre-18 individuals who would be ready for sex in all other respects, it's also dangerous to the society to make that kind of pronouncement, because it drives those individuals underground who desire to have sex anyway: They don't feel that they can buy condoms, or use the ones which

some schools give out for free, so again more pregnancies and more disease propagation might occur than otherwise would. They will not feel as comfortable seeking obstetric and other medical care, and they might feel the need to go to unqualified practitioners for their abortions, or else have kids whom they cannot take care of. This places us all at risk.

Also, the 'black book' of preliminary ideas reminds us that the 'Keep Off The Grass' syndrome applies here, where the very act of prohibiting somebody from doing something often makes them want to do it when they otherwise would not, just to be rebellious and disobedient, so choose wisely when considering whether to establish or maintain that kind of prohibition for individuals under some arbitrary chronological age.

In sum, then, we claim that anyone should be allowed to have sex who has passed puberty and has established a basic grounding in the social and biological implications of sexual activity, and that there should be no other physical or mental requirements.

The only other aspect of the Question is the emotional side, but of course this is the toughest one to adjudicate with any level of objectivity. We therefore need to presume that anyone meeting the above physical and mental criteria also possesses the emotional capacity for the act. But again, that's very tough, because a lot of folks don't handle the situations all that well, especially during breakups, even after they get past age 30 or 50 or 80. We all can face some severe emotional challenges dealing with our various sexual impulses and experiences, so we generally cannot see any practical way of delineating that only certain individuals are emotionally mature enough for sex, so we are not recommending the adoption of any such criterion.

We would make exceptions only for those individuals who have been established by competent psychiatric professionals as not having the sufficient emotional grounding even to attempt sexual interaction, but then such individuals would need to be kept in protected living environments, so that they would not have the opportunity to approach or be approached by individuals who would have every other reason to expect that they would be legitimate sexual prospects.

Question 488

What limits, if any, shall we set on how closely related two people may be in order to have sex, assuming that they are not married and are avoiding pregnancy?

Even if they are trying to avoid pregnancy, it sometimes happens anyway, so best not to take the chance if the would-be partners are of opposite genders and have a common ancestor who is one or two generations above at least one of them. (Thus, first cousins would be ineligible, as well as uncles/aunts with nephews/nieces.) When relations are closer than that, we experience a much greater risk of genetic deformities, as we have seen within certain royal families and in some rural communities within our own country.

An additional argument might possibly be available as to the potential of psychological harm which may come to one or both partners when a previous fraternal relationship becomes a sexual one, particularly if some kind of problem develops from the sexual dynamic, as of course often happens in the normal case. However, such an allegation could possibly be refuted by pointing out that many

millions of us have undertaken a psychological risk by beginning or attempting to begin a sexual interaction with someone, and in many cases have experienced varying levels and flavors of psychological harm when things turned out not to go as idealized. That doesn't mean that nobody should ever be permitted to have sex, because then of course our species would die out pretty quickly. The potential of psychological harm from sexual interaction cannot be completely avoided if our species is to survive, and for a lot of people constitutes a big part of the allure of romance. If it cannot be used as a valid reason to prohibit sex in the general case, then we probably would have a tough time justifying its use to prohibit sex among closely-related partners.

However, we hope that the risk of pregnancy and genetic deformity will be sufficient to establish a reasonable limitation on the filial relationship of legitimate sexual partners.

If it is not sufficient, then we might also note the possibility of undue influence by an elder relative upon a younger one. Sex must always be consensual as a minimum condition of acceptability, but a parent or grandparent usually has exerted such extensive authority over their kids and grandkids as they were growing up that it can be pretty difficult (in some cases impossible) to eliminate that dynamic even when the younger individuals pass puberty and achieve a basic educational grounding in the social and biological implications of sex. Because the danger is so prevalent of undue pressure being present when a suggestion is offered of sex between a child/grandchild and a parent/grandparent, even if it is the younger individual making the offer, we would need to assume for safety that it is always present in such situations. We must therefore establish as a matter of public safety that sex between any individual and his/her child or grandchild is unacceptable on its face, even if the individuals are of the same gender and there would thus be no risk of pregnancy.

Question 489

Is it acceptable for an individual to experience sexual attraction for a person of the same gender?

We will need to place this Question higher in the final Outline, because same-sex interactions have already been assumed as part of earlier Answers. For the moment, though, we will pretend as though we have not so assumed.

A lot of people say no, that it is not acceptable, but we must say yes that it is. It's really hard to argue against the acceptability of something which occurs within Nature. What else do we observe among Nature's creations which we consider to be so vile and evil that it cannot be allowed to continue to exist? Even certain plants which we know to be poisonous are still allowed to exist, because trying to eradicate them would be too much trouble, and because the resulting imbalance in our ecosystem could easily produce more problems than it would solve.

Similarly, you would have a really tough time eradicating homosexual attraction forever if you tried, because even if you killed everyone currently living who has ever experienced a homosexual feeling, such individuals would still spring up later, as evidenced by the millions of homosexual men and women living today and throughout history who each came from two completely heterosexual parents.

Beyond the practical impossibility of enforcing a hypothetical ban on homosexual feelings, we also claim that the notion can be defeated on philosophical grounds.

For, we have previously found that people generally should be allowed to do what they want if it does not injure or threaten others, so that policy must extend to any kind of thought or feeling.

Besides, during the periods of our history when homosexuality was widely considered to be evil and depraved, a lot of individuals (particularly teenagers) experienced grave levels of guilt and self-loathing for their homosexual feelings, either through their own reflections and/or through the criticism of others. As a result, a lot of those individuals committed suicide or became serial criminals or caused some other kind of blight upon society, and we now claim from historical hindsight that we would have been a healthier and happier society if we had simply permitted everyone's homosexual feelings in the first place, instead of trying to guilt them into non-existence.

Question 490

Given that an individual is experiencing sexual attraction toward another person of the same gender, is it acceptable for him/her to act on it?

Again, we generally should be allowed to do what we want if it does not injure or threaten anyone else. Specifically, if the partners have reached puberty, have been educated as to the social and biological potentials of sexual interaction, have fully consented to the actions in question, and are acting responsibly to mitigate the spreading of any kind of disease, then they generally should be permitted to engage in sexual actions of their own choosing, same as with heterosexual couples.

There are those who claim that homosexuality is an 'abomination' and a 'sin', but many of those individuals believe that way simply because they were taught that way, by individuals who themselves were taught that way, going back numerous generations. One significant source of this viewpoint is the appearance in the Mosaic Law of prohibitions against homosexual action (see Leviticus 18:22 and 20:13), but as with any Biblical regulation we should consider the source and the circumstances of its creation.

If we are to believe the story told in Leviticus, God was having a really hard time getting the Israelites to behave themselves and refrain from worshipping false gods, so He presented them all with a severely regimentive code of conduct, covering everything from farming and diet to shaving and dress. It would be a thin argument to suggest that these numerous rules were intended to apply for all time regardless of what ever happens, as opposed to lasting only as long as necessary for the people to become upright and cooperative and 'holy' in all ordinary respects. In any case, we know that they were not talking about all people everywhere, because it is established repeatedly within those chapters that the intended audience comprised only the "children of Israel".

Another source of religious objection is the general idea that something created by God should be used only for its originally-intended purpose. Specifically, this belief holds that the act of sex was intended for only mixed-gender couples, and only for the purpose of procreation. If you believe this idea, then let us please remind you that humans modify God's creation all the time, utilizing the intellects with which God has blessed us. Trees existed long before humans, and could be argued as having been created for the 'purpose' of providing oxygen to the atmosphere and food for numerous animal and avian species, but we also have figured out that we can use the timber to create housing and baseball bats. We have sewn together leaves and

grass in order to make clothing. Rivers could be argued as having the 'purpose' of draining water and sewage from inland areas to the ocean for recycling, but we have built dams on our rivers to facilitate irrigation and electricity and flood control. Were the star Polaris and the constellation The Big Dipper created for the purpose of allowing humans on Earth to identify north and navigate the seas? Seems unlikely, since those stars are so far apart, did not always maintain that same alignment, and will not always do so in the future, so that would be another example of humans using natural resources for new purposes. Even the Amish, and other communities who eschew modern conveniences, still use tools and furnaces to fashion horseshoes and nails and plowblades and other metallic implements, and then they plow fields to grow crops where they would not have grown otherwise.

Clearly, the act of finding ways to utilize our natural abundances in new ways is not generally an 'abomination'. In the specific case of sexual desire, all biological species are hard-wired to experience sexual desires so that they can continue to thrive. Some species may do it for species propagation alone, some may do it simply because it feels good, and others (including Humans) manage to 'combine business with pleasure'. So happens, however, that the neural connectivities within some human specimens cause/allow them to experience sexual urges toward other specimens of the same gender. Again, this has been happening for several millennia now, and we have every reason to expect that it will continue to happen, so it would be highly impractical to try to eliminate it, it is dangerous to our society to try to 'guilt' it away, and beyond that it's another example of humans using our various natural resources in different and creative ways. What can be wrong with that?

Question 491

Shall we establish as either socially or legally unacceptable for certain sexual positions to be used?

Astonishingly, numerous States and Counties and Townships within America actually have had laws on their books prohibiting sodomy between consenting adults, even if they were married and of opposite genders. Our group finds no philosophical justification for the prohibition of any such harmless consensual activity, not only generally but especially within a nation which pretends to glorify the concept of individual liberty.

As with Question 490, there may still be some who would argue that certain sexual positions (possibly including sodomy) constitute 'perversions' of the biological structures and desires which God gave to us. However, if in fact the biological urge for a man and woman to engage in missionary-position sex came from God, then so must all the other flavors and combinations of sexual activity, so those cannot be held to be 'perversions'.

A lot of other people might continue to hold that certain sexual positions (possibly including sodomy) should be considered unacceptable because the one-and-only alleged purpose of sex is to procreate, and that any sexual variation which cannot result in pregnancy constitutes an abuse of the natural order, or some such bullshit. This argument also fails, however, if we allow other expressions of physical or romantic affection such as hugging and kissing. If you want to have a culture where couples are not allowed to express or experience any manner of physical affection except when they are trying to produce a child (such as those communities in 17th-century New England, where married partners routinely placed a wooden plank

between them in bed to discourage non-procreative contact), then we guess that you can do so, but we don't see why you would want to do that, and we don't recommend it. Neither does the Roman Catholic Church, which has long 'allowed' married partners to engage in romantic sex when not actively trying to reproduce, because they recognize that it would simply be unrealistic to try to prohibit things beyond that point.

Then there are those who believe in the unacceptability of such activities simply because that's how their parents and teachers taught them, or because they think that they read it in the Bible at some point. We have observed over the years that many such individuals hold onto such beliefs dogmatically, basically because they are unwilling to accept the possibility that they may have been wrong all this time, and that their parents and teachers may have been wrong as well. They may also be reluctant to acknowledge that there are multiple ways to interpret your particular translation/version of the Bible, or that some of the more unambiguous passages should not be expected to apply to today's world. There's not a whole lot that we can do about any such closed-minded individuals, except to ignore them whenever they try to convince us of some particular paradigm simply because that's the way that they were taught, or because the Bible allegedly says so.

For the rest of us who are willing to question authority, and even willing to question the Bible, we feel that we should observe the rule of personal liberty, at least in America, but preferably everywhere, that we all should be allowed to do what we want if we are not injuring or threatening someone else, unless there is some other specific reason why a particular action should be considered inappropriate.

Question 492

Should any and all laws prohibiting sexual positions be expunged?

Yes, forthwith.

Question 493

Is it acceptable for an individual to feel sexual attraction toward multiple individuals concurrently?

As with homosexual attraction, it is very hard to find this unacceptable, given that it is and has been such a common and widespread occurrence. Even if you could once convince yourself that it was philosophically inappropriate (whatever that means), how could you possibly hope or expect to eradicate it among the entire global population, even for just a day, let alone for all time?

Not only would it be eminently impractical to try to eliminate concurrent sexual attractions toward multiple individuals, we claim that it is actually a biological necessity: If there could be only one person in the world toward whom you could be 'allowed' to experience a sexual attraction, then what happens if you never find her among all our billions? What happens if she dies before you meet her? What happens if she never gets born at all? What happens if you do meet and do have a relationship, but at some point she decides to break up with you? If we all held to that rule, then our species would die out very rapidly.

Far better biologically to allow each individual to form sexual attractions toward multiple individuals, if only so that we have a much better chance of finding a suitable mate with whom to start a family.

Question 494

Is it acceptable for an individual to have sex with more than one person in his/her lifetime?

Testimony time: The Moderator was brought up to believe (like the fundamentalist Catholic foot-soldier that I was) that it was appropriate to have sex with only one individual in your entire life, and then only when you were married. I even spoke and wrote in defense of the concept during high school. When I finally got a serious girlfriend as a college freshman, she actively wanted to have sex (even though she also had been raised Catholic), but I repeatedly and stubbornly refused, because as college freshmen we were not yet ready to get married. The disagreement placed a tremendous strain upon our relationship.

I eventually gave in, after a long period of self-examination, rationalizing that it was okay to modify the basic rule slightly, since I had committed to this one partner but it was simply impractical for us to marry yet. When she later broke up with me, I was faced with the dilemma of holding out for her to come back someday (she never did), or remaining celibate and childless for the rest of my life, or modifying the basic rule one step further. After another long period of self-examination, I concluded that holding on to the basic rule would create more problems in my case than it would solve, and that I should go ahead and allow at least one further sexual relationship in my life.

When that second relationship ended up not working out, I eventually concluded that it should be considered acceptable to engage in varying levels of sexual experimentation with different partners, until you find one with whom you are sufficiently compatible to establish a permanent relationship.

The next logical step after that was not a difficult one. If it is biologically okay to experience sexual attraction toward multiple persons in your life, and if it is philosophically okay to engage in sex for the purpose of pleasure as opposed to procreation, and if it is practically okay to have sex with more than one person in your lifetime, then it must be okay for people to have sex for pleasure with any consenting adults that they wish, provided only that they are responsible about pregnancy and disease mitigation.

Question 495

Is it acceptable for an individual to have sex with multiple concurrent partners at different actual times?

In other words, is it okay to juggle multiple relationships at once?

There are two possible scenarios to consider here: One is where you are actively searching for one permanent partner, and you find that you can conduct that search more efficiently if you overlap the times that you are spending with your various prospects. The other is where you are doing it simply for pleasure, with no active intent to convert any of your partners into an exclusive mate.

Either way, we must conclude that yes it is all okay, based upon our previous philosophical findings. The only condition that we would impose is that you should disclose to any prospective partner before having sex that you intend to concurrently carry on with one or more other partners, just in case the new prospect wants to make monogamy a condition of any sexual interaction.

Question 496

Is it acceptable for an individual to have sex with multiple partners at once?

Again, yes by all means, again as long as everyone is acting responsibly as to pregnancy and disease mitigation. Sex for pleasure is okay, and sex with multiple partners concurrently is okay with disclosure, so sex with multiple partners at once must be okay. In fact, it must be even more okay than the scenarios treated in Answer 495, because disclosure is not necessary when the other partners are right there in the same room with you.

Question 497

Should any of these paradigms be different for males and females?

We don't see any reason to make any such distinction. We are all individuals, and we all deserve to have whatever personal liberties attend to all humans generally, or to Americans specifically.

There have been those cultures -- and some still exist today -- where women are treated as second-class citizens, with few or none of the rights which typically extend to the males of those cultures. We find no philosophical justification for this practice, and estimate that it was invented by men a long time ago, because they were physically able to enforce it, and because they were unwilling to allow any challenge to their 'gender authority'. In an enlightened technological society, however, where we can share with each other the fact that no women need any longer feel imprisoned by such sexist and imperialist dogma, we figure that anyone who claims that all women should have fewer rights and liberties than all men should be ostracized from polite society, or at least ignored.

Question 497.5

Is bestiality always okay, or sometimes okay, or never okay, or what?

That's a restriction which we actively support. Even in our libertarian model, a key component of 'acceptable' sexual activity is that it is consensual. Because animals are not able to speak our language in an independent and intelligent manner, we must assume for safety that they are not consenting to any inter-species sexual act, so such an act must always be considered unacceptable on its face.

If a sheep ever comes to your front door with a bouquet of roses and a diamond necklace, and offers to take you on a dinner date at an expensive restaurant for the purpose of romancing you into a sexual encounter, then we might re-evaluate our position. Until then, we must assume that any hypothetical sex between a human and an animal would be the human's idea, and that the animal has no voice in the matter, so to protect the animal from abuse we must consider it an inappropriate act.

Question 498

Should there be any legislation at any level of government to prohibit certain inter-human sexual activities that do not create unwanted pregnancies and do not spread disease and do not violate formal or informal covenants?

This Question is very similar to Question 492, and so we produce a very similar Answer: No.

The only provision which we might make even remotely along these lines is that you probably do want to have a society where contracts of all kinds are expected to be honored, and that civil judgments can in some cases be enforced upon any parties who willingly violate any kind of contract, including those between sexual partners as to the conditions under which they may or may not have sex with other individuals, as discussed in Answer 486. However, the language of the present Question is that the activity being considered would not violate any formal or informal covenants, so this provision would not apply here.

Question 499

To the extent that any of the above is done or threatened, what level of government is best to administer justice?

County level is probably best for this in most cases. Federal judiciaries have enough to do regarding America's position as a nation in the world. State judiciaries are concerned with large-scale policy decisions for their jurisdictions. Municipal judiciaries would be unsuitable because the partners in question may easily reside in different cities which might develop different sexual paradigms if they were allowed to do so. County is best, because in most cases the partners will live in the same county even if they are in different cities, and we generally want to keep adjudications local which have only local influence.

Subsection III-B-2: Marriage

Question 500

What is 'marriage', really?

A lot of people think that they know what marriage is, and some of them may be right, but they can't all be right, because some of them claim that their definitions are the only correct ones. If such a Person A is correct in claiming that any other definition is invalid, then the contrary definition offered by Person B would be incorrect. Either that, or else Person A was incorrect in the first place, and maybe both are.

Laws and court rulings and Constitutional amendments have been proposed -- and in some cases enacted -- to legally define 'marriage' in one way or another. These various proposals do not always agree with one another, so we feel that it would be very helpful to define what 'marriage' is -- or should be -- in our model society.

One big clue that can help us figure out what marriage is is to look at what it has been. Marriage has taken many forms in different cultures and in different centuries. Sometimes the partners got to choose each other, and sometimes the marriages were 'arranged' by parents or civic leaders. Sometimes a man paid for a bride, and sometimes (as depicted in *The Taming of the Shrew*) he was paid to take the woman

off her father's hands. Sometimes the partners were decided in adulthood, but sometimes when they were as little as seven years old. Sometimes (as related in *Fiddler on the Roof*) they never even met until the wedding ceremony. The Egyptians of Cleopatra's time were famous for marrying siblings, before they understood about genetic deformities. Mormons and some Eastern potentates (like the Sheik in *Ben-Hur*), as well as the Hebrews of Jacob's time, have been known to carry multiple wives concurrently.

Whatever forms marriage has taken throughout history, it did always seem to have two fundamental elements in common. First, it seemed always to be intended that children would result from the unions, and that no children should be created outside of such unions. Second, it seemed generally to be intended that the marital partners would reside within the same household, and in some combination help to raise their children.

There is a certain amount of logic behind this paradigm. In order for our species to survive, we need children to be born on a continual basis, and we also need for them to be taken care of until they are old enough to take care of themselves. It may theoretically be possible for all kids to be raised by 'the village' in some sort of common nursery (such as that depicted in *Logan's Run*), but it seems to make more sense in most cases for children to be raised by their natural parents wherever practical, because the individuals who contributed their genetic material to the kids are most likely to understand how those particular kids act and react and think and communicate, so they usually will be in a better position to raise them effectively, and successfully instill them with their values as may be needed. Doesn't always work out that way, of course, but it seems to on average.

Also, as genetic contributors they have a certain level of investment in the children, and of course the mother has an additional investment for having endured pregnancy and childbirth, so in many cases they will be more motivated to raise the kids properly than an unrelated 'village' might.

We have seen that numerous children have been raised successfully by single parents, and we certainly do not seek to abridge the right of parents to raise children singly if they sincerely feel that they can, but we generally recommend that both bio-parents be involved in the child's upbringing (unless in an individual case it is impractical or net-undesirable for some reason), if only because the workload of bringing up a child has a greater likelihood of being managed adequately if it is split somehow between the two bio-parents.

But, does arranging to raise one or more children together imply that the bio-parents should be married to one another? Again, we have seen that it is not always required, but it does seem in many cases to be highly helpful. If the bio-parents are not married, and if they therefore are free to mate with other partners and create children with them, then that could create some conflicts of interest, or some divisions of attention, meaning that some of the kids in question -- perhaps all of them -- might get shortchanged in their parental care. Generally better for the kids if their parents don't have any other kids living in other households. In order to make that a more secure scenario, we have come to expect that the parents should be in a committed marital relationship with one another, witnessed by the public and by the local civil authorities.

More recently, of course, we have also seen a rapid rise in demand for weddings and marriages between partners who for some reason cannot have any children of their

own, either because they are of the same gender, or because at least one partner is too old to have kids, or because at least one partner has some medical problem preventing conception or pregnancy or childbirth. Or, even if they physically can have children, they simply don't want to do so, or don't feel that they can afford it. All these people have other reasons for wanting to get married and stay married.

This is where opinion begins to diverge: Do personal partnerships count as 'marriages' if the partners cannot or do not wish to have children of their own?

While there may have been a separate reason for marriage initially (being to facilitate the bearing and raising of children in a secure and genetically-bound environment), it is quite understandable that some people might want to experience the same kind of living conditions without any children being present, or perhaps with the presence of one or more adopted children. Is there anything wrong with this? Assuming not, is it valid to refer to such an arrangement as a 'marriage'?

We claim that there is nothing wrong with it, and that yes it is valid to call it a 'marriage' even if no kids are involved, or if only adopted kids are involved.

Reason is that -- even though the purpose for that marriage may be different from the classic standard model -- yet the arrangement would have all the same descriptive characteristics of a classic child-bearing marriage. Specifically, they want to live in the same household, they want to share somehow the responsibility for maintaining the household, in many cases they want to be together as a romantic and possibly sexual couple, in many cases they want some level of limitation in place as to how sexually active they can be with other individuals, they want a level of security and commitment that the arrangement will remain in place until one partner deceases or they agree to dissolve, and they want their union to be recognized by the public and the civil authorities. What can be wrong with that?

The question then remains whether we get to call such a union a 'marriage'. For that, we offer that the *American Heritage* dictionary (1981 edition) allows "Any close union" as a valid definition of the word 'marriage', as in the expression 'a marriage of minds'. Linguistically, then, we claim that it is appropriate and valid to describe as a 'marriage' any personal partnership where the participants formally agree to live together in a committed emotional or sexual bond.

There still may be some who stubbornly hold to the classic paradigm that marriage must be between exactly one man and exactly one woman, either because marriage supposedly is only for the purpose of creating and raising children, or else because that's the way that God allegedly ordained it. To this claim, we offer that this is another example (see Answer 490) where something created for one purpose (even if it was created by God) gets to be used in another way or for another purpose, because we clever humans are using our intellectual gifts to discover new and creative ways to do things which enhance our collective quality of life. Just because marriage may originally have been intended only for partners of opposite genders, why shouldn't homosexual partners be allowed to experience the same level of love and satisfaction and security and happiness which many people derive from being in a committed relationship with a committed partner?

Besides, the Bible-based claim that God intended marriage to apply to only one man and only one woman fails on its face, because otherwise Jacob and Solomon and other patriarchs of the Hebrew nation would not have been allowed to carry multiple wives concurrently, let alone some number of supplemental 'concubines'.

Another objection comes from those who suggest that only certain flavors of committed relationships should be called 'marriages' because married partners get to enjoy certain tax benefits which supposedly should not apply to everyone. However, we can look at all such situations separately, without undermining our basic conception and definition of 'marriage'.

Question 501

What would motivate two (or more?) people to enter into such a contract, as opposed to simply hanging out?

Many people feel that it is an ultimate (or near-ultimate) expression of their love and affection for someone to agree to establish and maintain a contracted personal relationship. Some of the same people, and many others, feel tremendous satisfaction and self-fulfillment when they are chosen to be part of a contracted personal relationship with a worthy partner.

A few do it to bolster their public image somehow, maybe for political gain, or maybe because they just don't like being thought of as 'single'. However, we recommend against both these approaches. Non-nuclear households are more prevalent now, with single parents, same-sex parents, childless households, and other variations becoming far more commonplace, so such conditions shouldn't factor into one's electability or castability or other public concern. A lot of people also seem to enjoy being single these days, so if you give off that vibe to them they will not know otherwise; you therefore don't need to marry an inferior partner simply in order to get the locals to quit giggling at you.

There may be other reasons held by different people. This is just a sampling of the more common reasons which we could think of quickly. Point is, there are several different reasons why people might want to marry even if they are not having children, especially if they are of the same gender, so it would be foolish to try to deny this reality, for those of you who still want to.

Question 502

Can all of these functions be fulfilled in the absence of marriage? If so, then do we still need marriage as a social institution?

Several functions can, but not all. Marriage is a level of commitment beyond a mere informal covenant, and married partners have much more reason to feel secure and happy in their relationships than if either partner gets to leave at any time on an 'at will' basis.

The second element of the Question therefore is not really applicable: Whether we really 'need' marriage or not, it does seem in many cases to be highly helpful, not only for the raising of children (either bio or adopted) but also to allow an additional level of depth in our personal relationships.

Question 503

Is it possible/acceptable for two (or more?) people to be married who agree not to have any children, or is receptivity to children a necessary condition of marriage?

The first one. We established in Answers 500 and 501 that people might want to be married for all kinds of reasons other than having and raising children.

Question 504

Given that marriage is still around, is there any reason why marriage must be between individuals of opposite genders?

No reason that we can make out, as discussed in Answer 500. Even if it was originally intended to be that way, either by people or by God, we have the (God-given?) right to use things in different ways, as long as they are not net-destructive to the society. In this case, any institution which encourages and deepens Love and Peace and Fidelity and Happiness cannot be unholy, so we strongly believe that marriage should be recognized and applauded and celebrated among any combination of consenting adults.

Question 505

What limits, if any, do we want to set on how closely related two (or more?) people may be in order to get married?

Basically the same limitations which we established in Answer 488 (however that model may possibly be refined later) for the level of 'familial proximity' which would disqualify two prospective partners from being an acceptable sexual couple. Main idea here is that we can expect any married couple to have sex with each other on at least one occasion in their lives, so they would need to meet those minimum conditions. We cannot immediately think of any particular reason why any additional restrictions should be imposed for marriage beyond those established for sex, so until we are persuaded to the contrary we will assume the same levels of restriction.

Question 506

Is there any reason why marriage must involve only two partners, or can we allow one principal to have multiple spouses, or can we allow three or more individuals to commune together in a group marriage?

The fact that some people have done it in the latter two ways, or at least tried to do it, or at least wanted to do it, means that those models clearly exist, at least in people's minds if not yet in law, so we would be foolish to try to deny their existence. Question then is whether the latter two variations are validly appropriate (whatever that means) in our improved social model.

We claim that we should not be abridging the right of individuals to commune in marital relationships involving three or more partners, whether one of the partners is a 'principal' or not. First reason, we generally approve any action which does not cause net-destruction to the community. Second, the levels of commitment and satisfaction and security can easily be achieved in a multi-partner household, perhaps in some cases at an even deeper level. Third, with the various responsibilities of maintaining the household divided among more than two people, the bio-parents of any children will have more time available to spend with their kids, so hopefully the kids will have happier and healthier lives.

There may be other reasons why multi-partner marriages can be actively good, or at least acceptable, but we feel that these should be sufficient.

Question 507

Whatever laws we have which restrict or otherwise regulate various types of marriages, what level of government should enact and administer such laws?

State level is best. There seems to be enough demand for variations that we should not try to legislate one paradigm of marriage for the entire Nation. At the other end, having some 3000 different marriage codes would entail a lot of wasted effort, and cause a great deal of confusion, so County level would be too small.

Question 508

Should it continue to be expected that the wife will/should change her last name to that of her husband?

This seems to be happening with decreasing frequency, and we certainly can understand why: In the classic nuclear model which we saw portrayed in TV shows from the 1950's such as *Father Knows Best* (really?), the husband was the one-and-only wage-earner, and the wife was expected to bear his children and cook his meals and clean his home and basically take care of him. In addition, as also portrayed in such plays and films as *Life With Father*, the man was generally/always considered to have supreme executive authority within the household, at liberty to overrule any decision made by his wife whenever he felt like it.

Paul wrote in both Ephesians and Colossians that wives should submit themselves unto their husbands, and Peter likewise admonished in his first Epistle. Genesis 3:16 allegedly ordained that the Man shall "rule over" the Woman, presumably for all time and everywhere, although this was not explicitly stated.

It therefore stood to reason that women would typically change their last names when marrying, in order to show that they were attaching themselves to the men's households.

More recently, of course, we have observed an increasing proportion of dual-income households, with the woman often earning more than the man in the specific case of dual-gender couples, perhaps still not as often as it properly should be, but yet often enough that this Question becomes very relevant in our modern age, and more relevant as we continue to evolve as a society.

With women on the rapid rise in terms of economic prosperity, executive/military authority, and sociopolitical influence, it makes total sense that we have observed more households (particularly within the entertainment industry, but also elsewhere) in which the wife kept her own last name, as has already happened in numerous Spanish-speaking nations.*

[**Mensa Bulletin*, Jan-Feb 1998, p.31]

We also have seen some instances (there was one within the author's own extended family) where the man changed his last name to that of his wife, for whatever reasons he may have had.

We certainly will not attempt to stop this rate of social progress, for we find that we all benefit as a society when more adults get to share the responsibilities of wage-

earning and decision-making, and when fewer intelligent and capable adults are subjugated into subservient roles without their consent.

But, neither shall we seek to abridge the right of wives to go ahead and take their husbands' last names, either generally because they are traditionalists, or for some combination of specific reasons.

We therefore feel that couples generally should have the right to choose for themselves whether either partner is to take the last name of the other. (Maybe they even switch!) They may want to keep separate surnames if they are wanting to maintain separate professional identities. Or, they may want to combine into one surname, perhaps because they may have a sole/primary wage-earner, or on the basis of chronological age, or because for some other reason one partner is considered to be net-better at decision-making than the other.

If none of these specific conditions applies in a particular household, they may want a single surname anyway, simply because it 'feels' more like being married. It may also be more convenient for any children if there is only one surname in the household, but we will look at that during Question 535.

In summary, then, each partner gets to decide whether to take the last name of the other, and his/her decision not to do so should not be treated as a 'dealbreaker' for prospective married couples.

Question 508.1

To what extent -- if at all -- should modern marriages be arranged by either parents or civic authorities?

We have a hard time getting behind this practice in a modern and ideal and hopefully-enlightened society. We understand that some families might want to ally themselves maritally with certain other families, either out of friendship or for reasons of business or politics. Whatever their reasons may be, though, the model assumes that the parents know best which pairings will be the most mutually compatible, whereas the children may develop different ideas and preferences as they grow older and learn more about themselves.

Marriage arrangement also serves as a means of ensuring that the kids will marry an adequate partner at some point, instead of rolling the dice that they will end up with inferior partners, or decide not to marry at all. Certain individuals might want to make sure that their genetic characteristics and family fortunes carry on constructively after they decease, so arranging marriages for their kids can help with that. We wouldn't want to abridge the right of such parents to at least attempt to arrange suitable marriages for their kids.

However, in the end, it really should be the kids' decisions, for once they become adults they become the owners of their own lives (see Answer 11), so it would be inappropriate for any parent to attempt to force a child into any decision -- particularly marriage -- which would have continuing effect after the child reaches majority.

To harmonize these potentially-conflicting motivations, then, we recommend that parents should be allowed to identify one or more particular candidates for the child's consideration, and offer any specific reasons why they think that those candidates

ought to make the child's 'short list'. In the end, though, it really should be the child's decision, to be made sometime after he/she reaches majority, however we define that condition while considering the upcoming Question.

Question 508.2

What set of conditions should exist in order for a child to be properly considered to have reached majority/adulthood?

We understand the temptation to use a simple and convenient chronological age such as 18 or 21, but we generally recommend against it, because it is inaccurate and sends the wrong message. It says that anyone who is at least that chronological age is mature enough to make adult decisions, and that anyone less than that chronological age is not, but we know from experience that neither of these assumptions is always true: Numerous individuals under chronological age 18 have been spouses and parents and soldiers and professional entertainers and professional athletes; some even have been kings. Conversely, numerous individuals over age 21 have shown themselves to be incapable of holding down a job or balancing a budget or in any other sense maintaining an independent adult existence.

It's even funnier that different States have different chronological cutoffs for when someone reaches adulthood (either generally or for specific reasons such as Gambling or Drinking or Sex), as if people mature faster in one State than in another.

If we deny the title of 'adult' to all individuals who are under some fixed chronological age such as 18, then we lose many of the professional contributions which they might otherwise make to society. We also risk sending them 'underground' to engage in certain adult behaviors without proper education or counseling or other assistance, causing many of their lives to be destroyed with addictions and unwanted pregnancies and other bad things.

Conversely, if we forcibly impose the title of 'adult' to all individuals who are over some fixed chronological age such as 21, regardless of their mental capacities or educational achievements, then we risk allowing (perhaps even encouraging) them to engage in behaviors which are legal but still potentially dangerous to society, such as gun ownership or again with the unwanted pregnancies.

Therefore, rather than pick some arbitrary chronological age and assume that everybody will fall into that model (either generally or within some particular civic jurisdiction), probably best to rely on a combination of physical and educational conditions, same as we recommended in Answer 487 for the specific topic of sexual activity: First, they must have gone through physical puberty, because that process often results in a 'quantum leap' of maturity and understanding. Second, they should have acquired whatever primary educational knowledge we may decide as needing to be possessed as a minimal requirement by all adults within our society.

On the latter point, if we make the educational requirements any more stringent than primary level (such as needing a 'high-school diploma'), then some individuals will not be both willing and able to achieve them, and we would have numerous physical adults running around who do not possess the basic knowledge needed to live safely and peacefully and constructively within a civil society, which would be bad. Therefore should establish (see Section I-C upcoming) what primary levels of

knowledge should be possessed by everyone in society, and then accept as a full-fledged adult anyone who has achieved that primary requirement and also passed physical puberty.

Question 508.3

Should a 'dowry' be expected or required as a condition of marriage within our modern environment?

In addition to the references previously cited, the 1952 film *The Quiet Man* contains a major storyline in which the Irish bride is insisting that her brother pay a dowry to her new American husband, he doesn't want to pay it because he dislikes the husband, and the husband doesn't care about it because as an American he had his own reasons for marrying the colleen which had nothing to do with money. The vicar explains to the husband that it's an old Irish custom, and a good one, with the dowry meaning "more to her than just the money."

There may have been a certain amount of logic behind this custom in the past, when unfortunately the woman was afforded far less opportunity to make any money on her own, so her father or brother needed to provide her with financial support until she could get a husband. The father or brother therefore had a financial incentive in seeing the woman wed expeditiously, but to a good provider so that the marriage would remain stable indefinitely, so he would often contribute some amount of 'dowry' as a financial inducement in order to lure a satisfactory husband.

As the vicar explained, however, the character in *The Quiet Man* attached a far greater significance to the idea of a dowry "than just the money." To her, it was a major part of the expected experience of being married, to be a vested partner in the marriage and not just a servant, such that she would not find it appropriate to perform all the acts typically expected of a wife, until the dowry were once paid due and proper.

That film depicted how things were back in 1952. At the present stage of our social progress, while some regions and some cultures and some industries still have quite a ways to go, we are yet seeing a major rise in the prominence of women in education and business and politics and other areas, so it now should be a reasonable expectation (shouldn't it?) that adult women with at least a secondary level of education should be able to earn a direct living, whether they are still residing with family or out on their own or sharing a household with a spouse.

This being the case, it should not typically be expected that a woman's family will financially support her indefinitely, any more than they would let their male offspring hang around the house forever. She's going to need to either get married or move out on her own at some point, so it should not be expected that the family will need to save up a 'dowry' for the purpose of luring a husband, so we should no longer consider a 'dowry' as an essential ingredient of marriage, insofar as we ever did.

Subsection III-B-3: Having and Raising Children

Question 509

How do we feel about the current population and growth rate, both in the U.S. and in the world?

On a worldwide level, we seem to be making it so far, knock wood. If our global population were too large, then Malthusian mechanics would correct it to a sustainable level without any conversation on our part.

Besides, it is easy by inspection to observe that many people in many nations have far more to eat than they need, so if there is any large-scale problem with population then at least we know that it does not affect all people in all communities.

That said, it also is easy to observe that some nations face poverty and hunger among almost their entire populations, and that some more affluent nations (particularly including America) have pockets of poverty even within their most prosperous cities.

As we discussed in Part II within the context of Economics, it may possibly be that we would be net-better with a lower global population, or at least a lower regional population, so that it would be easier to sustain the people who remain, but it is also possible that our problems with poverty and hunger may simply mean that we need to do a better job of connecting people with resources.

As long as we continue to have all-you-can-eat buffets scattered around the country, and as long as people continue to throw away substantial amounts of leftover food, this will probably need to remain our group position, that we may have enough resources to support our still-increasing population, and that we simply need to do a better job with distribution in order to alleviate our societal problems of poverty and hunger.

Question 510

Insofar as we may have or ever develop a dissatisfaction with the state of the population, what steps might we wish to take in order to make it more to our liking?

We are seeing three basic categories of approach:

- (1) Persuasion -- Encourage couples to plan for no more than two live births, in the hope of keeping our population at a known-sustainable level.
- (2) Incentives -- Provide tax breaks or other rewards for smaller families (including free surgeries for voluntary sterilizations), and/or penalties for excess births.
- (3) Sterilization -- If the above methods prove not to be good enough, then local or national jurisdictions may require sterilization of one or both partners after some given number of live births, probably starting with a high limit such as eight, in order to get everyone accustomed to the concept, and then gradually decrease the limit if problems continue to be observed which cannot be solved by simple economic reconstruction.

Question 511

What are the reasons why individuals might want to have children?

There are numerous reasons, including but not necessarily limited to: Perpetuating the species, maintaining a sufficient population to run the world as our generation gets older, having responsible and capable younger family members to take care of us individually as we get older, carrying on the family name (whatever good that does), providing the world with our genes or value structure, having someone to take care of, having more company around the house, exemplifying to others how to

raise their kids, expressing or incarnating love with a partner, leaving an heir to carry on the family business or the royal succession or to hoard the family wealth, and proving or 'fulfilling' one's manhood or womanhood.

Question 512

Given what we've resolved about population, how important are these goals today, and how important is it for a given couple or a given individual to have one or more children?

It is still fairly important on an overall basis, for a number of reasons and on a number of levels, but it is not essential on an individual basis. We easily have enough babies being born these days that we do not need every adult to reproduce even once, let alone more often, but it certainly is reasonable to expect that many adults will still want and have children of their own, for some combination of the reasons stated in Answer 511 and maybe some others.

Question 513

If a child is born into the world, do we as a society have an ultimate responsibility to see that it is taken care of and brought up properly?

Our group feels that we do not have any such responsibility intrinsically, because in most cases we are not the ones who decided to create that particular child.

However, even if the responsibility does not rest with us intrinsically, we may wish to undertake it voluntarily. For, as a pragmatic society, we recognize that our successors will do a much better job of tending our economy and taking care of us in retirement, if they grow up happy and healthy and well-educated. As an ethical society, we find that it makes good sense to help take care of other adults and their kids now, in the hope and expectation that they will return the favor and help us and our kids later. As a moral society, we cannot stand to see anyone suffer undeservedly (especially a child) when it is within our power to make things better.

Thus, for one reason or another, we generally are going to want to provide backup care to our children as needed, but the primary responsibility for raising the children will typically remain with the bio-parents or their legitimate assigns.

Question 514

Normally, whose primary responsibility should it be to take care of a child's day-to-day physical and emotional needs until he/she reaches majority?

As previously discussed, the standard default expectation is that the two bio-parents will have the primary responsibility of raising the child until majority, because their genetic bonds will often help them to understand and communicate with their children, and because their physical and emotional investment will usually provide them with better motivation to raise the children better than an unrelated 'village' would.

However, there can be numerous exceptions, including if the bio-parents are poor, or if they're mentally unfit, or if they simply are not very good parents, or maybe if they legitimately agree to allocate the parental responsibilities in some other manner which will be either net-advantageous or at least net-neutral to the child.

Question 514.3

Who is considered to be the biological father when a married woman is inseminated (either naturally or artificially) with sperm from someone other than her husband?

Biological father has to be the one who donated the sperm, however it was done.

Question 514.6

In that case, or in the case of an unmarried woman specifically requesting an insemination from any man, does the sperm donor have any measure of responsibility in the raising of the child?

This is one of the several variances to the standard default model described in Answer 514. In this case, a decision is being made by the man that he is willing to donate his sperm but does not wish to undertake any share of responsibility for raising the child, and the woman is deciding that she can raise the child on her own, possibly with the help of an unrelated partner.

As long as all of the child's basic needs are satisfied, and she is growing up happy and healthy and well-educated, this sort of arrangement should be perfectly okay. If hypothetically we were to disapprove of such arrangements, then either the sperm donor would be forced into a domestic and/or financial relationship under duress, which could end up being net-detrimental to the child's emotional well-being, or else the would-be parents would need to agree not to have the child at all, so she's dead before she's even conceived.

Question 515

What if a sperm donor wishes to have some presence in the child's life?

This generally should be up to the mother's discretion. She is the one who is assuming full responsibility for raising the child until majority (possibly with the assistance of an unrelated partner), so she generally needs to be empowered to make all decisions concerning the child's well-being, including as to how much time the child is allowed to spend with a sperm donor or former husband. This power should be taken away from the mother only if there is a specific and reliable finding by the proper authorities that she is unfit for some reason to make those kinds of decisions.

Question 516

Based on these considerations, should sperm donation (either natural or artificial) always be legal, or should it be legal only under certain circumstances, or should it always be illegal?

It should always be legal unless there is some individual exception, but the parties to the transaction should be sure to set down the various terms of the agreement in writing, including as to the source(s) of the child's financial support, and as to the allocation of authority to make decisions concerning the child's welfare. No such agreement is valid and enforceable unless it establishes (either explicitly or implicitly) that all the child's basic needs are to be taken care of somehow until

majority, and that the parties expect for the child to be raised in a happy and healthy and well-educated manner.

Question 517

Based on these considerations, do we want to make any adjustment to our paradigm about who has the primary responsibility for bringing up a given child who comes into the world?

No big change. It is the primary responsibility of the bio-parents unless they validly agree to some other allocation, or unless they are duly found by the civil authorities to be unfit either to undertake parental responsibility or assign it to others.

Question 518

The surrogate-mother question: Who is considered to be the biological mother when an egg (fertilized or not) from one woman is implanted in another woman's uterus for development until birth?

Potentially tricky: Answer 514.3 defined the 'biological father' in terms of who donated his genetic material to the child, so we are naturally tempted to apply the same logic to the definition of 'biological mother'. However, there is a key difference.

The woman donating her genetic material can be called the 'genetic mother'. But, it is the woman who is actually carrying the child to term who has been providing her nutrients to the child throughout pregnancy. In many cases, she is also going through the arduous process of natural childbirth. She therefore has had far more of a biological connection with the child, and must therefore be considered as the 'biological mother'.

Some people may initially prefer to accord the title of 'birth mother' instead of 'biological mother' to the woman carrying the implanted egg, but we recommend against it for a misnomer: The phrase 'birth mother' implies that the carrier has shown up only for the act of childbirth. As it is, she is carrying the fetus for most of all of the gestation period, providing a critical biological connection the whole time. Thus, the phrase 'biological mother' implies a much broader and deeper and longer-lasting connection than just 'birth mother'.

This means that we need to modify slightly our previous argument about the bio-parents having primary responsibility to raise the children because they share genetic material. We must therefore place this Question before that one in the final packaging.

Question 519

Does the carrier of another woman's egg have any measure of responsibility in bringing up the child?

This should be left up to the parties to establish by agreement on a case-by-case basis. Some women simply want to create genetic extensions of themselves, but may prefer to relegate the children's day-to-day care to other people, whether they might be relatives or 'nannies' or in this case whoever carried the babies to term. Other women are eager to carry children to term even if the eggs come from elsewhere, or else they may be willing to do so in exchange for monetary payments, but either way they may not be interested in raising the children after birth.

We are recommending that any such agreement should be in writing, and should cover as many terms as the parties can think of, in order to mitigate the necessity later on of a lengthy court proceeding which could be emotionally stressful for the child.

Question 520

What if the carrier wants to have a presence in the child's life?

Again, generally, this should be up to the parties to establish by advance agreement. However, if primary custody is to remain with the genetic mother, then we generally recommend that some ample provision should be made to allow the biological mother to visit with the child from time to time. As previously discussed, when a woman has invested so much of her time and physical effort into pregnancy and childbirth, it is perfectly reasonable that she would want to see how the child turned out whom she labored so hard to produce.

We understand that the genetic mother who has primary custody might be reluctant to allow the biological mother to have any ongoing presence in the child's life, on the possibility that the child might bond with the biological mother more than with the genetic mother. However, the child's needs should come first, and one of those needs is that we should be honest with the child, and explain when she is old enough how she was conceived and birthed, and that there are two women who played roles in her creation and who will therefore want to see her occasionally.

Therefore, any sense of threat or other selfish reluctance aside, for the sake of the child as well as that of the other woman who helped create her, there should be a standard expectation in any such egg-implantation agreement that the biological mother (i.e., the woman carrying the child to term) should be allowed some reasonable presence in the child's life if desired.

Question 521

To the extent that there are any problems with this system, should surrogate motherhood even be legal, or should it be legal only under certain conditions?

As with the sperm donation discussed in Answer 516, surrogate motherhood should always be legal unless there is some specific reason why certain particular individuals are duly found by competent authority not to be suitable candidates to participate in such a process.

Apart from the general rule of Liberty which we have recommended since Answer 11, the specific act of surrogate motherhood provides those women who desire it with a biological fulfillment which they might never have enjoyed otherwise, and it helps to increase the proportion of our children who are planned and who we know will be raised in homes filled with loving care.

If any people still have a hang-up on this sort of action, either because it's non-traditional or because it is not explicitly permitted in the Bible, then they need to get over it. Our evolving technologies are continuing to provide us with opportunities to do things which we never could before, things which the writers of the Bible did not anticipate but which yet help to make us a happier and healthier and holier society. This is one of those things. Accept it. Embrace it. Celebrate it.

Question 522

Based on the above considerations, do we want to make any further adjustment to our paradigm of who has primary responsibility for bringing up the child?

Only that if multiple fathers and/or mothers are involved in the bio-genetic process of creating the child, then they should agree very early in the process how the responsibility for the child's care is to be allocated among the parties. Any such agreement should be considered fine and legal if it clearly establishes the expectation that the child's needs will be duly accommodated somehow until adulthood.

Question 523

What happens (or should happen) when one of the responsible parties in such a multi-parental agreement decides to bail?

There are two main levels of enforceability here. First, in any contract involving two parties, in which each party is giving up something in order to get something else, the standard presumption is that either party is injured somehow if the other party bails on the contract prior to any established expiration, and that the injured party is due some amount of compensatory and/or punitive damages from the bailing party.

Second, and perhaps more importantly in this case, the abandonment of contractual responsibility for the raising of a child places that child at risk, and in some cases will cause actual injury of some kind to the child. In such a case, the bailing party owes some additional level of damages to the child and/or to the community, as compensation for the extra stress and time consumption which we all needed to suffer as a result.

Once you locate and apprehend the would-be bailer, you probably want to leave him unincarcerated so that he can continue to work and provide the agreed-upon level of child support, but you get to tag him with an electronic bracelet or anklet to prevent his trying to escape again, and you are also entitled to garnishee his wages as needed.

Question 524

Shall we designate for the child any maximum age, education, testing, or other cutoff when such parental responsibility automatically terminates, or is lessened to any degree?

This is basically the same as Question 508.2, on when an individual should be considered to have reached adulthood or 'majority'. Parental responsibility is generally presumed to continue all the way until those conditions are all satisfied, unless some other legitimate provision is made in an individual instance, where the qualifier 'legitimate' implies here as a minimum condition that the child's needs are still being adequately satisfied.

Question 525

Looking now at the opposite direction, shall we designate any minimum age below which such parental responsibility does not yet kick in?

In other words, at what point in a child's development does parental responsibility begin? At conception? At birth? Somewhere in between? Upon extensive consideration, a couple of key points occur to us:

First, notwithstanding the original phrasing of our Answer 524, responsibility for the child's needs probably does not need to be considered as belonging 100% to the parents until the child reaches majority. Rather, it makes more sense to us that the responsibility would shift gradually to the child as she gets closer to majority. It would be strategically unwise to do absolutely everything for the child until some particular point in time, and then suddenly throw her into the water to do everything for herself by herself with no training or other assistance whatsoever. Strategically better to allow/encourage/require her to assume more adult duties over time, from accepting light chores around the home (I always had the trash detail at our Sylmar house, pretty much from the time that I was big enough to move the cans to the curb by myself), to doing more of her own homework without assistance, to driving herself instead of being driven everywhere, to earning an income. Then, by the time that she fulfills the conditions of majority, she will be much better prepared to face the outside world successfully.

Second, in similar manner, while it may possibly be correct that an embryo technically qualifies as 'life' under certain definitions, yet it is also true that an embryo cannot survive for long outside the biological mother's womb or an artificial equivalent. The separation of birth creates a new and biologically-independent life form, of an order significantly higher than that of a fetus who is still biologically connected to her mother from the inside. Rather than create an unnecessary debate for ourselves by arguing over whether a particular subject at a particular time is either 'life' or 'not-life', with no other options available, and with a very sudden and severe break between those two conditions, it may make more logical sense to consider that a baby growing inside her mother is a 'partial life' or a 'pre-life' or a 'developing life'. In other words, she is in the gradual process of transitioning from non-existence to an independent life form: Because that process generally cannot happen instantaneously (except for a few times in the Bible and in a few science-fiction stories), the child is occupying a transitional level of existence during that transitional term.

In both cases, during gestation and during childhood, the individual is gradually growing from one level of life to another, like driving a truck up a long hill instead of somehow trying to make the climb in a few giant steps. As these processes progress, the child is gradually assuming a greater share of responsibility for her own existence, and the mother is gradually assuming less, until the moment of majority, when the mother's share of responsibility finally reaches zero.

Thus, modifying any previous definitions to the contrary, we are now considering that the mother at the moment of birth possesses 100% of the responsibility of bringing up the child (again, unless satisfactory alternate arrangements are made in advance), and that her share gradually diminishes (maybe at a straightline rate, or maybe in some other pattern) until it reaches zero at majority. Similarly, again notwithstanding any previous definition to the contrary, while a baby does jump from Non-Existence to Existence at the moment of conception, yet she does not become a full Life form until birth, and is only gradually transitioning from Non-Existence to biologically-independent Life form during the period of gestation, so she then is neither Life nor Not-Life, but rather some third transitional level of Existence.

If we agree on these perceptions, then they can help us to understand the evolving roles and powers of mothers better. After birth and before majority, the mother generally possesses a level of authority over the child's actions, but the child also has a level of ownership over her own life, such that it would constitute a breach and a violation if the mother were to terminate the child's life before majority without her consent, or to abuse the child as the Turpins of Perris (i.e., the 'House of Horrors' couple from the 2018 headlines) allegedly abused their 17 children their whole lives.

Before birth, however, the child is still biologically dependent on her mother, and is fully contained within her mother's body, so it could be argued that the mother has complete ownership and control of the child until birth, such that she is fully empowered to terminate the child's existence before birth if desired. However, it could also be argued that the child is developing an increasing share of ownership over her own life while she is in the womb, such that it still would constitute a violation if the mother were to terminate the child's existence shortly before birth.

For, just as a baby is very close to being a life form shortly before birth, close enough in fact that she can often be delivered prematurely by Caesarean section with a high likelihood of survival and decent health, she does not change in a mere moment from Not-Life to Life. (Remember that news story from a few decades back? Or was it an 'urban legend'? Obstetrician failed in completing a late-term abortion, and then tried to choke the child, shouting "This baby won't die!".) If she is close enough to being a full Life form that it would be possible to deliver her successfully by Caesarean section, then she is also close enough to being a full Life form that it should constitute a criminal violation to terminate her existence without medical necessity.

Back at the other end of the spectrum, then, at the starting point shortly after conception: It often takes women several weeks before they learn that they are pregnant, and it sometimes takes several months. Some women don't find out that they were pregnant until they experience a miscarriage. That being the case, there is not nearly as much difference in a woman's body between pre-pregnancy and early pregnancy as there is between pre-birth and post-birth. It therefore means that there is far less biological consequence when an embryo is either miscarried or aborted at an early stage of pregnancy. Some consequence definitely, both to the mother and to the embryo, but still not nearly as much change as occurs to both mother and child as a result of birth.

Thus, during the very early stages of pregnancy, it could be argued that the mother has a much greater share of ownership over the existence of the child, who presumably would experience little or no suffering or other sensation as a result of either miscarriage or abortion. If that is the case, then it follows that the mother during early pregnancy has a much greater right to terminate the embryo's existence as she deems appropriate.

However, even if the mother enjoys a large majority share of ownership over the child's life during early pregnancy, then that model implies that the child still has some non-zero share of ownership, like the 'junior partner' in a law firm or other closely-held corporation. If that is the case, then doesn't it still constitute a violation to terminate the child even while she is still in an embryonic state?

On a purely philosophical level, yes that might possibly be arguable. However, this is where we need to bring in an additional point of reasoning: In numerous cases, it would be far better for all parties -- including the child in particular -- for the child not to be born than to be born. This may seem like a harsh sentiment, and maybe it

actually is, but let's face it some women are not cut out to be mothers, while others are thus cut out but simply are not ready yet. Some women are too poor to support children in a happy and healthy manner. Some women are substance abusers. Some have violent tempers. Some have serious congenital diseases. Many simply do not have enough education or life experience yet on how to be good parents.

That is why we try to teach our kids not to risk pregnancy at all until they are ready to accept the consequences. If we want our kids to abstain from sex until they're old enough, then we must want no children to come from them until later in their lives. If our teenage daughter does get pregnant anyway, then maybe it is in everyone's interests -- including the younger child in particular -- if we abort the fetus in order to recreate the same set of happy conditions which he enjoyed in the first place. If it's not unconscionably evil not to conceive the child in the first place, then how evil can it be to abort the child shortly after conception? We claim that it is going to be net-better in many cases, and that we should generally leave it up to the mother's discretion as to whether she should or should not be bringing the child to term.

If we are agreed up to this point, then what we have so far is that it would constitute a severe violation to abort the child in late term because she is very nearly a fully-developed Life form with a high share of ownership over her own life, and that it often would constitute a net-good act to abort an embryo during early term when the mother possesses a much higher share of ownership and authority over the child's existence.

If that is the case, then at what point do we change from the mother having power to terminate the embryo to the pre-natal child having a civil right to life? We claim from the previous reasoning that there is no one quantum point, but rather that it is a gradual process occurring throughout the pregnancy. The longer that the child is developing, the greater the share that she is accumulating of her right to life, such that it gradually will require much more in the way of 'extenuating circumstances' to morally justify the premature termination of the pregnancy.

In sum, there is no set moment -- either at conception or at birth or anywhere in between -- before which the mother always gets to abort and after which she never does. Rather, her authority to terminate her pregnancy begins at near-100% immediately after conception (so she could take an anti-pregnancy pill the morning after unprotected sex in order to recreate the conditions which were in effect before the sex), and only gradually diminishes to 0% at the time of birth. During that transitional period, her moral power to terminate her pregnancy gradually diminishes, such that she would require increasingly-compelling reasons to justify an abortion as her pregnancy becomes more advanced.

We realize that this may be a disappointment to those of you who prefer for each Question and each Answer to be either Yes or No, Black or White, Right or Wrong, Left or Right. However, I'm not creating the Answer, I'm just reporting it.

We also realize that it's strategically questionable for our group to adopt a position which is guaranteed to piss everybody off, by suggesting that everybody has been wrong for years on this topic. However, we're not here to be popular, and we call it as we philosophically see it.

There's that. Abortion tackled. Check. Next.....

Question 526

In a case of unplanned pregnancy, during the period after conception and before any decision is made to keep the baby, under what conditions (if any) would aborting the embryo/fetus be either specifically acceptable or specifically unacceptable?

Not applicable. There can be numerous circumstances which in various combinations can indicate that an abortion is clearly warranted, or that it is clearly unwarranted, or that it is a matter of judgment by either the mother or a civic authority of competent jurisdiction. Those decisions need to be made on a case-by-case basis according to the unique combination of circumstances in each individual situation. We therefore do not see that there can be any set rubric beyond the general principle defined in Answer 525.

Question 527

Suppose that a newly-pregnant woman decides that she wishes to have the baby, but the father disagrees: Who gets to decide?

It depends.

The mother generally owns a newly-conceived embryo, and generally gets to decide whether or not to take it to term, because going forward would require the mother to endure the major discomforts of pregnancy and childbirth. We don't see that we can morally force anyone to undergo these ordeals if she doesn't want to, although she properly should make that decision very early in the term if she is going to make it at all, before the embryo has a chance to develop any sense of existence or ability to feel pain.

She also gets to decide unilaterally to carry the baby to term, if she is planning to provide for all the child's financial needs between birth and majority, and we generally don't morally get to stop her from giving birth unless there is some enormously-compelling exceptional circumstance.

However, if she is expecting the father to provide any level of child support, then he has a financial stake in the decision of whether or not the child should be carried to term. He may not have total veto power, because even a majority of financial share may not fully offset the physical discomfort which the mother could expect to endure if proceeding with the pregnancy. The father's financial investment cannot be directly compared with the mother's physical investment, they are 'apples & oranges', so it is difficult and probably impossible to create a single formula which would apply in all instances, of how much of a financial stake the father would be expected to invest before he gets to decide uh-uh we are not going to have the child.

Even if he doesn't have total veto power, though, he certainly does have a voice in the conversation, and the bigger his voice gets to be as we expect more of a financial investment from him.

We therefore can imagine that there might be some hypothetical set of conditions under which the prospective parents would come before a judge of competent authority, and make their respective cases as to why the child should or should not be carried to term, such as for example if a serious disease in the child is discovered during pregnancy which would mean a far greater financial investment from the father than he was originally anticipating or is now in a position to undertake.

Generally, though, when two fertile individuals of opposite genders decide to have unprotected sex together, a major element of that decision process should be what happens if the woman conceives. Unless the parties make some other arrangement in advance, the standard default expectation is that the father should provide the majority (if not the entirety) of the financial support needed to take care of the child, not because he is expected to have a higher earning capacity than the mother, but rather in order to offset at least partially the physical investment which the mother is making in pregnancy and childbirth, in addition to any personal care which she may provide to the child after birth.

If you are a man who wants to have unprotected sex with a fertile woman, then you should be expected to know this, either from the above reasoning or else because we make sure to teach it to you as part of the primary-school curriculum. You therefore should generally have no valid excuse if you have sex without having reached an alternative oral or written agreement with your partner, and if she comes up to you in a couple of weeks and announces that she is pregnant. You may have a shot at convincing a judge that the pregnancy should be stopped, or that it should proceed only without any financial support from the father. In most cases, though, you're going to be stuck. If you don't want any financial responsibility for the child's upbringing, then don't have unprotected sex without having reached a prior agreement with your partner, expressly absolving you from any such responsibility.

Question 528

If a woman has the sole or greater power to have a child, or even to be pregnant at all, then does she also have the sole or greater power to abandon the pregnancy without cause prior to some given cutoff time?

Also N/A, just like Question 526. It's all a sliding scale, where the requirements for aborting very early in the term are very light, and where increasingly-compelling reasons are needed in order to justify abortion as the term progresses, so there is no set cutoff or other universal parameter.

Question 529

Should this completed paradigm be enacted and enforced worldwide, or nationwide, or left to smaller jurisdictions to tweak as desired?

The moral and fiscal principles driving our previous discussion apply to all people everywhere at all stages of history, so that is a factor arguing in favor of universal legislation. However, abortion understandably still is a very sensitive and controversial topic, and it might not be net-good to try to force all people in the world to forever adopt any position on the topic which is different from what they grew up believing, so that argues against any kind of one-size-fits-all legislation.

Even the national level probably would be too big for this topic, because we have already seen in our real world how polarizing it can be, and it's critically important that we are able to live together as a peaceful and civil nation if we are to remain happy and prosperous.

Conversely, if you allowed localities to decide for themselves, then it would be too easy for girls to drive secretly to the neighboring city or county in order to get the abortion which is denied in her hometown, so that would not really be accomplishing anything.

State level probably is net-best, then. That level is large enough that traveling to obtain secret abortions would be non-trivial, but it's small enough to allow moral variations to exist within our harmonious society. Also, as judges decide whether the financial concerns are too severe to allow different pregnancies to continue, they will have a sizable sampling of similar cases within that State to help guide them, whereas cases from outside those jurisdictions might be based on different economic criteria, and may therefore have limited applicability.

Question 530

To the extent that abortion is allowed anywhere in our society at any time under any circumstances, to what extent -- if ever -- should it be funded at any level from public resources?

The initial temptation is to say no, you're on your own. If the two of you were irresponsible enough to conceive a child without having sufficient resources between you to raise her in a happy and healthy manner, then you shouldn't expect the rest of society to bail you out. Besides, in most cases an abortion is not a medical necessity, so it usually would not fall under the normal conditions of universal healthcare. Finally, if we were to subsidize all abortions fully, then people would keep having unprotected sex whenever they want, knowing that The State will always be there to kill the children resulting from the unions.

However, there's another key point to consider: If the parents are collectively too poor to afford an abortion, then they are also too poor to undertake the far greater costs of raising the child after birth. Any child born into such a poor and undersupportive family is likely to grow up very unhappy, and possibly unhealthy, so that suffering alone may be sufficient to justify a publicly-funded abortion before the child is old enough to know or feel anything. In addition, a poor child like that could easily end up turning to crime at some point in her life, and/or may draw monetary assistance from public programs, or in some other way may present a net-blight to society. Thus, as distasteful and expensive as those repeated abortions may be to us, they may yet end up being in our collective self-interest.

So okay, with a certain amount of reluctance, we will agree to provide some funding of abortions among our poorer citizens, in order to help prevent a far greater social cost later. However, we shouldn't be funding the whole thing, otherwise the pregnancies and abortions would continue without letup. We will still therefore charge a 'deductible' or 'copayment' to the parents for each procedure. If they can't afford it now, then they will owe it to us, to be collected by wage garnishment once their income eventually reaches some particular level to be determined.

Question 531

What should happen if a financially-incapable parent or couple continues to crank out kids, placing a growing drain on the resources of The State?

As we indicated in Answer 510, couples should generally aim for no more than two live births per family, and we get to impose penalties if they insist on reproducing at a higher rate.

However, we can exempt from punishment those couples who establish through bonding or insurance or income verification or other means that they are both willing and able to undertake the extra responsibility of extra children.

If you are not in a position to establish sufficient financial means for more than a certain number of children, but you insist on having additional children anyway (we have heard of some families doing this deliberately in order to claim additional Welfare benefits, but some other families might simply be irresponsible), then at some point we can resort to the third option presented in Answer 510, to sterilize the offending individuals.

Question 532

To what extent shall it be considered socially or legally acceptable for a child to be raised by a single parent?

It has been asserted by many people (and we often hear the assertions repeated near both Mother's Day and Father's Day) that a child requires -- or at least strongly benefits from -- the strength of a male father and the tenderness of a female mother. There may be a level of logical merit in this assertion, but we cannot positively conclude it, because there are far too many counterexamples of children who have been successfully raised in a happy and healthy manner by single parents, or by two parents of the same gender.

Conversely, whereas numerous serial killers and other serious criminals grew up without a combination of male and female parents, numerous others did grow up with that combination, so we know from experience that having both a male and a female parent is no guarantee that the child will not turn to crime at some point.

Finally, with all the children still living in foster homes awaiting adoption (a problem which has existed now for many decades), we should not make the solution more difficult by denying adoption to prospective parents who are single but who otherwise possess all the right qualifications to be good parents. In some cases, it might even be net-beneficial to the child, because a single parent could devote more of her love and attention to the child, instead of dividing her time between the child and a domestic partner.

Question 533

To what extent shall it be considered socially or legally acceptable for a child to be raised by two homosexual parents?

Basically the same reasoning: If the prospective parents are deemed by proper authority to be qualified in all other respects, including as to their financial means and their emotional capacity to love and care for the child, we should not allow their genders or their sexual preferences to be a dealbreaker.

The only caveat which we would add is that any such parents should not be seeking to teach the child that homosexuality is the one and only correct way to go (not that any of them would, for I have never heard any gay person express this concept, but some other folks seem to fear that, so it's stated here just as a precaution), just as heterosexual parents should not be seeking to prohibit the child from developing any natural homosexual tendencies. It's all good, it's all okay, any love is better than any

war, and those are the lessons which we should be teaching to all our children, regardless of the gender identities or sexual preferences of their parents.

Question 534

To what extent shall it be considered socially or legally acceptable for a child to be raised by more than two parents concurrently?

There is a certain amount of traditional charm associated with the idea that any child must have a maximum of two parents, and most of our civil records and genealogy charts have been set up to allow for a maximum of one father and a maximum of one mother.

However, it seems to us from a philosophical perspective that the welfare of the child should be the predominating factor. If it so happens that you have a 'threesome' or 'foursome' or 'N-some' living in a single household, and if they wish to adopt a child, or if a child is born naturally to some combination of the adult residents, then we see no reason why they should not be allowed to proceed.

We recall from the earlier discussion our finding that the two bio-parents are usually going to be more poised to love and care for the child than an unrelated 'village' likely would be, but of course there can be numerous exceptions. Allowing more than two adult caregivers within the child's home often enables the child to benefit from more levels of financial support, and also enables the specific tasks of childcare to be divided among more caregivers, thereby making it more likely that all those tasks will be duly discharged.

Only caveat which we would offer is that there probably should be a clearly-defined 'chain of command' among the multiple parents, whether any of them are biological parents or not, so that it will always be clear with minimal argument who has final authority if there ever is a difference of opinion as to where the child goes to school or what subjects she should study or what foods she should eat or what clothes she should wear or what Internet sites she should visit or anything else. If there is any doubt or disagreement as to who should have authority over whom, then we suggest a standard default model in which the bio-mother has the highest authority, the bio-father has second-highest, and any other parents are ranked according to their chronological ages, on the presumption that older parents are likely to have greater experience and education and maturity to make those kinds of decisions in the child's best interests. However, the parents may agree to any other arrangement if they can.

Question 535

What last name should the child get?

As the original paragraph in our 'black book' of preliminary ideas observes, there are numerous possibilities here, including to take both last names somehow, or to allocate the last names of the parents according to the genders of the kids.

As that paragraph also observes, though, it's probably a good idea here to consider the essence of why we have last names in our culture at all. It may not make much difference within a small tribal culture, but in a large and complex society like ours we have often found it helpful to associate children with their parents and siblings through the use of shared surnames.

Trick is, whereas it's pretty easy to combine the surnames of both parents if you want to (either through hyphenation or by using the mother's surname as the child's middle name, as in the example of Lyndon Baines Johnson, who was the son of Samuel Johnson and Rebekah Baines), you can't keep doing that throughout all generations indefinitely, because the names would eventually get impossibly long. At some point, if you are going to continue having last names at all, it will be necessary to decide which of your ancestors' surnames should survive in yours, and which should be jettisoned as being insufficiently relevant.

That can be a very difficult choice to make, and can also be a very unfair one. Children often possess some combination of attributes from dozens of known ancestors, and to glorify any one ancestor over any other through surname survival can be perceived (understandably enough) as an insult to whichever ancestor gets 'marginalized' by having her surname jettisoned from the name of the child.

One possible alternative would be to have each offspring take the surnames of both parents, and then decide at the time of marriage which of the two surnames should be passed to the next generation. This has some merit, but it only delays the 'marginalization' problem and doesn't solve it, and you very easily could have a living grandparent who would feel slighted by not being selected to 'survive' within the grandkids' names.

Thus, if we are to keep the practice of surnaming our children at all (and we see no reason not to), then we need a standard convention which can be easily understood and accepted by everyone, so that no one need feel insulted or slighted as a result.

Many modern cultures have resorted to using the domestic father's surname for all his kids, even if (as in the case of the Brady girls from TV) some of them had different biological fathers. This convention appears to have stemmed from the long-standing paradigm that the father basically 'owned' his entire family (wife and all), either because he usually was the physically strongest and/or because he usually provided most or all of the family's financial support. However, this paradigm is beginning to have less applicability in our modern culture, because there are more children being raised by single mothers, or by dual parents with dual significant incomes.

We don't want to perpetuate any model -- either at the family level or among nations or anywhere in between -- in which the physically-strongest entity gets to 'own' and control everyone else, because that simply leads to the perpetuation of wars and bullying and domestic violence and other very bad things.

Assigning surnames on the basis of financial investment makes a certain amount of logical sense, but it also carries a couple of problems. One problem is that the proportion of financial investments by the parents can change over time, and we wouldn't want to confuse the child and rewrite all the civil records every time that it does. Another problem is that (as we noted in Answer 527) it is difficult (if not impossible) to compare any financial investment by the father with the physical investment made by the mother as a result of pregnancy and childbirth, in addition to any hands-on care provided to the child after birth. Thus, financial investment may not be a satisfactory measure for determining the child's last name.

There is a certain amount of charm to the idea of giving the father's surname to all the male children, and the mother's surname to all the female children, on the

premise that boys are more likely to take after their dads while girls are more likely to take after their moms. We have no strenuous objection if any particular family decides to do things this way, but we recognize that it carries the flaw that it can be confusing for two or more full siblings to go through the same school with different surnames. Besides, some of those kids may decide when they reach majority that they identify more with their opposite-gender parents, such that they would prefer to change their own surnames to match theirs, which of course we should always allow on an exceptional basis, but which we generally should discourage as requiring too much extra administrative effort on the part of the local Records departments.

What may therefore be net-best overall is to presume that the mother's surname generally should apply to all her kids. We have previously found that the mother generally has (or should have) supreme control of the child until majority, owing to her huge physical investment of pregnancy and childbirth, which as a matter of standard definition we are recognizing as generally overriding any financial support which may be provided by the bio-father and/or any other adult caregiver(s). Her prolonged intimate contact with the child will very often exert an influence over that child's personality and 'identity' which can add to -- and in some cases even supersede -- any influence which may come from simple genetics.

In sum, the mother generally has considerably more influence over the child's personality and 'identity' than the father has, because of her far more extensive biological connection as well as her genetic contribution, to say nothing of any additional care which she may provide to the child after birth. It therefore is more likely on average that the kids (even the male ones) will take after the mother more than the father. Therefore, if we want to use surnames to provide convenient labels of who people are and where they come from, it seems to make more sense to default to the mother's surname, although couples get to arrive at alternate arrangements if they can.

Adoption of this standard convention would make our culture 'matrilineal' instead of 'patrilineal', which many men would naturally view as a threat, and would try to defeat with all the testosterone which they could muster. However, we are finding that this probably would constitute a net-improvement in our society, for a couple of key reasons (and maybe y'all can think of some others): One key reason is that it would help to offset and countervail the centuries of domination which males have unfairly exerted over females, simply because the men had the physical strength and the moral weakness to do so. Another key reason is that our male-dominated society has been responsible for numerous wars and genocides and other civil calamities, whereas a society dominated by women might stand a greater chance of fostering love and nurturing over war and conquest.

There, how's that?

Question 536

Given that many households now (and will continue to) contain single-parent or double-income families, and that it is increasingly unlikely that a party of primary responsibility can stay with the child full-time, shall we expand our child-care infrastructure, and if so then how shall such expansion be managed?

We feel that this should be decided at the local level, and implemented by local authorities as may be desired.

For those children who are too young to attend an actual school, some localities may already have enough facilities open for enough hours that most parents can drop off their kids on the way to work, and pick them up on the way back.

If a particular locality appears to be deficient in this important area, then there may be an opportunity for private industry to step in and offer additional facilities in exchange for reasonable compensation by the participating families. Or, if the local free market is not responsive enough, then local government may wish to make this a taxable function, probably organized within the county's Employment Development Department, because we need adequate child-care options in order for families and localities and our Nation to perform all the work which we need in order to be happy and prosperous.

From our 'black book' of preliminary ideas, a certain early consultant recommended that larger companies may wish to provide child care on their own premises as an employee benefit, taking the expense for qualified professional monitors as needed, in order to help attract the best employees, who would get to reduce their driving times and to be closer in the event of any emergency.

Question 537

To what extent does a parent or other 'responsible party' have authority over what a child in his/her care does or does not do, prior to majority?

We treated this before, but to summarize: Mother has 100% ownership of child at conception, and ownership level gradually diminishes to 0% at birth. As the responsible party by default (unless other arrangements are made which are not net-dangerous to the child), she also maintains a level of control over her child's actions, beginning with 100% at birth, and gradually diminishing to 0% at majority.

Question 538

How shall any such parental authority be enforced or otherwise enacted, in the event that the child refuses to obey?

This is a very tricky area. The idea of 'corporal punishment' was long accepted within our culture as being within the province of the parent to decide. In more recent years, the perception has developed that spanking and other such inflictions of physical pain constitute abuse, and therefore are not within the parent's province to decide.

In the face of what appears to be a significant and highly-important social progress, we certainly are not going to come forward and assert that we should go back to spanking our kids. For, not only should we be not causing our kids to suffer, and not only can such abuses create a long-term emotional scarring, but inflicting corporal punishment sends a message to the child that physical force is an acceptable way of getting what you want, a paradigm which we are seeking to program out of our entire global society.

On the other hand, though, parents do need some way of impressing upon the child which behaviors are acceptable and which are not.

Reasoning with the child usually works better when the child is older, but often doesn't work when the child is too young to understand complex decision

procedures. Parents have therefore often felt it necessary to resort to the old 'because I said so' response to the child's inevitable query as to why she needed to put away the bright shiny sharp thing that she just found in the kitchen.

No one participating in our group when this Question was raised was an expert in child psychology or anything like that, so we have no precise and authoritative recommendation to offer to the uncertain parent reading this passage. Probably best to simply follow the recommendations offered by the preeminent child psychologists of the day, which we would seek to make a standard element of our primary-school curriculum, and which could be updated in the 'continuing education' which we might make available (probably through a combination of churches and civic organizations) to young couples who are closer to becoming actual parents.

When in doubt, though, resist as much as you can the urge to strike with physical violence. You may feel momentarily better, but the child is likely to feel far worse. Also, you may succeed in stopping and discouraging the specific unacceptable behavior in question, but you are also likely to instill a sense of fear and resentment in the child, which could create far greater problems in the long term.

Instead, when the child is still too young to understand straightforward reasonings and explanations, and when some kind of punishment is still needed in order to 'get the child's attention', probably better in most cases to use more passive and less traumatic forms, such as the denial of allowances or other privileges which the child would ordinarily receive.

Also, in some cases it might be useful to look at why the child is acting out in some unacceptable manner, because there might be destructive or artistic aptitudes being displayed which maybe can be channeled to useful purposes.

Question 539

If corporal punishment is seen to be generally bad, then what amount or degree -- if any -- shall be judged legally acceptable?

As indicated in Answer 538, this level may need to change over time as we learn more about what works and doesn't work when it comes to the behavioral development of a child, including as to the hypothetical possibility that we may discover someday that we have collectively been too lenient in the upbringing of our children.

Legislators should review this matter on a periodic basis, and take testimony from psychologists and child-care experts any other individuals who can provide authoritative education or experience as to whether our then-current legal standards need to be either tightened or relaxed.

The standards can apply differently in different States, so that we can all see over time which standards tend to be net-best overall, and which standards might need to be adjusted.

Question 540

What sort of penalty or other remedy shall we consider applicable to the parent or caregiver who violates such a law?

Absent any specific protest or counter-suggestion from anyone, we are content to defer to the federal Sentencing Guidelines referenced in Section I-F.

However, parental abuse is different from ordinary child abuse, because removing the parent by incarceration might actually create additional problems for the child, whereas in other cases it could be the best thing that you could possibly do.

In addition, parental abuse is different from 'regular' child abuse in that the parent occupied a position of trust, and then betrayed that trust as well as the child, so an appropriate addition to the normal sentencing guidelines for 'regular' child abusers will probably be in order in most cases.

Also should remember, though, that you are unlikely to get the parent to stop using force by using force yourself. It simply reinforces the same tired and dangerous paradigm. Set the example for how you want the parent to behave, by using the same tactic yourself of providing counseling as to why the behavior in question was unacceptable, and training on more constructive and less harmful ways of interacting with the child.

Question 541

What corrective action -- if any -- shall a parent or other responsible party take when a child expresses a preference for writing, drawing, eating, etc., with his/her left hand?

Some psychologists have asserted (at least as far back as 1914, by Lewis M. Terman (1879-1958) in his book 'The Hygiene of the School Child') that forcing a child to write with her unnatural hand can cause stuttering and cognitive dysfunction and other neurological problems. Others have debated the assertion, and as of this writing the jury apparently remains open. However, it does seem to be generally accepted that the different halves of the brain generally perform different functions, and that the functionality of a natural lefty is different from that of a righty.

The fact that one 'handedness' is more predominant in our current genepool does not signify that it is 'correct' or 'net-better'. To the contrary, we have observed that some of our most brilliant people (including Franklin and Da Vinci) were natural left-handers.

Although the expert opinions still appear to differ, it seems intuitive to us that trying to reprogram a child's brain and body to operate in an unnatural way is liable in many cases to create more problems than it might solve, so on the side of caution we strongly recommend, leave the kids alone.

Besides, if there still is insufficient evidence to conclude definitely that changing hand emphasis can lead to brain damage, then there also still is insufficient evidence to conclude definitely that it does not. Thus, those of you who would ever consider telling a child to change her hand emphasis would be operating on the basis of an unproved scientific assertion, and who are you to be taking those kinds of risks with a child's mental health?

Nature has done a pretty good job of allowing the continued physical and mental development of the human species over the last several millennia, and as far as we can tell left-handedness has been a part of this natural order for all that time. It even seems to have done some people some good. Therefore, in the absence of a

conclusive scientific finding that left-handedness is *de facto* bad, we strongly suggest that you defer to our common Mother, and let Nature take her course.

Question 542

What should happen when it is discovered that a parent or other responsible party has attempted to force a child to write with her unpreferred hand?

That's easy. Any parent or teacher or other monitor who attempts to force a child to write with her non-natural hand should be well, actually, probably better not to complete that thought. As a natural left-hander, who needed to learn to throw with his right hand because gloves for lefties were not as readily available at that time, but who otherwise was lucky enough to escape the trauma of being forced to write with the 'correct' hand, the Moderator confessed to having some pretty strong personal feelings on this topic, and to finding it easy to slip into the temptation of recommending the most severe punishments possible upon those who would mess up a child's brain like that in the name of social conformity.

However, we must follow our own advice, and not resort to physical torture (no matter how good it may feel to us in the face of such evil) when saner methods of dealing with the problem are available.

We should make sure that we write it into the first-grade curriculum that it is okay to write with whatever hand feels more comfortable. Don't ignore the point if you are the teacher, but make sure to express it proactively, even if you don't think that it's going to apply directly within your classroom, and even if it actually does not. Even if all of your students happen to be right-handed, it still is important to teach that writing with one's left hand is okay, so that they will not be inclined to bully a lefty for being 'different', and so that they will be more likely to carry on that critical idea if they later become teachers themselves.

We should also reinforce the point in any classes which we offer on parenting, in either public or private venues.

In case some particular school or some particular teacher may ever drop the ball on this one, we suggest that the point should also be emphasized in whatever children's programming may serve the purposes in future which *Mister Rogers' Neighborhood* and *Sesame Street* and *The Electric Company* served during the latter decades of the 20th century. The shows can point out not only the idea that writing with the left hand is okay, but also what to do if anyone tries to convert you, namely to feel free to report the problem to other competent authorities. Yes. Tattle. Kids have suffered far too much for generations because they felt that they should not tattle on the adults and other kids who were abusing them in different ways, and we need to get away from that whole mindset forever.

So yes, do tell someone if anyone ever tries to make you write with a hand that is not comfortable for you.

When we do catch a parent or teacher or other perpetrator who is guilty of trying to make a child write with an unnatural hand, probably best to require counseling to correct the behavior, instead of giving in to our more visceral temptations.

Subsection III-B-4: Divorce

Question 543

Are we content with the divorce rate in this country?

Before we can consider this Question, we need to define our terms.

Different people use different methods to derive the current 'divorce rate', and the different methods tend to result in different rates.

According to the article "What Is the Divorce Rate, Really?", appearing on 2-Feb-2017 in *Psychology Today*, the rate of divorce at that time was probably in the range of 42-45%, and rose closer to 50% if you include marital disruptions which didn't lead to formal divorce.

According to the table "Marriage, Divorce, and Widowhood Rates Per 1,000 Men and Women Aged 15 and Over for the Nation, Regions, and States: 2009" (that minimum age which they selected is very interesting for our discussion on Question 487), appearing in the publication "Marital Events of Americans: 2009", posted on the website of the United States Census Bureau, the marriage rate was 19.1 per 1,000 for men, and 17.8 per 1,000 for women. The divorce rate was 9.2 per 1,000 for men, and 9.7 per 1,000 for women.

Because the marriage and divorce figures are looking at different sets of people (that is, those who were married at that time and those who were divorced at that time), it probably would be a mathematical 'leap' to conclude that the rate of married people who get divorced is equal to the above divorce rates divided by the above marriage rates. However, it can serve as an approximation and a general 'order of magnitude', so we are looking at approximately $9.2 / 19.1 = 48\%$ for men, and $9.7 / 17.8 = 54.5\%$ for women.

The website for the Census Bureau goes on to indicate (when you search on the term 'divorce') that the primary data on divorces come from the Centers for Disease Control (CDC), you tell me why if you can. We therefore followed the link to <https://www.cdc.gov/nchs/fastats/marriage-divorce.htm>, which led to a page showing the current rate of 6.9 new marriages per 1,000 of total population (total of 2,245,404 out of 325M of population), and 3.2 new divorces (827,261 divorces in 44 reporting states and DC), all occurring within the year 2016.

The source table for preceding years showed that the annual marriage rate remained at 6.8-6.9% since 2009, before which it declined from 8.2% in 2000. Meanwhile, the divorce rate for the reporting jurisdictions had decreased some to its recent 3.2% from 4.0% in 2000.

With both rates declining fairly steadily over a 16-year period, it becomes a little more reliable to take the quotient of the two figures as the approximate likelihood that a marriage starting today will eventually lead to divorce. This figure would be $4.0 / 8.2 = 49\%$ in 2000, and $3.2 / 6.9 = 46\%$ in 2016.

Thus, while specific formulas and criteria may differ with different sources, a preponderance of the figures suggests that we are looking at a divorce rate of between 40-50%. Question now is, how do we feel about that?

We suggest a two-fold response: On one hand, we're glad at least that it's not over 50%, at least not yet. If it were, if we could expect more marriages to lead to divorce than not, then the contract and ceremony of marriage would have very little real-life value. We therefore can at least comfort ourselves that most marriages will be successful.

On the other hand, the effective divorce rate is still way too close to 50% for our liking. Our 'inner libertarian' tells us that we should be respecting people's right to divorce, just as we respect their right to marry (!), and that we therefore should not be experiencing or expressing any hangup about the divorce rate, no matter how high it is now or ever becomes in the future. However, the high divorce rate -- even though it still is blessedly less than 50% -- yet gives married people an increased level of insecurity and anxiety.

As we explored in Answer 501, one of the reasons why people formally marry -- instead of informally 'hanging out' -- is to create a greater level of security and stability in their domestic environment. They don't anymore want to be living day-to-day, with their partner free to bail without penalty at any time, and they would like to rest with the comfortable knowledge that they never again need to worry about 'dating' new people from scratch. This goal is not fully achieved if the chances are still quite high that their marriage will end prematurely, and that they might need to endure the 'single' experience again earlier than they anticipated.

We therefore guess that we are looking at a level of mixed feelings. If that many marriages are turning out to be unsustainable, then probably better to allow the partners to sever the contract than require them both to suffer. But, we still wish that the divorce rate were not quite so high as it is, so that marriages can be more reliable and therefore more meaningful. We also are concerned about the emotional impact of divorce on any children who might be involved.

Question 544

What steps -- if any -- can we take to reduce it?

We are not entirely sure that that's within our province. Even when there are kids involved, and even if we are agreeing as a society to assume backup responsibility for their welfare (as we stated in Answer 513), it yet may not be our place to try to reduce the divorce rate artificially, by requiring some couples to stay together who would be better off apart.

We are okay with having divorce cases decided by a judge if kids are involved, and maybe even if not, so that an objective and disinterested and educated outsider can assess from the facts whether a divorce is actually indicated, or whether the partners should try again to keep it together. And, perhaps we can agree, at least within a particular Region or State or County, that our judges generally should aim for fewer divorce grantings and more marriage re-tries. In the end, though, a decision must be made which is in the best interests of all the parties actually involved (including any kids), and any designated social aim (such as reducing our overall divorce rate) should take a secondary priority.

Question 545

What do we consider divorce really to be, in light of our earlier definition of marriage?

Divorce is a premature termination of the marriage contract, and so it attempts to recreate the conditions which existed before the marriage. This is not always easy, if any children have resulted from the marriage, and/or if the partners have made unequal financial contributions to their joint assets and expenses. However, the general aim is to allow the partners to lead separate and independent lives going forward, at least to the extent that they practically can.

Question 546

Do we want to establish a standard mechanism -- possibly to be adopted or rejected or modified by individual couples at their discretion -- whereby a party that abrogates the marriage contract, either by filing for divorce or by committing some act (infidelity, physical violence, abandonment, etc.) that violates the terms of the contract, is liable for civil and/or criminal penalty?

We probably don't need to establish such a mechanism, because the expectations and legal precedents seem largely to be in place already. Any party who breaches any contract can owe damages to the other party, with the amount of damage varying according to the relative severity of the breach, and how much damage it caused (either monetary or otherwise), to be determined by an objective judge or jury if needed.

In the specific case of a marriage contract, any party can be sued for damage who violates any element of that covenant, or who unilaterally files for divorce. The suit can assert additional damages perpetrated upon any children by the alleged actions of the defendant. In any case, the suit should be adjudicated by an objective judge or jury of competent jurisdiction, and the outcome should be subject to appeal, under the terms established in Section I-F.

Question 547

If the remedies for unilateral divorce are left up to the parties to decide in prenuptial agreements as they see fit, then doesn't it make the whole scene very unromantic?

Not really. The prospect of divorce is already pretty unromantic as it is, but apparently it's going to continue to happen, so we just need to *manage* it as peacefully as we practically can. For some couples, that is going to mean that they should execute prenuptial agreements (that's pronounced *pre-nup-chel*, not *pre-nup-choo-el*, there's no extra 'u' in that last phoneme, even the attorneys in 'L.A. Law' were guilty on that one), establishing as many conditions for bilateral or unilateral divorce as they can successfully manage to anticipate.

Question 548

Are we happy or unhappy with the current community-property laws on the books of many States?

This is another area where we started out with mixed feelings.

The Moderator noted that he was a professional accountant at the time when this Question was considered by the group in July 2018, and that he naturally took to the idea that in a dual-income household, the incomes of the two partners should be tracked separately, as well as their respective contributions toward any assets

(homes, bank accounts, etc.) owned by the community, and/or any expenses (rent, utilities, etc.) incurred by the community.

From that angle, it makes it a lot easier to consider the partners as having equivalent operating authority over the household, if they are contributing equivalent amounts toward their joint assets and expenses, and if the household chores and any other responsibilities are likewise split in some equivalent manner.

However, while this model may work for some couples, it probably would not be applicable to everyone. The partners may not be both willing and able to split their financial contributions 50-50, and there may also be a significant difference in the distribution of household responsibilities, especially if one of the partners is getting pregnant and having babies.

As we discussed in Answer 527, it would constitute a difficult 'apples-to-oranges' comparison to try to represent anyone's physical efforts within the household in terms of financial dollars. For couples in that position, it doesn't do a lot of good to track their incomes separately, or to try allocate their overall contributions to the household in monetary terms. A community-property approach may be better for those couples, where the partners earn whatever financial dollars they can but everything is considered as joint income, and where they come to some kind of case-by-case arrangement as to allocation of any household responsibilities.

So, different approaches seem to work for different couples, with the primary differentiating factor appearing to be whether or not the couple has one or more children. If they do not have any children, then they probably can earn independent incomes and make independent household contributions, which they can track separately as though they were unmarried housemates, so that neither partner is assuming an excessive financial burden. If they do have one or more children, then the mother will have exerted a much greater physical investment in the household than the father could ever expect to manage, and so the father will generally be expected to excel significantly in income-earning and in financial contributions to the household, again as we established in Answer 527, so a community-property approach might be more applicable, in which all incomes and expenses and assets and liabilities belong jointly to the community, regardless of individual source.

Trick is, several States within the U.S. have attempted to pigeonhole all their residents into one particular category. Specifically, as of 1984, the States of Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington (interestingly, all along the western and southwestern borders of our Nation) had community-property laws on their books [source = Janice E. Grieder *et al.*, "Law and the Life Insurance Contract", Richard D. Irwin, Inc., 1984], and all other States did not.

In sum, then, no, we are not happy with most/all of the community-property laws currently in existence. We feel that they are okay to apply to families with children, but that childless couples should not be required to abide by those standards if they prefer to track their incomes and community contributions separately. In our opinion, any community-property laws currently in existence should be rewritten as needed in order to reflect this option.

Question 549

When a unilateral divorce happens to a couple with one or more children, who normally should get custody, or should it be shared?

The group's first thought was that the mother generally should be granted custody by default, again because she exerted by far the greater amount of physical effort in the creation of the children, and often more in their upbringing as well. The father could apply for a modification to this default, if he can make a case before a court of competent jurisdiction that the mother is somehow unfit to maintain primary custody, and then the court could decide, subject to the appeal procedures described in Section I-F.

However, our 'black book' of early notes reminded us of a point which we had conceived more than 20 years earlier, namely that a mother who unilaterally terminates a marriage contract has shown herself to be incapable of living up to every commitment made, and therefore can present a negative influence upon her kids.

Upon further reflection, this latter point makes a lot more sense to us, and not just for that reason. If we have a standard rule in place that the party who comes out and announces 'I want a divorce' -- or who unilaterally files for divorce -- immediately and automatically and permanently waives any rights of custody of the couple's children, then we might see a lot fewer divorces in this Nation, so that now is our primary recommendation.

In this case, it would be the partner seeking a divorce who would be asking a judge to consider modifying the default model, on the basis of an alleged showing that the other party is somehow unfit to be the primary parent.

Added in May 2019, on basis of post-meeting SIG correspondence: However, the child being placed for custody should have a voice as to where she prefers to live, and she should be represented by free public counsel who can focus on protecting the needs of the child.

Question 550

Should the guilty party (that is, the partner filing unilaterally for divorce) be required to pay child support?

Primary scenario to consider is the 'ordinary' case of a hetero couple who had one or more biological children of their own. (Other scenarios may use the principles expressed here as a general guideline, to be modified by competent authority on a case-by-case basis if applicable.) This primary scenario breaks down further, according to which party files for divorce, and whether the other party is alleged to be an unfit parent.

If the father is the one initiating a unilateral divorce, then the mother has primary custody by default, to be modified only if she is duly shown to be unfit somehow. If she is not unfit, and if she therefore is retaining custody of the children, then the father is still liable for whatever child support he was contributing before the divorce. He does not get to escape responsibility for child support by also escaping from the marriage. If anything, as indicated in Answers 523 and 546, the father who is bailing on the contract may owe some additional damages to wife and/or children, to offset the emotional and logistical difficulties which the remaining parties will need to endure.

If the father is the one initiating a unilateral divorce, and if he successfully demonstrates that the mother is too unfit to retain primary custody, then he is assuming the primary financial responsibility for the child's upbringing, so the question of additional child support is not applicable to him. It could be argued in some cases that the mother should provide some level of supplemental child support if she can, because it's not fair to make the man do everything if she effectively bails on the contract to raise children together. However, in many cases, the mother will be unable to contribute any supplemental child support, if for example she is an alcoholic or drug addict, and therefore is unable to hold down a steady job. So, do get the judgment for supplemental child support from the mother if you can, but don't assume that she will always (or ever) be able to satisfy the judgment.

Now then, let's look at the other side:

If the mother is the one initiating a unilateral divorce, and if the father is not duly shown to be an unfit parent, then by Answer 549 he generally should have primary custody of their children. Again, though, as in the above paragraph, it's generally not fair to make him do everything when the original idea was for the couple to raise their kids together. And, since she is unilaterally filing for divorce, we may assume that she is able to hold down a steady job, and we therefore may expect her to contribute a substantial amount of supplemental child support to the father.

Finally, if the mother is the one initiating a unilateral divorce, and if she does duly demonstrate that the father is unfit to be a primary parent, then she generally should retain primary custody. However, the father doesn't get to escape his child-support responsibilities by being enough of an asshole to warrant the granting of a unilateral divorce, so he still should be liable for some amount of child support to the mother. However, as in the case of the unfit mother, the unfit father may have some problem preventing him from holding down a steady job, and from being able to satisfy a child-support judgment. The mother therefore may need to be prepared to do everything alone, so you would be wise to consider this possibility before you marry the jerk in the first place.

Question 551

What should the parent without custody have in the way of visitation rights?

If the party being divorced has been duly shown to be unfit, then he/she has basically waived any visitation rights, so it is up to the party with custody to decide how much visitation (if any) by the other party is to be permitted.

If neither party has been duly shown to be unfit, then the party initiating a unilateral divorce has broken the marriage contract, and therefore could be argued as having effectively waived any visitation rights, such that it would be up to the party being divorced to decide how much visitation (if any) the divorcing party should be allowed. However, it's easy in such situations for the divorced party to feel vindictive, and to want to deny all visitation rights to the divorcing party, which actually might not be in the best interests of the child, so the divorcing party may at least ask an objective judge of competent jurisdiction whether any visitation rights should be granted notwithstanding the wishes of the parent with custody.

Added in May 2019: As with the earlier Question on custody, the child's preferences should be heard by the judge as part of the decision process, and in any case of any

potential conflict the child should be represented by free public counsel who can focus on protecting her needs and rights.

Question 552

What if a couple with children bilaterally agrees to terminate the marriage contract? Who gets custody?

In this case, with nobody violating the marriage contract, and nobody shown to be unfit in any way, the mother should have primary custody by default, again because she made far the greater physical investment in the creation and care of the children. The father can try his luck convincing a judge of competent authority to override the mother's wishes, but he shouldn't get his hopes up.

Question 553

What if parents wish to consider negotiating extra child support for extra share of custody, possibly by pro-rating according to time spent?

Couples generally get to agree to any special conditions which they can, and should not be legally prohibited from doing so, provided only that the arrangement allows for all the child's financial needs to be satisfied until majority. Those terms should be written into the divorce agreement, to be affirmed as applicable by the divorce judge, who is to check only that adequate provisions are being made for the child's ongoing care, and not whether it allegedly violates some silly and obscure and nonsensical law still on the books from 1893.

We understand from a certain early objection recorded in our 'black book' of preliminary ideas that some folks may be unhappy with the idea of allowing couples to negotiate extra child support for extra custody, on the grounds that children are not 'for sale'. However, we hopefully can all agree that the child's needs are (or should be) the predominating concern. So, if any objective judge concurs that some particular modified agreement is in the child's best interests, or at least is not net-destructive of them, then we feel that such an arrangement generally should be allowed to move forward.

Question 554

In light of the above decisions, do we want to make any recommendations as to how the procedures on filing for divorce and/or custody should best take place?

The judges tasked with considering divorce applications and custody petitions probably should be organized at the County level, so that the residents of each locality can have one central place to go for their filings, without a bunch of adjacent cities wasting their administrative resources on duplicative judicial structures.

The judiciary of each County should have an office designated and duly advertised to receive all divorce applications and custody petitions. The cases can be assigned to their judicial personnel according to their own internal standards and preferences, but the decisions should always be subject to appeal, according to the provisions established in Section I-F.

As each divorce is granted, the Clerk of the Court should communicate the decision to the County's Department of Records, which should promptly update their databases as applicable.

SECTION III-C: EDUCATION

Question 555

Do we need to continue to have mechanisms by which children are (or have the opportunity to be) formally educated?

This seems to be universally agreed. We all seem to want our kids to receive some level of education, both for their own sakes and so that they can better help to keep our society running in our retirement. We may have some initial differences of preference in terms of delivery systems or curriculum content or other issues, but we pretty much all seem to agree with the general goal, so that's our starting point for discussion.

Question 556

Should such education take place in the home, in schools, or both?

Generally, we are suggesting both. We have observed many times -- and the Moderator has experienced it personally -- that formal schools do not always teach our kids everything that they need to know, and that parents don't do so either.

On the scholastic side, the shortages may be due partly to funding limitations, which result in inferior facilities and underqualified teachers. It may also be due partly to a misplaced emphasis on what actually needs to be taught, and/or on limited understanding of how to make kids not only willing but actually eager to attend school. We will go through some of these issues in the course of this Section.

On the domestic side, a lot of parents assume that the schools will eventually be teaching their kids everything which they will ever need to know, so they don't exert any didactic effort on their own. Others try to help their kids with their learning, but simply don't have the necessary teaching skills to be very effective. Others may have the desire and the teaching skills, but just don't possess themselves (because of their own inferior education) all the facts and skills and values which we need to impart to our kids.

Both sides also seem to suffer from a reluctance to discuss certain sensitive subjects, such as Sex, so they tend to avoid them as much and as long as they practically can, effectively leaving the child to learn about them 'on the streets'.

In sum, we are observing that neither Homes nor Schools can be relied upon to assume the burden of education all by themselves. It requires a combination, a partnership, a team effort. Each side must teach as though the other sector did not exist, so that between them they can make sure that all the key areas are covered.

Naturally, parents will not want to completely duplicate the efforts of the schools, and we may not need to make our kids sit through all lessons twice from different teachers. Therefore, parents should make a checklist of the specific subjects and facts and skills and values which they want to have eventually communicated to their kids, and then question the kids over time as to what they are learning and doing in

school. Any items on your checklist which are covered by the school you can skip, and then you can give your supplemental teaching focus to any areas not (yet) covered by the school.

We are concerned about the idea of having all education conducted in the Home, because we have observed in some cases (such as the Turpins of Perris CA) that the in-home teachers exert little or no actual didactic effort, or else that they are simply programming their kids to believe certain extremist values instead of teaching them to function within our civil society. We therefore are recommending that complete Home Schooling should be permitted only on the condition that the kids are periodically tested as to the facts and skills and values which are expected of all children at their respective grade levels, and be allowed to remain in the Home School only if the test scores are sufficiently high.

Question 557

Should education continue to be supervised by government?

Yes, we want a public entity to be in charge of public education, and of the periodic testing of all kids whether they attend public schools or private schools or home schools or their own personal libraries. We want Government to have the power to dismiss teachers and decertify schools found to be doing an insufficient job. We want one or more public officials to be subject to periodic election and re-election, so that We The People can have the option to de-elect our Superintendents of Education if they are not delivering results which the parents and voters expect, and so that those officials therefore will have an ongoing motivation to deliver good education in order to keep their own jobs.

Question 558

At what level of government should education be supervised?

We like the idea of keeping most of the management at the State level, for a few reasons:

Our nation is too large and diverse to make it practical or desirable to manage education at the Federal level. We have regions where certain industries are more prevalent, so those areas should emphasize the skills and knowledge needed to obtain and maintain gainful employment there. We also have regions where certain languages other than English are spoken more frequently than in other areas, so local residents should gain some familiarity with those neighboring languages in order to facilitate commerce and social peace.

Finally, we have observed under the old political system how quickly and dramatically the political climate can change when different 'parties' grasp control of the different Branches of government. Hopefully, these wide ideological swings will happen far less often under our system, which promotes the election of moderate candidates who can represent and lead our entire Nation, but even then it still makes sense to devolve education to lower levels of government, so that we can all observe what works and what doesn't work in terms of curriculum content, didactic methods, funding levels, and other attributes.

However, we don't want to push the responsibility for education management too far down in our bureaucratic structure, because we don't want 3,000+ Counties

separately needing to figure out what elements should be included in the standard curriculum, and how best to deliver those elements to the students. That would constitute a huge and unnecessary duplication of effort, and it would make it far too hard for us to compare the relative effectiveness of different jurisdictions. Far easier to compare 50 States than 3,000+ Counties, so best to keep it at the State level.

Question 559

To what extent should formal education be publicly funded?

Education is an investment in our future, not just for the kids and not just for Society and the human species generally, but also for ourselves as individuals, whether we individually have kids or not, because we all want to live in a comfortable retirement, so we all have an interest in making sure that the next generation has what it mentally needs to maintain our industries and our governments while we take a well-deserved rest from our own years of labor.

We therefore have a strong motivation to fund education liberally, although still responsibly. We generally don't want to fund any function much beyond the levels of general necessity, at least not until we can feed and shelter all our poor people without imposing a 'wealth tax' on anyone. However, we also have observed the effects of trying to 'skimp' on Education, particularly in the hiring of teachers who have good hearts but not the knowledge and didactic skills needed to deliver a satisfactory quality of education, but also in the inadequate provision of physical resources like books and computers and musical instruments and functional air-conditioning.

It also has happened that a lot of public funding gets wasted in administrative bureaucracy which does little or nothing to advance our actual education. Some amount of administration is necessary, especially to make sure that payrolls get issued and that budgets are properly monitored, but it certainly is easy to go too far.

For this reason, we recommend that the Legislative Branch of each State should maintain a committee or other office which is designated to observe and report on conditions within the Education Department of the Executive Branch. They should be both evaluating the quality of the process by assessing how well the kids are doing in their test scores and job placements, and they also should be inspecting the books to make sure that public resources are not being wasted. They then will be in a good position to make informed recommendations to the full Legislatures on whether current funding for Education within that State should be increased or decreased or left as is.

Question 560

At what level of government should education be funded?

Already established as State level in Answer 559.

Question 561

Why in heck does education cost so much, and how can we mitigate the expense?

Some of it may be Administration, but that may not be the biggest culprit, if there is any culprit at all.

In our Answer 425, we proposed a model in which Education costs \$2100 per year per individual in the population. Thus, a childless couple should expect to pay \$4200 per year for Education (through their sales taxes), whereas a couple with three children should expect to pay \$10,500 per year.

That \$2100 per person per year translates to only \$175 per person per month. We're not sure that this is really so much of a burden, considering that it is an investment which we are all making toward a comfortable retirement.

We therefore are not making any adjustment to our proposal at this time, although again the State Legislatures should be monitoring the local Education Departments on an ongoing basis, and determining at each budget cycle whether the current actual funding should be modified at all.

Question 562

Since public education is essentially a state-run monopoly, and not subject to all of the normal free-market elements which determine appropriate wage levels, how shall we make sure that teachers are adequately compensated?

That's a tough one, because that clearly has been a very big problem in our society for several years, if not several decades.

Unionizing teachers seems to have helped some, but as of 2018 we still seem to have the problems of teachers not getting properly compensated for the amount and intensity of work which they perform, of salaries being too low to attract good-quality teachers, and of some teachers getting paid without delivering good-quality education.

This last point might be a supplemental response to Question 561: If we are paying too much to teachers who are not delivering satisfactory results, then that is taking resources away from teachers who really deserve higher compensation.

Perhaps we therefore should be evaluating teacher performance more critically than we currently are, and adjusting teacher compensation according to student performance. That way, dollars could be taken away from teachers who apparently still need to improve, and could go toward the teachers who are currently delivering solid results in real life.

This concept may make the teacher unions unhappy, because naturally it always feels better for everyone to have a guaranteed steady income than to live in continual fear that your wages will be cut if some other entity is deciding that you're not doing your job well enough. However, this is no worse than what happens in many sectors of business and industry, where your compensation goes up when you are delivering high value in whatever your job is, and goes down when performance fails to achieve certain standards which develop over time according to the experience of each given business or industry.

Thus, even though free-market competition may not exist so much between Education and the other sectors of our economy, we can still make sure that competition happens internally, so that all teachers are motivated by their wallets as well as their hearts to provide high-quality education to all their students. Then, when we know that all present teachers are actively trying their best to deliver, the

State Legislatures will be in a much better position to evaluate whether the aggregate funding of teacher salaries is high enough to attract the best available performers.

Question 563

Shall we also continue to allow private organizations to create and maintain schools, for either children or adults?

Yes. We may not be able to completely relinquish the duty of Education from the public sector to the private, but we certainly can allow --and would welcome -- any efforts which private organizations may wish to exert in order to help us out. If more students are educated privately (both children and adults), then fewer students need to be educated publicly, which can either save us money or allow improvements in the quality of education toward the remaining students, or both.

Only condition is that we need to make sure on a periodic basis that the private schools are teaching everything that we want to have taught (same as we recommend for Home Schools in Answer 556), and not teaching any disapproved material.

Question 564

What kind of accreditation process should be required of private schools?

Accreditation should come from the Education Department of each State.

The initial application should identify the private organization which is seeking to operate a private school, the names of any major shareholders in the organization, the names of any trustees appointed by the organization to operate the school, a recent set of financial statements, and a proposed operating budget projecting the sources and destinations of all large sums of money.

We are suggesting that each Education Department should include an Accreditations Bureau. One office of the bureau should be for Accreditation Applications, and their job should be to evaluate all applications, checking for the satisfaction of any criteria which may have been established by the Legislature of that State, and any non-contradictory supplemental regulations which may have been established by the Education Department or the Accreditations Bureau.

They should prepare a report recommending either for or against accreditation. Primary addressee of the report should be the Bureau Director, but a copy should go to the Superintendent of Education, so that the Bureau Director will not have the option to bury or modify the report.

Generally, the Bureau Director is at liberty to accept or reject the recommendation of the Accreditation Applications Office, and perform additional research as desired before reaching a decision. The report containing the Bureau Director's decision should be communicated to the Superintendent of Education, and should specify the reasons if the Bureau Director ever elects to override the recommendation of the Accreditation Applications Office.

Similarly, the Superintendent of Education should have the authority to override the decision of the Bureau Director, but should be prepared to defend that override before the press if anyone complains about it.

Another office of the Accreditations Bureau should be for Certification Renewals. One section should be for Public Schools, one section should be for Private Schools, and one section should be for Home Schools. Their job should be to review each school on a rotating basis, and to make sure that it continues to comply with any standards established by the State, including as to academic achievement, fiscal responsibility, and student well-being.

If a particular State considers itself too large and/or diverse to manage the entire function of Education oversight at the State level, then it may wish to devolve the responsibility to the Counties, or else to a separate network of School Districts, as it is currently done in California. If so, then the State still should maintain an oversight office within its Executive Branch, to make sure that the County Departments or School Districts are all operating properly.

If any irregularity is found after the initial accreditation, then the school should be promptly notified, and given an appropriate time window for correction, according to the specific nature and severity of the problem. If practical, a notification should also be sent to the homes of the parents of all the children currently attending that school, informing them of the finding, and suggesting that they consider making alternative arrangements in case the school does not perform the required correction.

This would mean that the State should know which school is being attended by each of its younger citizens, so the County Registrar should be tracking that information for future referral as needed.

Question 565

Since government is sponsoring public education, to what extent -- if any -- should it also sponsor private education?

That has been a tricky issue for some time in some States. One side claims that private schools which seek to supplant the efforts of the State should do so with all their own resources, without requiring the State to provide funding where it has little or no control over what happens within the private facility. Other side claims that the State has budgeted a certain amount of support money for the Education function based on its current population level, and that they should continue to provide that funding (possibly through the use of 'vouchers') to any organization which is performing the desired function of Education, as long as the State's various standards are still being maintained.

Both sides have some logical merit, so the correct Answer probably is somewhere in the middle.

On one side, the State should not be required to provide the full amount of per-student funding to the private school that it would to the public, because one of the reasons which we established in Answer 563 to justify the existence of private schools is that they could save us some money by taking some of that burden out of our hands.

On the other side, the private school is (at least in theory) performing an important function which the State actively wants to see done, so it is reasonable to expect the State to put at least something into the pot.

We therefore suggest as a starting point for consideration that the State should supply the private school with exactly one-half of the per-student funding which it would have provided had the child gone to public school. The specific proportion observed within each State can be negotiated among the various stakeholders according to evolving local conditions, and then we can all see what works and what doesn't work at any given point in our economic history.

Question 566

Should formal education in schools be made compulsory, or shall children and/or parents have the opportunity to pass or self-educate?

We have thought about this one for a long time, and feel pretty strongly that there should be a combination of compulsory and optional education.

There should be a 'basic' or 'primary' level of education, comprising certain facts and skills and values which we want and expect all citizens to possess, so that they can function safely and independently within our society, and make intelligent decisions when it comes time to vote. This level should be compulsory, because our society has a strong and ongoing interest in making sure that all its citizens know at least the basics. The process can happen either in schools or elsewhere, as long as we are sure that it is happening.

There also should be a secondary level which teaches additional facts and skills on top of the minimum standards. This level should give students a small taste of a wide variety of different subjects, so that they know what is out there to be done and/or to be studied further. This level can help older kids to decide which types of jobs they would like to undertake, and/or which areas they might like to study in greater depth for any reason. This level should be made available to everyone, but it should be optional (as it often is in Europe), because we may not need all of our citizens to be obtaining this supplemental education if some of them already have decided what they want to do with their lives, and also because we don't want to crowd our classrooms or endanger our actual students (remember the 1989 film *Lean On Me?*) by forcing -- or even allowing -- kids to be taking up valuable space who don't really need or want to be there.

The third level (equivalent to what we customarily call 'trade school' or 'college') also should be optional, for only those young people who have the time and resources and desire to undertake further specialized study in one or more subjects in which they have demonstrated a special aptitude.

Question 567

Are we basically happy with the educational system as currently constructed?

This is another area where we start out with mixed feelings: Some states and some school districts and some schools and some teachers are doing excellent work, as documented by various awards and surveys and student testimonials. However, we also see demonstrations over and over again (notably in Jay Leno's classic 'man-on-

the-street' interviews) how little grasp many adult Americans have over some of the basic facts which we expect everyone to know by age 13 at the latest.

We also have painfully observed many jobs and many businesses going to non-Americans, in many cases because those other folks are better educated than we are.

It's also a national embarrassment when your own President stands up at a public pep rally and reveals that he doesn't know the differences among England and Great Britain and the United Kingdom.*

[*See www.newsweek.com/donald-trump-britain-england-1055423, www.dailykos.com/stories/1785574, deadline.com/2018/08/president-donald-fake-news-pennsylvania-1202439433]

In sum, then, no, we are basically unhappy with current educational conditions in America, and feel that it's one of our more urgent priorities to begin to get right.

In case they don't get addressed elsewhere, some other specific grievances which we have against current education include, in no particular order:

-- We need a better recertification process for adults who have already completed their basic educational credentials, but who maybe could use updating on technical advances, historical developments, scientific achievements, and social reconditioning.

-- Making kids wait until age 18 to graduate from high school deprives us of their contributions to our economy, places pressure upon them to get prematurely intimate with students of their preferred gender, and contributes to a common teenage problem of still being treated as a kid when at least in some cases you deserve to be taken more seriously.

-- Schools definitely were guilty of corporal punishment back when the Moderator attended, and some schools still may be. If so, then as described in Answer 538, we generally should avoid such tactics in favor of more passive and less harmful methods of obtaining the child's cooperation. And, when it happens to you, or if it is even threatened, please do tell your parents or the principal or the police or some other responsible authority.

-- We have seen a big upturn in mass shootings at schools and other public venues in the years directly following the 2016 Presidential election. It could be just coincidence, but it wouldn't surprise us to learn that there is a causal connection. In any case, the increased violence appears to stem from a broader culture of hate. If we can take steps -- both politically and educationally -- to foster a Culture of Love instead of a culture of hate, then we stand a much better chance of decreasing these random acts of violence within our society, and making everybody net-happier.

-- Just speculating here, but what if the Government is deliberately maintaining an inferior educational system, in order to keep people stupid enough that they will continue to vote for the same idiots that they keep pushing on us, support the two-party system, go to war when they tell us, and do everything else that they ever want? That would explain (among other things) why they keep teacher salaries so low. If that is true, then we'll have that much harder of a time implementing our revised education system after we construct it.

Question 568

What are the main goals of education?

It might seem to some that this Question should have been addressed at the beginning of this Section. For, shouldn't we consider the goals of Education before we even ask ourselves whether we still want/need to have it? Possibly a valid point, but in any case it also is critically important for this entire Project that we start with topics on which we can all immediately agree, and then tackle the more controversial subjects more gradually. That's why we started this Section with our Question 555, because even if we may initially disagree on the goals of Education, at least we can pretty much all agree that we still want to have it.

It also might seem to some that this is one of those Questions which are so elementary and trivial and silly that they threaten to insult the reader's intelligence, so we totally understand if some of you reading this happen to experience that initial reaction.

However, it turns out that it's not quite as trivial as some of you might initially suspect.

The focus of Education appears to have evolved over time. Prior to the 15th century, the leaders of several cultures in Europe and elsewhere sought to restrict Education (even the simple skill of Reading) to only the wealthy few, so that only they could keep the 'secrets' of maintaining the *status quo*, and keeping their families in positions of wealth and prestige and power. When the printing press was developed by Gutenberg in 1439, the ruling classes were afraid that the availability of mass-produced essays might motivate their serfs to learn to read, and then open their eyes as to the different ways that a society might choose to run itself, a prediction which proved to be all too accurate.

In more recent centuries, with widespread literacy being an undeniable reality, certain political and ecclesiastical regimes (not naming names here) have sought to regulate the 'group narrative' by making sure through formal Education that their children learned only a particular set of facts and values which supported the continued existence and predominance and actions of those regimes.

As frighteningly dehumanizing as such a strategy might seem (and may actually be), there actually is a level of logical merit to it: If we are expecting The State to give of its own resources in order to help educate our children, then isn't it reasonable to expect that they would want to promote their own values within their curriculum? If they do not have that option, then in many cases they will not want to expend any of their money or effort toward helping our kids get educated.

Come to think of it, even if we take The State and The Church and The Wealthy out of the equation, and come up with some other strategy and curriculum which better serve the interests of The People, then in the end we'll be doing the same thing which they are, preparing a curriculum which will communicate the various facts and skills and values which we think that kids ought to have.

However, there is a key difference. Those of us involved in this Project are not out to benefit some group of humans at the expense of some others. We favor a universal access to Education, including access to ideas which challenge all those which we are proposing here.

Even if we did not want to engage in Education voluntarily, though, we probably would need to do it as a simple response to what is happening in today's real world: More individuals in more cultures are gaining easy access to the Internet, where they can read all sorts of articles about different models which are being attempted or ideated in other cultures, and where they can communicate with one another on how to create real-life change within their own communities. Any government or other entity which seeks to participate in the Education process needs to plan its purpose and strategy with this important fact in mind: Do feel free to use Education as a means of establishing your 'group narrative', whatever that may be, but be prepared going forward that many of your pupils are going to have access to competing narratives throughout their lives, so prepare your presentations accordingly.

That all said, we are proposing a two-part Answer to this Question: The first part is What It Is, and the second part is What It Should Be.

For the first part, What It Is, we suggest from our extensive human history that the purpose of Education is to communicate whichever facts and skills and values the sponsoring government or other organization currently considers to be the most important. That was true before we introduced this model, and it will be true after. Nothing which we ever do or say will change that basic and timeless reality.

For the second part, What It Should Be, we seek to add to the basic definition a statement that an 'enlightened' society (whatever that means) recognizes that more Education to more of its people will generally result in a happier and healthier society for everyone, with the possible exception of the current ruling classes.

This goes to the last point raised in Answer 567: What if the Government is deliberately trying to 'dumb us down', in order to help perpetuate the current system with two political parties, war whenever the rulers feel like it, inflation and the national debt spiraling out of control, and the bulk of tax support coming from the Middle Class instead of the Super-Rich? Just in case that is actually happening, we are here offering two suggestions.

First suggestion is to those ruling entities, that you can generate even higher GDP and higher tax revenue if we allow a fairer trade environment, a better system of public education so that the graduates can better utilize and improve our various life-enhancing technologies, and a political process which delivers sane moderate leaders instead of extremist demagogues whose only diplomatic skills involve managing to piss off everybody in the rest of the world.

Second suggestion is to the American People: Both for yourselves and for your kids, insist on an Education system which teaches all the facts and skills and values which you feel should be communicated to everyone, as well as those other facts and skills and values which you feel should be made available to everyone on a voluntary and supplemental basis. Both for yourselves and for your kids, make lists (as described in Answer 556) of what areas you feel should be covered at some point by your particular school or school district or State, and quiz them periodically if you ever develop any doubt that they are planning to get around to some particular area eventually. If they tell you that they are not planning to cover that particular area at any point, then please feel free to raise a loud-but-peaceful stink about it.

In sum, we conclude that there are two main sets of goals for Education, the first being for the sponsoring organization to communicate its 'group narrative' to our trusting young minds, and the second being for parents and other concerned citizens

to watchdog the sponsoring organization to make sure that their kids are being educated in accordance with their standards and expectations.

Question 569

What are some of the reasons that not all children sent to school are able/willing to give their full concentration to the matters at hand, and what can we do to correct those issues?

There are several different reasons which apply to different kids, so this list is not going to be exhaustive, but just to list a few of the most common:

1) The subject matter itself is simply too boring. One thing that we can do about this is to make sure that the curriculum always contains some 'fun' stuff, so that kids will still have a motivation to attend school eagerly, and to help balance out the drudgery of the boring stuff.

Another thing that we can do is to impress upon the kids routinely why each particular subject is important to them, and why each particular lesson has been included in the standard curriculum. Many schoolchildren throughout time have felt (perhaps correctly in some cases) that they were sent to school in order to sit and listen and do busy work just to keep them out of their parents' hair for a few precious hours, so naturally they would look upon any required curriculum as a drudge, and not be into it very much. Even if some parents are eager to have their kids being tended in school for a few precious hours, that does not alter the fact that our main reason for having those kids in there is for them to learn what it takes to keep our society running, as well as to help them to be successful in life. It is in the interests of both the kids and the adults for students to be actively engaged with their schoolwork. If they can't get engaged because it's fun and interesting, then at least let's keep telling them at all times not only that it's good for them, but especially why.

2) The teacher is a poor presenter. I personally have had some very good teachers and some which were not quite as good. I imagine that most of us have.

One thing that we can do to help this is to get better teachers in there. As in many other professions (including doctors, lawyers, airline pilots, athletes, entertainers, to name only a few), some people may want the job but for some reason simply do not possess the necessary skills to do so capably. However, a lot of these individuals manage to get selected as teachers anyway, because the salaries offered are frequently so low that the schools will be desperate to accept anyone that they can get. This tactic may save us money in the short term, but it buys us a more poorly-educated population in the long term.

If your particular State or School District or School is achieving unsatisfactory results from its education program, then one thing which you might need to do is allocate more funding toward teacher salaries, in order to attract higher-qualified applicants. Then, you could implement more aggressive filtering mechanisms to determine which candidates possess not only the necessary facts and skills and values which need to be communicated to our kids, but also the right personalities and techniques to communicate them in an interesting and engaging manner.

If that means that you need to cut public spending in other areas, or that you need to increase your Sales Taxes (see Answer 425), or some combination, then you had

better do so. If you do not, then you are going to end up with an undereducated workforce, which will generate a lower output of Goods & Services, so they will have fewer dollars available to purchase the Goods & Services which will generate your Sales Tax revenue, so you will need to cut back on your public spending anyway, and maybe eventually have your City or County or School District absorbed by a neighboring jurisdiction which is willing and able to manage things more efficiently.

Another thing that you can do is to train your teachers better. We have heard and read of several experiments conducted over the years, where they give the teacher the same standardized tests which the students receive, and a lot of teachers do no better than the students, because they do not possess themselves the facts and skills and values which we are expecting them to communicate to our kids. Instead, they are simply monitoring the kids while they take their lessons out of their textbooks and workbooks.

If it were possible for all kids to learn from textbooks and workbooks alone (or their modern electronic equivalents), then we wouldn't need teachers at all. And, maybe that ends up happening someday. For the present, though, it still seems to be true that many kids are not adept at self-education through standard reference materials, not that we expect them all to be. A lot of kids still require in-person teachers to stand up in front of them and explain to them in clearer language whatever the textbooks is trying to say, and to lead the kids in various types of games and other exercises to help them learn and retain the necessary concepts.

It therefore is important for us to make sure that our teachers already know everything which we are asking the students to learn, so they should be periodically tested themselves, and suspended for continuing education if they do poorly enough in any particular area.

One of the most important things that we can do is to impress upon all teachers during their initial training -- and reinforce in any continuing education -- that their presentations always need to include an emphasis on why it is important to the kids that they undertake the effort to learn any particular thing which you are trying to teach. If any particular teacher's response to that question is ever "That's what the book says" or "That's what the State requires" or "That's what you need in order to get good grades and graduate", then that teacher needs to be trained further on the reasons for everything which is in the standard curriculum, or else repurposed to some other profession.

3) Didactic methods need to be improved. Even if the subject matter is actually more interesting than it may initially appear, and even if the teacher is both knowledgeable as a scholar and dynamic as a public speaker, we may have a systemic problem in our culture with how we are generally approaching our students with this information. Not only are we often failing to emphasize the Why's associated with the various elements of our curriculum, and not only do some teachers need better presentation skills, but our standard approach often seems to reduce to I-speak-you-listen and/or you-do-homework-you-learn.

We are suggesting here that classrooms should have more dynamic and interactive teaching methods available for those kids who would benefit from them. I remember that I got a really good feel for American and World Geography, as well as National Flags, because my parents were thoughtful enough to buy me three effectively-designed jigsaw puzzles which I enjoyed assembling over and over. If those sorts of things could be available to everybody in the classroom, then the kids might obtain a

deeper retention of where stuff is than if we simply tell them that Nebraska is west of Iowa and expect them to remember it forever.

4) Physical facilities at school reduce concentration. Another area where localities try to economize is in the construction and maintenance of adequate classrooms and other didactic facilities. We hear that a favorite target is a failure to install or repair or replace Air Conditioning units as needed.

Again, we totally relate to the desire to economize, and it is indeed something which we all need to do if we are going to successfully stretch our resources to all of our planetary citizens, but certain areas need to be accorded higher priority than others.

As expressed above, if we sacrifice our quality of Education now in order to save a few bucks in next year's fiscal budget, then we are setting ourselves up for a much greater social cost later, because any children who remain in our particular locality will be more disenchanted and disengaged and frustrated and (worst of all) ignorant of the facts and skills and values which they need in order to be effective and productive citizens. Save a little bit now, pay a lot more later. Invest a little bit now, earn a lot more later.

5) Some kids may be distracted by external personal problems. Maybe some kids are getting bullied in the schoolyards or in their neighborhoods. Maybe some of them are being abused at home. Maybe some of them are in the process of witnessing the breakup of their parents' marriage. Maybe a parent is unemployed, and/or suffers from a problem with drugs or alcohol. Maybe the student has developed an unhealthy addiction of some kind. Maybe something else.

Whatever the particular external issue might be, the student is going to have a difficult time maintaining focus on schoolwork as long as the issue is pending, and we risk having her academic record look worse than it actually deserves to be.

Larger schools therefore should try to budget not only for a nurse to take temperatures and bandage scraped knees, but also for a counselor with whom the students could feel free to share whatever is going on in their outside lives which is causing a distraction.

Maybe the counselor can actually point the student to a solution, and maybe not. At the very least, though, the very act of sharing and venting may help the student to feel not as stressed about whatever is going on, and may free up some mental 'juices' for at least some of the actual schoolwork.

If a particular school is too small to afford a full-time counselor, then maybe some neighboring schools can pool their resources to hire a regional counselor who could rotate to the different campuses in order to provide each student with a periodic opportunity to talk about whatever's going on.

Standard protocol probably should be that the student never should be in the same office as the counselor without some third-party being present, either the teacher or a parent or the school nurse or the football coach or somebody, because with all the recent revelations about secret child abuse we want to make sure that kids realize early that it should be considered Never Okay for any child to be completely alone with any adult who is not a parent or duly-approved guardian.

The counselors may occasionally need to visit the student's home, to observe conditions directly and speak to the parents as applicable.

Even if certain kids never volunteer to speak to a counselor, we probably should arrange for periodic interviews with all the students, just to see whether problems are existing among certain kids who are too shy or embarrassed or frightened to come forward on their own.

Question 570

What is the best annual schedule for education?

We easily agree that there should be multiple days off throughout the year. As long as the child eventually comes away with all the facts and skills and values which we require of everyone as a minimum standard, it certainly is not necessary for the child to spend every day in school. By all means let her have some time off to do other things and learn from the real world and generally enjoy life.

We see no reason to challenge the basic Monday-to-Friday weekly schedule to which we all have become accustomed as a default standard for both school and work. Seems to strike a good balance in most cases between getting an appropriate amount of work/study done, and having some unstructured time to relax and enjoy the life which we are working/studying so hard to maintain and improve.

We also concur that those two days off per week are not sufficient to give everyone all the time off which they deserve. We find it quite reasonable to expect that anyone with a fixed weekly schedule should be allowed occasionally to enjoy travel and other experiences which can be undertaken only for periods of a week or more at a time. In other words, we all still get to have some vacation time, whether we are workers or only students.

But, how much vacation time do we get to have? That's where it seems to break down between workers and students. While there certainly are some seasonal jobs out there, and some employers who are willing to have people on their payroll for only a few months out of the year, fact is that most jobs and most employers these days operate on a year-round basis. They might be able to endure your absence for one or two or three weeks over the course of the year, but they will often encounter severe problems if you need to be out for longer than that, so there's usually a vacation cap in that range which an employer will impose upon an employee.

However, we need not be as stringent with students. Again, as long as we manage to get the complete basic curriculum communicated by the expected chronological age (to be determined later), we need to use only those weeks that it takes to get that job done, and the kids should be able to have the rest of the time off, even though that means that some parents will need to take them to work or otherwise arrange for their daycare during those vacation periods.

So, how many weeks per year will kids need to be in school in order to learn the basic curriculum? That's going to vary from one child to another, because kids learn different subjects at different rates. It is also going to vary over time, because of both content updates and the evolving technologies of our delivery systems.

Let's therefore start with personal experience as a reference point, and see where we might spot some opportunities for improvement.

When the Moderator was growing up, the planners of the period generally felt that three seasons out of the year were needed for education, and that students usually could take some or all of the Summer off. We certainly support this general idea, both so that the kids can have some fun recreational and travel time during the warmer months, and also so that we can give our precious air-conditioning units a much-needed rest.

More specifically, we usually got out of school for the summer by around the second week of June, and we usually needed to start again on the Tuesday immediately following Labor Day. We usually got at least a week off between Christmas and New Year's. Don't remember us getting much if any time off around Easter, except that in my Catholic school they might have let us out by noon on Good Friday.

We have to feel intuitively that we can do better than that these days, as a result of both streamlining of our standard curriculum and improvements in the technology of some of our delivery systems.

To start with, we'd like to see if we can give the kids the entire Summer off, instead of starting up in early September as the Moderator did while growing up, or in August as many kids are doing now. It's tough to say 'we're off of school for the Summer', and it's misleading and deceptive to tell the kids 'you're going to be off of school for the Summer', if they are not actually getting those entire three months off. We are therefore assuming as a starting point that kids will generally get off the entire 13 weeks of Summer.

That leaves three seasons of the year during which Education has generally been expected to happen, and we see no reason to stray much from that standard paradigm.

Also seems reasonable to expect some relatively-brief break periods between the seasons, of at least a week for the Winter Solstice, and at least another week for the Spring Equinox.

It would then be good if each seasonal trimester lasted the same number of weeks. If we were to take 13 weeks off for Summer, and only 1 week off for each of the Winter and Spring breaks, then that would leave 37 weeks to be divided among three trimesters. It would be far easier to work with 36 weeks, which is easily divisible into three trimesters. Besides, we could use an extra week off around the Winter Solstice anyway, both for all the various holidays which different cultures celebrate around that time, and because it's the coldest and stormiest time of the year in many areas of America, so it would be good to let the kids have an extra week of 'snow time'.

In sum, we are suggesting a standard schedule of 36 school weeks per year, beginning near the Autumnal Equinox, and comprising 12 weeks of Fall term, 12 weeks of Winter term, and 12 weeks of Spring term. There would be 2 weeks of Winter break, 1 week of Spring break, and 13 weeks of Summer vacation.

Naturally, if specific Schools or School Districts or States determine through experience that they need more time per year to present the standard curriculum, or that they are able to do the job in less time, then by all means adjust the standard schedule as indicated. Merely suggesting this as a standard starting point and general expectation.

As far as any Holidays to supplement our standard Weekends and Seasonal breaks, we're going to need to talk about that further, and we currently have that scheduled as a Question for near the end of our Agenda, but we may need to rearrange it for the final packaging. At this preliminary point, however, while it probably makes more sense for workers who are on the job nearly every week of their adult lives, we are generally leaning away from adding any Holidays to our standard schedule for childhood Education.

For, if we want our kids to recognize and appreciate some Important Anniversary or some Great American, then it seems to us that we accomplish that objective more directly by having the kids in school and teaching them that lesson, rather than by allowing them to have some unstructured time away from school, where we would have no way of knowing whether they are giving even the slightest notice to whatever or whoever was the theoretical subject of that Holiday.

Besides, if schools and teachers and students develop a standard weekly schedule for the presentation of all their lesson plans, then the intrusion of one or more Holidays could tend to mess things up: A certain lesson or activity which you usually plan to happen on Mondays might need to be skipped on a certain week because of some various Holiday. Seems to us better to have that schoolday as normal, and conduct that lesson or other activity as normal, but if possible tie it into whichever Important Anniversary or Great American you happen to be celebrating that week.

In total, then, we're looking at 12 full weeks of Monday-to-Friday schooldays for each of 3 trimesters per year. That adds up to 180 days of school time per year, which intuitively seems appropriate. It's close to half of the year but is slightly less than half, so that most kids never could state truthfully that they are in school for more than half of their young lives.

Question 571

Is there any benefit to segregating students by gender?

Generally not, but we can see some exceptions when it comes to certain lessons in Health and Physical Education. Especially when it comes time to tell the kids about reproductive anatomy and the biology of having sex and making babies, some kids might get embarrassed if kids from the other gender are present, especially if they start to giggle or make crude comments.

For certain athletic activities (especially Wrestling), it obviously is not going to do for boys and girls to be required to participate together. For certain other athletic activities (such as Golf, Tennis, and anything else where there is little or no direct physical contact), girls generally should be allowed to learn and compete with the boys.

For all regular academic subjects, we see little value in keeping the genders segregated, even though this happened in many cultures (including in America) for many centuries, on those limited occasions when girls were allowed to have any education at all. If everyone is trying to learn U.S. History, then you don't want either gender wondering what stuff they're teaching the other gender. Better for all kids to hear those lessons at the same time, and to engage together in whatever conversations or exercises or games may be conducted as part of the lesson plan.

Besides, males are going to need to interact and compete with females as they go through their adult lives, so best get used to it while growing up.

Question 572

Is there any benefit to segregating students by chronological age?

We see some benefit, but it appears to be limited.

We understand that some kids may be uncomfortable in a classroom where the other kids are older and bigger. We also understand that some other kids may be uncomfortable -- and even insulted -- when any kids in the classroom are at least a year younger than they are. It is for these reasons that many Grammar Schools and High Schools over the years have generally opted to keep together all the kids of a given chronological age, and advance kids or hold them back only under certain extreme conditions.

However, we also understand that kids generally learn at different rates, and that the learning rates for a given child will often vary according to the subject matter. As important as comfort levels and self-esteem levels may be for a child's overall psychological development, we must remember that our primary objective of having kids go to school is for them to learn our standard curriculum. If doing so requires some students to sit with older kids at least sometimes, while other students must at least sometimes sit with younger kids, then we best had get used to that, because our experience of keeping kids segregated by chronological age is that the slower kids don't get a chance to keep up, while the brighter kids are often stifled by boredom.

Besides, when the kids become adults and begin to work professionally, they often will need to work alongside other employees of different chronological ages, and sometimes they'll even have bosses who are significantly younger than they are. Best therefore to get used to that reality as part of the general process of Education, and learn that important lesson: Different people (both kids and adults) have different talents and aptitudes, and may be able to accelerate in certain areas while they may need some more time and assistance in others. The earlier that we teach that lesson to all our kids, and the more often that we reinforce it throughout their educational careers, the less of a problem that we will be likely to encounter with any kids feeling uncomfortable over the chronological ages of any of their classmates.

Question 573

To what extent shall we allow/require flunking?

We understand that this is a sensitive topic, and that both sides make some valid and important points for us to consider:

On one side, the 'pragmatists' point out that the primary purpose of sending kids to school is for them to get educated according to our established standards, and that it is misleading to tell the student's family, the student's friends, the student's future employers, and even the student himself, that he has completed all the established academic requirements for graduation when he really has not. They would have you hold the student back for as many extra years as may be needed in order to get the job done.

On the other side, the 'sympathizers' are concerned more about the student's self-esteem than about his academic progress. They remind us how badly it must feel to be told that (for whatever reason) you have not succeeded in learning as much as your friends who are all advancing in their academic careers.* [*This never happened during grammar school or high school to anyone attending the meeting in which this Question was treated, but the Moderator didn't do as well at Caltech as most of his classmates, so he expressed during the meeting that he could relate. Not a good feeling indeed.] They would have you consider that holding a child back for academic failure might create more problems than it might solve.

Both sides have valid points. We do want everyone receiving the Basic Education which we feel that everyone should have (whatever specific elements that evolving curriculum might ever comprise), but we don't want to achieve that goal at the expense of a child's self-esteem. We therefore need some approach which satisfies both objectives.

As a key point of this Question, we recognize (as expressed in Answer 572) not only that different children generally learn at different rates, but also that many children are naturally better in some subjects than in others.

We therefore suggest that children generally (if not always) should be allowed to track in different subjects at different rates, according to their different learning rates in different subjects. If a child has passed the Grade 3 requirements for English, but has failed to do so for Math, then it is both an injustice and a waste of time and resources to make him sit through the entire Grade 3 curriculum all over again. Better to have him spend whatever extra time he may need in order to catch up in Math, but allow him to attend Grade 4 classes in all the subjects for which he is ready.

It would not be nearly so psychologically disruptive to have someone sitting in your Math class who is younger than you, if you may rest confident that you are still more advanced in Art or History or Sociology or some other subject.

This approach not only helps us with the short-term problems of providing Education while preserving Self-Esteem, but also helps by teaching an important long-term lesson, namely that in the future you may very easily have commanding officers or other bosses who are younger than you are, and you still need to do what they say. When that happens, it will not necessarily be because they are generally smarter than you are (although that may happen in some individual cases), but it will often be because they have a particular aptitude for a particular subject, and/or that they simply have put in more time to learn everything which needs to be known for that position. There is no shame in this within the 'real world', so no shame need be felt when it happens in the classroom.

Question 574

What if a student at a given school flunks one course and has to take it over, but the scheduling of that class conflicts with another class that he/she is eligible to take?

Where practical, schools might try to schedule similar subjects at the same time of day, so that students could easily switch classrooms as needed. If you wish to rotate classes for variety, such that they happen in different periods during the week, then you still can do that, simply doing it for all grades at the same time.

If for any reason this is impractical within a particular school, then the conflicts will need to be resolved in different ways on a case-by-case basis, such as by (A) excusing the child from 4th-grade Math in order to work on 3rd-grade Math through supplemental self-study (possibly online) at a library or other quiet room, (B) arranging for tutorials outside of regular school hours, or (C) holding periodic 'free-for-all' sessions where students of all ages can ask general questions on any subject for group explanation. Your attendance at such a session does not imply that you are trying to make up some subject; maybe you just want to refresh on something, or just pick up some pointers to help you with future classes, or simply sit in on what could in some cases evolve to be a very fun and interactive period for kids of different chronological ages.

Other options are available besides these, so the possibility of occasional schedule conflict generally should not be treated as a reason to prohibit academic tracking and placement according to specific subjects.

Question 574.5

What portion (if any) of standard tests should include material covered in previous courses?

We very much like the idea (whoever thought of it) that some of the questions on any given test beyond Grade 1 should include a sampling of questions pertaining to courses taken in previous years.

We have often observed (and some of us have personally experienced) that students will 'cram' shortly before a particular test, remembering the material only until the test is completed, and then forgetting much or all of it afterward. In a situation like this, you have passed the test, but you haven't learned, so we are still failing in our mission to educate.

We solve that problem by making sure that you are still 'on the hook' in later years for material which we taught you in earlier years. If you cannot answer those questions correctly when we ask you at any future time, then you have not permanently learned the material which we feel that everybody should know, and by this approach we will be able to see where we still need to apply some extra effort.

We can vary the specifics with experience, but our default recommendation is that approximately half of each test should include material covered in previous classes. The fraction may decrease progressively for the older classes.

As one possible example which might be useful for a general starting point, we might observe the following proportions for tests given at each of the first few grade levels:

Grade 1 - all Grade 1

Grade 2 - 1/2 Grade 2, 1/2 Grade 1

Grade 3 - 1/2 Grade 3, 1/4 Grade 2, 1/4 Grade 1

Grade 4 - 1/2 Grade 4, 1/4 Grade 3, 1/8 Grade 2, 1/8 Grade 1

Grade 5 - 1/2 Grade 5, 1/4 Grade 4, 1/8 Grade 3, 1/16 Grade 2, 1/16 Grade 1

... and so on.

Question 574.6

Any other suggestions on testing protocols?

Suggesting that our Vocabulary tests should not focus so much on presenting a word and asking the student to define it, because they can look it up online trivially. Better to present a definition and ask her to provide a word that fits it, because that's not so easy to look up. Doesn't even have to be the exact same word which you presented in your Vocabulary lesson: Important point is that she has at least one word in her vocabulary which she can summon up at will to synopsise the concept presented in the test.

Added in May 2019: More generally, we are suggesting to emphasize 'open book' testing over 'closed book' testing. Memorization is really not all that important when certain facts and formulas can be looked up, and most people will tend to look things up in 'real life' more than they will rely on memories of their school years, so better to develop that skill -- and practice it in the testing process -- than to see how many dates or vocabulary words or other details can be committed to short-term memory.

Question 575

Shall we designate a specific chronological age when every child shall be expected to begin his/her formal education, or shall we permit each child to begin whenever he/she is ready and willing, either before or after the standard age?

Some school systems have felt that a period of 8 years is generally sufficient to teach the 'Grammar School' curriculum, while others have felt that a standard of 9 years is more suitable. Between these two standards, we are default-recommending the shorter one, on the grounds that didactic results must improve with didactic methods, and that we seem to be achieving much more these days with online learning and other resources which were not available even 20 years ago.

While the Moderator's classmates in grammar school were not required to attend Kindergarten, the vast majority of them did so during the one-year period between Age 5 and Age 6. A lot of people apparently felt that most children should begin their classrooms experiences by Age 5, an assertion which we will not challenge.

If anything, we vigorously support it, if only because the Moderator reported experiencing extensive social problems during Grade 1, because most of the other kids knew each other from Kindergarten, whereas he had not attended, so he was an outsider. If you are going to have most kids attend Kindergarten at Age 5, then probably better to have all kids attend at Age 5 (unless there are special circumstances, as discussed below), so that no child is made to feel like an 'outsider' by joining the group a year later. Simply have all kids start at Age 5, and make that your Grade 1 instead of calling it 'Kindergarten'.

It has also been widely held (especially within the Jewish tradition) that a young person should be regarded and treated as an adult by Age 13, and we will not challenge this perception, either. Puberty either is happening at that time, has happened recently, or will begin shortly. Each young person therefore needs to know by then all the 'facts of life' which adults need to know in order to manage all the unique issues which attend physical adulthood.

It follows that students generally should aim to have their entire Primary Education completed by Age 13. For, it would hardly do for a young person to reach the brink

of adulthood -- or to have ventured past the brink -- without knowing everything which we expect of all minimally-educated adults.

Combining these factors, we observe that lots of folks seem to want to begin Primary Education by Age 5, that they want to devote 8 years to the mission as a default standard, and that they would ideally like to have the process completed by Age 13. All these factors add up, and we have no dispute with any of them, so this is our default recommendation.

That said, we also should allow for individual variations. If some individual kids are able to start taking classes earlier, and if their parents are willing, and if no one else knows of any specific reason why there might be an individual problem, they generally should be allowed to start early. (As we suggested in Answer 572, we see little benefit to segregating students by chronological age, so again best get accustomed early to mixing chronological ages within classrooms.) Conversely, other children may have certain medical or developmental conditions which would make it problematic for them to attend school (even by tutors or through self-study) as early as Age 5, in which case the parents can make an application for a truancy exemption.

Question 576

Shall we designate a maximum chronological age beyond which individuals will not be allowed to attend primary/high school, or by which they must be allowed to 'graduate' (whatever that means), or shall we allow them to attend as long as they wish/need to, including the possibility of graduating early?

As a minimum starting condition, we don't ever want to allow a child to be acclaimed in a 'graduation' ceremony if he had failed to complete all of the academic requirements for graduation. Such an action sends a message to the child that he does not really need to try in order to graduate, or in order to achieve any level of success in Life. They're going to hand me the certificate whether I study or not, so why should I bother to study?? Why should I bother to do anything at all? The world will give me everything that I want, and if they ever try to stop then I will complain that they are impacting my Self-Esteem.

Do we really want that? Our group thinks not. Whatever criteria you may ever want to establish as minimum graduation requirements in any level of Education, we must adhere to those requirements as conditions of participation in a graduation ceremony or receipt of a diploma, or else they are requirements at all, and those kids who do not love learning (we have heard that there are quite a few of them out there) will not be motivated to complete the entire academic curriculum, and maybe not even any portion of it.

If this means that some young people still need to be attending primary-school classes after they have already reached physical adulthood, then that's what it means. This is one of the reasons (there are others) why kids should be allowed to accelerate in certain classes and take more time with others: If they needed only 7 years to fulfill all the 8 years of requirements in English, then they can use the extra time in their day to catch up with their chronological peers in History, and then graduate with the others as originally scheduled.

And yes, by all means, allow them to graduate early if they meet all the applicable academic requirements. The sooner that we can move a child along in her

Education, the fewer resources we need in order to complete that mission, and the earlier she can progress to realize her full potential.

Question 577

Is there any reason to separate 'grammar school' from 'high school'?

Our preliminary finding as expressed in our 'black book' was no, we should seek to combine 'grammar school' and 'high school' wherever we practically can, so that students near the current transition point can more easily advance or make up classes as indicated.

However, we now see upon further reflection that there is an overriding concern which suggests that we would do better to keep the two levels separate. Specifically, we established in Answer 566 that there should be a compulsory first level which teaches everybody the minimum facts and skills and values which we feel that all adults need to know in order to work and vote and generally commune safely with all of one's fellow citizens, and that there also should be an optional second level which provides glimpses into all of the areas of human endeavor which might serve as one's professions or hobbies in the future. The optional third level of 'trade school' or 'college' could present advanced levels of education into specific areas selected by the student.

This model seems (in theory, at least) to operate on several levels better than other approaches which we have tried in the past: At the primary level, we have a stronger motivation to make sure that all the classtime is filled with useful content, and that we get all the essentials covered within eight years, instead of depending upon 'high school' to cover some or all of it. At the secondary level, we don't have kids taking up classroom space who don't really want to be there (again remembering the "expurgated" students in the film *Lean On Me*), so that the kids who really want to study and improve their life chances will be able to do so more peacefully and productively. At the tertiary level, we don't require students to take classes which have nothing to do with their declared majors, so that they are not made to look dumber than they really are, and so that they will have a greater chance of graduating and living a happy and productive life within their chosen fields of endeavor.

We are sticking with this model until someone once successfully convinces us to modify or abandon it.

Question 578

If combining the two, then what generic name shall we give to the combination of 'grammar school' and 'high school'?

N/A, because we are not combining them as originally speculated.

However, we can use this space to discuss the standard labels for the two constituent levels.

For the first level, again intended to cover all the minimum essentials of communing within a civil society, and again aiming for chronological Ages 5 through 13 as a standard default, we are recommending the generic title of 'primary school'. We never liked the label 'grammar school', because we learn more than grammar in

'grammar school', and because can also learn grammar (for both English and foreign languages) after the so-called 'grammar school' has already been completed.

The expression 'elementary school' is somewhat more applicable, implying correctly that we are covering the minimum standard requirements, but it also implies the most basic concepts within that set, generally intended for the youngest children, and not for those who have already reached Age 12 or 13. If you want to have both an 'elementary school' for the first 4-5 grade levels, and a 'middle school' to cover the rest of the way through Grade 8, then that might be a way to go, especially for those communities which don't have room for a single school comprising both levels. If this is done anywhere at all, then the two levels of 'elementary school' and 'middle school' still should be considered subsets of 'primary school'.

For the second level, we have no theoretical problem calling it 'secondary school', because that name correctly indicates that it is a supplemental level intended for only those kids who wish it. The expression 'high school' may be a little more romantic, however, as it conjures up all kinds of old songs and movies. Also, if we were to change all the names to 'secondary school', then the Moderator's *alma mater* would have the embarrassing initials of ASS instead of AHS, so maybe we don't really need to go there.

Couple of little problems that we have with the expression 'high school' are (1) that it does not make clear this is an optional secondary level, and (2) that it implies incorrectly that there is no school level which is higher than that. However, as long as everybody clearly understands that it is an optional secondary level, and that there are levels which are higher, then we will not seek to make people switch away from the familiar and romantic 'high school' phrasing.

Question 579

What criteria should be used to determine when individuals may begin working: age, education, or both?

We feel that people generally may begin working when they have reached physical adulthood, and when they also have earned their primary-school diploma, certifying that they have learned all the minimum facts and skills and values which a given society feels at any given time in its history should be possessed by all of its adult citizens.

Some of us may feel a temptation to make them wait until Age 16 or 18 or 21 before they get to be employed as an adult, because the 'parent' impulse within some of us makes us want to keep them as 'our kids' for as long as we practically can. (Others, of course, can't wait for them to get jobs and move out of the house.) This impulse to prolong their childhoods is quite natural and understandable, but it may be doing a disservice both to society and to the young people themselves. They may be eager to work, eager to show off what they can do, eager to earn money for themselves and their families, and -- perhaps above all -- eager to be considered and treated as an adult.

When a child reaches physical adulthood and has earned a primary-school diploma, and chooses to stay in school when she has the legal option to start working right away, that choice to stay in school in order to better herself is much more meaningful than if society expects or requires her to stay in school whether she wants to or not. Again, when that happens, all the secondary-school students

benefit, because they can acquire the additional education which they want without the distractions of a bunch of drug-dealing bullies.

We may continue to grant exemptions for children to work in Acting or Modeling or other such industries, on the conditions that proper provisions are being made for their concurrent education, and that their employers are duly licensed and bonded to work with children in a non-abusive environment.

Certain employers may wish to impose additional requirements for their employees, such as graduation from secondary school (which we imagine that most young people will be earning between Age 13 and Age 16), if they feel that a broader grounding in different subjects will help them to do their jobs better and to be eligible for growth within those companies.

Question 580

What about for driving, voting, military service, drinking, sex, and other such stuff where we have established chronological age cutoffs in the past?

Different combinations of requirements are needed for different things. Some key examples are presented below, and hopefully will serve as a model for any categories not listed:

Voting. We feel that a primary-school diploma should be both necessary and sufficient for voting. That diploma suggests that you have learned enough of the basics of social economics and governmental structures to be able to cast intelligent votes. Some might argue that one should have a certain amount of 'life experience' before voting for the first time, but we don't recall ever seeing this established anywhere as a formal requirement before. To the contrary, the Voting Age has been lowered several times throughout recent history in order to get more people involved in the electoral process more quickly, and we strongly approve the concept. We are merely suggesting that it be extended downward one more level.

Sex. Sex is far trickier. We postulated in Answer 487 that physical puberty and a primary-school diploma (with the understanding that the primary-school curriculum will include all the necessary 'facts of life') should be considered the only two requirements for any male or female to engage in adult sex acts. However, we have seen numerous news reports and Twitter reactions during 2018 criticizing certain celebrities or other public figures for engaging in sexual intercourse with females who were several years younger than they were, but still of legal age, or in certain 'pre-sex' acts with females who were legally old enough for those levels.* [*One prominent example was 31-year-old entertainer Drake allegedly 'dating' 18-year-old model Bella Harris (with the term 'dating' often translating within the real world to 'having adult sex with'), although the allegation was denied (according to www.cosmopolitan.com/entertainment/a23125213/drake-dating-teenage-bella-b-harris), and allegedly having lunch with her when she was as young as 16.] One tweet from that period of targeting celebrities for their sexual pasts and presents asserted that there is a big difference between 'legality' and 'morality', and that some things still could and should be considered morally wrong even if they do not violate any laws or cause/threaten any injury to others.

That's a tough one for some of us to accept. When some of us are trying to figure out what is morally 'right' or 'wrong' when it comes to sexual interactions, not all of us have had the luxury of having it all explained to us in school or in church or by our parents or on TV. However, those who have not had that luxury still have had

the recourse of the laws which have been passed within our communities*[*Examples include Sections 261 and 261.1 of the California Penal Code (to be reproduced in an appendix during final packaging).], and the key legal precedents showing how those laws have been applied in real life. If the laws and the case histories indicate that a particular action is to be considered legal under certain conditions, then it sure would be nice if we could rely on those legal findings, and engage in those legal actions without fearing that a tidal wave of Twitter users is going to come along at some point and decry our legal actions for still being 'immoral'.

If you feel strongly that our current laws need to be made stricter, then we wish that you would please go ahead and make that happen, and perform a big public outreach to make sure that everyone 'gets the memo' on your new social order. Until then, we wish that you would quit criticizing people for any acts which they may have committed which did not violate any laws or cause/threaten any 'injury' according to our standard definition. For any other alleged acts which yes would have been against the law, or yes would have caused/threatened some 'injury' to one or more others, we also wish that you would observe any statutes of limitations which might be in effect for such actions, because we should not be forming any accusations which we cannot reliably prove in a court of law*.[*Such unprovable accusations may in some instances rise to the legal definition of 'slander', but we will research that later for the final packaging.]

That said, we do seem to be observing a shift in the public sentiment, toward greater prohibition of actions which currently do not violate any laws. If you are going to tighten the laws accordingly as requested above, then we're going to need to come to some level of consensus on exactly what the new laws should state.

As we noted in Answer 487, any chronological cutoff which we establish after puberty is probably going to be pretty arbitrary, and could be dangerously misleading, in that it would suggest that everyone reaching that chronological age is ready for sex in every respect when they actually may not be.

Besides, even when we have had strict chronological-age cutoffs in the past, they were not always observed in real life. For example, a lot of guys in my high school would often either show off their girlfriends, or else brag about their various alleged sexual exploits, sending the express or implied message to all observers: If you weren't having sex, then you weren't cool. As for the girls, even though it was a Catholic school (or perhaps *because* it was a Catholic school?), where the official teaching was no sex with more than one person in your lifetime, and then only when you were married to that one person, we yet frequently observed girls suddenly disappearing from campus, and then showing up again a few months later carrying their new babies. Individuals under Age 18 were having sex, and lots of it. Are you also going to hang all those individuals for things which they did 40 years ago??

One possible way to approach the problem is to amend our Answer 487 to require a diploma from secondary school instead of primary school, on the grounds that the primary level could still be going over the biological basics, whereas the secondary level could get more into 'responsible parenting' along with the other areas of human endeavor, to help young people decide which areas they wish to pursue in their own lives. That's a maybe, but then that would mean that any individual who graduates from primary school but not secondary school would never be legally able to have sex, and it can be awfully hard to convince anyone to suppress his/her sexual urges for life. Such people might then feel compelled to go 'underground' for their sexual satisfactions, and we will not really have accomplished or improved anything.

Maybe we therefore should not be extending either the chronological requirement or the educational requirement of Answer 487. Maybe we should instead be allowing those people to engage in consensual sex who have reached puberty and graduated from primary school, as Answer 487 indicates, but allow for the fact that some individuals meeting both conditions still are not emotionally ready for sex, and should be sheltered from any would-be suitors until that condition changes.

Specifically, if a given parent or other guardian of a post-pubescent primary-school graduate feels that he/she is still not ready for any sexual interactions, then they can do two things: First, make sure that the young person in question is interacting with older age groups as little as possible (including attending the same school or going to the same party or engaging in the same community activity with significantly-older people), except when properly supervised. Second, it might help everybody out if the youngster could be encouraged to wear an inexpensive ring or bracelet in public, preferably on or near the same finger where we are currently trained to check for marital status, and with some distinctive color or texture or design (perhaps a band which is half pink and half dark-blue, to distinguish from those worn in support of various public causes?) to indicate clearly that this individual is still 'off limits' for any kind of unsupervised social interaction with a potential suitor.

In sum, the two conditions expressed in Answer 487 may continue to serve as minimum conditions, but parents/guardians may and should exercise their individual judgments to assess how much additional living and learning their charges may require before they can begin their sexual lives safely.

Social Friendships. There need be no kind of educational requirement in order to form or maintain a non-sexual social friendship, and you generally may do so at any chronological age when you can. The issue is how much older or younger the prospective friend is than you are. It can come into play when an older person is suspected of 'corrupting' a younger person by forming a non-sexual friendship now which might turn into a sexual relationship before the younger person is ready, and it can also be a concern on the part of parents and teachers regarding children who they feel should be associating only with other kids of similar chronological ages.

Our group has shown itself to be fairly libertarian where such social topics are involved, so we generally would seek to impose as few limitations as we can on any human interaction which does not immediately cause or threaten any injury to anyone. However, as discussed in the Sex category above, the volume of tweets posted during 2018 as to the friendship practices of certain celebrities suggests that our opinion on this point is not universally held, and that some age combinations are apparently inappropriate even for friendships where no sex is currently involved. As far as kids hanging out with other kids, we recall attempts to segregate the students by grade into different areas of the playground when we attended primary school, and we also once again cite the important film *Lean On Me*, which contained a scene where the high-school principal asked a freshman why he was sitting at a lunch table with seniors, who allegedly were "providing a deleterious influence". Apparently, we need some guiding parameters.

Trouble is, feelings on appropriate chronological-age differences for non-sexual social friendships appear to vary so widely and so arbitrarily that our group would have no basis upon which to arrive at a single definition or formula which would please everybody.

Instead, we feel that an ongoing poll should be installed on a public polling site (we will get one going as time permits if no one else takes the initiative in the interim), allowing millions of users to register their individual feelings as to what age ranges are generally appropriate for friends of a given individual of a given chronological age to have. Combining the individual responses (the more, the better) will give us a hopefully-reliable idea of overall public opinion.

Said poll should actually comprise four sub-polls, one for each combination of primary gender identities (male friends for a male, female friends for a male, male friends for a female, and female friends for a female). Each sub-poll should cover all age ranges from 1 to 100, so that we can receive input on children and sexually-active adults and everybody else.

When the results of each sub-poll are displayed on a summary graph, each age range for a given subject should contain dots for 100 ages of potential friends. Each dot should light up if the majority of poll respondents agrees that the subject may freely form a social friendship with an individual of the indicated chronological age and gender identity, and should remain dark otherwise.

If the 'agree' lights are solid for that particular combination of subject and target ages, and also for all the nearby combinations, then a subject of that age may feel pretty confident that he/she may form a social friendship with a target of the indicated chronological age and gender identity, without fearing that a tidal wave of Twitter users is going to pounce at some present or future point.

Conversely, if a particular combination on the graph is lit but nearby combinations are dark, or if the particular combination is dark but nearby combinations are lit, then this might constitute a 'grey area' where public opinion is currently divided, and where the subject may therefore need to present some extenuating circumstance (such as consent of the target's family) in order to justify the social friendship. If all neighboring dots are dark, then the subject could expect widespread disapproval of any social friendship with the target in question.

If we ever want to get fancy, then we could enable more levels of indicated responses in the display than just majority-approval and majority-disapproval, but probably better to get the main polling protocol in place first, and let it get established and known and understood and read before we start thinking about enhancements.

Results of the poll should remain open and public indefinitely, with individual users able to change their responses whenever they change their feelings, so that we can get an ongoing sense of any evolution which may occur in the general public sentiment.

Driving. As with other such things, physical puberty and a primary-school diploma should be minimum conditions, the first because it may endanger the public safety to allow anyone to drive who has not reached their full height and muscular development, the second because all drivers need to be able to read traffic signs and follow the oral directions of police officers.

In addition, drivers must have passed qualifying courses in Driver's Ed and Driver's Training (could be from secondary school, could be private), so that we know that they have the minimum informational and physical background in the art. States

and localities might also wish to establish minimum height requirements, based upon local conditions.

Drinking. In addition to the standard minimum requirements of physical puberty and a primary-school diploma, we imagine that we can pretty much all agree that young people should not be drinking alcohol immediately after reaching puberty, or for a few years afterward, partly because their bodies still might not be ready for it, and partly because they may not know all the information which they should have on how alcohol affects the body.

Perhaps we can also concur that Age 21 might have been a good idea theoretically, but simply was not practical, because good luck trying to keep the college underclassmen away from the frat parties and other opportunities for alcohol abuse.

We therefore are recommending that a secondary-school diploma be considered both necessary and sufficient to be able to purchase and consume alcohol legally. This means that the secondary-school curriculum should include education on how alcohol affects the body, and how it can be enjoyed responsibly if desired. Unlike the Sex category discussed above, it's not really a big problem if we legally prohibit individuals from drinking who have graduated from primary school but not secondary school, because the purchasing and consumption of alcohol are much more easily tracked and prevented.

Military service. We have had soldiers as young as Age 15 and below throughout our history, notably during the Revolutionary War (and also dramatized in the 1981 film *Taps*, where 'plebs' as young as Age 12 were given automatic weapons to wield in defense of their campus). It sometimes was necessary in the past, but we hope that it will never again be necessary in the future, if we once successfully manage to outlaw all unilateral crossings of national borders with military force.

We also generally want to make sure that people have a good grounding in the basics of all of the chief areas of human endeavor, before they decide whether they are best suited for either one life path or another. That's the whole idea of 'secondary school' in our model.

We therefore suggest that a secondary-school diploma be considered a minimum requirement for military service in our model, so that we know that the individual in question has had ample opportunity to select from other subjects and professions, and that her decision to pursue some amount of military service has been reached knowingly and willingly. Then, the service can act as a tertiary level of education, same as 'college' or 'trade school', providing advanced training in certain subjects and skills which are needed for longer terms of service, and/or which can carry over to other areas if/when the individual becomes ready to return to civilian life.

Generally, physical puberty and a primary-school diploma should be minimum requirements for any action which is commonly associated with being an 'adult', but parents or local governments or other authorities may want to establish additional requirements for certain activities. If doing so, then please announce the added requirements very clearly to everyone (including as part of the Civics track of the primary-school curriculum), as well as the reasons why those requirements were established, in hope of getting everybody's philosophical buy-in, instead of hoping in vain that you can successfully enforce your rules upon all unwilling individuals in all places at all times.

Question 580.1

Should young people who have not yet completed our formal education programs be ignored by older and better-educated adults?

Added in May 2019 from post-meeting SIG correspondence: It was a common saying for a long time that 'children should be seen and not heard', and the input of even some young adults has often been dismissed because they have not yet acquired this diploma or that degree.

We feel that this is a dangerous trend on multiple levels. First, we know of some people who were able to self-educate in certain subjects well before the corresponding material was ever presented in their formal classes, so it is by no means impossible that a particular child may know something before we have gotten around to formally teaching it to her. Second, the fresh input of a young and energetic mind may sometimes actually be superior to the programmed responses of jaded adults. Third, we have observed over many years that numerous depressions and drug addictions and suicides have occurred amongst young people largely because they perceived (whether accurately or not) that they were being ignored and not respected.

It figures that those in the 'Establishment' will frequently tend to ignore and dismiss the input of anyone who has not duly completed all of their various indoctrination programs, because they generally don't like to field any challenges to their authority or the general *status quo* at all, and they specifically don't want to waste their time continually on explaining their positions to kids who are scheduled to get all those lessons later on in their educational careers. However, we should not allow their implacable reticence to squelch the voices of young folks who care enough about our world to raise them.

To the contrary, a society is able to grow only if it changes some things on at least an occasional basis. When that happens, is it going to come from someone who has already been in politics for 30 years, has already made a long living out of supporting the current regime, and might risk pensions or other benefits if the system ever changed in any way? Hardly. It's going to come from people who know the latest technologies and social trends, and who have nothing to lose by taking a fresh look at how we're currently doing things, and pointing out how we might be able to do things better, before we have a chance to program them all according to all the old ways.

By speaking out with their ideas and preferences, those young people are helping to shape the world which they want to live in, and in which they eventually will want to raise their own kids, so they have a vested interest in saying what they believe, and we would be doing a disservice to our society if we ignore them merely as a result of either chronological age or amount of formal education.

Question 581

Should we allow/encourage a major to be declared during either primary or secondary school?

This may be tempting for certain individuals who at early ages develop passions and talents in Math or Music or Athletics or some other specific area, so we guess that we should allow it when it really wants to happen, so that the student can be eligible for

special schools where those aptitudes can be developed further without needing to wait all the way for college.

However, as a general rule, we are generally discouraging a major to be selected at any time prior to the completion of secondary school. For, the whole idea of secondary school in our model is to provide each student with enough of a taste of each subject and each profession that she can make a fully-informed decision.

Question 582

If college is basically for development in one or more particular disciplines, then is it worthwhile/appropriate to declare a 'general ed' major in college?

We feel that it would be inappropriate in our model (and may even be inappropriate right now) for a 'general ed' major to be declared in college. In theory, all the information needed to decide upon a college major would have been presented in secondary school. If a particular secondary-school graduate is still undecided as to a college major, then we are not sure that it would be entirely appropriate or useful for him to be taking any college classes.

However, we can conceive of some situations where a particular student has narrowed down his college majors to 2-3 possibilities, and feels that he needs a little bit more exposure in each option in order to make a fully-informed choice. Or, perhaps a particular student is not particularly eager to declare a particular college major at all, but simply wishes to take advanced courses in numerous different subjects, either for general enlightenment or in order to maximize her ability to go in any of various career directions as the opportunities present themselves.

To allow for these possibilities, we suppose that we can allow students to postpone (perhaps indefinitely) the declaration of a college major, but we are recommending that any particular course which for any reason has limited enrollment should give priority consideration to those students who have formally committed to a major in that subject area, so that their career paths are not obstructed by those who are still wandering around aimlessly. Any undeclared students who thus get bounced out of a particular course due to limited enrollment will simply need to take some other courses while they proceed to 'figure things out', however long they may still need after secondary school to complete that process.

In any case, no it does not make sense in our opinion to declare 'general ed' or 'general studies' as a major, because that means that no major has been selected at all.

Question 583

Shall a college student who declares a particular major be permitted to take courses only in that discipline?

No, a college student majoring in one subject should be allowed to 'minor' in some secondary subject, and also to take advanced courses in subjects which are not directly related to either her major or her minor. All subjects relate to greater or lesser extents with all others, and people who know more about numerous different subjects tend to be happier and more productive throughout their future lives, so let us by all means extend this education to different individuals insofar as we have the resources to do so.

However, as with Answer 582, we allow for the practical possibility that a certain course at a certain school may be able to accommodate only some limited number of students during a particular term. When that happens, the highest priority of enrollment should go to students who are formally majoring in that subject. Secondary priority of enrollment should go to students who are formally minoring in that subject. Tertiary priority of enrollment should go to students who are seeking greater exposure to different subjects before selecting a major or minor. Students who are both majoring and minoring in other subjects should be allowed to enroll only on a space-available basis.

Question 583.5

What parameters -- if any -- should apply to the role of Athletics in college? Is it appropriate to declare Athletics or some particular sport as a major? Should college athletes receive any compensation for their entertainment? Are there any other attributes of college athletics which we wish to either allow or encourage or require or discourage or prohibit?

In common with many other subjects, the subject of Athletics can form the basis of a professional career, as well as of an amateur hobby. We therefore definitely should include Athletics as a subject to be taught in secondary school, after students have begun to go through puberty and we have had a better chance to see what physical talents they may happen to have, so that they can acquire a better sense of how much (if at all) they want to focus on that subject in their future lives.

For the same reasoning, we definitely should allow Athletics to be taught as a subject in college, and we should allow students to declare majors or minors in that subject, same as any other. And, as indicated in Answer 583, priority access in Athletics courses should be accorded to declared majors in that subject in case of limited enrollment, and secondary access should be accorded to declared minors.

We have long found it deceptive and silly when they flash a college footballer's bio on the screen during a televised game, and they state his major as being either 'general studies' or perhaps 'communications'. Tells us that he has little or no actual interest in any other subject track, but he must have been very interested in Athletics in order to have made it onto the varsity squad. Best in such an instance to simply declare Athletics as his major, if that's what's actually happening in real life.

We don't particularly care if college students receive any pay for their performance in athletic competitions, or for any ancillary endorsements. We recommend against it as a practical matter, because the whole idea of college is that they are still receiving education and training in their chosen professions, and probably therefore are not sufficiently advanced yet to merit any salaries or endorsements. However, we will not stand in the way of an above-board free-market deal if responsible parties are willing to agree to it.

Question 584

What is the optimum number of classes to be held in primary school in an ordinary day? How long should they last? Should either the number or length of classes depend at all upon grade level? Any suggestions for what time to begin and/or conclude the standard school day?

We usually have observed either 6 or 7 courses being offered per day, in any primary or secondary school which is structured into fixed periods.

If 6 periods are offered, then the school usually offers 3 courses in the morning, then a lunch break, and then 3 courses in the afternoon.

If 7 periods are offered, then the school usually offers 4 courses before the lunch break, with a shorter 'recess' or 'nutrition' period between the 2nd and 3rd classes.

We generally prefer a greater level of symmetry in our daily scheduling if we can practically manage it, to make it easier to plan our days around the astronomical singularity of Noontime, thus to minimize the necessity that any students in northern latitudes will need to travel to or from school in the dark near the Winter Solstice, without ever needing to depend upon a disruptive 'daylight savings time'.

However, if we cannot easily condense our model primary-school curriculum into 6 subject tracks, but if we can easily manage 7, then that probably should be the way to go, so we need to consider that Question before we can finalize this one.

Generally, experience seems to have shown us that most kids may be able to hold their attention on a given subject for up to 45-50 minutes at a time, but then will need a shift to some other subject or activity. We will assume 50 minutes as a standard default if presenting 6 periods per day, and 45 minutes if presenting 7 periods per day, in order to help create a more consistent overall timeframe, but okay for schools to modify with experience if they feel the need.

We generally should allow a full hour for lunch if we practically can, to allow plenty of time for both actual eating and general running-around. May need to cut it to somewhat shorter than an hour if going with 7 periods.

Maybe should allow a break of 5-10 minutes between each pair of consecutive classes, even if most/all students are not required to change classrooms. One reason is simply to allow them to relax and clear their minds from the preceding session, and to mentally psych up for the next one. Another reason is to get different books and other materials on their desks as may be needed. Another reason is so that they can chat with their neighbors for a few minutes, so that they will be less likely to do so during any actual class. Another reason is so that they can take a quick restroom or water-fountain break. Another reason is to allow students to switch classrooms if they are on an advanced track in a given subject or else need to catch up with their chronological peers. (This is an important reason not to vary the standard daily schedule according to grade level, unless something unusual is happening in some particular school to warrant an exception.) We will assume 10 minutes between classes if presenting 6 periods per day, and 5 minutes between classes if presenting 7 periods per day.

That all said, we are looking at two primary scenarios, as follows:

6-period day

8:40-9:30 Period 1
9:30-9:40 break
9:40-10:30 Period 2
10:30-10:40 break
10:40-11:30 Period 3

7-period day

8:35-9:20 Period 1
9:20-9:25 break
9:25-10:10 Period 2
10:10-10:35 Recess
10:35-11:20 Period 3

11:30-12:30	Lunch	11:20-11:25	break
12:30-1:20	Period 4	11:25-12:10	Period 4
1:20-1:30	break	12:10-1:00	Lunch
1:30-2:20	Period 5	1:00-1:45	Period 5
2:20-2:30	break	1:45-1:50	break
2:30-3:20	Period 6	1:50-2:35	Period 6
		2:35-2:40	break
		2:40-3:25	Period 7

Either way, schools in northern latitudes may wish to offer shorter classes in the Wintertime, and longer classes in the Fall and Spring, to allow their students to always be traveling to and from school in the daytime.

All schools may modify this general default according to any relevant local conditions or preferences, but we recommend not varying too much from this basic model, not only for internal efficiency, but also to reduce the 'culture shock' for any student transferring in from another school.

For most students at most times of the year, we are generally looking at a schoolday lasting from 8:30 in the morning to 3:30 in the afternoon. That's 7 hours of schooltime per day, 5 days per week, 12 weeks per term, 3 terms per year, and 8 years per primary-school program, for a total of 1,260 school hours per year, and 10,080 hours for the entire primary-school curriculum. We did not intend for the total number of primary-school hours to be so close to such a round number, but as long as it happens to turn out that way, everybody may as well be clear starting out that we are looking at an average of 10,000 hours being budgeted to provide your child with her basic primary education, and now you know it.

Question 585

What shall we designate as the 6 or 7 main disciplines to be taught in primary school in the modern environment?

We are thinking that we can conveniently divide the standard primary-school curriculum into 6 main tracks (which is better for the symmetry consideration discussed in Answer 584), comprising Math and Science and Art and Language and Civics and Health.

That means 50 minutes per class, 6 classes per day, 5 days per week, 12 weeks per term, 3 terms per year, and 8 years per primary-school program, for a total of 7,200 hours of actual classtime. That breaks down to 1,200 hours for each track, or 150 hours in each subject each year, or 50 hours in each subject each term. Hopefully, these figures will help you to construct your lesson plans, according to the further factors following.

As a minimum standard, we feel that the main tracks at the primary level should include the following specific subjects:

Math - counting, arithmetic, logic, household finance, governmental budgeting
 Science - mechanics, computer tech, astronomy, biology
 Language - vocabulary, reading, writing, spelling, grammar, interpretation
 Civics - social interaction, ethics, geography (world, American, local), history (world, American, local), economics, government, current events
 Art - music, visual art, drama

Health - anatomy, phys ed, first aid, nutrition, sex ed, hygiene, disease prevention & treatment, drug/alcohol ed

These listings are not necessarily exhaustive, and are subject to amendment.

Question 586

What shall we tell children when they ask why they are learning a certain subject, particularly Math, since they supposedly are never going to use it in 'real life'?

Actually, it is not that we should be telling them when they ask, because they might never ask to our faces. Rather, we should be proactively telling the students during each lesson why that lesson is being taught.

In the specific example of Math, there are many uses of different kinds of math in different non-math topics, particularly in Science. Many types of jobs, especially those in the ever-growing Computer sector, use different kinds of math. Lots of situations come up in everyday life, from investment planning to taxes to checkbook balancing to real estate to games and on and on that require math. Finally, the person who succeeds in Math is a person who is going to have clear thinking, and will approach all of Life's problems and opportunities with the mental tools necessary to win.

In the specific examples of Geography and Astronomy, it's helpful -- and often desirable -- for us to know something of the world around us, and how we fit into that world. The ancients struggled to find out this stuff because they wanted to know, and now you get to know too. Further, other students in other schools and cities and nations are quickly absorbing this stuff, in order to get the maximum advantage when it comes time to get the cool jobs and the big contracts, and you don't want to fall behind (do you?).

In the specific example of History, we need to show everybody what has worked and what has not worked, and the consequences of various actions. ("Those who have not learned history are doomed to repeat it.") This is especially true when it comes to learning how certain dictators came to power (including recently), so that we can make sure that it doesn't happen again.

In the specific example of Spelling, what you do with your personal love letters is up to you, but when it comes time to write an important paper for higher educational levels, or to write an important report for your job, or to prepare a job application or résumé, or to post a blog entry which you hope will bring about some big social or political improvement, or to compose a campaign statement, you are likely to get a lot of sneers and rejections if your writing contains numerous spelling errors. Readers figure, if this person cannot even master the rudiments of Spelling, then how can we expect him to undertake any greater challenge successfully? There are likely to be times in your life when you want to be taken seriously, and when that happens you would not want a Spelling deficiency to make you look like an idiot.

Generally, another useful analogy is to present a kid with a box full of new tools from the hardware store, and he says "What the heck am I going to do with these? I'm not going to be a carpenter." Well, for one thing, maybe you are and you just don't know it. For another, you may get another job that will require a knowledge of carpentry, such as building safety inspector, or union delegate, or tool designer, or

architect, or construction foreman. Or, you might need to make repairs or additions in your own home, or that of a friend or neighbor. Or, you might feel inclined to volunteer to help with 'Habitats for Humanity' or some other such charitable program. Or, you might get on 'Survivor' and need to be able to build a shelter. Then again, you might land a modeling contract, or your parents might win the lottery, and you'll be lucky enough never to have to pick up a hammer or nail for the rest of your life. In that case, though, since everybody else is learning at least the rudiments of toolwork, do you really want to be the only one around who doesn't know this stuff? Same with Math and other academic fundamentals: The more that you absorb now, the more options that you will have later, both in terms of jobs and in your home and volunteer life, and just in knowing some basic stuff that just about everybody else knows.

Here's another one: Teacher walks into 3rd-grade Math class and says, "OK, I'm a manufacturer. I make and sell electric fans, but I've been losing money lately. I want to know what price I should charge for my fans, but I don't know how to determine that, so I need to hire a pricing analyst to tell me. I am considering hiring YOU [points to one student]. Now, what information do you need from me so that you can calculate the price that will earn me the most money, and how are you then going to calculate it?" After getting the expected blank stares from all the students, the teacher draws a basic price/profit graph on the board and tries to explain it, just to further dumbfound everyone, and then announces, "You guys will need the basic elements of Math before you can even begin to comprehend what the heck we're talking about here, or for hundreds of other similar situations, so you had better pay attention."

Question 587

Reading older literature, or literature written in a non-English language, is often perceived by kids as very dry and dull and boring: Why do we have to do it, and how can we make it better?

Many of these works deal with universal themes which are important for all places and all times. Discussing the lessons which can be learned from each piece can make the reading more relevant and therefore more interesting.

Question 588

When teaching Sex Ed, should we pass out condoms as part of the program?

This is actually a two-part Question in our model, where we have segmented pre-college education into a compulsory 'primary school' and an optional 'secondary school'.

For the secondary level, which again we imagine will be populated mostly by students between Age 13 and Age 16, when (whether we like it or not) a lot of young people are eager to begin exploring their sexuality, we feel that we should not be distributing condoms proactively, because we don't want to appear to be encouraging young people to have sex before they may really be ready. However, we should make them available for easy pickup at school offices upon request.

For the primary level, even though we are not expecting too many kids of Ages 12 and 13 to have sex, yet some of them do, and if they do then we still want for them

to maintain social responsibility. We therefore are suggesting the same rule as for secondary school: Don't proactively give away free samples, and thus implicitly encourage the students to go out and use them, but do make them easily available whenever the students decide that they are ready to begin experiencing sexual activity.

Question 589

What facts and/or skills and/or values will we want to teach in each of the subjects in each of the disciplines at the primary level, and how much time do we expect the teaching to take under ordinary conditions?

This is a very tricky Question, for a number of reasons, and may need to be either modified or completely discarded for the final packaging.

First, the primary curriculum needs to be evolving continually, because there is always new History to be taught, we learn more about the old History as we go along, there is always new Science, there is always new Technology, there are often changes in how we do Government and Economics, and we are generally learning more all the time about which lessons are more important to today's kids and which are okay to be deprioritized if needed.

Second, even if the bulk of the primary curriculum could remain fairly constant over a long period of time, a complete breakdown by subject track and grade level could possibly take up as much space as the rest of this entire document combined, and therefore might be beyond the scope of what we are generally trying to accomplish with this Project.

Third, we have heard of the recent attempt by the 'Common Core' organization to create a standard curriculum for all primary-school students, and we were initially very supportive of the concept, because it would have been very convenient for us to be able to refer to their work as being our Answer, and to move on with the rest of our Agenda. However, their product turned out to have some problems. Generally, there is a perception out there that their version sought to impose too much of a workload on students. Specifically, their approach seemed to make Math unnecessarily complicated, by insisting on one certain set of methods which are not necessarily easiest for everyone.

While there certainly are some facts and skills and values which we can probably all agree ought to be possessed by all American adults as requirements for voting and generally communing peacefully and productively within our society, there also may be some room for variation when it comes to certain other facts and skills and values. Perhaps we therefore should simply confine this Question to certain elements which we want to make sure are included by all school districts, and then allow States and/or localities to modify the basic curriculum according to their different projections of which elements ought to have the highest priorities. Then, we can see which approaches tend to work better than which others, in terms of test scores or college placements or professional salaries or any other measure which anyone may wish to prescribe.

Besides, even though Answer 585 projected 1,200 hours being devoted to each subject track, that figure may possibly turn out to be only an average. We may end up not requiring 1,200 hours to teach everything which we want in the Art track, whereas we might need more than 1,200 hours in order to teach everything which

we want in Civics. Further, any time breakdown which we might calculate now might need to be changed down the road as we modify our delivery systems. We therefore probably would not be able to make those kinds of projections reliably here in our 'virtual laboratory', and probably instead should be devolving the challenge to States and localities to determine on an ongoing basis through experimentation and experience.

But, can we make that kind of recommendation if we are seeking to provide the 'Answers to Everything'? Answer is yes, because Variety and Diversity and Evolution themselves can be considered as being among the 'Answers to Everything'.

Upon reflection, we agreed that we should not seek to include all lesson elements for the primary-school curriculum within this space, because it would be so large as compared with the rest of this document that it probably should be considered as being beyond the scope of this Project, and because the curriculum needs to evolve with time anyhow.

Also agreeing that we do want a placeholder to list out at least some elements which we definitely want to be included, because there have been multiple times throughout this Project when we have recorded that we want to make sure to include some particular lesson in our model curriculum, so we should collect those elements in a central place somewhere within our Agenda, so we will park them all here.

Thus, while we should not expect this document to be the one single source for our entire curriculum content, yet parents and teachers and administrators can compare any given curriculum against our list in order to make sure that it includes all the elements which we do feel are important enough to specify within this space.

Down the road, we might want to use the same polling site referenced in Answer 580 to assemble a more complete core curriculum, based upon the suggestions of many citizens across the land, possibly broken down by State but not necessarily.

That all said, in addition to whatever lesson elements we may already have specified elsewhere in this document, and/or may get specified during our remaining evaluation, we will now free-form a few core ideas here to make sure that they get included, arranged alphabetically by track and subject:

Civics - Economics

The 'Laffer Curve' is an important concept in planning public budgets, asserting that a certain median tax rate will tend to maximize revenue within a given community, whereas setting rates either lower or higher will tend to reduce revenues.

Civics - Geography

One of our biggest failures of modern education is in numerous adult Americans not knowing where all of the States are located, or all of the major Nations of the world. Good way to teach that information is by having the students complete jigsaw puzzles where the pieces are shaped like the States of the Union and the Nations of the World. Such puzzles may be challenging at first, but that can make them more engaging and interesting, and in any case they get easier with repeated efforts, as the student eventually starts remembering where certain pieces will approximately go. Okay for them to use any physical or online reference sources if they can,

because the important thing is to be able either to know those locations or to look them up easily.

Once they have good groundings on where the various States and Nations are located relative to one another, and relative to the student's home community, it would then be helpful to describe the history of how each State and Nation came to occupy that spot and end up with those borders.* [*There was a lovely TV documentary called "How the States Got Their Shapes" which was broadcast on the History Channel in 2011-2012 (www.history.com/how-the-states-got-their-shapes), and which brought a lot of those colorful stories to life.] Getting more background as to the locations and shapes will make the subject more interesting, make it easier to remember the information over the long term, and make it clearer why this subject is relevant for all adults to know.

Civics - Government

There are different levels of government, from Neighborhood to Global. Introduce general concept of 'subsidiarity', that the lower levels generally take care of whatever issues they can, unless there is some specific reason why certain issues need to be addressed at higher levels. Teach the different Branches of government (especially at the Federal level), what they do, the relationships among them, and how they interact in order to get certain things done. Teach the Electoral process, including when and how people can vote.

Most important specific lesson is how to read and understand and interpret a ballot, especially when they invite you to vote on certain ballot propositions. We want you to vote intelligently, with a satisfactory understanding of the facts and issues and arguments involved. We will not arrive at an intelligent collective decision unless each voter makes an intelligent individual decision. If you don't understand a particular proposition well enough to vote on it intelligently, then we would much prefer that you skip voting on it, and allow it to be decided by those voters who are better informed on the relevant issues. Conversely, if you do understand the proposition well enough to form a solid personal opinion about it, then by all means we would love to have your official vote, because more votes in any election generally means a more reliable overall result, as long as the votes are sincere and well-informed.

We therefore are hoping that each teacher will present the current ballot materials (i.e., sample ballot, ballot pamphlet, and a representative sampling of private advertisements) to her class at each election cycle, and explain as real-life examples the various concepts and issues as well as she practically can, not to sway her students either one way or another, but rather just to provide enough understanding that they can make up their own minds. After explaining each proposition, and possibly having a group discussion about it, the teacher can invite the class to cast secret ballots as to how they would vote if they officially could. Teacher can then compare the class result with what happens in the actual election, and then try to assess the reasons for any differences in the outcomes. Most importantly, allow and encourage the students to write 'DK' for 'Don't Know' on the ballot if -- as probably will be the case for many students, especially at the earlier ages -- they don't feel that they understand a given proposition enough to cast a confident vote on it. Then, the teacher can evaluate from the number of such responses on different propositions which specific subject areas will eventually need additional attention before we can turn these kids loose in our actual polling places.

Civics - History - American

A fundamental element of our collective national heritage is that most of our ancestors came from other nations, in hope of religious freedom or economic opportunity or other goals, so we are largely founded on ethnic diversity, which has shown itself over the years to be one of our biggest assets. When we did engage in a war to become politically independent from Great Britain, we certainly had our reasons for doing so, but many people at that time felt that our 'independence' constituted a 'grand theft', because our imperial parents had invested large sums of money into our colonial development in hope of earning a profit, which would stop if we ever quit paying taxes to them. However, the path which we have observed more recently is that the imperialists get to keep their colonies for only certain limited periods of time, after which the colonists get to keep the land for themselves, because their ongoing labors eventually outweigh the original monetary investments of the imperial powers.

The more that we expanded westward, the more that we ran into indigenous peoples who had few fixed settlements, but who yet felt that their territories were being attacked by foreign invaders, such that many of them fought back as they practically could. Generals like Sherman and Custer were famous for leading the American Army against these indigenous defenders who dared to stand up to this continued encroachment by the White Man, and we called ourselves the 'good guys' at the time for doing so, because throughout history many very bad people thought of themselves as the 'good guys', but we now recognize how much evil we imposed upon the Native Americans in our lust for more land and to achieve our so-called 'manifest destiny' of a nation of white immigrants stretching between the Atlantic and Pacific Oceans.

In some of our other wars, we legitimately fought against certain neoimperialists who had crossed certain national borders with military force and without the approval of the international community, so that was good for us, but some other wars of ours were conducted in the hope of compelling certain nations to adopt Democracy or Capitalism, and we now recognize that it was not (and still is not) our place even to be making such recommendations to other nations, let alone to be imposing our ideas upon them through the use of military force.

Civics - History - World

As discussed under 'Civics - Religion', we must acknowledge that some people still believe in the Biblical narrative that the Earth is only 6,000+ years old, but we also must acknowledge the preponderance of scientific observation and analysis showing that the Earth is actually several billion years old, and that Humankind has been present for only a very small fraction of that time. This is important so that people know their proper place not only in terms of Geography but also in terms of Time: This planet was not created just for our benefit, it existed long before we did, our species will decrease before it does if we are not continually careful, and we therefore do not get to claim validly that we 'own' the Earth. However, as the most powerful species currently residing on the planet surface, we do have an affirmative responsibility to maintain proper stewardship of the planet during this our 'watch', both for our own benefit and for that of all the other species who dwell upon it.

After establishing the long history of Earth which predated the appearance of humans, we should note the places in the world where humans began to develop in terms of tools and buildings and artwork, and where the more advanced civilizations later began to develop: Did the earliest advanced humans migrate to form larger

civilizations elsewhere, or did those civilizations develop independently? Note the spread of humanity to different areas of the planet, where different physical characteristics began to emerge which were passed on genetically to the present day. Such physical differences give information about our ancestral backgrounds, but they are not fit subjects for ridicule or discrimination or violence or genocide or any other bad behavior. Definitely good to discuss the various wars which developed over the years, noting the main causes of each, whether conquest or ideological variation or anything else. Communicate the key value that we are no longer recognizing military warfare as an acceptable means of acquiring territory or other wealth, or of advancing your religion or your philosophy or your ecopolitical system to other peoples. We do need to maintain a military force in order to defend ourselves and our allies (which now include all peaceful nations) against attackers who have not yet 'gotten the memo' that War is a net-bad thing, but otherwise no nation should ever cross a national border with military force.

Civics - Religion

Even though we are not teaching that any one religion is net-better than any other, yet people usually need to deal with adherents of various religions throughout their social and professional lives. Many of those folks will like to observe certain holidays, or maintain certain dietary restrictions, or dress in certain manners, or believe different things about our ancient history. In order to deal with those folks peacefully and productively, and not be motivated to ridicule them or assault them or murder them, it would be helpful to understand something about what they believe and how they behave, and why they have chosen to live their lives in those manners. This is especially true of the three major religions of Judaism, Christianity, and Islam, which all had some adherents at various times who were guilty of inflicting war and terrorism and other forms of violence upon individuals not believing as they did. As a fundamental value of our model society, we want to have less violence, more tolerance, and more sensitivity toward individuals who in any way are different from ourselves, so we should learn not to disparage people for their beliefs, as long as they are observing our Basic Social Rule of not committing any action which causes or threatens undue injury upon any others.

As part of this objective of understanding, it is useful to be aware that a lot of people place a great amount of reverence upon that certain anthology of Judeo-Christian lore commonly known as 'The Bible' or 'The Holy Bible' for both their History and their Life Guidance. As for the History aspects, while The Bible does state a lot which is historically true, yet its narratives of the most ancient times appear to have been largely disproven by mounds of recent evidence in Astronomy, Geology, Paleontology, and Anthropology. As for Life Guidance, there also are many truthful and useful lessons in The Bible, but we now know that we cannot depend upon everything that it says, because there are passages which state (among other curiosities) that it's okay to wage wars of conquest, that it's okay to hold slaves, and that wives should be submissive to their husbands. Anyone wishing to place any level of reliance upon The Bible for any purpose should therefore be advised to be prudent and selective while doing so.

Even though not all passages of The Bible are completely reliable either for History or for Life Guidance, yet we generally should respect people who profess to believe in it and to live by its principles, because they generally tend to be very good and friendly and productive people. However, we have also seen throughout the last millennium, and even still in our own time, that some very bad and violent and hateful people have also professed to believe in The Bible, and have quoted certain passages in

hope of defending their various evil actions. (Some of these people have even managed to insinuate themselves into positions of political power.) Therefore, it is important to know that just because someone professes to believe in The Bible and quotes various Biblical passages at you, doesn't mean that he is necessarily a good person. Most such people are, but some are not, so you must always keep eyes open to spot the difference, especially during election season.

Civics - Social Interaction

No bullying. Tattle if getting bullied. No sexual assault. Tattle if getting sexually assaulted. If tattling on anybody for anything, then better to do it sooner rather than later, because it will be much more believable, and any personal recollections or other forms of evidence will be fresher and therefore more reliable, which is why numerous jurisdictions prescribe 'statutes of limitations' on various criminal acts. Wait in line. Take turns. Don't yell or scream at someone except in case of emergency, or unless you're trying to get around town in Manhattan, in which case you're on your own.

Not only should you not ever assault anyone, whether for sexual gratification or for any other purpose, but you also should avoid making any remarks about people's bodies or their outfits or anything else which would be unduly uncomfortable for them to hear about. One real-life example that we have heard about was a certain group social activity, where one adult female attendee was wearing a low-cut blouse, and a certain adult male attendee (not me!) allegedly thanked her in front of the others for wearing such a revealing outfit. Such humor was widely considered to be acceptable up until a few years ago, when we evolved as a society enough to recognize that we should never introduce the subject of Sex into any environment (including the workplace especially) where it is not already a fundamental element.

Civics - Traffic

If the laws of your community designate that you need to come to a full stop at each stop sign, then please always do so, even if no cops are around, and even if no pedestrians or other drivers are around. Getting and remaining in that habit will make things much safer and easier on yourself and everyone else. Then, when you come to an intersection with multiple stop signs, you can easily tell whose turn it is to cross the intersection, by noting the sequence in which each driver has come to a full stop. When individuals decide to 'fudge' on coming to a complete stop, it makes this decision much more difficult and sometimes more dangerous, so please don't ever fudge.

Change lanes as little as you can practically manage, and always signal when you do, as long as any other vehicle is within your line of sight in any direction, so that all drivers can feel calmer with the knowledge that you are a safe and courteous and defensive driver, instead of stressing out from wondering what dangerous stunt you're going to pull next.

Do not pass other vehicles on the right when driving on a multi-lane highway, unless they are stopped or moving very slowly, partly because slower traffic generally should be remaining in the outside lanes (where cars need to enter and exit the highway, to allow the longer-distance traffic to occupy the faster lanes safely), and partly because that vehicle on your left might merge into your lane without signaling and without being able to see you. He is supposed to signal before merging, so that any vehicles near his destination lane can know that he is intending to move, but

they still do not always do it in real life, or maybe he starts signaling as you have started passing, so for your own safety don't pass on the right. Can't teach this lesson too early, and can't repeat it too often.

Most other traffic protocols can wait for Driver's Ed and Driver's Training, which we will offer in secondary school where practical, but still need to stress and re-stress these basic points in primary school, because they go to fundamental issues of safety and courtesy and social patience and generally not being a jerk.

Health - Athletics

Should learn at least the fundamental sports of Baseball and Basketball and Soccer, because they help with one's physical conditioning, and because they are easy ways to learn about organization and teamwork, and because they are important elements of our culture and important sectors of our economy.* [*We are still learning more at present about Football, which certainly fits all those other conditions, but which may be too physically dangerous to teach to kids even with protective gear, although we are hoping that we can at least proceed with the modified versions such as Touch and Flag without risking concussions and other injuries.] Maybe you learn to play or you just learn to watch, but either way you should understand at least the basics.

Health - Hygiene

Wash hands before you eat, and understand why, because we did not always hear why from our parents and teachers, and it might have helped. Millions died of bubonic plague and other devastating diseases in past centuries, because they didn't have access to soap, or know that they were supposed to use it. It may seem like a drudge to a little kid, and it may not be strictly necessary in every single instance, but getting in that habit will take little effort, and will help you over time to remain free from numerous communicable diseases, which will be better for you and also for your fellow citizens, because they will not need to pay so much in insurance premiums, and we can generally do better things with our resources than cure one another of avoidable diseases.

Also for that same objective, learn not to sneeze or cough into your palm or fist, because you will often have occasion to shake someone's hand shortly afterward, or handle a doorknob or other object which someone else will need to touch. If you cannot conveniently cover with a handkerchief, then use the inside of your elbow. [Will eventually provide a picture and citation for this protocol.]

Brush your teeth, especially after consuming sugary substances, and understand why, because they did not make it completely clear when we were growing up, and it might have helped: The sugars in many foods and beverages can interact chemically with the natural bacteria in your mouth to produce acids which can eat away at your teeth and produce decay, which needs to be fixed by dentists uncomfortably and at great cost.

Brush your gums as well as your teeth, and understand why, because they did not make it completely clear when we were growing up, and it might have helped: The same acids which can eat away at your teeth can also eat away at your gums, and if allowed to progress can compromise the roots of your teeth, which would then need to be repaired by dentists (it's called a 'root canal') with even greater discomfort and at even greater cost.

Math - Arithmetic

One of the beauties of Mathematics is that there one and only one correct answer to nearly any problem. Another of the beauties of Mathematics is that there often are multiple ways to arrive at that correct answer. Therefore, if any parent or teacher or textbook attempts to tell you that some particular method which you are using is 'wrong' even if you are arriving at the correct answer, then you should politely protest. Tell them that according to "The Answers To Everything" any method is valid if it always produces the same correct answer as the method in the textbook.

Math - Counting

Should know all numbers up to the trillions at least, because you will be asked to vote on public budgets and bond issues and other measures involving trillions of dollars. Also should know the major prefixes (such as 'mega-', 'giga-', and 'tera-') designating large quantities, and those (such as 'micro-', 'pico-', and 'nano-') designating small quantities, because they are used in Computer Technology and other subjects, and everyone is expected to know what they mean. Even if you can't memorize them all reliably, at least recognize generally what we're talking about, and then you can look up the specifics as needed.

Math - Finance - Personal

An old joke is when you are asking somebody whether he is capable of doing some given thing, and he responds, "Heck no, I can't even balance my own checkbook." Insofar as this may continue to be an actual problem with some people going forward, we must teach that skill, because any adult who can't balance his checkbook is more likely to spend more than he can afford to, and then he has to go into debt and sometimes default on his debts, and sometimes require government assistance, and that's bad for all of society. We don't want a debt-based society anymore, so we want all our citizens to be able to manage their finances, and that includes the mathematical task of tracking your incomes and expenses, and reconciling those records with all of your bank statements.

Math - Geometry

Need to know the basic shapes (circle, square, rectangle, triangle, sphere, cone, cube, a few others) that people normally need to deal with in their personal and professional lives. Don't need to bother with dodecahedron or icosahedron, and probably not even the parallelogram.

Math - Logic

Part of developing a child's mental powers for adulthood is teaching her how to think logically, if she doesn't happen to know already. The skill of logical thought will benefit both the individual and the society in numerous ways, including personal finance, business finance, voting, and other areas. Good way to do this is by presenting various kinds of logic puzzles for them to solve, and presenting various games (such as Checkers and Chess) for them to play. Any particular type of puzzle or game should be described and sample-completed by the teacher in front of the whole class, and then the class could work through some samples as a group exercise, with students taking turns (preferably by random selection until each student has had a turn, then start over with a new random selection, so that everybody gets an equal opportunity to participate) either suggesting the next game

move or deducing the next fact to be used in the puzzle. Eventually, they can be assigned puzzles to work out completely on a 'solo' basis, and they can be placed in tournaments to play complete games among one another.

Math - Statistics

Need to know enough about graphing functions to understand the 'Laffer Curve' when it is presented within the Economics subject.

Science - Biology

They need to know enough about Bacteria to know that they exist naturally inside everyone's mouth, and can interact with food sugars to produce a destructive acid unless the sugars are first cleaned out of the mouth by brushing.

Science - Chemistry

They need to know enough about Acids to know that they can form by the interaction within the mouth of natural bacteria plus external food sugars, and can be destructive to the mouth once formed, such that the sugars should first be cleaned out of the mouth by brushing. Acids exist in several other forms and are created in other manners, and can be either useful (digestion, batteries, etc.) or destructive, depending on how they are managed.

Generally, all the principles and conclusions expressed in this document should be taught to all kids at the primary level, because this document is speaking to all adult Americans of the present and foreseeable future, not just those with college degrees or who have decided upon particular educational majors. If a child reaches the end of Grade 8 while still finding that some particular word or concept in this document is still too complex for him to understand, then we have left out some key component of that child's basic education, and we don't ever want that to happen, so budget your lesson plans for earlier grade levels as necessary in order to avoid this result.

Question 589.5

What is the value of Kindergarten or other pre-school in our modern environment?

This should have been addressed much earlier in our discussion, so we will rearrange it in final packaging. In any case, we have mixed feelings about Kindergarten, and no one had ever been to Kindergarten who attended the meeting in which this Question was raised, so we don't know that much about it firsthand. However, we do remember from Grade 1 that most other kids in the class already knew each other from Kindergarten, and that made it pretty tough on those of us who were not part of that 'clique'. We were made to feel like outsiders, and that made it harder for us to learn all the proper social graces, especially including the basic skill of making friends.

Question 589.1

What facts and/or skills and/or values will we want to teach in each of the subjects in each of the disciplines at the secondary level?

Secondary school should include at least one elective in the Language track for languages outside of those in common use within one's own community, and

particularly should include American Sign Language (ASL) wherever qualified instructors are available.

Question 589.5

Whatever lessons you might want to teach in Kindergarten, and/or whatever group activities you might wish to conduct, probably better to simply call that Grade 1, still begin it at Age 5 for most kids, and then make everybody do it, so that 'no child is left behind', either academically or socially.

Earlier forms of 'pre-school' probably should be decided by parents on a case-by-case basis, remembering from Answer 536 that larger employers are being encouraged to maintain daycare facilities at their workplaces, and that parents who do not work outside the home might do better spending time with their own kids during the day instead of undertaking the expense and hassle and risk of shipping them off to be supervised by outsiders.

Question 590

By what means may/shall teachers and/or school administrators enforce their will with students in the classroom?

The narrative that we are hearing most loudly these days is that physical violence should not be used as a means of behavior modification of children, not by parents and not by teachers. We are told that the long-term psychological damage to the child far outweighs any short-term benefit achieved by making the child do or not do some particular specific thing. We certainly are not going to challenge these arguments, especially having personally experienced such violence in the Catholic school which we attended in the 1960's.

As discussed in Subsection III-B-3, there are other responses available to change a child's actions without causing such intense physical and psychological discomfort. These include (but are not limited to) removal from the scene, confinement, counseling, denial of allowance or other privileges, and threat of suspension or expulsion from school, with the knowledge that such an action could have the effect of delaying or perhaps permanently eliminating the child's chance of ever graduating or being allowed to vote or getting a halfway-decent job.

Another method which should be avoided is to give extra homework (as they also did when we were growing up), because that actually gives the student the opportunity to learn more, and also sends the message that homework and studying and learning are bad.

Question 591

To what extent shall prayer be allowed/required in public schools?

As mentioned in Answer 589 under 'Civics - Religion', we are not teaching in the public schools that any one religion is net-better than any other. We also are not teaching that one must adhere to any religion at all. We probably therefore do not ever want to conduct prayer exercises among an entire class or school. However, as also noted in that same discussion, we do generally want to be sensitive to other people's religious feelings, at least up to a reasonable point.

Thus, if any child feels that she does not get enough prayer time before and after school hours, and that she therefore needs some extra time for prayer during the schoolday, then we have plenty of break periods built into our standard school schedule, allowing the child to pray silently where she sits, or to leave the classroom for a couple of minutes if she needs more privacy, in which case still please keep it quiet so as not to disturb your schoolmates.

Question 591.5

Should we require or even allow the Pledge of Allegiance to be recited each day in schools?

This is another one which we approach with mixed feelings.

On the plus side, we can see the utility (and maybe even the fun) of beginning each school day with a moment of ceremony of some kind. Can help to bring the students together as a class and as a school, and can help them to begin focusing their mental efforts on the challenges of the day. Without such a moment of "We are going to begin learning.....NOW", the kids might still be thinking about other things and chatting amongst themselves or on their social media, and it might be difficult to capture and retain their attention.

Also, more specifically, there is the social utility of encouraging/requiring each child to renew her loyalty and her commitment to respecting this her nation of residence. Without such a pledge repeated on a regular basis, the child is apt to forget that our Nation has been a stupendous achievement and is a precious gift for all of us, something which should be revered and cherished and protected and assisted throughout our lives. This is one of the key values (isn't it?) which we want to teach in primary school.

On the minus side, we have seen that some students or their parents might rebel if the kids are required to recite any such 'mantra' as a condition of learning the basics of human life. They may see it as a form of prayer, which we just explained in Answer 591.5 should not be an element of group activity in our public schools.

Also, more specifically, a lot of people seem to object to the idea of pledging allegiance to a Flag as well as a Nation. They have argued that we are too obsessed with Flag reverence, and that reciting the Pledge of Allegiance implies that the reciter agrees with all of the Nation's policies, which may not always be the case.

By way of personal background (insofar as it may tend to create an inherent bias one way or another), the Moderator reported that he personally got into the whole Pledge experience when he was in high school. He had the task of raising the Colors every morning, and lowering them every afternoon. Each time that he raised the Colors, he performed a private Pledge just for himself, hand over the heart and all, because it felt good, being part of the group, discharging his (sacred?) responsibility of raising and lowering the Flag each day, and doing so with a level of ceremony appropriate to the occasion.

Moderator also reported that they recited the Pledge at the beginning of each meeting of his Toastmasters club, but that not everybody in the group chose to participate all the time, so again we know that feelings have been mixed on the topic.

After some discussion and reflection, we figured that any issues this divisive probably should not be decided either all one way or all the other way. In this case, we should not try either to require the Pledge to be recited everywhere, or else to prohibit the Pledge from being recited anywhere. Any attempt to enforce either extreme position would only perpetuate the division in our society. Best to allow each school to decide for itself, such that parents can use that factor if they wish to do so as part of their decision process on where to send their kids to school.

Question 591.6

Shall we make any adjustments to the Pledge of Allegiance?

This is not really an Education question *per se*, so it may need to be moved elsewhere in the final mapping, but the Pledge is used very widely in our public and private schools, perhaps more than anywhere else, so maybe it should continue to be evaluated within an Education context.

In any case, while there is a lot to be said for Familiarity and Tradition and Uniformity, as well as respecting the decisions of your predecessors unless and until there is a strong enough reason to change things, yet we find a few points in this verse which we should at least talk about, because this subject has been another source of disagreement and conflict within our society. In order of appearance:

- (a) Pledging allegiance to a Flag -- There are those who argue (if we may paraphrase them in the following manner) that no inanimate object has ever made a conscious decision to do anything good for us, and therefore would be deserving of our 'allegiance'. Others hold that it's not the physical Flag itself to which we are pledging allegiance, but rather what it symbolizes and represents. The first side says wait a minute, the sentence goes on to say that we also pledge allegiance "to the Republic for which it stands", so that is where we are talking about what the Flag represents, and so the first clause of "I pledge allegiance to the Flag" must be referring to the Flag itself.

This is not a point of mere grammatical distinction. Some people like to show reverence to any physical copy of their national Flag as a sign of their respect and allegiance. Others prefer to burn or otherwise mistreat a physical Flag (especially in public) as an outward sign of their disagreement over some national policy or other. Adherents of the two philosophies have come into physical and legal conflict over the matter, and it has been a bit of a mess.

We generally want Love and Peace in our model society, so we want to mitigate sources of conflict wherever and whenever we practically can. But, how could/should we do so in this case?

In order to treat this Question properly, we should look at a couple of Basic Principles which are referenced within the words of this first phrase of the Pledge:

- (i) Flags -- What are Flags for? Why do we have them? Why do we use them? Flags and banners and other forms of 'standards' have been used for many centuries to show which Nation possessed (or asserted) political sovereignty over a particular vicinity, and also to identify Military units in the field.

When you march under a Military banner, you are basically showing to your fellow soldiers that you have accepted the authority of your unit's designated leadership, that you have accepted your unit's

mission, and that you pledge to do your best to fulfill that mission and protect your comrades in action.

When you grab that Military banner and throw it to the ground and trample on it, you are sending the opposite message to your unit: You are not in league with them, you are not supportive of their mission, you are not agreeing to take orders from the unit's leadership, and the other soldiers cannot depend upon you to provide the slightest level of protection or other assistance to any of them. When your fellow soldiers once learn of this attitude of yours, they probably will not take it too kindly, and for their own protection (if for no additional reason) they will want to make sure somehow that you are not in a position to actively work against them during the upcoming action, or at any further time.

Same principle applies with a Civil flag: When homes and businesses and government buildings are displaying the Flag which is commonly or legally associated with a particular Civil jurisdiction, they are effectively declaring that they are recognizing themselves as 'citizens'* [*But compare with Answer 21, which probably will need to be adjusted during final packaging in order to allow us to use this expression in a casual sense within such discussions.] of that community, that they are recognizing the laws of that community as being prevalent within that vicinity, and that they are agreeing to help that community to the extent that they practically can, or at least not work actively against it. When all the residents or 'citizens' of that community conduct their normal lives within the shadow of these 'textile heralds', they are likewise acknowledging that yes they are physically present in that Nation, that State, and they understand that the laws of that Nation and that State apply to them as long as they stick around where those Flags are. As long as you take no overt action against the community or its 'citizens', and pay your taxes and do all the other normal blah-blah, the community will basically leave you alone.

But, if you instead take one of those Civil flags and throw it down on the ground and trample upon it, and especially if you burn it in public, then you are again sending the opposite message: You are not supportive of that community, you are not recognizing its Rule of Law over you, you are not making any commitment to help the community in any way, and if anything you are willing to work actively against the community's interests.

In such an instance, the community has every right to protect itself from you as from any other overtly-declared threat, and therefore to take you into custody, and somehow make sure that you do not have any opportunity to take any further action against the community.

Thus, it really is not (or need not be) the so-called 'desecration' of the physical Flag which is the real problem. The real problem is your public declaration that you have made an enemy out of this community where the rest of us wish to leave in Peace, and that you may therefore be deemed a danger to our community and its citizens. Whether you make that declaration by an oral statement or by a written message or by burning a physical Flag is immaterial. So, it's not just the Flag-burning that we will arrest you for, it is the display of 'treason', of being actively and conscientiously opposed to the interest of your host Nation, and of presenting an ongoing threat to our Safety and Security. It is for these reasons why -- if you are ever stupid

enough to burn a Flag in our presence, we will lock you away until such time (if ever) that you may be deemed fit to release back into our civil society. Or, maybe we will decide upon some other remedy.

- (ii) Allegiance -- Let's look at this now: What does the key term 'Allegiance' mean? What does it say about me when I claim out loud that I am pledging 'Allegiance' to anyone or anything?

The author's favorite single-volume dictionary has long been the 1981 hardbound edition of American Heritage.* [*As we discuss further in Answer 649.2, dozens of different dictionaries have been created over the years which call themselves "Webster's" or some variation, because that name has long been in the public domain, and because some folks have felt that it lends a certain air of legitimacy. However, if Webster were alive today and looking at some of these books, he would say "That's not mine!", so as a matter of standard practice our group avoids and eschews any dictionary which claims to be "Webster's" or any variation.] They always seemed to 'get it' about making sure that certain words and expressions are used correctly, and not accepting ignorant bastardizations of our language as some kind of 'alternative standard usage'. American Heritage defines 'allegiance' as "Loyalty, or the obligation of loyalty, as to a nation, state, or cause". The word comes from the French *liege*, meaning 'lord'.

We next see that 'loyalty' is defined as "The state or quality of being loyal." (That was easy.) Next we look at 'loyal', and see that it is defined as "Steadfast in allegiance". OK, so this one time, American Heritage didn't help us so much, giving us a set of circular definitions which are not explicitly based on any more fundamental concepts. We therefore need to help ourselves.

The context which we are taking away from these similar definitions for these similar terms is that they basically involve recognizing that a particular Official or Nation possesses sovereignty over you, that within reason they get to tell you what to do and expect that you will do it, and that you are agreeing never to do anything to work against the interests of that particular Official or Nation.

- (iii) Putting these two concepts together, we can see that it actually is both possible and meaningful to pledge 'allegiance' to a 'flag': If you possess Allegiance to the Flag, then you are continually finding within yourself that you do not intend ever to burn or otherwise damage any particular Flag. If you pledge such Allegiance out loud in an open setting, then you are conveying to those around you that this is indeed your posture, such that they need have no fear of any treasonable activities coming from you within the foreseeable future.

As we expressed within Answer 591.5, we will not make you recite the Pledge of Allegiance if you really don't want to, but some of us may be suspicious of your reasons for not doing so when you have been granted the opportunity: Is it some minor grammatical problem that you have about one or more expressions within the verse, or is it some more philosophical but still non-violent objection, or are you an actual ongoing threat to our communal Safety and Security?

If you do agree to express Allegiance to the Flag (again, all that this really means is that you're agreeing not to physically harm any of the Flag's physical incarnations), then it does not (and need not) mean that you are treating the Flag as a person who deserves your loyalty. It simply means that you are agreeing to respect the physical integrity

of all of a society's Civil flags as long as you continue to reside within that society. If you ever leave our Nation and stay out, then you can do with our Flags whatever you want.

In summary, yes it is possible to possess Allegiance to a Flag, and to express that Allegiance in the form of a public Pledge, which signifies only that you agree not to burn or otherwise damage one of our Civil Flags as long as you continue to reside on our soil. We will not require you to recite the Pledge of Allegiance, but we will feel a lot happier and more comfortable about you if you do. Whether you recite the Pledge of Allegiance or not, if you are ever confrontational enough to burn an American flag on American soil, then I don't know what to say, there could be a problem.

(b) Pledging allegiance to the Republic -- We have seen both in history and in our present day that our Republic has supplemented some very Good Acts with some very Bad Acts. Depending on who you are, or where you live, or when you were born, you might find some of these Bad Acts so distasteful that you would prefer not to effectively endorse those actions by reciting the Pledge of Allegiance, or by standing (either as an audience member or as a performer-athlete) while the National Anthem is being presented.

As sensitive and (at least somewhat) morally-advanced human beings, we can feel some level of sympathy with this position: When our government goes to war against nations who never directly attacked us, or sends American troops to die in foreign countries looking for Holy Weapons of Mass Destruction which may not ever actually exist, or calls us a Land of Liberty and Opportunity while denying some basic human rights to recent immigrants and even some of our own citizens, it can be hard for some people to stand up and be counted among the individuals who have empowered that government and have agreed to abide by its authority to take such socially-divisive actions.

Maybe we should be looking at this aspect of the Question in two contexts, one being the context of our Republic as it currently exists, and the other being the context of the Republic as it could exist if it once adopted our model system. Within the context of the Republic as it currently exists, as long as we continue to invade nations who did not previously cross any borders with military force, and as long as we continue to block new non-European immigrants from trying to do the same things which their European predecessors did in centuries past, and as long as we continue to repress the rights of actual American citizens to exercise Liberty in their personal lives even though they are refraining from injuring or threatening others, and as long as we continue any other action or policy which contradicts our core American values expressed in Answer 38 and in many previous documents authored by many famous writers, we cannot realistically expect that all of our citizens are going to want to stand up at all public ceremonies as if to endorse all those actions. Within the context of our model society, we again do not seek to require you to stand ceremonially for either the Pledge of Allegiance or the National Anthem, but we are hoping that you will be motivated to do so, and if you still are not then we will be interested in knowing why, because maybe there is still some problem within our Republic which we have not yet managed to solve.

(c) 'under God' -- As many of us know, this phrase was added many years after the Pledge was first published. To be exact (which we always try to be), it was added by act of Congress in 1954, following the first publication of the Pledge

in 1892.* [*Source: *The World Almanac and Book of Facts 2007*, copyright 2007 by World Almanac Education Group, Inc.] The inclusion of this phrase has been a subject of hot social and legal debate since that time.

The 'opponents' assert that making public-school students recite a pledge which includes a reference to 'God' constitutes a form of mandated prayer in public schools, which we agreed in Answer 591 should be avoided, because this is a Nation which was founded largely on religious freedom, and because we therefore do not feel that we should be promoting one religious belief system over any other within our public schools.

The 'defenders' say yeah that's a solid point but, this Nation was also founded largely on a strong belief in the God of the Judeo-Christian tradition. References to God are made in some of our most cherished national documents, including the Declaration of Independence, the Gettysburg Address, and the One-Dollar Bill.

Nevertheless, as much as it personally pains the author, on both religious and traditionalist grounds, yet we must reluctantly side with the 'opponents' on this one: Some of us might like it very much if all adults and schoolchildren in America believed in the same God that we do, but the fact is that they do not, and our public schools are not the place to be trying to persuade them to do so. Given that numerous American schoolchildren do not believe in the God of the Judeo-Christian tradition, and should not be expected to do so suddenly anytime soon, it would be a hypocritical lie for any child to publicly declare such a belief which she actually does not possess. We don't want to be sending the message to kids that it's okay to lie as long as you confine yourself to repeating the lies which we tell you to utter, so no we should not be trying to make kids speak a pledge which includes that phrase if they don't really want to.

We should not even be leaving a space in the Pledge for individual students to utter 'under God' if they wish to, because that is still making a statement that the public school in question is collectively expressing a belief in the God of the Judeo-Christian tradition, and again that would be contrary to our core American value of religious freedom.

Therefore, while public schools get to decide whether to include the Pledge in their daily programs, they must not include or even allow the phrase 'under God' to be included, not even if 99.9% of the population says that it's okay. Private schools similarly get to decide whether to include the Pledge in their daily programs, but they also get to decide whether the phrase 'under God' is to be included in their versions, provided that full disclosure one way or the other is made to curious parents before they take the time to begin the enrollment process.

- (d) 'One Nation ... Indivisible' -- This phrasing is a clear reference to the secession of certain States from the Union in the early 1860's. Federal officials expressed a level of unhappiness with that decision at the time, and a long series of bloody military battles ensued, one of the key issues of the conflict being whether America should remain together as a single Nation or whether it should be allowed to remain split into two Nations with differing legal standards. As is commonly known, the Federals prevailed in the military conflict, and all the States previously seceding were eventually readmitted into the Union. A lot of folks didn't want to go through another process like that again anytime soon, so this phrasing within the Pledge was a way of sending the message to both kids and adults that no further attempts to divide our Nation should be tolerated.

Our group has mixed feelings about this position, and they basically amount to keeping one of the phrasing elements and dropping the other one:

- (i) One Nation -- We established in Answer 20 that we did not want to recommend any specific changes to any national borders at this time, and we certainly do not recommend any changes for America, with the possible exception (as discussed in Answer 358 about a certain proposed border wall) of peacefully acquiring some additional territory from Mexico so that more local individuals eager to become Americans can do so without leaving their homelands.

Even with that possibility, though, we continue to recommend strongly that we remain One Nation. Our railroads and highways and flight networks and industrial distributions and military recruitments and utilities and banking systems and broadcast media and governmental structures are all based on this being a single Nation, and the enormous effort which would be required to separate everything at this late stage would almost certainly not be worth any minor benefit which we might realize from having certain things done differently in certain areas.

In addition, being One Large Nation has given us much more 'clout' on the global scene than we could possibly have enjoyed as two or more Smaller Nations. (For example, although we wish that it had not been necessary, we are yet very proud of what we did to free Europe and the Pacific from imperialist attackers in World Wars I & II.) We have sometimes used that clout for non-productive purposes, but it is better to retain that clout and learn to use it for Good on all occasions, than to lose it through segmentation and thus never have a chance to use it for Good ever again.

We therefore totally agree that the continued unity of America is a key value which should be taught to our children early and often, and that it is both proper and desirable to retain the corresponding phrase in our Pledge of Allegiance.

- (ii) Indivisible -- This one is a little tougher. The word means 'cannot be divided', but we know from bitter experience that this has not always been the case with America. It also has not always been the case elsewhere, with Czechoslovakia and Yugoslavia being only two relatively-recent examples of Nations which have broken up into multiple smaller States.

We understand that some people would rather send that particular message, that it is impossible to divide America, because hopefully that way people will be less inclined to try. However, from a strict vocabulary standpoint, it's just not valid, it's just not true. We should not be making our kids recite anything which is not true even once, let alone every schoolday, so we feel that we do net-better by dropping this word from the Pledge.

- (e) 'with Liberty and Justice for all' -- This has been the biggest source of hangup for a lot of folks, according to what the author has heard from some individuals over the years* [*I will not violate their privacy by dropping any names here.], and according to what we see in many recent 'tweets' and news reports. Problem here is that this is an ideal goal of ours (and a very noble one it is), but that we are broadly failing to achieve it in real life.

Although the words 'Liberty' and 'Justice' are very key to this phrase, yet the most important element is the last expression of 'for all'. This doesn't mean just all Men, or all Landowners, or all Party leaders, or all Europeans, or all Caucasians, or even all Americans, or even all Humans. It means Everybody, it means All the participants in our global ecosystem. We are All deserving of Liberty and Justice unless (as discussed in Section I-F) any of us have individually committed so many Bad Acts of such cumulative severity that we have effectively waived those rights, and even then we are still deserving of Justice if not also Liberty. When we deny Liberty and/or Justice to any individual or group simply on the basis of nationality or race or religion or gender or sexual orientation or any other factor which has nothing to do with having committed large numbers of severe Bad Acts, we are violating our own Pledge, and we are making it that much more difficult ever to achieve this our goal on a lasting and universal basis.

Now, we might try to do something similar to what we discussed in Item (b) above, and consider this phrasing in the contexts of both Ideal and Real Life. We might then say, "Well, we certainly do not claim through this Pledge that we are achieving universal Liberty and Justice in real life, but we do want to announce with the Pledge that this is our ideal." We might then try to claim that the Flag represents the Ideal and not the Real Life. Trouble there is, the American Flag has been displayed many times in our history -- sometimes even on the shoulders of our own troops -- while we have committed certain denials of Liberty and Justice, both within our own land and on foreign soil. Some people have therefore come to associate the American Flag with their perception (whether right or wrong or some of each) of our having committed a large number of Bad Acts, and they tell us so every time that they burn one of our Flags in public.

It sure would be nice if the American Flag meant only Good things to all people, and maybe someday it will do so, but for now the sad reality is that this is not the case. As a result, when we pledge allegiance to the American Flag, in some people's minds we are bolstering that perception, and endorsing the various Bad Acts which they think that we have committed. We perceive that a lot of our folks don't want to send that kind of a message, so they prefer to sit out or 'take a knee' on any rendition of either the Pledge of Allegiance or "The Star-Spangled Banner", both of which focus on the Flag as a symbol of what America stands for, which unfortunately for some people is still a net-negative perception.

However, if we take out 'under God' because of religious association, and if we take out 'Indivisible' because it is not grammatically applicable, and if we take out 'with Liberty and Justice for all' because we have too often failed to achieve it in real life, then the only attribute which we would still be listing as to 'the Republic for which it stands' would just be that it's 'One Nation', but that's trivially easy, and applies equally well to any Nation which is globally recognized as a Nation. We would like at least one descriptive expression here which sets America apart from most or all other Nations.

What we therefore are recommending is that we keep that phrase in there, such that we end up with 'and to the Republic for which it stands, One Nation, with Liberty and Justice for all'. However, just as with the discussion above about 'Indivisible', we don't want to be stating things which are not true, and we don't want to be making our children state things which are not true, especially in a ceremonial setting on a daily basis. We therefore need to do a much better job of at least trying to achieve Liberty and Justice in real life throughout the World, to the extent that we practically can, or at least not

violating those noble goals as frequently and as visibly as some people think we recently have been.

Until that happens, yes go ahead and feel free to leave the reference to Liberty and Justice within the Pledge of Allegiance, for those individuals who are willing to state that phrasing publicly even in the context of recent events, but don't be too surprised if some individuals prefer not to utter those words prematurely.

Question 592

Should computers be part of the classroom environment?

As surprising as it may sound to some of our Millennial friends, this actually was a fairly controversial topic back in the 1980's and 1990's. There were concerns about expense, and there also were concerns that reliance on computers in the classroom could make human teachers obsolete. The former concern has dwindled severely as a result of improved technologies and diminished costs.

First point to remember with the latter concern is that our educational efficiency has been woefully lacking in recent decades, as previously discussed within this Section, and so we'll take any help that we can get, even if it does end up making human teachers obsolete. Second point to remember, though, is the Good News that human teachers probably do not need to worry about this in real life. For, computer lessons can have the same problem of certain physical textbooks, namely that they are written in a manner which is unclear and confusing to some readers. Computers do have an advantage over physical textbooks here, in that they can provide access to several alternative versions of the problematic lessons, such that the student is increasing her chances of having things explained clearly. That still doesn't always happen, though, and it is still often going to be necessary to have a Human Being standing in front of the class who understands the material enough and is a good enough communicator that she can explain the lessons in terms which all her students can understand (especially including those who don't learn well from either textbooks or computers alone), and she can keep checking with them on a periodic basis to make sure that they do.

In other words, the Teacher is still the Teacher, and we do not envision that key reality changing for at least the next century, if ever. Computers can (and should) be a supplemental delivery system for certain lessons which may be problematic for either teachers or textbooks to describe alone, especially lessons related to the computers themselves, which (like it or not) are going to become an increasingly-pervasive aspect of our lives going forward.

Only real remaining trouble here is that the computer technology keeps changing, such that computer-related lessons which students learn in one year could become obsolete as little as 3-5 years later. Primary school (under our previous definition) is supposed to be for those key lessons which will be applicable and important to students throughout their adult lives, and so we don't want to waste a whole bunch of public dollars teaching lessons to our kids which they are not going to be able to use only a few years after learning them. We therefore stress again the importance of Answer 429.5, where we discourage the pace of 'planned obsolescence' of certain electronic technologies by requiring manufacturers to continue to sell and support them until they are ready to allow competitors to do so without royalty or penalty.

Couple of other conditions of our general Yes answer here: First, care should be taken during design and testing that any computer components used in classrooms (either desktops or mobiles) do not emit an excess of radiation which could be harmful to children. Second, to mitigate the risk of computer usage becoming addictive, make sure that there are enough activities throughout the schoolday (especially Phys Ed) which do not involve computers in any way, so that the child gets the message repeatedly that it is okay -- and actually net-beneficial -- to spend at least some significant time away from your computers.

Question 593

But, won't increasing dependence on calculators and similar devices tempt kids not to develop their arithmetic skills?

Basic arithmetic skills can be taught and tested in the absence of calculators. Complex arithmetic is going to be performed with calculators or computers by adults anyway, so the kids may as well learn how to use the devices at an early age. The most important considerations in Arithmetic education are (1) the ability to perform the calculations manually when you have to (occasional tests can be constructed at different grade levels to make sure that this ability does not go away anytime soon), and (2) the knowledge of what arithmetical processes to use in order to solve different types of problems. Calculators will not get in the way of that all-important last challenge, so we need not fear their presence in the classroom.

Question 594

Should public schools provide lunch and/or snacks to the student population for free, or for a price, or not at all?

According to our Answer 584, we are asking/requiring kids to spend a total of seven hours on our campus during each schoolday, and we agree with those who feel that it would be discourteous and inappropriate and perhaps dangerous not to provide at least some amount of refreshment and sustenance during such a long period of hosting. If we expect the kids to remain on our campuses that long, and if we want them to remain alert and attentive throughout the schoolday, then we need to expend some ongoing amount to feed them.

We imagine that some basic foods (sandwiches, salads, fresh fruit, etc.) could be provided entirely at the public expense, whereas the costlier delicacies (hamburgers, burritos, pizza, etc.) could be available within larger schools (which have the physical resources to serve hot food) for an appropriate price in order to limit consumption and at least partially offset the public cost of provision.

When determining what general price levels are appropriate for providing the fancier foods to students, we are suggesting that a good datasource is the relative numbers of students going for the different food varieties, which you can tell very easily by just looking at how long the lines are. If all the kids are going for the fancy stuff, and nobody is going for the cheaper (and often healthier) options, then the prices for the fancy stuff probably are too low. Conversely, if all the kids are going for the cheap stuff, making it a waste for the school to provide the fancier options at all, then the prices for the fancier options probably are too high. When the consumer numbers are approximately even between the cheaper options and fancier options (understanding that some students may want to switch off during the course of the week), the price levels probably are close to appropriate.

Question 595

But, if we don't provide the food for free, then how do we know that the child is going to have a nutritious lunch?

Whether we provide all food for free, or some food for free, or no food for free, doesn't matter. What does matter is that we make sure that all foods available on our campuses are sufficiently nutritious for our community standards, which may evolve over time as we continue to learn more about the effects of different kinds of foods and beverages on our children's health.

We don't seek to control what the students bring from home, partly because we don't want to be meanies and take things which are not weapons away from children as they enter our campuses, and largely because we trust the judgment of parents who for any reason want their children to be eating something which is different from what the school is providing. However unhealthy the snacks and lunches coming from their homes might be, at least we are not adding to the problem by making 'junk foods' easily available on our campuses.

Question 595.1

What role (if any) should Homework play in the modern environment?

Homework should be an optional exercise for those who feel like it and would benefit from it. Those who already knew the material going in, or who have absorbed and retained it from the classroom sessions alone, should not be required to do Homework. It then becomes a drudge, something to be delayed or skipped or shortcutted whenever possible. It should instead be an opportunity, something which can help you to catch up with the rest of the class if you were out sick, or else to enhance your grasp if you were present but otherwise happened not to absorb some particular lesson completely, or else to make things easier for yourself by getting a 'head start' on lessons which are scheduled for formal presentation later.

SECTION III-D: SOCIAL DEREGULATION

Question 596

Given the resolution reached in Section I-A that I can do anything that I want, provided only that I am not harming -- or threatening harm to -- anyone else, shall we consider whether some or all of the laws currently on the books which prohibit such unharmed behavior are appropriate in today's society?

We certainly should consider it, because some people may be facing criminal charges unnecessarily, and because we may have been expending a lot of resources on unnecessary criminal prosecutions and incarcerations.

Question 597

Do we wish to question any of the freedoms granted to Americans by the Bill of Rights?

Technically, we wish to question Everything. That's what this Project is all about. However, as a practical matter, the freedoms granted in the Bill of Rights are

generally pretty safe from attack. For, why would we want to take away (or give away) any freedoms which we have had for centuries?

The one exception which we would make is that we probably should have a discussion about the Second Amendment, because it has been a subject of impassioned -- and sometimes even violent -- debate within our society for many years.

The text of the Second Amendment reads:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

A lot of people seem to focus on just the second part of that statement, that the people get "to keep and bear Arms", in hope of justifying their assertion that they should be allowed to keep firearms within their homes, and even on their persons.* [*This is not just our group's observation, but it was also found on Page 62 of Anastaplo's book 'The Amendments to the Constitution'.] However, that second phrase is a condition of the first phrase, that "A well regulated Militia [is] necessary to the security of a free State". We therefore feel that we should assess and evaluate the second phrase within the context of the first phrase, because that is how the Framers appeared to intend it.

In other words, they are not simply stating that all the people get "to keep and bear Arms". Rather, they are saying that we need to have "A well regulated Militia" in place, and that we therefore need enough arming of the people to satisfy that objective.

To further clarify what the heck the Second Amendment actually seems to be talking about here, let's take a closer look at the term 'militia'. Our trusty old hardbound American Heritage dictionary gives the following three definitions:

"**1. a.** A citizen army, as distinct from a body of professional soldiers. **b.** The armed citizenry, as distinct from the regular army. **2.** The able-bodied male citizens in a state who are not members of regular armed forces, but who are called to military service in cases of emergency. **3.** The whole body of physically fit male civilians eligible by law for military service."

We were surprised that they continued to specify "male" citizens or civilians as late as 1981, but in any case we feel that we can now generalize the definition to include all gender identities. The main point is that we are talking here about armed civilians as opposed to regular soldiers.

The idea here, as seen from our American history and that of other Nations, is that we have sometimes needed an additional line of defense if an invader ever manages to overwhelm or bypass our standing full-time professional troops. Such an attack may come with little or no warning, so those citizens who are willing to participate in such a Militia should always have hardware ready to go, and should always remain properly trained and practiced in its use.

Further, not only do they appear to expect these armed civilians to be part of a Militia when necessary, but it also must be a "well regulated" Militia. That means that we don't get to have posses of independent vigilantes spreading violence on their own authority while attempting to claim Constitutional powers. No, the Militia must be "well regulated", so any armed civilians must be willing to place themselves under

the command of officers who have been duly designated and empowered by the applicable governmental entities.

It also means that the applicable governments get to establish regulations on who specifically gets "to keep and bear Arms", and under what conditions.* [*This is also agreed on Page 64 of Anastaplo's book.]

So then, what if I want "to keep and bear Arms", but I am not willing to participate in "A well regulated Militia" when called to emergency service? The way that we read the Second Amendment, there does not seem to any provision for such people. If you wish to live here as a civilian and also wish "to keep and bear Arms", then we expect that you will be willing to be "called to military service in cases of emergency". Anyone who is not thus willing could be a threat to our security, and therefore probably should not be allowed "to keep and bear Arms".

Whatever other specific conditions we as a society may ever wish to establish on the subject of Gun Control, our group suggests strongly that one of those conditions should be a periodic recertification of personal eligibility, which includes not only physical capability but also psychological fitness. We are reminded here not only of all the mass shootings which occurred in America during and around 2018, but specifically of the one in Thousand Oaks (California), by a former Marine who had been suffering from Post-Traumatic Stress Disorder. We might have thought (and hoped) that any former Military who was not dishonorably discharged ought to be allowed to continue keeping Arms for life, so that he could use his training and experience and courage to help our Militia whenever needed, but now we know from harsh experience that this is not always the case. Whether one has served in the Military or not, or whether one has served as a Police officer, one's psychological fitness for carrying Arms can change over time, especially as a result of delayed stress. We therefore want to make sure that everybody who ever once gets licensed to keep or use weapons under any other specific conditions (including within the Military) must get recertified on a periodic basis in order to keep that license. Such recertification process ought to include in-person interviews, where the demeanor of the subject can be observed and assessed, especially when confronted with particular questions or exercises designed to test his propensity to commit independent violence.

Of course, we also should try to keep track of every weapon which is produced within this Nation or imported into it, although we are all too aware that guns can be manufactured privately or smuggled through Customs. We should continue to hold it as a separate punishable offense if anyone ever gets caught with an unregistered weapon in this Nation. As for registered weapons, we should be able and prepared to take them away from any person previously licensed who is later found to be no longer fit to keep Arms.

Granted that this recertification process is liable to require a lot of person-hours which we would prefer to devote to more constructive purposes, but our recent epidemic of mass shootings throughout America and around the World tells us that we need to devote more resources to this important aspect of our own self-preservation.

Question 597.1

Should any regulation of firearms be conducted solely by the Federal government, or solely by State governments, or by some combination?

This is an issue which came up during Twitter discussions in 2019. Some folks claimed that the Fed has no authority under the current Constitution to regulate firearms, and that it must be done by the States only. Others pointed out Clauses 15 and 16 of Section 8 of Article I, establishing that Congress has some authority to organize and govern the Militia, but also delegating authority to the States for appointing and training Militia personnel.

It seems logical to our group that the Federal government would have a distinct interest in making sure that we have citizen militias organized throughout the United States, since external invasions and internal insurrections can happen anywhere at any time, including through the use of troops parachuting into our deep homeland.

It also seems logical that appointment and training of militia personnel should be conducted at or below the State level, since local officials know local citizens better, and local citizens know better the terrain and other conditions of their localities.

We therefore have no problem with Clauses 15 and 16 as they currently exist, except that it was something of a pity that the language used to express these various provisions was not easily understandable by Americans living three centuries later.

Question 598

Whatever prohibitive laws we end up still having after going through the list, shall we be prepared to allow exceptions on the claim of 'freedom of religion'?

The only exception which we would even consider allowing is that maybe certain forms of 'expression' which we would otherwise prohibit maybe should be allowed if they are supposedly religious in nature. As it is, however, we do not feel that this exception should be allowed, either. Expression is not (or should not be) protected under the First Amendment if it violates our Basic Social Rule of not inflicting or threatening any injury to others. This can include conducting 'services' on a subway rail and blocking traffic throughout the City, and it can also include making noises of such volume that other people cannot work or study or relax in peace.

Contrary to what some people may think, the First Amendment does not state that people can do anything that they want and claim that such actions are protected forms of religious expression. What the First Amendment actually says about religion is this:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;..."

What this tells us is that there is to be no official State religion adopted by Congress, and that Congress shall not enact any laws which specifically prohibit religious expression. This provision does not prohibit Congress (or the governments of States and Localities) from enacting other laws which generally protect the people from various dangers. If you violate any of those general laws, then you must be subject to the same remedial responses as any other guilty party, even if you believe that the actions were religious in nature, or if you don't believe it but you are trying to pretend in order to escape penalty.

Question 599

Does 'freedom of speech' also imply freedom of all expression?

No, it does not. Any expressive action is not (or should not be) protected under the First Amendment if it causes or threatens any injury to anyone.

The idea of Speech being included as a basic freedom within the Bill of Rights was that sticks and stones could cause injury, but mere words could not. Trouble is, the freedom has been interpreted more broadly in recent centuries to mean 'expression', which might include actions (such as vandalism or homicide) which actually are harmful. Our group finds that this interpretation is not validly supported by a fair reading of the Constitution, and that we do not actually possess an all-encompassing 'freedom of expression', nor should we.

Question 600

What limits, if any, shall we place on 'free speech'?

Basically, we don't want anyone harmed unjustifiably. The old saw about yelling 'Fire' in a crowded theatre applies, because public injury can result from people trying to escape a building quickly, and we should not incur that risk unless it is actually necessary. Another basic limitation to 'free speech' is the Slander rule, whereby we do not (or should not) allow the issuance of any public accusation which cannot be fairly and reliably proven within a court of law.

Another possible limitation is in the area of what some folks call 'Profanity', but we will now address that as a separate Question, *viz.*:

Question 601

Shall we continue to designate certain words as 'profanity', and forbid their utterance in certain venues, particularly over the electronic media?

We have a mixed Answer here.

There have been several instances within the recent century of words being banned (such as the so-called 'S-word' or 'F-word' or 'A-word') by the MPAA or the FCC or other regulatory bodies on the grounds of constituting 'profanity', but where utterance of those words does not cause or threaten any actual harm to others. Not only are the words unharmed, but for each one there is at least one 'polite' word meaning the exact same thing (such as 'feces' or 'copulate' or 'gluteus') which is allowed to be uttered in print and electronic media, so it's not the meanings that are unacceptable, but rather we are simply getting picky over which synonyms we may use. We claim that this is a ridiculous argument, that these words not be abridged if we seek to maintain a Land of Liberty, and that anyone with a continued hangup over these words should get over it.

However, we see a couple of possible exceptions.

One big exception is in the area of Racial Epithets, because a major Social problem in our American past and present has been a continued hatred between certain members of different racial or ethnic groups. There seems to have been a growing intolerance within our society of certain racial slurs (especially the 'N-word', but there are others), because their continued utterance seems to be encouraging the continued hatred. We obviously wish that this were not the case, that certain words

would not be so inflammatory that we should not utter them for risking of giving offense or appearing to encourage hatred and violence, but we cannot deny the present reality. We therefore agree that those particular words should be avoided, and even banned where applicable, because we certainly wish to alleviate any remaining pockets of hatred or violence which may exist within our society.

Another exception might be references to God which are not sincerely intended, such as the annoyingly-repetitive expression 'O My God' which apparently must be written into any serious movie these days in order to designate that it is a serious movie (we can't tell otherwise??), and which therefore also must appear in the trailers which advertise that upcoming movie in theatres. A lot of us were taught that the Ten Commandments (specifically the Third Commandment, expressed in Exodus 20:7 and Deuteronomy 5:11) forbade us from 'taking the Lord's name in vain', which we generally understood to mean that we should not ever utter the name of God unless we are actually intending to address or refer to that entity. Those of you who do not currently follow the Judeo-Christian tradition (especially the unoriginal screenwriters among you) may feel that you are not bound by that rule, and maybe indeed you are not, and so maybe we do not actually ban those utterances by public law. However, we yet request and suggest that you at least consider exercising some tolerance and sensitivity on a voluntary basis, and cut down those offensive usages to the extent that you practically can. For, when we have less sensitivity among different subcultures within our society, including those devoted to different religions, we have more room for misunderstanding and hatred and violence, so that would take us away from our overall Goal.

Question 602

Shall flag-burning be considered an acceptable form of expression?

This matter was treated in Answer 591.6 above, with the finding that you can do what you want with the American Flag when you are outside the geographic boundaries of our Nation, but that burning a Flag on American soil is essentially making a public statement that you are an enemy of our Nation, and a threat to our security, so we have every valid reason to lock you up, not for burning a Flag but rather for being a publicly-admitted security threat.

Question 603

Shall we continue to consider prostitution as being socially or legally unacceptable?

No. If two people wish to enter freely into a contract whereby one party agrees to engage in sexual activity with another party in consideration of a payment of money, then neither party is being harmed (provided, of course, that due precautions are taken against unwanted pregnancy and spread of disease), nor is any other individual harmed (assuming that the client is unmarried). Therefore, there should be no law or custom prohibiting such activity.

Question 604

If one of the parties in a sex-for-money 'specific performance' contract is bound under a pre-existing marriage contract prohibiting such activity with a third party, then may he/she bear a civil liability to the other party of the previous contract?

Generally yes, but it should be clear to all parties what actions are or are not permitted under the previous contract. Different people may have different expectations of how much latitude is (or should be) allowed within any marriage contract where the terms are not completely specified, and some opportunistic individuals may even suddenly pretend to change their expectations if it becomes apparent that such pretense will generate a monetary award for them in court, or save them from having to pay one out.

Thus, if the terms of the previous marriage contract are ambiguous, and if the defendant can make a compelling case in court that he thought that he was remaining within the terms of his marriage contract even while engaging in sex with a prostitute, then maybe he can be shielded from having to pay any civil damages. In many ordinary cases, however, this would be a pretty hard sell, and so a civil liability for violating the previous contract can often be expected.

But, you might argue, why should any civil liabilities be payable to the spouse? The jerk husband may have cheated, but the wife endured no physical trauma from the encounter, in fact she wasn't even there, and she can still do everything afterward that she was physically and legally able to do before, and so therefore did not sustain any 'injury' under our definition. Answer is, because she actually did sustain an 'injury', because one of the things that she was able to do before was to enjoy the affection of her husband, and she also might have been able to conceive a child by him. If his sexual energies are directed elsewhere, then this lessens the wife's ability to become pregnant or simply to enjoy her husband's sexual company. Same applies for a male 'cheatee' except for the pregnancy part. So yes, the spouse who gets cheated on may certainly have damages coming if her marriage contract clearly prohibited such activities with a third party, whether the third party was a sex worker or not.

Question 605

In the above case, does the third party (that is, the sex worker) also bear any civil liability, on the grounds that it may be her responsibility to establish in advance whether the first party is married?

It is arguable, but we claim no. It would be impractical for every sex worker to investigate every prospective client for marital status, and so it really should not be her responsibility to do so. She also should not be required/expected even to ask her prospective client for his marital status, partly because some marriages are partially or completely 'open', and largely because any participants in a 'closed' marriage who are willing to cheat on their spouses with a prostitute are probably also willing to lie about it, so the question would not really accomplish anything, and if anything might make matters worse.

A sex worker has every reason to expect that her prospective client either is contractually free to engage in a sex-for-money deal, or else is willing to undertake the risk of being caught violating the terms of a 'closed' marriage contract. She therefore should have no liability if the guy is content to be a jerk.

Question 606

To what extent shall gambling be legal?

All kinds, and in all cities and towns everywhere, with the one restriction being that minors should not be allowed to play at a casino or racetrack or other fixed gambling establishment, since it is too easy for administrators to take unfair advantage of their inferior knowledge and hyperinflated trust. No problem, however, if they want to put a buck down on a marbles game with their minor buddies, as long as there is no 'house' taking any margin out of the pot, and so the game is what the math folks call a 'zero-sum utility' for all the players.

Question 607

What age (and/or other similar factor) shall we consider to be an acceptable minimum for gambling at a professional establishment?

Again, while we are tempted to imitate our predecessors, and to go with a straight chronological age such as 18 for administrative convenience, yet we are finding that we should not do so. It is a frequent theme of our findings that chronological age does not provide a reliable indicator of when somebody is 'ready' to do something. Some individuals are 'ready' to do the thing much earlier in life than that arbitrary chronological age, while some other individuals are not 'ready' to do that thing until much later in life, if ever.

We would say that a primary-school diploma should be sufficient to allow gambling at a professional establishment, provided that the standard primary-school curriculum should include a lesson within the Mathematics track as to the fact that many gambling arrangements (with the occasional exception of large carryover jackpots in public lotteries) will tend to favor the 'house' (that is, the fixed venue where the gambling is taking place), for otherwise they could not afford all those big buildings with the equipment and the carpeting and the lights and the staffing and all the other overhead costs of their operation, and still deliver a satisfactory profit margin to the venue ownership, meaning that the odds will generally tend to disfavor the individual gambler.

Because we do not wish to encourage (or even allow) kids to gamble before they have received the proper education on its mathematical consequences, we should make sure that any casinos or other fixed gambling establishments should be 'zoned' to different areas of town from where all the schools are, same as you would want to do with your taverns and liquor stores and pleasure-product shops and other businesses where only adult clients are expected or allowed.

Question 608

Shall we allow ticket scalping?

We don't see why not, and it has baffled us for many years that any civil jurisdiction ever passed any laws against it. The only required provision is that the buyer should have full disclosure about base prices and current ticket availability.

It is reasonable in general for an athletic or theatrical venue to sell as many tickets as there are people coming to see the show, so if one person buys a ticket and then can't see the show, then it is also reasonable for that person to engage in a private transaction -- for either a higher or a lower amount than the base price, or maybe at the exact original price -- to assign that right of seeing the show to a third party.

While the venue might be deprived of *additional* revenue if the reseller manages to extract a higher price, they still are not actually harmed, since the ticket had already been duly purchased for the price designated by the venue. Everybody gets what they want and deserve, and nobody is harmed. Thus, there should not be a law against it.

Question 609

Does a venue have a right to declare privately that their tickets may not be assigned or transferred, as well as the power to enforce such right?

We are arguing no, and here's why: In the contract to sell an event ticket to an individual for a monetary consideration, the individual is basically purchasing the right to see the event, often from a particular seat. When an individual purchases any tangible or intangible commodity, she generally has the right to sell that commodity to another party, for whatever terms they may happen to agree upon. We don't see any reason why the same standard can not or should not apply to ticket sales.

Only possible exception that we can immediately conceive is if the selling venue had previously decided to ban certain individuals from purchasing tickets, perhaps because they had been greedy and discourteous and generally-evil enough to reach into the field while the ball was in play (we really hate that!) and thus to disrupt the game in progress, or perhaps for some similar record of bad behavior. In such an instance, the individual who is banned from purchasing a ticket directly from the venue ought not to be able to purchase a ticket from another individual.

As long as we continue to engage in cash transactions, though, there is not a whole lot that we can do to prevent such private transactions, short of requiring fingerprints or facial recognition or some other kind of personal identifier at all entrances to the venue, which we imagine ought not to be necessary if one already has a valid ticket in hand.

However, once we set up the 'master ledger' which we discussed in Part II, it may be possible to flag certain ticket purchases as being transferable to some individuals but not to others, and so venues would then be able to block unsavory individuals from attending their events.

Question 610

Shall there continue to be such a thing as 'indecent exposure', either in person or over photographic media?

Generally recommending against the concept, but with some provisions.

First, we do philosophically object to the notion that a mere display of male or female body parts is 'indecent', especially in the form of still or moving photographs (provided of course for their own protection that no minor children should ever be subjects in such photographs). The body parts exist, they have always existed, they are key to our continued survival as families and as a species, and we have heard of no bad things ever happening when such images are displayed within those Tribes or Nations who have chosen to permit them. It is only those cultures who have decided that such images are 'indecent' who seem to suffer when such display happens within their eyesight.

Not only do such images appear to be harmless, they also seem in many cases to be actively healthful, because both the individual viewer and the overall culture seem to experience less stress and less sexually-related crime than do those cultures who have chosen to make photographic nudity a 'taboo' which must be violated in order for people to view the desired images.

Added in Second Pass: However, we do agree that we need to prohibit unsolicited electronic transmission of prurient materials, even in a semi-hedonistic society, not so much because they are prurient, but because the action constitutes 'sexual harassment', placing the recipient in fear for her life and safety. It falls under our definition of 'threatening injury', so it is a 'bad act' on its face.

In-person nudity is a bit complex. Some people like to be naked in public, and some people like to be in the company of other naked people. When no harm is caused or threatened by an action, it generally should be allowed to proceed, and so the 'ecdysiasts' who enjoy the image and experience of nudity generally should have at least some opportunity to do so without legal repression.

However, there also are those who do not enjoy being naked in public, and/or do not wish to see others naked in public. Or, maybe they generally enjoy it, but only at certain times and in certain places, and otherwise they want to be able to focus on work or other activities which do not involve nudity. In both cases, we might be tempted to tell them 'Well, just don't look at it', but that is not a very reasonable expectation if naked people are all around while someone is simply trying to get across town on the subway.

Much more importantly, some individuals -- particularly those who are not as physically strong as most of their neighbors -- may have a valid reason to feel threatened if some bigger and stronger individual is standing or sitting nearby with no clothes on, or if he flashes his genitalia to you as you are passing each other on the sidewalk.

In such an instance, our Basic Social Rule of not causing or threatening harm to others suggests that such fearful circumstances should be avoided and mitigated.

In order to achieve a compromised coexistence between these two camps, we propose that those local communities which do not already do so should actively consider designating some spaces within their parks and beaches and other public areas to be 'clothing-optional', while other public 'zones' should continue to require a minimum amount of clothing at most times, although they would be well-advised to permit exceptions during parades and other public festivals (such as the Carneval in Rio), provided always that nobody is ever creating the perception or reality of threatening anyone else. In addition, hotels and apartment buildings and civic centers should consider designating certain timeslots as 'clothing-optional' for the use of their swimming pools and spas, until such time as the local culture becomes ready for such facilities to be 'clothing-optional' during all hours of their operation.

As for private property, people should be able to be naked within their own homes (even with the curtains open), and in at least some other areas of their own property (such as if they are swimming or sunbathing or otherwise hanging out in a patio or backyard), again as long as there is no indication that they are threatening anyone. Having a rule in place against such actions would require 'peepers' looking through windows and fences in order to enforce it, and we really don't want to go there.

It's a grey area when it comes to nudity on the front part of one's private property, such as when one is washing his car in the driveway or something. On one hand, you may not be so eager to see your neighbor's ass, but I am not so eager to see his belly either, so why should I be forced to look his belly while you are protected from seeing his ass?? Why not the other way around? Better yet, why have any restriction at all, again as long as nobody is threatening anybody? On the other hand, it could be argued that the homeowner who has plenty of patio and backyard space for his outdoor nudity should not require it in his frontyard as well, and that at least let's give the neighbors a break and allow them to enter and exit their homes without needing to see the neighbor's bare bum.

For that, we suppose that it's best to go with local preference and local ordinance. Maybe certain residential 'zones' can allow it while others in the same city do not, so that residents have a choice. We generally want to be sensitive to people's hangups, especially those which resulted from years of social programming which is not always so easy to overwrite, but at the same time we want to encourage people to let go of certain hangups if possible, especially all those regarding a neighbor's actions which do not harm or threaten any other persons. Therefore OK temporarily to still have some localities where non-threatening frontyard nudity is disallowed, but we are asking everybody to psych yourselves up for gradually evolving away from such excessive restrictions, particularly if you still wish to refer to America as being the 'Land of Liberty'.

In the specific case of female breasts, while we freely admit for disclosure of potential bias that every attendee at Session 267 was a heterosexual male who confessed to enjoying the sight, yet we feel that we are on solid philosophical ground in agreeing with those women who wish to #FreeTheNipple, and to be allowed to go completely topless in at least some public circumstances without any social or legal repercussions. Specifically, our group claims at the very least that any woman should be allowed to expose her breasts in any circumstance where men are allowed to be topless (including beaches, ballparks, etc.), and supplementally that she should not be derided or prosecuted if some or all of her breast happens to be visible while she is wearing a red-carpet gown at an awards show or other social function.

Those who would oppose such a relaxation of our social norms might claim that the public baring of a female breast constitutes 'indecent exposure', but again we deny that claim. For, not only is there not really such a thing as 'indecent exposure' generally, but female breasts specifically are among the most 'decent' body parts imaginable, and have been essential for many thousands of years to the continued survival of the human species. Our previous argument about people possibly feeling threatened among nude neighbors also fails in this instance, because to our knowledge no harm ever was caused or threatened by naked female breasts.

In joining with this growing public sentiment, however, the author hereby issues a stiff warning to all his fellow Hetero Men, that they should refrain from staring or whistling or making crude comments, or otherwise making any topless woman feel uncomfortable or unsafe, for otherwise they will take away this privilege which we have waited so many centuries to achieve, and it may be several centuries more before they ever give us another chance at doing the right thing, so let's all please do the right thing the first time, and refrain from physically or vocally assaulting any woman, whether she is topless or not. We must earn their trust, now and forever.

Question 610.5

To what extent shall it be considered appropriate for children to be publicly breast-fed?

If we allow breasts to be exposed as suggested in Answer 610, then that alleviates one of the objections which some folks have voiced over the years as to public breastfeeding. Even if you do not support the A610 finding as to general female toplessness, then we would hope that you would grant an exception to nursing mothers, who should be accorded every courtesy and latitude for the important and laborious efforts which they undertake in order to raise healthy children for our society.

Maybe some folks agree with the A610 finding on general female toplessness, but for some reason still have a hangup about public breastfeeding, possibly on the grounds that it is a personal biofunction which should be conducted in private, same as 'going to the bathroom'. We reject this argument, however, on a couple of grounds: First, breastfeeding is neither as stinky nor as toxic as the waste chemicals which we deposit in our latrines. Second, breastfeeding often needs to happen at certain times of the day, regardless of the mother's personal schedule, and it is not always convenient for her to seek out some sufficiently-commodious private room.

Those who oppose public breastfeeding may suggest that women should at least cover the breast and the child with a towel or blanket, as we often see in real life. While this may be comfortable for some women and some children, we can imagine how other women may prefer not to cover up their children and deny them Light and Oxygen and the Cool Breeze while they nurse, just because some stuffy and grumpy and arbitrary and controlling individuals seek for some reason to shield themselves from the image of human nursing.

In sum, we see no valid reason to prohibit women from breastfeeding at any time in any public place, nor to require them to cover up with towel or blanket while doing so. In our group opinion, anyone still harboring any such objections -- or any community still keeping such prohibitive laws on their books -- really needs to lighten up.

Question 611

But, if we allow all nudity in at least some public circumstances, such that it becomes much more routine, then will our collective sex drive be reduced?

It has been suggested that at least some individuals (both male and female) will have more heightened sex drives if they live in environments where nudity is a 'taboo', because the idea of breaking that 'taboo' and seeing somebody naked (even one's own spouse) gets them excited enough to be willing and able to complete the sex act, and that maintaining the 'taboo' against nudity is therefore important to the ongoing goal of having enough collective sex to keep our species procreating. However, our group does not find this to be an area of large concern.

First, all other animal species go around without any clothes at all, and they still manage to have plenty enough sex to keep themselves on the planet, so the general urge to copulate and procreate does not seem to attenuate very much simply because of the absence of clothing.

Second, in the specific case of humans, there have been tribes for years in Africa and South America and other places, where toplessness or complete nudity is common, and again they manage to have enough sex and make enough babies to keep the tribes in existence.

Third, even in the more specific case of America, with its vast history of Puritanism and Prohibition, spouses still see each other naked all the time, and yet in many cases they still manage to have sex and generate additional new births.

Fourth and finally, even if some individuals in some of our more 'uptight' cultures actually do experience a reduced sex drive as a result of the deregulation of nudity within their communities, and even if they end up producing fewer offspring as a result, then maybe that actually helps us a little, because most observers seem to agree that our global and national populations are currently growing so fast that at some point their sizes will become impossible to sustain. Maybe we therefore could use a small reduction in our collective sex drive, and maybe this is another good reason to deregulate public nudity, but we would be extremely surprised if the reduction were ever great enough to threaten the survival of our species, so we really do not feel the need to worry about it too much.

Question 612

To what extent, then, shall we permit the depiction of overt sexual acts on TV or film?

Nudity is one thing, sexual activity is something else. We do not want to expose our kids to images (either still or moving) of adult sex activity, until they possess the necessary maturity and education to understand what is going on and how such activity should be properly managed.

We generally seem to be on a pretty good track now for continually achieving this objective, although our specific tactics and our day-to-day success rates will vary with ever-changing technologies. There are certain periods of the day when overly-explicit and overly-suggestive images should be avoided or prohibited, especially in the daytime when parents are likely to be at work and not available to provide parental guidance in the home. As to later hours when parents are more likely to be present and active, the current system of rating films and TV shows -- and giving us specific warnings about the upcoming presence of 'thematic elements' or other visual hazards -- generally seems to be helping to provide parents with additional information which they can use to help decide what the child sees without supervision, what she sees with parental supervision and explanation, and what she doesn't get to see yet at all.

The specific standards and regulations can evolve over time, not only with changing technologies but also with shifting community attitudes and preferences, which may also be different in different localities, which is why the material broadcast on the European continent is often more explicit and suggestive than what we see in either America or Britain. Main thing is to continue at all times and in all places to seek a balance between protecting children from images that they're not ready for, and allowing both performers and viewers to indulge in the satisfying art of depicting human sexuality in cinema.

Of course, we should also maintain rules to prevent the casting of minors in any such photographic or cinematic productions, because it can be hard for producers to

establish whether any such performers are actually mature enough for the job, and because some producers would not bother to inquire if they were not legally compelled to do so. Whether or not the cutoff should be either Age 18 or any other chronological limit is still problematic, because again chronological limits are not always very reliable for assessing one's mental and emotional maturity for performing certain acts. Even if you do wish to keep chronological cutoffs generally, we still wonder whether keeping it as high as Age 18 is still necessary, given that so many individuals of lower ages have been copulating and making babies for many millennia now. However, we are very happy to 'err on the side of caution' with this one, and to allow without further question the current industry standard of chronological Age 18 as being both necessary and sufficient to qualify one as a legal sex performer.

Question 612.5

Should it be considered acceptable for consenting adults to have sex in public, provided that they clean up and generally do not present a health hazard?

The 'civil libertarians' among us (and you know who you are!!) may jump up and claim that all acts should be allowed which do not cause or threaten any harm to others. A subset of those may be 'hedonists', who may clamor specifically for a culture of 'free love'. (For example, we are reminded of the line read by Jim Morrison's character in the 1991 film *The Doors*, that "There should be Great Golden Copulation in the streets of L.A., man.") As tantalizing as these philosophies might be, however, we still need to exercise some social responsibility.

Even if we assume that all proper precautions are taken against disease spreading and unwanted pregnancy and leaving any 'bio-waste' behind at the scene, some venues at some times may be open to children who are not old enough or educated enough to understand the action being taken, and who may therefore be curious to mimic the action without proper supervision or explanation or limitation.

What we therefore need is a sort of 'limited hedonism', in which the adult humans who wish to do so may indulge in Love and Joy and Happiness and Celebration, without unintentionally encouraging underage individuals to experiment with sexual interaction before they are ready. This means that we need to designate some combinations of time and place in which such activity is permitted, and others in which it is not.

For starters, we were talking in Answer 610 about clothing-optional sections of beaches and other such public zones, so that some people could enjoy being naked while others could easily avoid those images if desired. By this same line of reasoning, we imagine that some people who want to be naked and see other naked people might still want to avoid seeing any combination of people engaging in sex, or else maybe they are okay with their children seeing naked people but not with them seeing sexually-active people. Therefore, maybe the clothing-optional section has a free-sex subsection, where children are not allowed except when accompanied by a parent, who we may presume has already provided the necessary explanations or will do so at the time.

As for parks, yeah it might have been nice if we could have free sex everywhere, but again we need to be mindful of kids who are not ready to view those images safely. On the other hand, it's pretty fun (at least in the author's experience) to have sex in a park, among the grass and trees and clouds and birds. We suggest that remote

areas of your larger parks generally should be okay, and maybe in the more populated areas if the couple is covered up with a large sleeping-bag or something in order to shield the specifics of their actions. The geography of every park and every town is different, so each local community should decide which specific areas should be okay for outdoor sex, and which areas should not be. As a guiding principle, we again suggest aiming for a balance between parental responsibility and fostering a Culture of Love within our society.

Notwithstanding the laws which communities have enacted against having sex in a parked car, we feel that such laws should be dropped from the books, and that they should be non-enforced until the community legislatures get around to completing the formal removal. Most of the activity in a parked car is shielded from the view of children, as long as they are not walking directly past the participants, for whom the vehicle may sometimes be the only convenient venue. Other spots should be okay which may technically be public but which are still shielded from most passersby.

Question 613

If deregulating nudity, then do we still need to have separate public bathrooms for men and women?

We apparently do not 'need' them, because we have been seeing more unisex bathrooms in recent years, and the Earth is still continuing to rotate. However, some people may still prefer to have them (especially some women who would prefer not to remove their bottoms in a toilet stall while a potentially-creepy man is in the same room), so those communities and businesses which are still willing and able to provide two 'flavors' of bathroom certainly should be permitted to continue to do so.

Main hangup with this, though, is that we have begun to observe more than two 'gender identities' in our modern culture, such that some of our citizens are not completely 'at home' in either a men-only or a women-only bathroom, and such that their using either variety is often going to freak somebody out. We have a couple of suggestions for this: First, people generally should try to freak out less over the idea of unisex bathrooms, because it seems to be on the rise. Second, until all those hangups permanently go away (if that ever happens, which it may not, because again some guys can appear really creepy for some women), better for any non-binary individuals to determine which of the binary models they more closely resemble in the eyes of the general public, and then to use the corresponding bathroom in hope of freaking out fewer people.

Generally, with the increased use of unisex bathrooms, a word of caution to our friends who "pisseth against the wall"* [*1 Samuel 25:22, *et al.*], that is, men with standard penises: It has come to our attention that some of you have pissed in a standing position into a non-urinal toilet. This action has generated complaints of uncleanliness and unhealthfulness because some of you 'miss the target', and get some of your urine on the seats where other people must sit. Please do not do that. We get it that seat covers are an uncomfortable inconvenience, but we don't want to take or allow any actions which cause or threaten harm to others, so we need to 'bite the bullet' and pee sitting down if no stand-up urinals are available for our use. If we fail to do so, then they might take away unisex bathrooms from us, which would be an inconvenience for all.

Question 614

To what extent shall we allow violent or disgusting acts on TV or film?

We believe that it would be okay to follow the same basic rationale as in Answer 612 for sex acts, that some individuals like to portray those kinds of images on film, while some others (not the author) like to view them, but that we want to shield children from images which they are not ready to absorb safely, so we generally allow the action but with some restrictions as to time and place.

However, we yet recommend a greater level of restriction for violent/disgusting acts than a community might observe for sex acts, on the grounds that images of violence and horror and gore are more dangerous to impressionable minds than images of sex and love and happiness, and therefore are more dangerous to our society generally. Therefore suggesting more limited timeframes for that sort of 'entertainment', fewer available channels, stricter ratings, higher requirements for chronological age and/or education level, and stronger advisories to parents.

Question 615

Shall we require anyone driving a car to wear a seat belt?

Yes, they save not only the individual driver and her passengers but also other drivers and pedestrians who might be impacted by a skidding vehicle after an initial collision.

The author was personally convinced of this fact back in 1983, when seat-belt usage was being encouraged more but still was not universally required. I was driving down the #1 lane of the boulevard, at or near the posted speed limit, with little or no other traffic in the area, except for one vehicle which had been traveling in the opposite direction, and which was now paused and preparing to turn left into some driveway in the middle of the block. For some reason, this other driver (who turned out to be both unlicensed and uninsured) commenced her turn just as I was passing by, and sent my vehicle careening dangerously around the boulevard. Fortunately, I had only recently begun to get into the habit of wearing a seat belt, in response to the recent increase in the public message, and this fact allowed me to regain control of my vehicle after only a couple of seconds, and eventually bring it to a safe stop in a parking lot nearby. If I had not been wearing my seat belt, then I certainly would have been thrown far clear of the steering wheel, and any number of very bad things might have happened.

Drivers who refrain from wearing seat belts, and who therefore sometimes generate additional damage after an initial collision, require the rest of us to pay more in insurance premiums, so we have standing to mitigate our collective risk exposures, by requiring all drivers to wear seat belts at all times.

Question 616

Shall passengers in a car be required to wear seat belts?

Passengers should not have that responsibility, because they can do what they want to themselves, and because they are not an immediate threat to others on the road. However, the driver of a car with passengers assumes a direct responsibility for their safety, and may be held civilly liable for injuries which they may suffer from his negligence, so he may insist that they wear seat belts while the vehicle is in

operation, and under certain conditions he may also be held criminally liable if he drives without such insistence.

Questions 617-618

Shall every motorcyclist or bicyclist be required to wear a helmet?

We are here disagreeing with our 'black book' of preliminary ideas which were compiled more than 20 years before this Question was formally considered in an actual Monday-night session. We are instead noting that a cyclist can indeed create other dangers after an initial collision, especially if the cycle is motor-driven, and sometimes even if not. Also, anyone sustaining such an injury probably will incur some hospital costs which may need to be absorbed at least partially by either insurance companies and/or the local community, in which case we all pay for somebody's reckless stupidity.

Besides, if you experience an unhelmeted accident within a populated area, then traffic may be backed up for much longer if you die and they have to scrape your bones off the pavement, than if you are merely injured and can walk away, so that is another reason why we get to require helmets, at least on roads with higher speeds.

Maybe if you're out on the open road, or in a desert or forest away from civilization, such that you will be left completely alone to die and rot if you careen off the road without a helmet, maybe we let you do that. In particular, adult bicyclists traveling in quiet neighborhoods at slow speeds probably can be exempted from wearing helmets in most situations (kids should be required for their own protection), for some people clearly prefer to ride without them if it is safe enough for everyone. However, we suggest that States and Localities should get to require helmets whenever the chances appear good that they will be expected to cover your ass for doing something stupid, even though we may sometimes be tempted not to bother.

There is a counterargument which we read ten years before the group formally debated this topic, that total public expenses may be lower if you die from an unhelmeted accident than if you survive as a result of having worn your helmet. However, that may not be the case all the time, if it ever is the case at all. In any event, though, we imagine that the overall societal cost (including traffic delays) is probably net-lower if we require cycling helmets than if we do not, again at least on the bigger and faster roads (perhaps those where there are at least two lanes traveling in the same direction as the bicycle), although again we probably can exempt the smaller and slower neighborhoods for bicyclists.

There is another counterargument which we read after our original finding above, that maybe we should allow people to be stupid and careless with their own health and safety, as long as they are not endangering others. While this may be true in theory, yet in real life society probably still will incur a cost for people's recklessness, because in real life most modern societies will volunteer to perform some level of emergency medical service for those in the most dire need, even if they do not carry insurance and even if they do not reside locally and even if they brought their poor conditions upon themselves. For, most folks in the medical and political professions would feel pretty guilty -- and could look pretty bad in the eyes of the public -- if they simply stood by and allowed any person to bleed to death on the street or in a hospital lobby and refusing any level of treatment, on grounds of either lack of insurance or gross victim stupidity or both. Whatever resources and efforts we therefore end up expending on these morons is taking away from what we could be

providing to our more wellness-oriented citizens, so we as a society generally have a right to reduce our risk exposure by requiring people to exercise due caution in their personal behaviors while they sojourn within our boundaries. Besides, even if somebody has insurance and then does something stupid which the insurance company covers, they will need to raise their premium rates for everybody, and so again we all pay, and so again we have a right to limit our liability. Therefore going with our preliminary conclusion, that Localities can mandate helmets for motorcyclists if they wish to (agreeing that the issue should not be decided at the Federal level, because our nation is too large and diverse for any one-size-fits-all approach to be applicable everywhere), although they should exempt them out in deserted areas where they can't hurt anybody else and nobody else is around to feel guilty for them if they crash and bleed to death.

It was also suggested for our group's consideration that we should raise the insurance rates for anyone caught not using the mandated safety devices as required. However, it seems far easier to us that we simply fine them an appropriate amount. That way, we don't need to bother the actuaries with another parameter to keep track of, and more importantly the money can come into the public treasury instead of going to some private insurance company.

Generally, though, agreeing that motorcyclist restrictions should be more stringent than bicyclist restrictions, and that it should be up to each Locality to decide the specifics for itself, based on local terrain, local traffic patterns, local loss experience, and how much each Locality is willing to budget for providing emergency medical services to the careless.

Question 619

What regulations shall we have in place regarding consumption of alcohol?

America tried the experiment with Prohibition, and it didn't work out. It arguably created more problems than it solved, and we certainly do not recommend ever going down that road again. Even if you individually believe that alcohol is Evil, a global culture which has dominated this planet for the last 5,000 years disagrees with you. Some individuals may be net-better without it, but for others in moderation it not only is not-very-harmful but is actively healthful, for stress relief and other factors. That is why insurance underwriters have often quoted lower premium rates for light drinkers than they would for teetotalers.

Certain communities (including New Orleans) allow residents to walk around the streets and the parks carrying adult beverages, and for them at least it is no big danger and no big deal. Other communities might therefore consider loosening their restrictions on public alcohol consumption.

Even a consumption in excess of a normal level of moderation can be tolerated in at least certain areas on at least certain occasions (including Mardi Gras), provided that nobody's persons or possessions are threatened in any way.

While again it should be up to individual communities to decide their own standards, and modify them over time as they deem proper, yet we generally recommend that adults should be allowed to drink alcohol -- in addition to having 'open containers' -- in parked cars, in parks, on beaches, and any other public locations, as long as they are not causing any active problems. If they ever start to get too loud, then ding them for that, whether they have been drinking alcohol or not. If you spot them leaving trash behind, then ding them for that, again whether they have been

drinking alcohol or not. As long as they are being quiet and peaceable, and minding their own business, you should please let them alone, in this Land of Liberty. Save the policing resources for any actual bad acts.

As for the specific case of driving, we certainly do not want to encourage drunk driving, far from it. What we do suggest is that some people still are acceptable drivers even when having consumed small amounts of alcohol (often better than some other folks who get jacked on Coffee or Uppers and then try to drive at 90mph down the Hollywood Freeway during rush hour), so we do not recommend that States require a 0% blood-alcohol content for all drivers at all times and in all places. Some small amount of alcohol usually should be considered okay.

In fact, some communities (including New Orleans again, with its famous drive-thru daiquiri stands) even allow drinking while driving, not just shortly before. Local communities should be able to decide these things for themselves, based on local traffic conditions and consumption levels and public attitudes.

Main thing for driving is that we should condemn any actual bad driving which may have been committed in real life (speeding, erratic movement, failure to obey posted signs and signals, backing into a mailbox, etc.), whether the driver has had any alcohol or not, and not find him guilty of violating a separate set of laws just because he may have had some alcohol in his system at the time, because that would contradict our finding in Section I-F, that it generally constitutes excessive punishment to find somebody guilty of violating several laws for a single bad act.

Question 620

Shall we allow tobacco smoking in public places (bars, restaurants, sports arenas, etc.) without limitation, or shall we allow with some limitation, or shall we disallow entirely?

We generally claim that it should be disallowed entirely, with only very limited exception. Non-smoking patrons arrive on the scene, sometimes having paid to get in, and they often buy food and drinks and other goodies because they assume that nobody will be blowing smoke in their faces during their stay, and so it is often not easy for them to just get up and leave whenever a tobacco smoker arrives. This activity therefore falls under the heading of harming others, and so is not accorded the same privilege of being able to be done by an individual at his own whim.

Exception may be granted if a completely closed-off smoking section is established, such that nobody is ever required to breathe those foul fumes who doesn't wish to.

That being said, we also feel that this issue should not be decided at the Federal level, because we are all too aware from our travels that different States and Localities currently have their own collective preferences on the matter. If an entire community wishes to maintain an environment in which tobacco-smoking can happen freely in any public venue, and if they are willing to absorb any resulting increase in medical expenses without affecting taxpayers and policyholders living in other States, then they probably should be allowed to do so. They simply should make sure to announce very clearly and broadly that they are a Smoking State or a Smoking City to the rest of the world (North Carolina is very good at that, for example), so that the rest of us who do not share or tolerate that lifestyle will know not to live there, nor to visit for any longer than may be absolutely necessary.

Maybe this condition changes someday, if somebody ever proves convincingly that tobacco smoke which is generated in one State poses an environmental hazard to individuals living in other States. For the present, though, we are assuming that any negative effects of tobacco smoke generally remain localized to within a few hundred feet of the source, and we therefore are allowing States and Localities to decide the issue for themselves. However, we recommend and request that they feel free to be as restrictive as they wish when it comes to tobacco-smoking, which has turned out to be one of the vilest and most self-destructive practices Humanity has ever created for itself.

Questions 621-622

To what extent (if any) should we be allowing tobacco-smoking at all?

Again should be up to States and Localities to decide, until a peer-approved global study finds otherwise. However, we strongly and urgently plead with communities to legislate against it as much as you please.

Our basic philosophical position is that tobacco smoke emanates away from the indulger, and enters the bodies of other people without their consent, and sometimes with their active disapproval, and that this therefore falls under our definition of actions which cause or threaten harm to others, and which thus are subject to legal limitation. Even if the secondhand smoke turns out not to be as carcinogenic as is now widely suspected, the foul smell is still bad enough on its own to require that you keep your filthy tobacco smoke to yourself.

We claim that tobacco-smoking should never be allowed outdoors at all, unless you're sitting in the middle of your own personal 40-acre ranch, because otherwise innocent civilians are likely to be placed at risk for breathing your oral garbage, in some cases even when they are indoors.

Tobacco-smoking within businesses open to the public should be permitted only within certain rooms which are properly sealed and labeled and air-conditioned. Some businesses require a tobacco-free zone of 20 feet around the entrance, but we need much more than that. Tobacco-smoking within private homes should be permitted only when no children or animals are present.

Generally, our group is opposed to tobacco-smoking, and we applaud the entertainment community for explicitly limiting cinematic portrayals of tobacco-smoking to only when it's needed for historical accuracy, because it's a nasty and arguably-dangerous habit which we don't want to encourage among either our adults or our youth. However, we regretfully acknowledge that this our group's opinion is not universally held, at least not yet, so we are reluctantly agreeing to let States and Localities decide for themselves what kinds of worlds they want to have: Do they want worlds where people live, or worlds where people smoke tobacco?

Question 623

Under what conditions, if any, shall we allow marijuana-smoking?

Funny thing about that. We have heard from many authority figures for many decades that marijuana constitutes a 'dangerous drug' which should be universally prohibited from production or distribution or possession or consumption. However, it turns out that every such authority figure which the author has ever heard or read

was someone who had never tried marijuana for himself, and whose stated position was therefore underinformed and therefore suspect. I have never read nor heard anyone who has actually tried marijuana and then afterward claimed that it should never be grown or dispensed or used under any circumstances or conditions ever.

The participants in this Project have included several individuals over the years who have admittedly used marijuana more than once in their lives, and nobody who was present during our Session 268 argued against it, so it is our group's current position (not likely to change anytime soon) that marijuana should be allowed within our society at least to some extent and under some conditions. Let us now look a little more closely at what those conditions might be.

First, let's agree right off that marijuana should never be used anywhere near one or more children, unless a particular child's duly-licensed pediatrician specifically prescribes it. It is a toxic substance, not far different from alcohol, and it can have a similar effect of slowing brain function and relaxing the reflexes. We certainly do not want any individuals ingesting any such substances while their minds and bodies are still growing, again except where medically prescribed. People should generally have reached their full height and stature, and have begun to process their normal adult bodily functions, before they even consider exposing themselves to such substances in any way.

Second, as we recommended for Drinking in Answer 580, we similarly recommend that a secondary-school diploma should be both necessary and sufficient to legally purchase and possess and use marijuana, except where any individual adults need to be specifically prohibited for any reason. Under our model, most children will graduate from primary school while they are still in their early adolescence (just as many grammar-school graduates are today), and so in most cases their minds and bodies have still not achieved their full adult form, and we don't want any toxic substances like alcohol and marijuana to be inhibiting their growth process. Also, the standard secondary-school curriculum should include a lesson or series of lessons on the physical and mental and medical effects of marijuana, so that those wishing to consider that path for their adult lives will do so with a firm basis of information.

So, from this point on, we are established that only adults ever use marijuana or are nearby when it is being used. What else?

Third, some of the same standards need to apply to marijuana as applied to tobacco in our Answers 620-622. The smell is not nearly so universally foul (although some individuals do find it so), and all of our research on the subject suggests that marijuana is not nearly as unhealthful as tobacco. However, the smoke still does travel, and it still can have an effect on people who do not wish to be thus affected. We therefore must confine ourselves to places where we can indulge without invading anybody else's space. Blend in. Coexist.

Fourth, care must be exercised in terms of driving, also in the same way as alcohol. For some individuals, a small amount of marijuana which is consumed some sizable period of time before actually getting behind the wheel might not necessarily make them a worse driver. In fact, in some cases, it might even make them a bit better, if they are not quite so nervous and tense and jittery from the stress and dangers of traffic, and if they can be a bit smoother and more relaxed in their movements. They also may be disinclined from speeding, or from following too closely behind the next car. In any case, they still can remain alert and attentive, whereas alcohol can make one sleepy and dangerous with very little use.* [*Therefore strongly disagreeing with

the highway sign claiming that "Buzzed driving is drunk driving." We are convinced that that slogan must have been conjured up by someone who has never attempted both, and approved for display by someone else fulfilling the same condition, so again people are preaching to us who really don't know what the heck they're talking about.] However, also as with alcohol, an excessive amount of marijuana consumption before driving can be bad, as can a small amount taken immediately before driving, so please for all our sakes do not ever do that.

So, we're staying away from kids, we're staying away from non-consenting adults, and we're making sure not to present any driving dangers. Should any other restrictions apply?

At this point, some of you may still suggest that we seek to impose/maintain a universal restriction, and to completely ban the production and distribution and possession and consumption of marijuana everywhere at all times and under all conditions both now and forevermore, such that not even educated adults who wish to indulge safely in their own personal spaces should ever be legally able to do so. After all, this has been the official position of the U.S. Federal Government for many years now. How could the Fed possibly have held such a position for so many years, and have been wrong about it all this time?

Hate to break it to you, gang, but the Fed hasn't always held all the right policies or made all the right decisions. They displaced and destroyed the livelihoods of millions of indigenous people who were living where we wanted to build our cities and farms, they maintained for a long time that certain groups of adults could have only fractional votes while other adults were not allowed to vote at all, they instituted the Income Tax, they experimented with Prohibition, they invaded nations which had never attacked us or any other country, and they have recently even sprayed tear gas upon individuals who were trying to enter our borders in order to join our national family. Sorry to report it, but we need to face the facts, just because the Fed says that something is right or wrong, does not necessarily mean that it actually is so.

Thus, when the Fed claims that marijuana is a 'dangerous drug', and that it should be prohibited all the time everywhere, we should not be so eager to swallow their potion without looking at all the facts and counterarguments.

While it is true that marijuana is a toxin which causes certain changes in the perception and functioning of the brain, and that the body will flush it out of the system as soon as it practically can (otherwise one 'high' would last forever), that doesn't necessarily mean that it is a net-bad thing which should be universally prohibited. After all, your coffee and your juice and your sugary sodas cause you to feel more alert and energetic, and your beer and your wine and your cocoa can help you to rest and relax, but these are not prohibited substances (not now, anyway). Why should we single out marijuana for our legal restrictions?

Also is true that an excess of marijuana consumption can be both unhealthful to yourself and unsafe for others, but that is also the case with alcohol and coffee and many other legal substances, so that is not a valid reason to prohibit it completely.

Some individuals do not respond constructively to marijuana, or may have some specific medical condition under which individual marijuana use would be bad, so of course if in any doubt please do consult a duly-licensed physician before use. Others might be okay medically with handling a small amount, but maybe they have addictive personalities which prevent them from rationing their quantities, and so

they wouldn't be good candidates either. Then there are the airline pilots and other professionals who would jeopardize public safety if they ever ingested a small amount of marijuana at any time ever, so they should always remain clean. However, the fact that some individuals do better without marijuana does not mean that it should be legally withheld from everyone.

Main objection that a lot of people seem to have is that marijuana allegedly affects brain perception and functioning more than a lot of these other substances which simply make you either more alert or more relaxed, and maybe that part is true. The feeling is certainly different from those other substances. But, is that amount of difference enough to make it a net-bad thing which should always be banned?

We claim not. From the personal experiences of real-life individuals who have shared their perceptions with both the author individually and our research group collectively, marijuana often helps the individual to feel better about her life and about her world, it tends to reduce anger and stress, and it generally promotes a longer and more healthful existence. It is not hallucinogenic, and does not make you see things that aren't there. It merely calms you down, by seeming to place you a bit farther from the issues and troubles of the day, and by allowing you to collect and refresh yourself for whatever is next on your schedule.

Some people seem to fear that a nation with legal marijuana everywhere will quickly become so 'stoned' that we would cease to get any more work done, and that our GDP would permanently drop to zero. And, maybe that is the case for some certain individuals, who maybe cannot ingest that substance even in a small quantity without experiencing a complete unwillingness or inability to work. For others, though, a rationed amount of marijuana not only allows them to continue to work, but sometimes even makes them better at it.

The author personally attests: When I have needed to work in the absence of marijuana, I sometimes get so tense and nervous about everything else going on in my life that I have a hard time focusing on the work in front of me, and it is difficult for me to remain seated and still and performing detailed work for any length of time. By contrast, when I take rationed doses of marijuana, and give them sufficient time to 'settle', all the other problems in my life go into a sort of mental 'cabinet', with the door closed, and I am able to sit still and focus and concentrate on whatever one task is ahead of me at the moment. I complete that task, and then I move on to the next thing, and I keep going down my list, one item after the next, and I end up getting huge amounts of work done with very high quality. Sometimes the quality is even higher than I might have achieved without any marijuana usage, because for me it seems to make neural connections which allow me to come up with some very creative ideas on how to do things and how to write things.

This is not all. Testimony is probably going to be pretty nearly unanimous among actual users that marijuana usage generally helps one to feel much more peaceful and much less violent. Any anger or resentment which we might feel toward a spouse or neighbor or coworker seems to just float away, sometimes just for the moment, and sometimes permanently, and we more often end up resolving any such conflicts peacefully and moving on with a happier existence. How many mass shooters do we hear about who were using marijuana at the time and nothing else?

This works not only within the local community, but also at the global level: No monarch or general in the history of the world (so far as the author has yet read, anyhow) has ever smoked marijuana and then immediately said to his subordinates

okay now let's go invade our national neighbor. Whiskey maybe makes some people more belligerent (Grant liked it a lot), but marijuana seems to have the exact opposite effect, and we claim that we could have gotten away with a lot fewer wars in the world if more of our national leaders had been experienced marijuana users.

That all should be plenty enough 'ammo' to recommend a policy not just of reduced restrictions, but of active encouragement of marijuana usage when it can be done safely and non-invasively, but wait there's more! As if all the other benefits of the herb* [*The semantic difference between 'drug' and 'herb' is important here. A 'drug' is something which Man creates in order to achieve some desired effect which may or may not always be healthful, but an 'herb' is something which exists in Nature. Anybody in this advanced age who would still militate against the existence of marijuana had better speak to Nature about it.] were not enough, it turns out from recent study that marijuana even helps with cancer prevention.* [*Specific sources to be cited later.] It seems that the cannabis compound within marijuana has some magic way of detecting cancer cells in the body, and somehow sends a signal to other cells that they should not interact with the cancer cells, and so the cancers end up not growing. Pretty neat, huh?

In light of all the foregoing, yes of course we see that certain restrictions need to apply to marijuana usage, but we generally have to feel that marijuana usage in safe and non-invasive settings should be not only allowed by all national and local governments, but actively appreciated and encouraged for its facilitation of individual health and global peace. In sum:

Marijuana is either a Miracle of Nature, or a Gift from God, just like Bacon.

It breaks our hearts that so many tons of this valuable natural resource have been seized and destroyed by governments which were willing to be ruled by ignorance and paranoia instead of by observation and experience, but maybe now we can at least prevent this historic problem from getting any worse.

In the meantime, let's please do decriminalize marijuana at the Federal level, and tell the TSA to allow it to be transported in modest quantities in our checked luggage, although okay to continue to prohibit it as a carry-on.

Question 624

To what extent shall actual drugs be legalized?

Generally, we should prohibit only those drugs which are always dangerous even in small quantities under controlled circumstances. Other drugs which can be enjoyed safely by adults under certain conditions should be permitted.

Some drugs can be consumed safely by some individuals, and not by others, so sometimes a prohibition may need to extend only to those certain individuals and not to the whole society.

One argument that critics of drug decriminalization put forth a lot is that people can sometimes get addicted. However, we claim that this is an insufficient argument by itself. Some people get addicted to eating, but does that mean that we should outlaw food? Addictive personalities should limit or eliminate their individual usage, but they should not need to ruin things for the rest of us.

Question 625

Given some degree of legalization, what sort of infrastructure do we want to set up for herb/drug sales?

As we have begun to see within California and some other States, private outlets are being set up and licensed within duly-designated business districts to dispense marijuana to adult customers, and to generate sales-tax revenue for the State and the community. We find this to be a healthful trend, and we strongly support it.

Our 'black book' of preliminary ideas from the 1990's reminds us that any herbal or pharmaceutical products sold in retail stores should be subject to requirements for accurate labeling, as determined and enforced by the FDA or other applicable agency.

Question 626

What regulations shall we impose on the purchase, possession, and use of firearms?

This matter was addressed within the context of Answer 597.

Question 627

Having clarified the rules on drugs and guns, and having reformed the penal system, shall we continue to make it illegal for an individual of any age to join or belong to a 'gang'?

There should be far less motivation to join a 'gang' if the activities (particularly drugs) which they most frequently engineered in the past have now been legalized and commercialized as described above. If some people do join anyway, then there is also far less motivation to visit violence upon any others. To the extent that any individual who happens to belong to any social group still independently commits a violent (or otherwise illegal) act, the individual can be punished for the act, but it strikes us as unfair to hold the group accountable for the independent actions of the individual, or to declare the group illegal, as that appears to violate the Constitutional protection of free assembly.

Conversely, if it can be reliably established in a court of law that the organization specifically directed one or more of its members to commit some violent (or otherwise unlawful) act, then the organization has waived its right of free assembly, and it becomes subject to whatever amount of remedial action the community may deem fit.

Question 628

How shall we reduce or eliminate the amount of graffiti in our community?

Reducing the influence of gangs as described in Answer 627 will help this a lot, because there will be far less motivation to designate particular 'territories' as 'belonging' to different gangs. In addition, by concentrating our policing and judicial efforts on crimes where damage is actually done or threatened, we can catch and prosecute and punish vandals much more effectively, thus also reducing the inclination to vandalize.

Finally, cities might consider establishing 'graffiti walls' as places where kids may express themselves artistically, rather than just telling them outright that they can't. Such walls may be painted over every year or so, such that new artists may still have a place to do their thing. Each artist therefore would know that his work is only temporary, so he won't get overly nervous or territorial if someone else eventually paints over his stuff. Besides, if the work is really that great or that meaningful, then the artist should arrange to have it produced on some more permanent medium.

Question 628.1

Shall we recommend a national or global ban on the eating of various kinds of animals?

We understand very well that there is a sizable segment of our society who wishes that no human would ever eat any meat, nor use animals for any other purposes beyond being companions and partners in our global ecosystem. As noble as these objectives are, for yes we certainly do love all our animal friends, yet we are afraid that at least the first part is probably not ever going to be sufficiently realistic for us to recommend. We can recommend a complete and permanent cessation of all International Military Conflict, a repeal of the Income Tax, an end to Inflation, and a destruction of the Two-Party System, and we can expect that they will all happen, but we cannot realistically expect that all present and future humans will ever stop eating all meat forever.

Even if they did ever agree to do so, it would still represent only a small dent in the overall activity of the planet's carnivores and omnivores. Many species of animals and birds and fish and insects routinely subsist on the meat of dead animals, and some of them actually kill their prey for that purpose. It is part of our ecosystem, we couldn't stop it if we tried, and even if we did stop it then we might thereby be creating more problems than we solve.

Thus, as much as we would like to help you out, sorry we are not recommending or supporting any legislation at any governmental level to ban the production, distribution, possession, or consumption of animal-derived foods, with the exception of particular animal species which are acknowledged as 'endangered' by the area-based house of the Earth Congress.

We probably will have better luck with the second part of the above, that we can realistically prohibit the slaughter of animals for any purpose other than food, especially for trophy hunting or other 'sport'. Anything which you hunt or fish should be used for food, and it should be licensed by the applicable authorities as being 'in season' and appropriate for capture. Leather and other non-food products may continue to be derived from animals which are killed primarily for food, but no animal should be killed strictly for fur or other clothing.

Using animals for medical experimentation is a tough one, because we certainly don't want any of the experimental subjects to feel any form or level of discomfort, but at the same time they may help us to understand more about how certain diseases and medications operate, which could be good for the whole ecosystem. Probably net-best overall to allow it to some limited extent, where animal suffering is minimized, and to require prior approval and on-site supervision of any such experiments by applicable agencies in order to prevent abuse.

Question 628.2

Shall we recommend a national or global ban on the eating of humans?

Some communities have adopted cannibalism as perfectly appropriate and routine, but we are not going to go along. Apart from the 'ick' factor, and the perception (whether right or wrong) that allowing cannibalism in an otherwise-civilized society would act to bring us down to the level of ignorant savages, we are citing a medical argument about cannibalism.

Specifically, we recall the epidemic of 'mad cow disease' which was a big news item some years back, and which turned out to have resulted from cattle being fed beef products instead of their natural diet. If that episode was any indication (and we have no interest in pursuing any further experimentation along those lines), then we can consider it a high medical risk for large numbers of any species to eat their own kind.

Thus, with the exception of emergency survival conditions (remember the book *Alive* from the 1970's?), we suggest that it is in the public interest to prohibit human cannibalism, and to maintain actual laws accordingly. It probably should not be legislated at the global level, however, because it is difficult for a large society to enforce any laws which can easily be violated at the individual level, and also because the cultures which currently embrace cannibalism probably cannot be expected to accept our medical arguments against it. Probably better therefore to assign the issue to national and/or local governments to manage as they see fit.

Question 629

For those laws which we find no longer to apply in our more-advanced society, shall we actively recommend that they be repealed at whatever levels they currently exist?

Yes. We specifically recommend that each legislative body -- from neighborhood councils all the way up to the Earth Congress -- which does not already have one should establish and maintain a 'sunset committee' or subcommittee, whose sole mission would be to review all current legislation on a periodic basis, and to identify candidates for possible elimination based on new technologies or shifting civic attitudes or other recent changes, and to report them to the full assembly for formal consideration.

Why should they bother? Two main reasons. Specifically, we don't want to bother prosecuting people -- or threatening to do so -- who are not really causing anybody any harm. Generally, we would like to have our legal codes as compressed and simple as we can practically make them, because a legal code which is too large or too complex has a reduced chance of even getting learned, much less obeyed, whereas a shorter and easier code has a much better chance of getting obeyed. You want people to do what you want? You gotta make it really easy for them, so keep those legal codes trimmed and streamlined on an ongoing basis.

We reconsidered this finding in our Second Pass, because of an earlier conclusion that laws should automatically expire after a certain period. Our revised finding is that we can harmonize the two concepts. Laws can still expire after a certain number of years, but the 'sunset committee' should be reevaluating them before

they actually expire, and recommending to the full assembly which laws should be allowed to expire and which should be renewed.

Question 630

Shall we recommend any further Constitutional amendments permitting any or all of these activities?

It is probably not necessary for any of the specific items, and we want to reserve the amendment process for the really heavy stuff, or else Constitutional status might become watered down and trivialized, as has been the case for some years with the California Constitution. However, we could go with a blanket amendment, establishing our general resolution that activities which do not harm or threaten others shall not be abridged by law at either the Federal or State or Local level. In addition, we could go with some clarification in the Constitution about limits of 'free speech' or 'free religion' as discussed earlier.

Question 631

How shall we deal with prisoners who were convicted of now-allowed activities?

We believe that this was treated in the Bad Acts section earlier, but in any case yes we should not only release them, but if possible compensate them for imprisonment on the basis of an unjust law.

Question 632

Won't the release of so many prisoners at once cause a drain on the economy?

If we experience a sudden rise in the labor pool, then we should again average out the total of number of person-hours which required to keep all of our citizens sheltered and fed, and then adjust our overtime regulations as applicable, in order to get more individual work schedules in line with the national average, so that everyone who is able to work as a realistic shot of getting a job.

SECTION III-E: SPORTS & GAMES

Question 633

Why address rules and procedures for Sports and Games at all in this effort?

Simply because Sports and Games are an important part of our social order, and because people get into fights* [*Check out <https://www.yahoo.com/lifestyle/family-argument-game-monopoly-leaves-one-person-injured-Kansas-020245875.html> for one recent example.] and other arguments over the best way to approach these different topics. We want to minimize those fights and arguments, in order to enhance the quality of life of those of us who are not into fighting. In addition, the influence of Sports on our economic cycle cannot be denied, so there is an interrelationship with Part II.

Besides, we have been dealing with some heavy and complex issues during the course of this Project, and we feel that we have earned a break to have a little fun.

Question 633.3

Should a 'national anthem' continue to be played before major domestic sporting events?

We were initially tempted to go with a quick and reflexive 'yes', out of sheer tradition and habit, but we found that the issue was a bit more complex and deserved more thorough analysis.

Even if we once replace the current 'national anthem' with one which is less offensive to certain communities, and even if we fix all the bad policies currently maintained by the American government, there still would be other arguments both for and against the general idea of having any anthem at all before any game.

On the plus side, as we discussed earlier in the context of whether to conduct a Pledge of Allegiance at the beginning of each schoolday, there is something to be said for the social benefit of beginning each big event like this with a moment of ceremony of some kind. Your local Little League or Senior Softball team might go directly to First Pitch without any kind of music or announcement or anything, but at the professional level we have come to expect a little more showpersonship.

Besides, it might be good for the audience to have a moment of shared community at a big community event, before we start rooting for different teams and trying to outyell and outargue each other. Dodger fans and Giant fans may hate each other, but at least we're all Americans, and so maybe we should at least take a moment of peace before First Pitch to acknowledge and celebrate that important fact.

Also, there is the general argument in favor of Tradition, of continuing to do the things which have worked well for us over many past years and decades, unless and until there is ever a specific and important reason to change something. In this specific case, we were still not sure heading into the discussion whether we 'had enough evidence to overturn' our current practice.

Having a standard song play before each professional game gives both local artists and established stars a free showcase for their talent, which can lead to increased record sales. Any society benefits when it has more Music in it.

On the minus side, you can still have kickoff ceremonies which do not involve the crowd or an artist singing any kind of anthem. PA announcers can welcome the crowd to the stadium, issue any conduct or safety reminders which may be needed, point out any visiting dignitaries, introduce the starting lineups for both teams, and specifically for Baseball invite the crowd to cheer as the home team takes the field.

Also specifically for Baseball, if you really want a song at the beginning of the game, then you can move "Take Me Out to the Ball Game" there from its current position during the 7th-Inning Stretch.

We are wondering what effect it might have on the athletes, who for hours have been getting all stretched and psyched and energized and ready to play, to be required to stop their process and stand at attention with knees locked for several minutes while somebody sings a song. They may perform better without the song getting in the way, and we fans might get a better athletic contest out of it.

Some of us fans don't like the fact that when we have already been waiting in a long line to buy our opening round of foods and beverages, and we finally get to the

counter, and then no we have to wait some more, because nothing gets sold during the Anthem. Still, that probably is not a sufficiently-valid reason to lose the Anthem completely. We should just suck it up. That's on us.

On the 'mixed side' (whatever that means), an anthem tends to promote or encourage Nationalism, and we currently seem to have a division of opinion within our Society as to whether or not that is a net-good thing.

As with the Pledge of Allegiance, we might upset lots of people if we drop the Anthem entirely, and we might upset other people if we require it entirely. Should we therefore adopt a similar posture of letting each venue decide for itself? One possibility would be if stadiums experimented with announcing one day per week off of conducting the Anthem before the game. After a few tries (using different days of the week), they might get a sense from increased or decreased ticket sales whether the local community tends to favor or oppose a reduction in Anthem performance. May be a good way to go, but then maybe the analogy extends only so far, and maybe there is enough of a difference between the Pledge of Allegiance and the National Anthem that we should recommend a different solution.

It also occurs to us that eliminating the Anthem from all games, or even encouraging such elimination, or even allowing it, might constitute an insult and affront to the many millions of our Veterans who have so nobly fought for us and otherwise served us and helped us to be able to enjoy the rights and freedoms which we so desperately crave. Dropping the Anthem, and thereby dropping the opportunity to express our collective love and gratitude for this community, might be like taking this precious mega-resource for granted, not appreciating it enough, and that might be a slap-in-the-face to all the military personnel and first responders who have sacrificed so much to provide this community to us, and to keep us continually protected within it.

That last argument seems to be the most powerful of all, so while we are legally allowing individual venues to experiment with different Anthem frequencies in order to get a better feel of evolving public sentiment on the matter, yet we are generally encouraging venues to continue to perform or have the crowd sing some sort of community anthem. May not need to be the current or future National Anthem, may be instead something for your State, or for your City or Town, or maybe even for the Earth. The main point is that you are having a big community event, and that it would be net-good for everybody present -- and even indirectly for your fellow citizens who are not present -- if you take a moment while you are all together to do one thing together as a community, and to show your appreciation for all that your community has managed to do for you, assuming that it has done anything at all.

Question 633.4

What decorum (if any) should players and spectators exhibit when an anthem is played before a professional sports event?

It could be argued that the type of decorum which should be displayed might depend on which anthem is being used. For, certain athletes and spectators might be willing to stand at attention for certain anthems but not for certain others. However, it is also possible that any anthem which the Community or the Nation ever selects is going to offend somebody somewhere, so we probably should plan for that contingency regardless of which anthem ever gets used in a particular venue.

According to Answer 633.3, one of the central purposes of rendering a community anthem of some kind before each game is to bring ourselves together as a community in a moment of ceremonial peace and harmony before the rival forces begin to square off on the field. If all athletes and spectators are not following the same decorum as one another, then that can disrupt and perhaps even destroy the community moment which we are working so hard to create.

But, does that mean that we should all be Slaves and Robots, blindly following all orders and conforming to all approved social behaviors, with no opportunity for individual expression? We claim not, and that there is some room for compromise on the issue, basically making everybody as happy as we practically can.

From this point of the discussion on, the specific protocols depend on whether we are talking about athletes or spectators.

For athletes, all eyes are on you as you are standing on the sidelines waiting to take the field. What you do or don't do while you are standing there is going to be visible to thousands of people, maybe millions if the contest is televised, so we need to be a little more stringent with our protocols than we need to be for the average spectator in the 83rd row.

Specifically, if you are a professional athlete, and if you are either taking a knee or standing on your head or doing some kind of funny dance while the anthem is playing, then that actively distracts both the fans and your teammates, and takes our attention and focus away from the moment of community togetherness which we are trying to create, and in turn takes our attention away from the athletic contest which is set to begin directly afterward. The athlete-performer who does such a thing to his audience does them a disservice, by giving them a visual experience significantly different from what they came and paid to see, same as a stage actor who suddenly starts delivering lines from another character in another play.

Thus, if you are a professional athlete and if for any reason you are not willing to stand at attention while the anthem is being rendered before the game, then we politely ask and expect that you remain in the locker room until the song is over. It will appear far less obvious if you are simply joining your team just before they take the field, than if you are sitting on the ground with your legs crossed (or holding some other unique posture) while all your teammates are standing. It will be much less distracting to both your teammates and the audience, and we can keep everybody's attention on the main reason why we are all assembled here.

Besides, even if anybody notices you joining your team after the anthem, and then asks you about it, you can always claim that you routinely stretch inside while the anthem is being played, because it's bad for your knees to be standing still for several minutes between your pregame preparations and the game start, which might actually be the real fact. Maybe you could persuade your doctor to advise you to do so, then you could state truthfully that you are doing it on doctor's advice.

For spectators, again we can be a little less stringent, because in most cases you will not be observed by the TV cameras, or by the athletes, or by the vast majority of the crowd. Also, it is not always as convenient for you to be off in a closed room until the anthem is over, because all nearby public rooms may be filled at the time, and because even when in a public room you may not be able to hear when the anthem concludes and it is safe to come out.

However, if you are in the stands then you will still be in the view of your fellow fans seated on either side of you, and within a few rows behind. It is true that they have not paid anything to you, so you do not owe anything to them. Nevertheless, we all do still have the same objective of a happy and peaceful and harmonious society (don't we??), and you can serve that objective by standing politely with your fellow citizens during the community anthem, and you can work against that objective if you make a lot of noise or movements while the anthem is being played.

If you merely sit silently during the anthem, then you are not being disruptive, except to only those very few people who can see you sitting. They might still be upset that you are not standing with everybody else, but hopefully they will understand your response if our Nation happens to be conspicuously observing some particular policy of Evil at the time, including especially if we are engaged in military deployment without global approval within the borders of another Nation which never directly attacked us.

When our Nation finally begins to observe all the policies of Good which are outlined in this document, then we hope and expect that there will be no need or motivation on anyone's part to sit while the anthem is being played. If you still do so anyway, then you can expect someone nearby to ask you why you are still refusing to stand for the anthem even when everything in our Community is doing so well, and you had better have a good answer.

Question 633.5

What penalties (if any) should accrue for failing to observe anthem-related protocols?

Again, any remedies should be different for athletes and spectators, because the expectations are different, as are the opportunities for keeping one's current political feelings private while the anthem is playing.

As noted in Answer 633.3, athletes who insist on publicly kneeling during the anthem are presenting a disruption to their own team, which could negatively affect the team's performance during the upcoming game. The team therefore has every right to suspend any of their players who refuse to observe team policies, or take any other job actions (including salary reduction or termination of employment) which might be indicated for employees who refuse to follow the lawful instructions of their employers.

Spectators are a bit more difficult to manage, because we do not have the same power over them as an employer has over an employee. To the contrary, they are the ones who are paying us for the privilege of watching in person the athletic contests which we stage, so we may not be so eager to alienate them by interfering with their experience of attending our event. And, while we can eject any spectator who continues to be disruptive during the game, especially if they ever reach into the field of play while the game is in progress (we really hate that!!), yet any disruption which a fan might present during the anthem is only momentary and usually localized, and he may be completely placid and civil the whole rest of the time. Do we then throw him out of the stadium for a mere moment of disruption before the game even starts?

We imagine that this should be up to the individual venues to decide for themselves. If you're the Miami Marlins, for example, then you are going to be eager for every

single ticket sale which you can make, and you are going to be heavily disinclined to throw out a paying customer who might otherwise have been willing to buy another ticket someday. Conversely, if you are the Boston Red Sox and you are selling out virtually every night, then you will not be so bothered by throwing out any disruptive fan at any time for any reason, because you know that there are many other decent fans who are willing and eager to take his place.

Any team which is willing to eject a fan for active disruption during the anthem probably should make that policy very clear in its announced 'code of conduct', or else a fan might claim while being ejected (or afterward in a press conference or a court of law) that he didn't know about the policy at the time of the alleged offense. However, any such policy should allow fans the option of passively protesting by remaining seated and silent while the anthem is being played, although we do not need to implicitly encourage such behavior by openly announcing that element of the policy before each game.

Question 633.6

If we perform a 'national anthem' before any of our amateur or professional Sports contests, then what should it be?

We have some problems with continuing to use 'The Star-Spangled Banner' for our National Anthem, and we are respectfully recommending that we change it.

The biggest problem that we see with using 'The Star-Spangled Banner' as a National Anthem is the emphasis on Bombs and Rockets within the lyrics. A community anthem at any level should emphasize and summarize the key positive attributes of your homeland and/or your people, but in 'The Star-Spangled Banner' we spend the whole time talking about a military battle, and one which occurred over two centuries ago at that. It was a great battle, and a great story, and a great song to tell the story, and it certainly should continue to have a place of honor in our national heritage. But, should that story be retold continually as the entire focus of our National Anthem?

We claim not. When we perform the American Anthem in front of our own people, we don't want them continually associating America with only Bombs and Rockets. When we perform the American Anthem in front of foreign athletes and dignitaries and journalists and fans, we also don't want them continually associating America with only Bombs and Rockets. They hate us enough as it is, and this may be one of the reasons why, that we emphasize and glorify our military so much, and that we have been so quick and eager over the years to deploy our military inside other national borders around the world without the approval of the global community. We currently even sing about our military in our National Anthem, something which very few other Nations do, and that fact does little to promote a perception of Peace, either among other national powers or even among our own people.

We also probably should not be focusing so much forever in our National Anthem on any one single event -- whether military or not -- which occurred more than two centuries earlier. Our country is bigger than that, and our history is bigger than that. Instead of 'living in the past', maybe we should be focused more on who we are now as a People, and what we are now as a Nation.

Secondary problem with using 'The Star-Spangled Banner' as a National Anthem is that it does not mention the name of the Nation at all. That's like making a

commercial which does not identify the product that you are trying to sell. Even if for some reason you are still eager to sing about bombs and rockets, then we should at least make it clear that they were American bombs and rockets.

Third problem with using 'The Star-Spangled Banner' as a National Anthem is that musically it is very stretchy, covering the range of a twelfth (over an octave-and-a-half), which is more than many ordinary folks (and even some professional singers) can reach comfortably. Any anthem which you expect your entire community to sing should be in a range which is comfortable for them.

The song 'God Bless America' is sometimes used these days as a substitute anthem, and sometimes as a supplemental song for the Seventh-Inning Stretch or something, so we should at least consider it as a possible permanent replacement for 'The Star-Spangled Banner', but we have a few problems with it as well, and we are not recommending it.

Lyrically, 'God Bless America' does successfully identify the subject Nation, and it does highlight the physical attributes of our Nation without explicitly referring to military conflict even one time, so that's good. However, it does place a very large emphasis on the Deity, even in the title, which is fine for those who believe, but not so fine for those who do not. A community anthem of any kind should represent the entire community, not just those individual members who hold certain religious beliefs.

Musically, 'God Bless America' is not very 'anthem-like' in our group's opinion. The opening phrase goes down, and it prominently features a subtonic note (the 'ti' of the do-re-mi scale), which tends to create tension and stress more than happiness and joy. Maybe we can do better.

We have always admired the Canadian Anthem, as an example of the positive attributes which the current American Anthem lacks. (We in America may like to think of ourselves as 'leaders', and may like the idea of always being 'right' and setting the 'right' example for others, but sometimes we would be wiser to observe and follow the good examples set by others.) The opening notes of median-dominant-tonic (or '3-5-1' or 'mi-sol-do') are all within the key chord, and the remaining structure of the song is also very 'anthem-like'. The vocal range required is only a single octave. In the current English-language version (not in the French), the name of the Nation is mentioned at the beginning of the song, and again in the middle, and again at the end. Also, the lyrics in English celebrate the land and the people's love for it, but make no mention of imperial conquest or any other Bad Thing, pledging only to "stand on guard" in the unlikely event that Canada is ever attacked. More anthems like that.

There is that song called 'America' which opens with the lyric "My country, 'tis of thee", but that gets a penalty point right off for a clumsy grammatical construction in its opening line. (Where and when do we ever say "tis of thee" at any other time? What does the phrase even mean?) The melody also contains a subtonic note in its opening phrase. Biggest problem of the song is that it was written to the melody of 'God Save the King/Queen', which has long been used as the British Anthem. It's a good song to include in our national heritage, to be performed on certain other patriotic occasions, but as a National Anthem before sports contests it is not a very good candidate in light of our political severance from the British Empire in the 1700's.

The best candidate for an American anthem in our current awareness is 'O Beautiful', otherwise known as 'America the Beautiful'. The first three notes are in the key chord. Melody covers the range of a ninth, only a little more than an octave. The lyrics mention the name of the Nation, and emphasize our large and diverse landscape. They make no mention of any military engagements, but instead reference Good and Brotherhood. (We might need to tweak the last expression for increased inclusivity, but the grammatically-neutral 'Siblinghood' doesn't sing as well in that particular phrase, so we may need another substitute.) There is a reference to God at the end, but at least it does not permeate the entire verse.

There may be another song out there now which would serve as an even better American Anthem, or maybe it still needs to be written, so either way maybe we change again someday. For the present, however, we are recommending 'America the Beautiful' to replace 'The Star-Spangled Banner' as our National Anthem.

Subsection III-E-1: Contracts and Free Agency

Question 633.8

Should we be excluding any sufficiently-gifted athlete from being hired to play on a professional sports team on the grounds of belonging to some particular subset of the population?

This may seem like a silly Question now, but it was not that long ago that persons of African descent were being disallowed from playing Baseball or any other sport at the major-league level. (The excellent film *42* tells all about it.) Further, it has been only recently that we have opened up the major-league ranks to athletes from certain other parts of the world, so this Question is non-trivial.

We vigorously support the broad inclusion of athletes from all national and ethnic descents within our professional sports teams, and their advancement among competition levels according only to their individual athletic talents. Anybody who is good enough to play at the major-league level should be allowed to do so, and all others should be allowed to advance as far up the ranks as they athletically can.

This is also particularly true of Women, who as of this writing have not yet had even one athlete enrolled in any of the top-level professional leagues currently dominated by Men. We understand that some teams may prefer to include only those athletes who can use the same locker and shower facilities, because otherwise it might seem like two 'squads' instead of a single team, but maybe for that problem the solution is simply to go ahead and use the same lockers and showers, and not make a big issue out of it. (Theatrical performers of multiple genders need to change clothes in front of each other backstage all the time, and it is not an issue if we do not choose to make it so.) Maybe there are certain other dynamics which certain male athletes like to share with one another, and which they would be uncomfortable doing in front of female teammates, but if so then those are their issues which they need to sort out themselves. We do not want to lower our athletic standards or change our rules of play in order to accommodate female athletes, but any woman who wants to play our game according to our rules -- and who possesses the physical talent to do so competitively -- should not be excluded simply on the basis of Gender.

Same goes for any variety of Trans-Gender, provided that your hormones or other ingestions do not involve anything which could validly be considered as a

'performance-enhancing drug', because as indicated in Answer 643.2 we generally prefer for our Sports to be played without any such artificial gamechangers.

Two main points are important for this overall discussion:

First, we should not deny for irrelevant reasons the opportunity of professional advancement to any individual who has earned it through some combination of talent and training and experience, because that constitutes Discrimination, which is a serious Social Evil. That's specifically in the Athletics industry, and that's in Business and Education and Politics and everywhere else. We don't want any individuals to be treated unfairly in any way, because that is an abuse of power on the part of those who are currently in a position to wield it, and because that kind of culture may result in our individually being treated unfairly someday. Maintaining a Culture of Fairness would be good for other people, and it would also be good for ourselves.

Second, it would be dumb for us as a society to deny ourselves the efforts of qualified professional people simply because they belong to some particular segment of society and not some other particular segment. (The excellent film *Hidden Figures* illustrates this point very powerfully.) As a simple matter of being practical, we generally want those people working for us who are going to do the best job for us. Specifically in the case of Athletics, we fans have a better experience when the Best Players Play, not just those who happen to possess penises or white skin.

Therefore, no, no exclusions on the basis of populative segmentation.

Question 634

What provisions (if any) do we want to have in place for athletic contracts?

Standard provisions of contract law should apply. All parties must adhere at all times to all stated elements of the contract, or else they may be required to pay damages to the other parties in compensation for having violated the agreement.

One special provision which could apply to athletes is that they should receive a modest-but-decent compensation even if the team is losing, or if the athlete is putting in sincere effort but still generating inferior statistics, but that bonuses may apply in the event of exceptional individual performance or exceptional team results or both.

Another athlete-related provision which we would like to see changed is this whole idea of guaranteeing a sizable long-term salary to a player who ends up performing very poorly in later years or doesn't play at all. Teams are wasting money by having to subsidize non-performers, so they are less able to afford the good athletes whom the fans want to see, and so they sometimes need to trade off popular players who are performing well, as the Dodgers sadly did with Matt Kemp and Yasiel Puig in December 2018. We understand the athletes' desires for hefty multi-year contracts to provide financial security for themselves and their families, and we will not begrudge them enough of a minimum salary to ensure 'financial independence' once they have managed to reach the top levels of performance, but those 10-year \$300-million contracts are just too much, especially in the Sports industry with all its sudden injuries and gradual deteriorations. If we must endure multi-year contracts in the Sports market, then they should require compensation to go way down during those years when the athlete is performing poorly or not playing at all.

Final point to raise at this time is about the fact that numerous individuals become physically eligible for professional athletics while they are still below chronological Age 18, which some civil jurisdictions have long considered to be the minimum age for being legally able to execute a valid contract. For this, as with several other similar activities discussed above, we are again recommending that chronological age should not be used as a cutoff to decide whether or not the subject is eligible to do the thing in question. Some people will be ready to do the thing at a younger chronological age, while others will not be ready to do it until much later, if ever at all. The much more important criterion is Education. Primary-school graduates who have learned only the basics of social existence should not be expected to know enough to participate in the formation of valid contracts, certainly not at the monetary levels which we have recently seen for professional athletes. Secondary-school graduates can satisfy this expectation, though, provided that we include standard courses on Contract Law, the Mathematics of long-term financial transactions, and other elements of the business side of Athletics.

Question 635

Is it good to have a salary cap for each team within a given league?

Yes, we generally prefer for there to be a salary cap which is high enough to allow bigger spenders to gain a competitive edge, but low enough so that the biggest markets like New York and Los Angeles don't always generate the same championship teams over and over.

We also like the idea that a team is entitled to go over the salary cap on condition of having to pay a 'luxury tax', which maybe can go to the players or the other teams, or maybe to the national government (not recommended, both because it tends to 'nationalize' the Athletics industry, and also because even the big salaries earned by today's athletes wouldn't make much of a dent in our current National Debt, which needs to be remediated by other mechanisms as described in Part II), but preferably to a recognized charitable foundation.

Our 'black book' of preliminary ideas had suggested No to salary caps, on the grounds that any artificial limitation on either wages or prices tends to 'skew' the economy and misallocate our resources. In this instance, however, the cap would affect only a few hundred athletes at any one time, so the macroeconomic effect of an arbitrary limitation probably would not be as impactful as the social benefit of having more than two or three Cities being able to compete realistically for each year's championship.

Question 635.5

Any other problems needing to be addressed with Free Agency?

We heard a lot during the Winter of 2018-2019 that there were lots of problems at the time with Free Agency, because teams were not bidding as vigorously for Bryce Harper and Manny Machado and some others as some of the pundits were expecting.

However, we do not concur that there necessarily is a problem here which needs fixing. The whole idea of Free Agency is to allow players who have served out their contracts to be signed by the highest bidder, that is, by whichever organizations were willing to pay the most for their services. In other words, they want to introduce an element of free-market economics into the industry.

Trick is, as we discussed extensively during Part II, a free-market economy means that nothing is guaranteed, and that the value of your services can go either up or down relative to what other goods and services are out there to be purchased. If somebody decides that you are charging too high of a rate for the amount and quality of service which you are offering to provide, then maybe you can successfully persuade some other employer to pay your preferred rate, or maybe you can't. If you can't, then that's the free market telling you collectively that you are charging too much for whatever service you're providing, and that you must either lower your salary expectation or else find something else to do for a living. It's not the economy. It's you.

That's generally for any industry, and it especially applies in Athletics, where the salary rates are so much higher than in nearly any other profession, and where people are naturally going to look much more closely at how much they are willing to pay for this or that commodity.

Some folks claim that we continue to have a level of 'collusion' going on among team Owners, and that the Owners are conspiring together in an agreement to avoid dealing with certain Players until they lower their salary demands. Maybe that's actually happening, and maybe it's not. We're not in those rooms, and we don't have their phones bugged, so we can't tell. Even if it is happening, though, we're not entirely sure that it's a really bad thing in this instance. The industry is already very small, in terms of both prospective employers and prospective employees. Yes, the Owners may possibly collude at some times, but then it could be argued that the Players sometimes do as well, especially when they collectively decide to go on strike and basically hold the industry hostage.

Sorry, but it's hard to feel sorry for anybody making eight million dollars per year who thinks that he deserves to make ten million, and is willing to go on strike to get it. Not in this economy, when millions of our own American people are starving and homeless, let alone those in the rest of the World.

If players like Harper and Machado are willing to play the Free-Agent Market, then they should be willing to accept whatever that Market says they're actually worth at present, whether that rate happens to go up or down over time. If they ever need to adjust their salary demands downward in order to make themselves more marketable, then that's not a fault or problem of the Free-Agency System. To the contrary, that's the System working.

Subsection III-E-2: Drafting

Question 636

Do we want to continue to allow professional teams to somehow take turns designating which college/amateur athletes they will consider for hiring, or shall we allow the young players to make their own choices about where they will try out?

As with the Salary Cap discussed in Answer 635, we were tempted to go with the 'libertarian' approach of allowing each athlete to try out for any desired team, same as any student can decide whether to apply to one college or a hundred, and any worker can decide whether to apply to one prospective employer or a hundred.

Also as with the Salary Cap, however, we apparently need to make an exception to our standard approach. We are talking about only 2-3 dozen teams per Sport, and only a few hundred athletes in the labor pool, so the normal laws of free-market economics may not completely apply. Large market shares are being commanded by small cartels of teams acting as oligarchies over their industries, so a level of regulation may be in order beyond what we would normally recommend for a free market.

Specifically, we worry that most or all of the newest talent will gravitate toward the teams with the most recent championships or the largest media exposures or both. With their choice of the best players coming to their tryouts, they would maintain the biggest and longest dynasties. While we don't begrudge an organization to create a dynasty if it can (because those are sometimes fun to watch, too), yet it can get pretty boring for a fan after a while if the Yankees always win and the Padres never get a chance. Both the bigger and the smaller markets should have access to adequate shares of the talent pool from which they can select their starting rosters.

On the other hand, some players may reason that they have a better chance at making the starting lineup if they try out for a team which has less competition. In addition, we would hope that at least some prospects would still apply to their local teams first out of love and loyalty, instead of simply shopping themselves out mercenarily to the highest bidder, so that local teams can have more local character. With the combination of these factors, we still might get sufficient team coverage without any regulation.

On the first hand, though, the Athletics industry is different from most ordinary businesses, in that prospective employees cannot easily apply to multiple companies at once. They usually need to 'try out' for only one team at a time, and the process often takes several days or even weeks. A medium-grade player might try out for the Yankees and not quite make the cut, but in the process of trying out for them they blew the chance to try out for the Orioles, where they probably could have made the starting lineup trivially, but now they've held their own tryouts and filled their own roster and so the opportunity is lost. Those good players therefore need to wander around jobless until the agents and the front offices can figure something out, if they ever do. In order for us fans to get the best entertainment product by having the best players appearing in our games, it makes sense from a simple efficiency standpoint that we institute enough regulation into the selection process to make sure that the best players are definitely selected for consideration first.

A draft also helps with the quality of selection. A young boy from Pittsburgh area may always have wanted to play for the Pirates, but maybe he plays outfield and the Pirates already have all the outfielders that they need for a generation, so he probably would be a better fit with another team which has more need for his particular talent. That's where a draft comes in, because the young prospects are not always in a good position to know which resources the different teams need most at any particular time, but the organizations themselves do, and so they can select not only for general talent but also for specific compatibility with their particular organizations. More compatible fits are better for the players, and better for the teams, and better for the fans, so that seems to be the net-best way to go.

Question 637

Do we like the system used often in recent years, whereby the lower-ranking teams in the previous season get the top draft picks?

We do not like it, because it provides teams with an incentive to lose games toward the end of the regular season, once they learn that they have been eliminated from playoff contention and therefore feel that they have nothing to lose by losing. This hurts us fans, though. We want to see a competitive game every day, regardless of whom you are playing or what time of year it is or where you currently sit in the standings. You therefore should always have some motivation to try to win each game. Otherwise, there is little or no point in staging the game at all.

One possible alternative (suggested in our 'black book' of preliminary ideas) to help the goal of improving parity is to have a lottery in which all teams have equal chances of gaining preferential picks. It is better than the first choice, but it still leaves us with another problem. While eliminated teams have less motivation to play competitively in the current environment, the same goes for teams which have already clinched their division titles, because now they are trying to keep their starters rested and uninjured for the upcoming playoffs. That also takes away from our regular-season experience as fans. Every game should be interesting. Every game should mean something. Every game should matter. Otherwise, there is little or no reason for you to play the game or for us to bother watching it.

We solve both these problems with a single solution. (We love when that happens!!) We do have a lottery-type selection, where we draw balls out of the tub to determine who selects next, but we do not have just one ball per team, or any equal number of balls per team. Instead, we use a different number of balls for each team, according to the number of times that they won during the preceding regular season. The more games you win, the more balls you have in the tub, and so the greater your chances are of receiving favorable picks.

That way, the teams which lost during the regular season will still have some opportunity to come up early in the lottery and get a head-start on rebuilding, but they don't get a huge chance because they haven't earned a huge chance. Best part is, all teams have an incentive to win every single game, regardless of how many or how few games they have won up to that point.

It would be possible to add more balls to the tub for successful performance in the playoffs, but we recommend against it. For one thing, that could give too much preference in draft selection to teams which have already done well during the regular season and have already therefore earned a larger number of balls in the lottery tub. For another thing, it would give too much weight to playoff games, which after a long and injurious regular season can sometimes be misleading in terms of who was actually the better team that year. We instead want to place maximum emphasis on the regular season, which was always the main reason why we came together in the first place. Playoffs were an afterthought, you know, and certainly are a fun exercise to watch every year (up to a point, anyway), but the much larger sampling of regular-season games might be a much more reliable indicator of who was really the best team each year.

As an example of what the balls in the lottery tub might ideally look like, we are envisioning that each of the 30 current teams in Major League Baseball might have a ball design with a different color on each side, each team having a unique color combination which at least partly resembles their own team colors and/or team name. Might make it fun for fans to watch the draft process on TV if they can follow the dancing colors of each ball as it rolls out of the tub, announcing visually who has

won the next pick. Specifically, we envision the following color combinations for the 30 teams, but of course there is plenty of room for variation:

Black/Blue = Tampa Bay Rays	Blue/Orange = Miami Marlins	Brown/Yellow = San Diego Padres
Black/Brown = Atlanta Braves	Blue/Purple = Kansas City Royals	Green/Red = Philadelphia Phillies
Black/Green = Detroit Tigers	Blue/Red = Los Angeles Dodgers	Green/Yellow = Oakland Athletics
Black/Orange = S.F. Giants	Blue/White = Toronto Blue Jays	Orange/Purple = New York Mets
Black/Purple = Wash. Nationals	Blue/Yellow = Milwaukee Brewers	Orange/Red = Houston Astros
Black/Red = Boston Red Sox	Brown/Green = Texas Rangers	Purple/Red = Minnesota Twins
Black/White = New York Yankees	Brown/Orange = Balt. Orioles	Purple/White = Colorado Rockies
Black/Yellow = Pittsburgh Pirates	Brown/Purple = Cleveland Indians	Red/White = Cincinnati Reds
Blue/Brown = Chicago Cubs	Brown/Red = Ariz. Diamondbacks	Red/Yellow = St. Louis Cardinals
Blue/Green = Seattle Mariners	Brown/White = Chic. White Sox	White/Yellow = Los Angeles Angels

But, what if we're the Cleveland Browns, and we manage to lose every single game of our regular season? Do we then forfeit the right to collect any draft picks at all? Not necessarily. This is where you have some room for flexibility, so each Sport's officials can decide which variation is better for them. For a game like Football with relatively few games in its regular season, you probably still want to allow each team one draft pick per round, so only one ball would be drawn for each team in each round, meaning that you are using the previous winning record only to determine the odds of getting early picks within each round, in which case a team which went winless will always pick last, but they will still get picks. Conversely, for a game like Baseball with many games in its regular season, it is far less likely that any team will go completely winless, so it makes more sense to have basically one round of draft picks, and go through the entire tub (which would contain 2,430 lottery balls total in the case of Baseball, with its current 30 teams playing 162 games each) until you run out of prospects to draft. Either way, we are still giving more incentive to both winning teams and losing teams to try their best to win during the entire regular season, so we fans always have reason to remain engaged and entertained, and the owners therefore get to collect more stadium revenue, so everybody's happy.

Subsection III-E-3: League and Playoff Structure

Question 637.6

Are we happy with the number of teams in the several top-level professional leagues?

Back when we originally introduced this Question into our Outline more than 20 years ago, our note for our 'black book' of preliminary ideas alleged that we had too many teams, on the grounds that the talent had become too diluted to maintain our attention. Since that time, though, we have happily begun to recruit more from other areas of the World, and we are reaching more communities all the time. We have seen a tremendous upsurge of talent levels in recent years, and it wouldn't either surprise or upset us if at some point we ended up needing even more league expansions than we have seen already.

In addition, it is becoming increasingly likely that Women will be accepted into at least some of the professional leagues which now comprise only Men. As noted in Answer 633.8, our group welcomes and applauds this development, on the condition that we do not lower our athletic standards or change our rules in the process. If you can play the same game at the same competitive levels, then by all means let's expand our talent pool even more, and grant even more people the opportunity to compete in our favorite games at the highest ranks. If this happens, then we may

end up needing even more top-level teams than we might have envisioned otherwise.

Downside of continued expansion, though, is that it makes things much more complex and difficult to follow, especially during playoff time. On the other hand, the NCAA has maintained a 64-team playoff bracket for Basketball under the 'March Madness' brand for numerous years now, so we imagine that we could handle at least that many teams in our professional leagues. If the collective desire is great enough, then maybe we could have even more than that, but we probably want to keep the playoff population at a maximum of 64, so that we don't require our fans to learn any more math than they already know.

Question 638

Shall we permit/encourage a team to name itself after a given city if it is not playing there?

We were torn at the outset of this discussion. The city which physically hosts the team's home games must put up with the heaviest share of the logistical burden for putting the event on, including traffic control, security, noise abatement, and trash removal. Why should some nearby big city get all the glory of nominally hosting the team, when in fact we in the smaller city are doing all the actual work?

It is an important argument to consider, but yet there is an answer to this last question: It is because the team attracts more attention to itself with a big-city name than with a small-city name, and therefore can obtain higher revenue. For many happy years, the Lakers played their home games in the city of Inglewood, which is a great city, and which did a fine job hosting the team, but still in all let's face it, the 'Los Angeles Lakers' sounds a lot more romantic and spectacular than the 'Inglewood Lakers'. Similarly, the 'Dallas Cowboys' has much more of an epic historical flavor than the 'Arlington Cowboys' ever could. We want to be able to distinguish easily the top-level teams from the high-school teams using similar nicknames, especially if we are network executives or corporate sponsors, so using the names of the larger Cities tends to make the most sense for everyone.

One thing which we did agree on right off: We don't at all like the cumbersome construction of 'The Los Angeles Angels of Anaheim', not only because the element of 'The Los Angeles Angels' literally translates to 'The The Angels Angels', but more importantly because it makes it look as though the team is coming from two places at once. Pick a place and represent it. Don't be wishy-washy.

Speaking of representation, that actually is a point which turned out to help settle our main Question here. For, even though the stadium may be located within the smaller City with the unfamiliar name, yet most of their paying fans may be coming in from the nearby larger City. They are providing much of the revenue which keeps the team in operation, and which provides jobs to the stadium workers in the smaller City. They also are providing much of the stadium noise which helps motivate the home team to play hard and win. That other big City therefore does have a big stake in the team, and gets to feel 'represented' by them, at least when they do well.

It therefore should be considered grammatically acceptable, and philosophically okay, and economically sensible, for a top-level professional team to name itself for the nearest large City, even if their home stadium is located within a smaller neighbor.

However, the large City in question should have some say in the matter. No private organization of any kind should get to claim that they represent a certain City without that City's consent. In order to avoid any pesky and resource-consuming litigation, those sorts of agreements probably should be made in advance by lease, rather than attempting it on your own until the other City legally objects.

But, if we're doing it that way, then why can't the Angels include both Cities in their name? After all, we have just argued that both Cities have a stake in the team. Well, we still don't like the cumbersome construction, containing way more syllables than we really need. Also, we still don't like how it sounds as though they are from two places at once, which (especially with that possessive 'of' phrasing) is not the same thing as two Cities having stakes in the team.

The idea of using the larger City in your team name is that many of your attending fans come from there, but many also would be coming from other Cities around the area, such that the large City which appears in your team name actually covers the entire geographic area in an unofficial sense, including the City where the stadium is located (Anaheim in the case of the Angels). That being the case, you shouldn't feel too bad about using the large neighboring City in your team name without referencing the smaller City where your stadium exists.

Even if you do feel like using such a long team name for some strange reason, you shouldn't get to take the rest of us with you. We shouldn't have to speak all those extra syllables all the time, nor make all that extra space in our newspapers and TV screens and websites and other media.

Besides, in trying to look 'different' or 'stylish' or 'hip' or 'hep' or some other thing, you are just coming off looking silly. Expressionism is one thing, and we are the last ones to encourage conformity for the sake of it, but we have a good thing going here, where a team represents one community and carries for quick reference a unique and characteristic nickname. Specifying a second City in the team name seems unnecessarily complicated, and may constitute solving a problem which doesn't really exist. We recommend against doing it or even allowing it.

Question 638.3

How do we feel about the recent trend to move teams around?

It's easy to have mixed feelings on this matter. We have to applaud the Westward movement of teams like the Dodgers and Giants as those other markets grew in population and economic power. Besides, could we possibly have had that historic 'Showtime' team of the 1980's, with all its speed and dazzle and style, if it was still the Minneapolis Lakers instead of the Los Angeles Lakers? We doubt it.

We also understand if some particular team owner is not getting the desired level of civic support from the local community, and can make a 'bigger and better deal' elsewhere.

On the other hand, we have seen the Raiders move elsewhere and then move back. We have also seen the Rams move elsewhere and then move back. Then there are the cities like Baltimore which lose one team but acquire another in its place, indicating that maybe factors other than civic support were involved in the initial exolocation.

Thus, while some team movements seem to be net-better for the Sport, and sometimes even better for the Nation, yet we must wonder whether some of the movements are just frivolous or short-sighted or otherwise unnecessary.

Insofar as this may sometimes actually be the case, then we have two lines of defense. City governments should be very careful and thoughtful when considering what lease term you will accept for any new team forming in your City, and especially for any existing team seeking to move into it. If you try to make the lease term too long, then you might blow the deal because the team may want the option to change its mind again sooner. If you try to make it too short, then you might blow the deal because the team wants a certain amount of stability in the new place, just not too much. Or, the team may like the short lease for more flexibility, but then you lose them a few years later after making a huge investment to support and promote the team's presence within your community. In any case, you should require some amount of severance payment if the team leaves the City at the end of the lease term, and a larger severance payment if they leave earlier for some 'extenuating circumstance' which may be allowed in the lease.

Basically, your objective is to make future relocations difficult enough that they will be unlikely to happen before you have at least recovered your investments and generated some amount of net income, but easy enough that they can still happen when they really want to.

Even if the various Cities can work things out to their mutual satisfaction, though, some team moves may yet be bad for the League, either because moving a team may change or even destroy that team's character (and with it the character of the entire League), or because fans and/or players will have less loyalty to a team which by moving shows an absence of loyalty to them, or because the new team location would be too close to an existing team.* [*It's technically outside the scope of the present Question, because the team wasn't moved geographically, but this same problem has occurred with the Houston Astros being reassigned from the National League to the American League. This has left the AL with two teams in Texas, while the NL has none. Baseball fans in Texas should be able to root for both teams without conflict, until the rare occasions when they are both in the World Series together. Should have kept them in separate Leagues, and maybe we can yet make that re-happen.] The leadership of each League should therefore retain the authority to approve or deny any proposed team relocation, and in order to mitigate frivolity we are recommending that any such approval should require a 2/3 majority of the other League members.

Question 638.8

If a particular Sport comprises multiple top-level Leagues with different rules, with the League champions meeting in an overall title game/series, then to what extent shall inter-league play be permitted during the regular season?

This currently applies only in the case of Baseball, because each of the other major American sports (Football, Basketball, Hockey) comprises a single top-level League in which all teams play by the same rules.

In the one specific case of Baseball, the one material difference between the two Leagues is the use or non-use of the 'Designated-Hitter Rule' ('DH Rule' or 'DH' for short), which is taken up directly in Question 644, so most of this discussion should happen there.

If we can derive any guiding generality at this more fundamental stage (just in case it happens somewhere else someday), it would be only that each such situation would need to be assessed on a case-by-case basis. We might generally want and expect each League's champion to be able to play by either set of rules, such that they could easily switch off during a multi-game title series, or annually alternate rules in case of a single title game. However, this is not always so easy to do or expect in real life. In the specific example of Baseball, it is much easier for the National League (NL) players to observe the DH Rule than for the American League (AL) players to operate without it. For, none of the NL players is ever doing anything under the DH Rule which he does not do ordinarily, whereas operating without the DH would require some AL pitchers to bat and some DH's to field, which would make the game very different for them and could even increase the risk of injury.

Thus, if this sort of thing ever happens within any other Sport (which we are feverishly hoping that it does not), then each Sport will need to decide for itself whether they can simply switch rules during each annual title series (or alternate for each annual title game), or whether some other protocol needs to be observed.

For any such Sport, however, probably better not to allow inter-league play during the regular season, because it then becomes too much of a problem for teams to switch rules all the time. The idea of having different rules in the first place was that each League wanted to do things in its own preferred way, and we do not help that objective by requiring each team to do things in two different ways during the regular season.

Besides, our most familiar definition of a 'League' is a group of teams who play one another at some particular Sport some nonzero number of times over the course of a season. If you are playing any regular-season games against teams who are technically not in your League, but if those games still count as official for the season standings, then in reality those other teams are part of your League, and so the names should be changed to reflect the reality. Or, better yet, just keep the teams within each League playing one another only, and just don't have any inter-league play except during the title game/series and the all-star game and probably also your preseason if desired.

Question 638.9

What is the optimum number of Conferences per League, and Divisions per Conference? For the limited purposes of this Question, Major League Baseball is treated as a 'League', and each of its Leagues is treated as a 'Conference'.

As discussed in Answer 637.6, this may need to change over time, as we continue to expand our recruitment efforts to other segments of the global population, such that we will be able to allow more teams without allowing our average talent level to become diluted. To help assess this factor quantitatively, each Sport might want to construct some statistic of overall annual performance of all positions combined, so that it can track over time whether having too many top-level teams has caused overall performance to decline.

Although we have not always managed it in history, it is generally good for each League to have the same number of teams in each of its Divisions, so that winning your Division has approximately the same meaning throughout your League, because winning a 4-team Division is usually much easier than winning a 5-team Division.

Generally good if the total number of Divisions in your League is a power of two (2,4,8,...), so that you can determine your playoff bracket without needing to use any 'byes' or 'wild cards'. If for some reason that cannot practically work out at a given particular time, then do what you can with three Divisions in your League or Conference, as Baseball and Basketball currently do.

Question 639

If a particular League comprises two Conferences, with the Conference champions meeting in an overall title game/series, then to what extent shall inter-conference play be permitted during the regular season?

We feel that such play should be allowed in reduced quantities, but not completely eliminated.

If the Conferences are arranged geographically (such as Western and Eastern), then you are trying to reduce your travel times, and you want to make sure that there is one team from each half of the Nation in the championship game/series. You serve both these objectives by reducing inter-conference play, because otherwise the intended travel savings would go away, and because winning more games within your Conference makes you more of a 'representative' of that Conference during the championship game/series.

If the Conferences have little or nothing to do with geography (such as in the NFL), then it makes even less sense to have Conferences in the first place if all teams within the League play one another with approximately-equal frequencies, and the Conferences would have no distinct identity or character. They would act only as an artificial and arbitrary restricting factor on who plays whom during the playoff brackets.

In general, it also is often more meaningful and interesting (and more illustrative of a team's true performing ability) to see teams compete during the playoffs who had few or no encounters during the regular season.

Besides, if teams from different Conferences play frequently during the regular season, then you don't really need a playoff in most cases, because you usually have enough information from the regular season to determine which teams were better than which other teams each year.

On the other hand, it can get too boring if teams within a Conference play only one another during the regular season, and occasionally seeing teams from the other Conference can be a novelty which can help ticket sales, provided (as suggested in Answer 638.8) that no team ever needs to change its rules as a result, because that spoils everything.

In order to balance these factors, we recommend a target default of 2/3 of games being played within your own Conference, and 1/3 against teams from outside. However, the inter-conference factor might need to be increased depending on League structure, if you are trying to provide approximately-equal coverage to teams in the other Conference. Question 641.7 will allow us to construct specific examples.

Question 639.1

If a given Conference comprises two or more Divisions, then how much inter-divisional play should there be during the regular season?

There should be some, because they are all part of the same League, and under our definition of 'League' in Answer 638.8 all teams within the same League play one another some nonzero number of times during the regular season. However, the emphasis on inter-divisional play should be significantly less than on intra-divisional play, because winning more games within your own Division makes it more meaningful to have won your Division. It certainly helps to have won more games overall, but in order to be able to state truthfully that your team was better than all others in your Division that year, you really need to have demonstrated that assertion by having beaten each of those particular teams a significant majority of the time. Smaller samples give more unreliable results.

Question 639.2

How best to summarize and quantify these findings?

If you have two separate Leagues, then they should never interact during the regular season. If you have two Conferences within a League, then you generally should aim for about 2/3 (or maybe a little more if needed) of the games being within your own Conference and 1/3 with the other. If you have three Divisions within a Conference or League, then you generally should aim for about 1/2 (or maybe a little more if needed) of the games being within your own Division, and 1/4 for each of the other two Divisions.

Question 639.3

How might we apply these standards to the four major American sports of Baseball, Football, Basketball, and Hockey, assuming current conditions?

The 'current conditions' which we are assuming are (1) the number of games in each League's regular season, (2) the Division structure of each League, and (3) the number of teams in each Division.

Major League Baseball (MLB) = 162 games = 2 Leagues, 3 Divisions per League, 5 Teams per Division

- 84 games within own Division (21 against each of 4 other Teams)
- 39 games with each of 2 other Divisions (8 against each of 4 of the 5 Teams, plus 7 against the 5th, so one series in each park, preferably in separate halves of the season)
- 0 games with other League

National Football League (NFL) = 16 games = 1 League, 2 Conferences, 4 Divisions per Conference, 4 Teams per Division

- 12 games within own Conference
- includes 6 within own Division (2 against each of 3 other Teams)
- includes 2 with each of 3 other Divisions
- 4 games with other Conference (1 with each Division)

National Basketball Association (NBA) = 82 games = 1 League, 2 Conferences, 3 Divisions per Conference, 5 Teams per Division

-- 55 games within own Conference

---- includes 28 within own Division (7 against each of 4 other Teams)

---- includes 27 with other Divisions (3-3-3-3-2 for 14 against the 5 Teams of one Division, and 3-3-3-2-2 for 13 against other Division)

-- 27 games with other Conference (9 with each Division, including 2 against each of 4 of the 5 Teams, plus 1 against the 5th)

National Hockey League (NHL) = 82 games = 1 League, 2 Conferences, 2 Divisions per Conference, 8 Teams per Division (except that we are looking forward to the Central Division getting an 8th team someday)

-- 50 games within own Conference

---- includes 35 within own Division (5 against each of 7 other Teams)

---- includes 15 with other Division (2 against each of 7 of the 8 Teams, plus 1 against the 8th)

-- 32 games with other Conference (which is over 1/3, but it allows 2 against each of 16 other Teams)

Question 640

Should only Division winners participate in the playoffs, or shall one or more 'wild cards' be admitted, or shall the top eight (or some other number of) teams in each Conference play, or what?

This is another one of those where multiple arguments supporting different approaches are available.

There are arguments in favor of allowing only the teams with the highest winning records to participate in any playoffs, including:

(1) For either the all-season fans or the casual onlookers who can't make time to watch until the playoffs, you want to be sure that you are watching the best of the best, not a bunch of also-rans.

(2) The team winning the championship should have demonstrated that they deserve the crown by having won more games during the regular season than anyone else with the same schedule. Conversely, if a lesser team wins, then it might be attributable largely to luck, thus subverting the meaning of the championship.

(3) There is less incentive for a team to try to win during the regular season, or for their fans to cheer them on, once the team has already reached the playoffs, because they may want to rest their players, the prospect of home-field advantage being somewhat helpful, but not nearly enough.

(4) It makes winning the Division more meaningful if only the Division winner advances, not some given number of teams from the entire Conference. In fact, there is no reason to have Divisions at all, if you are simply picking the leaders of the entire Conference.

However, we also observe that adding a one-game playoff in Baseball -- to determine which of the top two Division losers within each League will act as the 'wild card' during that League's playoff -- actually seems to have increased competitiveness

during the end of the regular season, as more teams find themselves in playoff contention for longer periods.

On the other hand, as noted above, including more Division losers in the playoffs increases the chance that one of them will win the championship, which if it happens probably can be ascribed at least partly to luck (such as a key injury on the opposing team, or a sudden gust of October wind off of Lake Michigan), because otherwise we would have expected that team to have done better during the regular season.

One possibility which our group has considered, but at this point we are not thrilled about, but just to get it out there for a theoretical alternative: For a sport like Baseball or Basketball, where each team routinely plays several games per week and travels frequently, you could have several rounds of playoffs within each League or Conference or Division. The first round might be one game between the two worst teams, and then the winner has a 3-game playoff with the 3rd-worst team, and then the winner has a 5-game playoff with the 4th-worst team, and so on as needed.

Upside of this alternative is that it gets more teams involved, so they all have something to hope for, but still you are granting 'byes' in order to encourage continued competitiveness throughout the regular season.

Downside of this alternative is that it allows teams to get through further on the basis of luck, and thus diminishes the value of the regular season, which is generally intended to tell us which teams are generally better than which other teams each year. Also, those early rounds involve the worst teams, and one of the big draws of the playoffs is that we fans get to see the best ball played by the best teams.

Generally, increasing playoff rounds and representations can increase team competitiveness and fan excitement, but only up to a point, after which having too many rounds and participants can dilute the impact of the whole experience, as well as increase the risk of player injury through overexertion.

As with the other points discussed above, each Sport needs to find its own way here, except that we have a specific recommendation/request below for the NFL. Generally, though, we recommend that each League and each Conference and each Division should represent some combination of Rules and/or Geography and/or Longevity and/or League Origin and/or Cultural Tradition which makes it unique within its Sport, such that representing that group by winning the most games within it that year is a significant and meaningful accomplishment, and such that we are all eager to see the winners square off in some sort of playoff bracket. Allowing too many Division losers into the process can make it too lengthy and boring and injurious.

This means allowing only Division winners if the number of Divisions within your Sport is a power of two (2,4,8,16,32,64), such that you can organize your playoff bracket without using any 'byes' or 'wild cards'. If you have any other number of Divisions in your Sport, then you will need to make some adjustments somewhere, but we generally recommend not allowing any more Division losers than are really needed in order to reach a power of two in your playoff population, except that again we are okay with the recent Baseball change to have a one-game playoff for the top two Division losers in each League.

We therefore are hereby asking the NFL to change its current playoff format. They have 8 Divisions in their League, which is a power of two, so they do not really require any 'wild cards' at all. The two Division winners with the best and worst winning records within each Conference can meet in the first round, along with the two middle teams, ties to be broken first according to any regular-season results between the tied teams, and secondarily by some combination of other factors. As a default, we suggest using Total Points scored during the season as 2nd tie-break, and Total Net Yards (that's Yards Gained minus Yards Allowed) as 3rd tie-break, but other possibilities are possible. Team with better record gets home-field advantage. First-round winners meet for the Conference championships, and the Conference winners meet for the League title.

Even though the NFL is in a position to use this simple and elegant playoff format, they still insist for some reason on introducing 'wild cards' into the structure. This not only increases the chances that an undeserving team will end up winning the title, but also increases the length of the playoff season unnecessarily. It's not so bad for Baseball, where a one-game 'wild card' playoff means only one day for the game and another day for travel, but an extra 'wild card' game in the NFL means adding a whole other week to the schedule. It now extends into February, which is contrary to the seasonal structure which we are proposing below in Answer 642. It makes the whole experience too long and dull, such that a lot of us have lost interest in the preliminaries, and simply wait around for the Big Game. We therefore are recommending that the NFL should streamline and simplify its playoff structure, by including only the eight Division winners without any 'wild card' teams involved at all.

Question 641

What incentive is there, then, for a team that is out of contention for the Division title to keep playing well, or for their fans to keep coming out to see them?

We already addressed this in Answer 637. If the simple Joy of Play is not enough, nor the normal competitiveness which might come out when one plays a game of any kind in front of any audience (or even without an audience), then we help things by allowing teams with higher winning records to obtain higher chances of gaining preferential picks during the next college/amateur draft.

Question 641.6

If a given League uses a 'wild card' in its playoff structure, then how many games should it take to determine the 'wild card'?

A note was handwritten long ago into our 'black book' of preliminary ideas, that no games should ever be involved in determining the 'wild card' for given League or Conference, except in case of an otherwise-unbreakable tie in regular-season results. However, that note was added before we observed the recent experience in Baseball of allowing a one-game playoff between two teams for the 'wild card' spot in each League. Even that one game with one additional team has successfully infused additional excitement and intensity of competition into the end of the regular season, and seems generally to have been good for the Sport. We again caution that adding too many rounds or games or teams will have the opposite effect, by reducing interest in the regular season because everyone will simply be waiting for the playoffs, and also will increase the risk of injury to players who are already exhausted from a long season. However, in the specific case of Baseball, the present

system of one 'wild card' game in each League seems to be operating net-well as of this writing.

Question 642

Shall we make any adjustments to when certain seasons begin or end, in order to make the year more balanced?

We generally like a total of 6 months for a Sport's regular season plus playoffs, so that both the players and the fans can have an approximately-equal experience of the game being either 'in-season' or 'off-season'. We also generally like for each Sport's season to be starting up as another Sport's season is winding down, so that we fans nearly always have two major Sports which we can follow actively at any time of the year. That means that the four playoff seasons should be spaced approximately three months apart.

As a starting point for specifics, we like for Baseball to cover the traditional 6 months of April to October, partly because playing much earlier or later than that can increase the chance of weather-related cancellations and temperature-sourced injuries, and also because the historic title of 'Mr. October' should always be semantically relevant by always having the World Series happen entirely in October.

But, if we begin the Baseball regular season in early April as we used to (it has recently begun in late March, which seems too early in the year from our angle), and end the World Series in late October (to squeeze it in from its current position in early November), then we are still covering seven months for the regular season and postseason combined. Is that too much? It is if we want to keep each major sport at a six-month seasonal cycle. If we cut the regular season to five months in order to allow a full month for the postseason, then that's only 153 calendar days (including the All-Star Break) for 162 games. We could cut the season schedule back to 154 games as it was in the pre-Division era, but then we would need to redo the team schedule established in Answer 639.3, which might not be horrendous, but which also might be unnecessary. On the other hand, we have heard from various players and managers and analysts that the longer postseason is stressing the endurance limits of numerous players, so maybe we should go back to 154 games after all. We could then allow between 5¼-5½ months to get those in (including a few days for All-Star Break), after which 2-3 weeks should be plenty for postseason.

If the regular season for Baseball covers the 5½ months of early April through late September, to leave 2-3 weeks for the postseason and still be done by mid-October, then the midway point of the regular season would fall on the cusp between June and July. Would that be a better spot for the All-Star Break than the current mid-July? It always seemed funny that they would place the break in approximately the middle of the season, but not exactly so. Seems to make more sense for teams to take a break at exactly their halfway points, so they can apply what they've learned in the first half to the second half. Also seems to be better for the fans to have their All-Star breather exactly at the halfway point of the regular season. Why make anyone go more than halfway through the season without a break if you don't really need to? In addition, moving up the All-Star Break by a week or two could tie it in more directly with the Independence Day holiday, so that both activities would be all the more festive. Unless anyone strenuously objects for any good reason, then that will be our primary recommendation.

While we are on the subject (will eventually be rolled out into a separate Question, similar to the foregoing), we are opposed to the idea of 'September callups', where they expand the active roster from 25 players to 40 during the last few weeks of the regular season, because the minor-league season typically ends earlier, and they want to give some minor-league players a chance to participate at the top level, while giving a rest to the main roster in advance of the postseason. Trouble there is that you are substantively changing the game, which is largely a test of a team's endurance, both through a single game (especially if it goes to long extra innings) and through a season and postseason. Smart managers will find ways to ration their resources to have healthy players available for long games and long seasons, and we make the challenge too easy for them when we provide them with a huge roster in the last month of the season. We should keep the active roster at the same 25-player level throughout the entire regular season and postseason, and we should apply the same rules for inactivating injured or poorly-performing players and replacing them from the minor-league levels.

Football should end in January* [*Exception is that it is okay and recommended to have the Pro Bowl two weeks after the Super Bowl, to allow everyone participating in both games a week to recover from the first contest and another week to work out with the All-Pro teams before the second contest, which is better than doing it on the Sunday before the Super Bowl, because then the participating teams feel that they should not risk their players in an exhibition contest before the Big Game, so we do not get to see the best players play, which is what the Pro Bowl is supposed to be about. We will roll this out into a separate Question later.], partly because it is three months after Baseball ends, and partly because it ended in that month for many happy years before the recent extensions. This means that it should start in July, at least with preseason, because a 16-week regular season (or 17-week if you still insist on allowing each team a 'bye' week, although maybe that causes more problems than it solves) can run from August to December, leaving ample time for both preseason and playoffs.

It would be nice if the other two big American sports of Basketball and Hockey also concluded their seasons in three-month intervals, so that we fans do not ever need to wait longer than that for our playoff experiences, but for some reason in recent years they both have seemed to want to have their playoffs in June. We would be happier with an adjustment.

Hockey is more winter-oriented, and it seems to make little sense to have people playing an ice sport during the same month that Summer starts, so we recommend concluding it by April, so start it around October.

Basketball should therefore be ending by July, not far from what it currently does, so begin it by January but not much before.

To summarize, in Spring we see the end of Basketball and the start of Baseball, in Summer we see the end of Baseball and the start of Football, in Autumn we see the end of Football and the start of Hockey, and in Winter we see the end of Hockey and the start of Basketball. There will then be Order in the Universe.

Subsection III-E-4: Other multi-Sport issues

Question 643

To what extent shall we either allow/encourage or prohibit/discourage the use of artificial turf in Baseball or Football?

It can be permitted only for fixed-dome stadiums, which themselves probably should be discouraged, except in communities which otherwise would get a lot of rainouts, and even then we wish that they would save up and install retractable roofs so that we could all have the benefits of natural grass.

The argument that artificial turf is better because it is smoother is invalid because a decent groundskeeper can keep grass very level. The argument that artificial turf is easier to maintain is invalid because those savings are outweighed by the extra time taken by physicians and trainers to mend the additional injuries which players suffer from running and falling on the harder surface.

Question 643.1

Do we have continuing problems with any particular Team names, logos, colors, or other similar attributes?

Yes, we have a few, as presented in the following sections for specific Teams, although a couple of the following sections will result in recommendations of no change:

Cleveland Indians

As many of our readers will be aware, the Cleveland Indians were recently moved to discontinue their 'Chief Wahoo' logo which was featured so iconically in the first two *Major League* films, because the perception had by now become too widespread (and we certainly will not dispute it here) that it projected a too racially-insensitive image.

However, the team has still been allowed to retain the 'Indians' nickname, and even though we love Tradition and we especially love the first two *Major League* films, yet we must wonder whether it makes sense to abandon part of the image and leave the rest in place. It could be argued that naming a team after our indigenous population is a way of paying homage to them, but the specific expression of 'Indians' might still be considered offensive by some.* [*According to Cleveland's Case Western Reserve University (<https://case.edu/ech/articles/a/american-indians>), this has been the perception of at least the "500-Year Committee, an organization composed of many ethnicities dedicated to combating insensitivity to Native-American concerns".] For, as we all know, these folks didn't come from India or the East Indies at all, but Columbus thought that they did, and so the name has stuck ever since. Some folks seem to feel that the expression of 'Indians' may have been used derisively over the centuries by both stay-at-home Europeans and immigrant Americans as a convenient means of thinking about them as inferior peoples, and treating them as such.

One theoretical alternative is to call them the 'Cleveland Native Americans', but we're not sure that that's really such a good fit either. Sort of implies that at least some of the referenced folks would be playing Baseball at some point, and we just don't see it happen very often. Beyond that, many of our Native American nations are such proud and brave and dignified people, historically living on modest means and in other ways taking care of the Earth, that maybe a small group of individuals making million-dollar salaries playing a children's game don't really deserve to be named after them.

It might not be so bad if they named themselves after some specific Tribe or Nation which was indigenous to the Cleveland area, because they could make a better case for representing the people who lived in that specific area. According to the website

for Native Languages of the Americas* [[*http://www.native-languages.org/ohio.htm](http://www.native-languages.org/ohio.htm)], the Erie tribe was the most prominent in northeastern Ohio, but the 'Cleveland Eries' might not be such a good name for a Major League team, too easy to make a lot of insulting puns such as calling them the 'Eeries' or the 'Airies' when they aren't doing so well in the standings.

Cuyahoga is the name of the County which contains Cleveland, and of the River upon which it was built. It is an Iroquoian name according to the Encyclopedia Britannica* [[*https://www.britannica.com/place/Cuyahoga-River](https://www.britannica.com/place/Cuyahoga-River)], possibly meaning 'crooked water' for the shape of the River. The name is featured very prominently in the opening song of *Major League I*. Having a team name of 'Cleveland Cuyahogas' would make a strong positive statement about the place where the Team was born and continues to play its home games. It is catchy without being too kooky. It does not directly deride or offend (so far as we are aware, at least...) any particular indigenous Tribe or Nation, and if anything it pays homage to the Iroquois by keeping one of their words in permanent national use.

We are not specifically recommending (at least not yet) that the Cleveland team should abandon its 'Indians' nickname, but we are suggesting that they should be prepared to do so at some point (if they are not already), because the time may come (and maybe very soon) when the popular demand for changing it will become too overwhelming. If and when that happens, we like the 'Cleveland Cuyahogas' best for an alternative. Any other possibilities should be considered very carefully before implementation, because we don't want to have to change the name again for any reason later.

Atlanta Braves

This is another team of Major League Baseball which refers in its official nickname to our Native American population. We have mixed feelings about this version.

On the plus side, at least it does not suggest any inferiority on the part of the people being referenced, and instead it exalts their historic Bravery. On the minus side, though, it does imply (at least in some people's perceptions) that the people being referenced are all bloodthirsty Warriors, running around indiscriminately with their Tomahawks to 'scalp' any innocent civilians that they can find.

We might be able to keep living with this dual interpretation if it were not for the famous 'Tomahawk Chop' which has worked its way into the team's brand. For those readers who do not follow the game closely, whenever the team has just done something particularly good on its home field, or is threatening to do so, the PA system plays a certain melodic phrase which apparently is intended to resemble a native War Chant, and the fans sing along, waving their outstretched hands forward repeatedly in such a way as to imitate a Tomahawk being used to Chop somebody's head. They probably don't see anything wrong with it (at least we'll give them the benefit of the doubt, and assume that they would not keep doing it if they realized how offensive it is on multiple levels), but to us outsiders it's really a bad look for the Team and the City and their Fans.

In addition to the imagery evoked by the use of the War Chant, that the Native Americans were simply a bunch of uncivilized Savages who loved to kill whenever they could, instead of a beleaguered people who occasionally used Freedom Fighters in desperation to defend their homeland from the European invaders, the 'Tomahawk Chop' gesture is offensive on an additional level which has nothing to do with the

Native Americans. Atlanta is currently the only MLB franchise whose fans make any sort of coordinated gesture which appears to be directed against the opposition.

It's one thing to cheer for your home team, and no one says that you need to like the visiting team, especially if it is a long-term rival. However, we are all trying to be peaceful and respectful sportspeople here. That is one of the big reasons why we are playing these different Sports in the first place, so that we can see who is more athletically gifted without having to go onto an actual battlefield and kill each other. That is also one of the big reasons why players and coaches (even in Boxing) often shake hands with the opponents either before or after the contest, to show that we're just here to play a certain Game by certain rules in order to help compare our athletic and managerial talents, and that it's nothing personal.

Most other franchises seem to 'get it', that it's perfectly okay to cheer for your home squad, and maybe to boo a specific opposing player if he is a steroid-user or other manner of jerk, and maybe even to boo the entire team if they specifically have done something unsportsmanlike to your team in the recent past, but that in most ordinary cases you should simply sit silently when an opposing player is introduced or makes some kind of good play. We are their hosts, and they are our guests, and we should be at least minimally-polite to them while they are here. By contrast, the Atlanta franchise seems to be willing to 'flip off' the other team (and indirectly their fans) by showing contempt and disrespect to them with their taunting Chant and Gesture, even when neither that team or any of its individual players has done anything to deserve such ill treatment.

Maybe they should continue to be allowed to do it, if that really is the message which they intend to send, if that really is the image and perception which they would like the rest of America to have about them, in short if that's their brand and they're sticking to it. Hopefully, however, they will someday get the message that they are making themselves out to be the Villains of the League for the manner in which they have been treating their visiting opponents who have traveled all that way just to play some friendly games with them, and that their present practice is poisoning our public perception not just of the Braves franchise but of the entire Atlanta community (most of whom we are hoping are better people in real life than the rude and insensitive jerks who go to Braves games), and maybe they will modify their attitude and behavior as a result. We look forward to the day. In the meantime, back atcha.

Washington Redskins

This one ought to be a lot easier. Not only does this NFL franchise reference the Native American people in its nickname, and not only does it curiously do so from the City of Washington even though the most historically-prominent Indigenous Nations were based much farther West, but it does one of the worst things imaginable, by explicitly labeling (and therefore demeaning) a group according to the color of its skin.

One of the most important improvements which we can make as a Society, and one of the biggest lessons which we would like for people to take away from this document, is that People Are People. We should accept them all as the Cousins which they are, regardless of whether your skin colors happen to match up or not. As long as we continue to broadcast the message by any means that it's okay to classify people according to their skin color, we also send the message that it's okay to treat as inferior (and therefore expendable) those groups whose skin colors are different from ours. It is not a philosophically-valid position, and it has been the

source of very many bad actions over the years. We operate more successfully and happily as a Society when we believe the opposite of that, and when we treat people on an individual basis according to who they are Inside, and not lump them into any kind of dehumanized group according to how they look Outside.

It doesn't help us to get to this level of social evolution if we continue to allow superficial epithets such as 'Redskins' to exist in our collective vocabulary at all. It makes our job even harder when such terms are allowed to be used as official nicknames of any top-level professional Sports teams.

In our group's opinion (and we are pretty sure that we are not the only ones to hold it), the Washington franchise of the NFL needs to completely rebrand itself. Cleveland at least had an Iroquois word applied to its geographic area, so it could claim some historic connection with a segment of the Indigenous Population, but we never learned anything in History class about any particularly great concentration of Native Americans living in what is now the City of Washington. If anything, it would have been one of the first areas to be cleaned out of native peoples in order to make room for the European Immigration. They are therefore going to need some other imagery which has nothing to do with Native Americans, but what should it be?

Senators can be expected to at least think about playing Baseball (which is why MLB had two separate franchises with that nickname), but few if any could be expected to play Football, so that probably would not be a good fit. Governors might be a little more 'Football-like' (whatever that means), but then of course Governors exist within the States and not within the District of Columbia. Naming them after the Presidency would be too politically divisive, especially when the team isn't winning, so better not to go there at all.

We could try going with some kind of animal, but we are so tired of the Donkey and Elephant which long emblemized the old Two-Party System, and the Bulls and Bears are more of an economic-market thing which Chicago has all wrapped up. Detroit already has the Lions and Tigers.

Nothing militaristic, please, because the whole idea of Washington (at least in theory, and with the notable exception of the Pentagon) is that it is a place where political decisions can get made without resorting to violence. Besides, if you name them the 'Washington Colonels' or the 'Washington Majors', then they still would be nominally subordinate to the Washington Generals, who famously have lost nearly every Basketball game which they have ever played, so that wouldn't be a good look.

We were charged up for a while about calling them the 'Washington Diplomats', which is suggestive of what happens in Washington, and specifically more of the Peaceful side and less of the Warlike side. It was used by an unsuccessful Soccer team from 1974-1981, but hopefully that wouldn't present any impediment to our using it today in the NFL. However, as we thought about it more, we realized that it would not be as good a fit for Football as it would be for Soccer, where you are trying to get to your goal by going around other people. Football requires you to gain territory at least partly by pushing your opponents out of the way through the use of physical force, which is not an image that we like for Diplomats.

Nationals and Capitols are already used in other Sports, so it would be good if we did something unique to Football, but we may be on the right track there at least. We thought of calling them the 'Washington Americans', and maybe that still ends up being the net-best way to go, but the hangup there is that most/all of the other

Teams in the League are also based in America, so the name is not really telling us anything unique about Washington. We could go with the 'Washington Potomacs' on the same grounds as changing the Cleveland Indians to the 'Cuyahogas', but it sounds more like a minor-league Baseball team than an NFL franchise. Calling them the 'Washington Chesapeake' makes us think of fly-fishing or some other gentle activity on the Bay, and not so much about Football.

New England already has the Patriots, but for similar reasoning we see some value in the idea of the 'Washington Independents'. For, even though the Declaration of Independence was drafted and approved within the City of Philadelphia, yet the primary document is now on permanent display in the City of Washington, and the name continues to invoke the "Don't Tread On Me" image which has long been a huge part of the American Experience. We therefore will accept that term if no one else has a stronger preference.

However, our favorite option is the 'Washington Colonials'. It does have the same number of syllables as 'Independents', but at least it has only one stressed syllable so it's easier to say, and it has fewer letters. Better still, the name is apt to that franchise because General Washington commanded the Colonial Army. Finally, there's nothing incongruous or otherwise wrong with the idea of Colonials playing American Football, now that we know how. Looks lovely from here, and that's our primary recommendation.

Kansas City Chiefs

We are not seeing an actual problem with the name here, at least not yet. In general, it must be at least as okay to name a team after the Indigenous Peoples who originally lived here as to do so after the Cowboys and Packers and Steelers who moved in later, provided that we do so in a respectful and non-stereotypical manner.

In this specific instance, the name 'Chiefs' does not directly imply 'warriors', but instead honors the strength and bravery and wisdom which propelled certain individuals to be the Leaders of their Tribes and Nations.

So they have an Arrowhead as part of their logo, and they play in Arrowhead Stadium, not really a big deal. Those folks used arrows for hunting as a critical element of their ongoing survival, so we should not make the mistake of associating that image with any misbegotten perception of the Native Americans as savages who frequently murdered other humans in cold blood.

However, we did uncomfortably observe during the AFC Championship game in January 2019 that the KC fans used the same War Chant and Tomahawk Chop which fans of the Atlanta Braves have used for numerous years. We are recommending (see above) that the Braves fan jettison the practice for multiple reasons, and now we politely offer the same recommendation and request to Kansas City.

Alliance for American Football

This is a new League which includes two teams named the San Antonio Commanders and the San Diego Fleet. The logo for the Commanders features a big Saber, and the logo for the Fleet features a big Battleship with guns poised for action.

We get it that older teams such as the Raiders and the Buccaneers (as well as the Pittsburgh club in Baseball) have at times used branding images which suggested a

certain romanticized version of Pirates, but we let it go because it always seemed like more of a harmless 'dress-up' sort of thing, like when you go to a Halloween costume party dressed as a Pirate and carry a rubber saber and go "Arrr" all the time. No big deal.

At this point, though, some of us feel pretty strongly that we should be getting away from that whole Conquest mentality, and away from threatening other peoples with our massive Weaponry. We probably can grandfather the older teams and their brands, but we strongly suggest that any new teams should be avoiding any images in their branding which suggest Weapons or Conquest or Violence. Those images get seen by the General Public as well as just the fans of the Sport, and they act to reinforce a belligerent and ethnocentric view of America which those of us connected to this Project have been trying very hard to discourage.

When the American Public repeatedly sees images of Weapons on the logos of so many of their favorite Sports teams, it subliminally encourages them to keep thinking that it's okay to brandish Weapons, that it's okay to threaten your Neighbors, and that it's okay to cross the borders of other Nations with military force whenever we feel like it. It's not okay, people, and for a variety of reasons including our own self-preservation we urgently plead that you all get away from that mentality. We therefore also plead with the Commanders and the Fleet and any other new Sports teams to omit any Weaponry from their team logos. We are all here to play a Game, not to Kill each other. Any branding images for your new Sports teams therefore should emphasize Fun rather than Death.

Anaheim Angels

We already discussed the franchise name in Answer 638, where we established that any Team should name itself after only one community, and that it's generally okay for a Team to name itself after a community which is near to where its home stadium is located, on the grounds that a large proportions of its paying fans presumably will come from there.

Now that we are looking at specific franchises more closely, however, we feel that we should be a little more specific about the Angels. It might not bother us so much if they really want to name themselves after the nearby community of Los Angeles (even though -- as mentioned in Answer 638 -- the expression 'The Los Angeles Angels' literally translates to 'The The Angels Angels') if that other community were at least located within the same County as the home stadium. As it is, however, Anaheim is located in Orange County, where Los Angeles is in the adjacent Los Angeles County.

If you want to name yourself after a nearby community, for greater marquee value or whatever, then we politely suggest that maybe that other community should at least be within your home County. If it is not, then is it really "nearby"?

Although we loved the California Angels back in the 1970's, we must regretfully admit that this name was not really appropriate either. For, the same American League contained (and still does contain) another team from the State of California, namely the Oakland Athletics, so the Angels could not legitimately be said to be representing the entire State of California within the American League.

We might theoretically solve that problem by referring to them as the 'Southern California Angels', as we had the 'Southern California Sun' (coached by former Rams

great Tom Fears) during the short existence of the World Football League. However, that name is very long and clumsy, and it is not recommended.

It might seem net-best to simply name the Angels after their hometown of Anaheim, but we realize that there still might be some folks out there who prefer keeping the L.A. connection in the name, and not just because of marquee value, but rather because the whole reason of calling them the 'Angels' in the first place is because L.A.'s name translate to 'The Angels'.

If the Angels franchise really wants to keep naming itself after Los Angeles, and if the fans are okay with it, and if at least 2/3 of the other owners in the American League (see Answer 638.3) are okay with it, and if the City of Los Angeles expresses its formal approval through an executed lease agreement, then we suppose that we can live with the whole 'The The Angels Angels' embarrassment, and even with the fact that their namesake community is in a different County. There certainly are far worse problems needing to be solved, as discussed elsewhere in this document. However, we hope that they would still consider tributing the City of Anaheim for its role in hosting the franchise, by naming themselves the 'Anaheim Angels', and thus satisfactorily address these other issues.

This brings us to another issue with the Angels franchise, though, and that is their Team Colors. They had a beautiful and handsome look back in the 1970's, but then at some later point somebody had what we consider to be a very odd idea, to dress the players and coaches in Devil Red. Why would a team calling itself the 'Angels' wear Devil Red? Whatever the reason, they still are doing it today, and it looks really ridiculous.

We can only speculate that the front office was eager for some reason to develop a new image for the team to distinguish it both from the 1970's team with Nolan Ryan and Rod Carew and Don Baylor and a host of other greats (why would they ever want to do that??), and from the Blue color sported so prominently by the Dodger franchise based in the neighboring County.

It's very difficult to maintain loyalty to a franchise which fails to exhibit loyalty even to itself. By wearing Devil Red all over the place, they're basically making a statement that they are not Angels at all, except maybe that they are Fallen Angels. We see this as a Social problem needing to be fixed, maybe not the most urgent in our list, but still needing to be covered if we are to claim having assembled the "Answers to Everything".

It would be totally fine with us if they went back to their 1970's design. If for any reason they still don't want to do that, then another possibility which we have considered for a while is for them to go with a Light Blue motif, because that color suggests the Sky, which is where we commonly associate Angels as hanging out most of the time, if they exist at all. It would also distinguish clearly from the Darker Blue used by the Dodgers. However, upon further reflection, we can envision how the team might not want to use that coloring, because maybe some people might then look upon them as 'Dodgers Lite', as if they were a minor-league affiliate of the L.A. organization instead of being a full-fledged MLB team in its own right.

We fix all these problems with a single solution. (We never get tired of that happening!) Forget both the Light Blue and the Devil Red. We can instead use the Yellow which is commonly associated with the Sun, which of course is seen so prominently in the same Sky where the Angels are presumed (by some) to float

around while conducting their various Angelic duties. Yellow is used in combination with Green by the Oakland Athletics, and a darker Gold is used with Black by the Pittsburgh Pirates, but otherwise Yellow is woefully underrepresented among teams in the Major Leagues. OK for them to have Yellow jerseys for some of their games, and Yellow caps for all of their games. It will help to balance out the overall color scheme of Major League Baseball, it perfectly fits the imagery of Angels, and it is highly distinctive of the Dodger franchise so there will be little chance of mixup.

That is why we selected White and Yellow in Answer 637 as representing the Angels franchise on the balls in a proposed draft lottery. We also see while reading back that we used the expression 'Los Angeles Angels' in that chart, but only because it is in current official use (except that we of course are dropping that whole clumsy 'of Anaheim' appendix), and because again we are seeing multiple arguments in favor of either City being selected as the one and only official hometown of the franchise.

Utah Jazz

Let's just establish right off the bat, Utah Jazz is my favorite. You can travel the Nation, and you can travel the World, and you will never find any Jazz like Utah Jazz.

Weren't aware of that, were you? Hmmm, well then maybe I was thinking of a different place all along.....

Seriously, this Basketball franchise started in New Orleans, where the association with Jazz music is much more commonly known. When they decided to leave that City some years back, and to relocate to Utah, they curiously decided to keep the Jazz reference in their name, even though Utah is known musically more for its Mormon Tabernacle Choir than for any Jazz which may ever be written or performed there. This has always looked and sounded ridiculous to us, and we recommend that it be changed.

We realize that some other franchises carry nicknames which relate to their origins but not to their current locales. Famous examples include the Dodgers (who got their name from the folks who needed to dodge the streetcars in Brooklyn way back when) and the Lakers (who came from Minnesota with its thousands of lakes). However, these teams have been located where they are for so long now, and their team nicknames have lost virtually all meaning other than as references to those specific franchises, that we can happily 'grandfather' those adjustments. By contrast, though, the word 'Jazz' still has a very common and distinct meaning, and it still is broadly associated much more with New Orleans than with Utah, so it probably still is a good candidate for further fixing.

If you insist on remaining in Utah (no reason why not, for there's only one other team located within a 500-mile radius), then it would make a lot more sense to select an image more commonly evocative of that State. Probably would be good to keep it as a Musical reference, in order to maintain your historical ties to your New Orleans predecessors. Since the Choir is so big in Utah, maybe that should be your source. Since the NBA currently comprises only males, maybe good to name yourself after one of the male sections of the chorus, so you would be either the Tenors or the Baritones or the Basses.

Down the road, when women are allowed to compete on the NBA teams, you might need to select a more generic team name, but it may not be strictly necessary. For, any woman who is tall enough to compete at the NBA level probably has a windpipe

which is longer than average for women, so she might have a vocal range which is lower than average for women, and thus she might be able to sing in the Tenor or Baritone sections if she were to join the chorus at all. You might therefore be able to keep the gender-suggestive name. If you prefer not to, or if the public demands a change, then maybe you use the more generic expression of the 'Utah Choristers'.

Arizona Cardinals

We're okay with this one. We realize that there is a large Cardinal population in the Missouri area, which is why the St. Louis Cardinals were a franchise for many years in the NFL before they moved to Arizona, and why the St. Louis Cardinals are still a franchise in Major League Baseball. We might therefore ordinarily suggest that the team adopt some other mascot if they were going to move to a whole different area of the Nation.

In this particular instance, however, that logo of theirs is way too handsome and cool to give up, so we can let it go.

Besides, now that the Rams have retrolocated to Los Angeles, maybe someday the NFL Cardinals will retrolocate to St. Louis, and then everybody can be happy.

Question 643.2

To what extent shall we either allow/encourage or prohibit/discourage the use of 'performance-enhancing drugs' (PED's) in professional or amateur Sports?

This is another one where different people seem to have different preferences.

We have heard it expressed by some people (both on TV and in 'real life') that PED's should be allowed into professional Sports without restriction, because those fans are simply interested in seeing the biggest and strongest athletes doing the biggest and strongest things, and they don't care what chemicals those athletes may have needed to ingest in order to help them to perform at those levels. They also don't care about any historical comparisons of performance between current players and those of the past. They just want to see the biggest homers, the longest throws, the hardest hits, the fastest runs, and everything else as huge and spectacular as we now can possibly make it.

Some of them will defend their position by pointing out that we have other methods of training and exercise and performance evaluation now which were not available to our predecessors. We have better machines for strength buildup, we have greater knowledge of diet and other aspects of body chemistry, we have video and other equipment which can help us to look at mechanics in greater detail, we have the 'Tommy John' surgery, we have all the computer programs which can give us much more 'analytics' than we ever had before. In short, we already have numerous other advantages over our predecessors which are allowed, so it stands to reason that we will eventually supplant all (or at least most) of their averages and all (or at least most) of their records, as we have already done in many cases. Why should we arbitrarily allow some advantages to modern athletes and disallow some other ones?

We have an Answer: It is because all those other modern technologies still require the athlete to put in time and physical effort in order to take advantage of them, so we still have reason to admire the athlete not only for each specific good play but for the years of commitment which it took to get to that level of performance, whereas

the drugs provide a 'shortcut' which makes the athlete's performance much less meaningful and therefore less worthy of admiration.

The whole reason why we have Athletics in the first place is to be able to see which Individuals and which Teams are currently the best at what they do, so that we can all be inspired to see what is within reach for real-life people to do, if only they possess the combination of talent and ambition and dedication and concentration needed to train hard enough between games and play hard enough during games.

By contrast, when you introduce PED's into the picture, then it becomes far less of a contest of which Athletes are the best, and it becomes more about which Drugs are the best. While we realize that some folks don't care about the distinction, yet some other folks find that a contest of which Drugs are the best is not so interesting to watch.

But, as with other similar topics discussed elsewhere in this document, there's a chance that we would upset some people if we do it all one way, and upset some other people if we do it all the other way. Do we therefore again reach a finding of 'no finding', and allow different Individuals and Teams and Sports to do as they wish?

Not in this instance. As a matter of Philosophy, we are claiming that Athletics provide us with a great Social Benefit, by inspiring some of us to excel athletically and by moving many of us to admire other people's athletic achievements, all generally helping to make Humanity better in terms of both what we can achieve and the amount of work which we are willing to put in to make it happen, but that those noble objectives vanish if we once allow athletic outcomes to be influenced by artificial chemicals instead of by hard work.

We therefore claim that an Athletics industry which disallows PED's is good not just for those individual Sports but for all Humanity, and that an Athletics industry which does allow PED's is bad for Humanity. We therefore ask that all professional and amateur Leagues (including the Olympics organization) continue to disallow PED's, and to pursue any possible violations aggressively. Baseball in particular might want to give a test to each player who has hit a certain number of home runs since his previous test. Track and Swimming and other similar Sports might want to check after each athletes who achieves a certain time, or wins by a certain margin, or does something else unusual and therefore suspicious.

Enforcement should continue to include barring any players from entering their respective Halls of Fame if a preponderance of the available evidence indicates that they used banned substances knowingly. For, we agree with those who feel that those players should have known that what they were doing was bad for their Sport, and more generally bad for Humanity. If true, then they should not be rewarded for their deliberate 'cheating' by providing them with such a positive acknowledgement as enrollment in the Hall of Fame.

Do also please continue to mark with an asterisk any records which appeared to have been set by players who are found to have used banned substances to enhance their performance artificially, or else remove those entries from the record books entirely. The whole idea of the record books -- as with the Sports generally -- is to see which people did the best things, and not which drugs had the biggest effect, so by all means okay to marginalize or ignore in the books anything which one apparently did while he had a lot of performance-enhancing crap in his system.

Those others of you who currently like to have contests to see which of your drugs translate to better performances on the athletic field would do us all of a big favor by instead turning your attentions and your biochemical talents toward seeing which of you can first bring relief to victims of Cancer and Diabetes and HIV and other serious diseases of the human body. Now, that's a competition which we would all attend very eagerly.

Question 643.3

At what point do team celebrations on the field begin to constitute 'unsportsmanlike conduct' and therefore become subject to some manner of penalty?

First, before we get into the heart of the Question, let's clarify a point of grammar about which some people might otherwise become concerned: The astute reader will have observed that the more recent portions of this document have done a better job of avoiding the use of the masculine gender for generic pronouns. More specifically, we have tended more frequently to use 'she' and 'her' when speaking about business executives and political leaders and other positions of mental distinction, and to use 'he' and 'him' only when speaking about thieves and bullies and other bad people, just to change things up from the previous practice, and to help us get to a more equal grammatical footing more quickly. It is for this reason that we kept the adjective 'unsportsmanlike' in the text of the Question, instead of using the more gender-neutral 'unsportspersonlike', because it seems to be the men who get penalized for offensive on-field conduct at a much higher proportion than the women. We can neutralize the expression in later editions if the collective desire is strong enough, or maybe we do net-better by leaving this one as we have it.

That said, let's now get into the substance of the Question.

One of the main purposes of Athletics is to give the individual athletes a chance to show what they can do, as well as to see what the teams are able to do collectively. When an individual athlete or an entire team does something especially and uncommonly good, as compared not only with the general public but also with the other athletes playing the same Sport, it is perfectly natural and reasonable that they will often want to take a moment to celebrate their achievement together. It would be unreasonable of us to expect that they would want or need to be robots all the time, and that they should not possess or express any positive emotions about what they have just done.

Besides, even if the athletes did manage to show no positive emotion after any touchdown or home run or other big play, then that would get pretty boring for the fans after a short while. One of the important 'entertainment' aspects of the Athletics industry is that we get to see not only the great plays themselves, but also the acknowledgements and celebrations which come with them. If the guys all appear to be simply going through the motions and never celebrating anything, if it looks as though they're thinking 'yeah I/we do this all the time, no big deal', then these great plays end up looking a lot more commonplace than they actually are, and we fans have a lot less motivation to keep watching.

In short, if the players look bored, then the fans will start to become bored too. If the players look dazzled by what their comrades do, then we fans will be dazzled as well. A certain amount of celebration therefore is not only 'sportsmanlike', but also critical for the fan experience, without which the Athletics industry would go away completely.

As one particular example of what we always used to think was a perfectly appropriate and fan-pleasing celebration was when the Washington franchise of the NFL had their 'Fun Bunch' back in the 1980's. After a particularly difficult touchdown play, about six of them would form a circle in the end zone, do a little dance together, and then give one another a big 'high five'. Seeing the players experience such joy and exuberance was almost as fun for the fans as it must have been to the players themselves.

However, as in most things, it's possible to go too far. When players start taunting their opponents, and insulting and demeaning them, when they become in any way disrespectful of their fellow athletes instead of simply celebrating their own athletic achievements, that's when it can stop being a friendly game, and that's also when it can stop being pleasant for the fans to watch.

In our group's collective feeling, that's where the 'line' is, or where it should be. If you are doing your own thing off to the side, then you're generally good to go. But, when you perform your celebrations directly in front of any of your opponents, even if you are not directly speaking to them or pointing at them or anything as you do so, that should still be considered 'in their face' enough to constitute 'unsportsmanlike conduct', and to be subject to an appropriate penalty.

In the specific case of Football, the penalty can be either 5 or 10 or 15 yards, depending on the 'flagrancy' of the conduct in the perception of the referees. In the case of Baseball, any player who is disrespectful enough to another player in the judgment of the umpires can be subject to ejection and replacement. In neither case, though, should the original result which precipitated the exchange be nullified.

Question 643.4

Should different sports continue to have All-Star games?

We think that this is a fun and fine institution which should be continued indefinitely, although we have heard complaints from some athletes that such participation unduly increases the risk of injury. That may be true, but we imagine that you became a professional athlete in the first place because you were eager to show off your athletic skills to people, and that participating in an All-Star Game is as big of an individual showcase as you may ever encounter, whereas your league championships are generally more about overall team performance.

Fans sit through the rest of the regular season often wondering, "Wouldn't it be cool if we could have at least one game each year featuring the league's best players at all positions, the best versus the best?" Well, we do that, and we would like to continue doing that. Any athlete who is too afraid of injury to participate maybe should be finding some other line of work.

Question 643.5

What is the best way to select the players appearing in your sport's All-Star Game?

Having established in the previous Answer that we want to continue to have All-Star games, there is that other ongoing debate of how the players should be selected. Some people (especially some of the commentators on TV) currently feel that they should be selected by the coaches, because they are most familiar with everybody's

specific athletic skills. Others feel that selected sportswriters should be making the selections, similar to the panels which in some cases select inductees to a given sport's Hall of Fame. We have also heard the idea floated that selection should be performed on a 'peer review' basis by the players themselves.

All those ideas have varying levels of merit, but to us the factor which sings out the loudest is that the reason that we are arranging to have an All-Star Game in the first place is to provide the fans with a once-per-year experience of seeing the most spectacular players play together, whether that comes from athletic prowess or simply a snazzy style. The fans are our customers, they are the reason why we are having the game at all, so they should be the ones to decide which players shall appear in each year's showcase game.

That leaves the matter of how the fan balloting should happen. In the 'dark days' before the Internet, we were allowed to mail in paper ballots, with the only limitations being the amount of time which we were willing to invest into ballot preparation, and the costs of any postage. More recently, Major League Baseball has experimented with online balloting, but with a funny rule that each voter could submit up to 35 ballots. We have tried to learn why they selected that number, and so far have not discovered it.

In any case, we feel that it is misleading to allow voters to cast large numbers of ballots (whether by paper or electronically or both), because it gives the false impression that more people are participating in the process than actually are. Also, when some voters are allowed to 'stuff the ballot box', it means that voters who cast only one ballot each (whether from honesty or time shortage or both) are unfairly underrepresented. Conversely, if all voters are casting their full 35 ballots each, then the overall result will probably be very close (if not identical) to what it would have been with only 1 ballot per voters, so the rule does not seem to be accomplishing very much. Standard expectation should be one ballot per voter.

The same technology which currently caps voters at 35 ballots each can also cap voters at 1 ballot each, so the change would not require us to invent anything new.

Subsection III-E-5: Baseball

Question 644

Shall we allow/encourage or prohibit/discourage the 'designated hitter' rule?

We thought that you would never ask.

Some people clearly like it, because it allows pitchers to focus more on that job without also needing to worry about batting and running, and because big hitters like David 'Big Papi' Ortiz who maybe don't field so well at a given stage of their career can still have a chance to shine.

However, everyone who was present at our Session 271 hates and loathes and detests the DH Rule, because it takes us away from the Basic Model of the Game, where each player must participate on both Offense and Defense (same as Basketball), and must therefore be able to develop and demonstrate a variety of athletic skills and not be just a potentially-boring specialist.* [*Actually, there are multiple additional reasons to prefer the Basic Model, and the author could go on and on at considerable length

regarding this subject, and maybe we can go into it more at another time in another forum. For now, however, the simple fact that there are broad preferences on both sides is enough for us to deal with.]

What are we going to do about this?

We have heard some journalists argue in favor of eliminating the DH Rule throughout Major League Baseball, and other journalists argue that it should be expanded for perpetual use in both Leagues. As with the Pledge of Allegiance and other topics discussed previously in this document, we upset a bunch of people if we do it all one way, and we upset a bunch of other people if we do it all the other way. Therefore best to reach a compromise solution which will get everybody to shut up about the issue already.

MLB has attempted this by generally allowing each of the two constituent Leagues to play its own preferred version of The Game, but we are currently faltering in the specifics, so we need to make some adjustments.

Things were pretty much okay until they started staging 'inter-league' games during the regular season, now a bit over 20 years ago. It was one thing to expect all pitchers to bat and run during the World Series games played in National League parks, and in alternating All-Star Games. However, with extensive inter-league play during the regular season, it has become much more of a necessity that they learn how to do it right. But, the whole idea of having a DH in the first place was so that pitchers would never need to worry about doing that.

Similarly, managers who are accustomed to structuring their lineups based on either the presence or the absence of a DH must occasionally do things differently during the regular season, such that they're basically playing two games instead of one.

It is not just the players and managers who need to adjust. We fans who have one preference or the other must sit through multiple regular-season games where our favorite teams must play under our unfavorable rules, or else (like the author) we simply skip watching Baseball that day.

We solve this problem by getting rid of all regular-season inter-league games, which under Answer 639 should never be allowed anyway.

If you want to keep the Leagues separate in terms of which rules they play, then also keep them separate in terms of meeting each other during the regular season. Let each League's players and managers and fans have their own preferred experience, and let them never need to think or worry about the other version as long as the regular season is still blessedly with us.

But then, what do we do about inter-league play outside the regular season? What about Spring Training, the All-Star Game, and the World Series? Glad that you asked.

Because exhibition games are held during Spring Training basically to audition prospects and give everybody some physical and mental conditioning before the regular season starts, it would not hurt anything for each team to abide by its own roster rules whenever they come from opposite Leagues. We suggest that it would be better that way, so that both the players and the coaches get practice under the same rules which they would be observing during the regular season.

However, when it comes to 'meaningful' games (including the All-Star Game, which is still 'meaningful' for pride purposes even if it has no impact on the postseason), we must acknowledge that -- as we mentioned in Answer 638.8 -- it is far more difficult for American League players to adapt to our rules than for our players to adapt to theirs. We therefore should not require them to do so as a condition of playing any meaningful inter-league games at all. Thus, the National League should be prepared to play with the DH Rule during any meaningful inter-league game, regardless of which team (if any) is geographically hosting the contest.

But, doesn't that constitute a major disadvantage to the National League, because we always have to adapt and the other League never does? Perhaps, but that is the compromise which we offer, in exchange for everybody everywhere (and that includes you, Mr. Bill Ripken) agreeing never to suggest or propose again that the NL should ever observe the DH Rule for even one single game or one single moment of its regular season.

You guys play your game, and have fun with it, and select your League champion according to your preferred rules, and we will do the same. We will play your way during the All-Star Game and World Series, but otherwise please don't ever bug us.

Question 644.1

Should we allow umpires to be influenced by 'instant replay'?

Not exactly under those terms, because it is not really the umpires being influenced, but rather the officially-recognized outcome of a given controversial play. However, main point is that we do generally like the use of 'instant replay' to decide certain close calls which may have been decided incorrectly on the field. Present system seems to be working pretty well, with a qualified umpire not on the field reviewing and deciding the play based on the high-resolution ultra-slo-mo video footage which we now have available.

It does slow things down somewhat while the footage is being reviewed, but many incorrect calls are getting overturned routinely, and so it seems to be doing much more good for the game than harm.

Question 644.2

Any recommendation to offer on placement of First Base with respect to the batter's running lane?

As it currently stands, the entirety of First Base lies on the inside of the baseline, but the rules require the batter to remain in the marked lane lying outside the baseline, in order not to interfere with the actions of the fielders who are trying to throw the batter out. At some point, the batter must leave the outside running lane in order to touch the base which is lying inside the baseline, but any such action can theoretically be considered as at least the possibility of interference.

The solution is fairly simple, and does not require any extensive redesigning of the standard baseball infield. All that we need is to extend the width of First Base such that it completely covers the running lane. That way, the batter can focus on touching the portion of the base which is inside the running lane, without any chance of interfering with the portion of the base which is being covered by the defender.

Question 645

Shall we extend the 'infield fly' rule to include situations where there is only a runner on first?

Currently, the 'infield fly' rule applies only when either the bases are loaded or else there are runners on first and second. The idea is that we don't want an infielder to intentionally drop an easy fly ball in the hope of being able to initiate a 'double play' among the lead runners, who must stay close to their original bases in order to avoid being thrown out after the expected catch. In those situations, if the field umpires decide that a given fly ball is sufficiently easy for an infielder to catch normally, then the 'infield fly' rule allows them to declare that the batter is automatically out whether the infielder actually catches the ball or not. The runners on base may advance at their own risk, but they usually do not do so.

This rule is helpful as far as it goes, but we recommend that it be extended to situations where there is only a runner on first base. Reason is, even though a 'double play' probably is not happening (assuming that the batter is running reasonably hard toward first base while the ball is in the air), the infielder still might have a motivation in some instances to drop the ball intentionally, which simply looks ridiculous regardless of the situation.

For example, this might happen if you have a fast runner on base, and a slow runner at the plate. If you have your choice as a defender, you usually will prefer a slower runner to be on base rather than the faster one, because it is less likely that the other team will score any runs on you in that inning. You might therefore drop an 'infield fly' intentionally, and then throw out the faster runner at second for a 'force play', while the slower runner makes it to first base safely. One out is recorded either way, and either way you still end up with one runner on first base, but by dropping the ball intentionally (which really looks ridiculous) you have managed to switch from the faster runner to the slower one on the basis of a technicality.

The batter who is popping up into the infield is the one who deserves to be out, so simply call him out if there is any level of 'force' in play at the time (that is, while a runner is on first base, whether there are any other runners on base or not), and if the play looks sufficiently easy in the judgment of the field umpires.

Question 645.1

What can we do about fan interference?

Baseball is currently the only major American sport in which fans are allowed to sit close enough to the action to be in a position to influence it. Football has broad 'sidelines' for the players and staff, and no fan can get anywhere close to the field of play. Hockey has a big clear protective shield around the entire rink to separate the fans from the action. Basketball has some courtside seating which allows fans to touch players who have gone 'out of bounds', but under the rules of that game any such players are ineligible to do anything official, and the ball is immediately and automatically dead once it touches anyone or anything outside the court, so as long as the fans stay off the actual court during play there usually is no chance of fan interference.

By contrast, there are multiple chances in Baseball for greedy jerks in the stands to unduly influence the game in progress. For one example, a fly ball can be caught in

foul territory for an official out, but the foul territory often runs right up against the first row of fan seating, such that fans can reach to grab the ball while the fielder is trying to do the same thing. For another example, a ground ball which was fair as it left the infield is still 'in play' even if it afterward rolls into foul territory, and again fans currently can reach into the field of play to grab the 'live' ball before the fielder has a chance to get to it. Third and perhaps most importantly, a fan sitting near the outfield fence is able to touch a ball batted into the air before we have a chance to determine whether or not it has been hit sufficiently far to qualify as a 'home run'.

All these things happen often in real life, and it always sucks. We have tens of thousands of other fans who have paid to see an athletic contest between teams of professional players, and sometimes millions more watching on TV, and our experience is severely disrupted just because one isolated jerk of a fan decides that his lust for a souvenir ball outweighs everybody else's desire to see a fair game which is decided solely on the basis of what the athletes do. We do not agree with the jerk, and we therefore feel that his temptation needs to be removed.

For, the experience has shown that we clearly cannot trust all fans to refrain from reaching into the field of play while the game is in progress, not even with advance announcements and the threat of ejection. We have tried for many years, but some people can't seem to stop themselves from crossing the plane to where they don't belong. Games and even entire seasons have been irreparably altered because some fans simply refuse to stay in their proper places when the ball comes anywhere near them.

Everyone present at Session 272 expressed deep anger and disgust at this condition, and we suggested a permanent solution: As much as we are philosophically opposed for several reasons to the idea of a Wall on any of our national borders, yet we must advocate in favor of bigger barriers between the fans and the athletes at the ballpark.

The barriers can take the form of netting (which we are happily seeing more of now, anyway, with increased awareness of the risks to fans from flying bats and balls), or else you can make sure that there is a sufficiently-wide aisleway in front of the first row, but one way or another make it physically impossible for a fan to interfere with any play in either fair or foul territory.

We understand that venues want to sell as many seats as they can, especially in the lucrative spots up front, and that they therefore might not be too eager to erect a non-paying aisle in front of the first row. We also understand that a permanent netting between the field and all the fans could eliminate the pre-game autographs and other fan interactions which for some folks can be an important part of the whole stadium experience.

To the first of these concerns, well hey we're sorry for the lost revenue, but it's not our fault; raise ticket prices to offset it if you must, and then together we can all blame those selfish interfering fans for having made things worse for the rest of us, boo on you, you should have thought more about the bigger picture. To the second of these concerns, one possibility to consider is a retractable netting which can be kept lowered during the pre-game and raised after the home team has taken the field but before the first pitch. That last option seems 'net-best', if you will forgive the poor pun.

Question 645.2

What can we do about 'pace of play'?

Funny thing about that. We never used to have a problem with 'pace of play'. That didn't used to be a 'thing'. One of the best and biggest charms about Baseball was that it did not ever require any particular 'pace of play', there was no clock, no time pressure, both players and fans could take their time and enjoy the experience, especially on a gorgeous afternoon in an undomed stadium. Longer games meant more concessions sold, and we always were happy for the 'bonus baseball' of extra innings, so that we had an excuse to stay at the ballpark longer. Good times.

In more recent years, however, the game has gotten much slower, and not because we changed the number of outs per inning, nor the number of innings per game, nor anything else about our rules. Something else has been at work which has either increased actual game lengths, or at least made the game seem slower.

Major League Baseball has made various small tweaks to try to help things along, such as a clock for between innings, a clock for between pitches, and eliminating the four physical pitches which previously were required for issuing an intentional walk. However, those measures are helping to only very small degrees, if they are helping at all. The bigger problem lies elsewhere.

We can sum up the main problem in two words: Pitching Changes

The one big thing that's different between recent Baseball and that of all previous years is that we are demanding our pitchers to be throwing harder and with greater movement than ever before. Part of that probably comes from our increased recruitment efforts in other Nations, as mentioned in Answer 637.6, resulting in heavier competition for the few available roster spots, and in the harder throwers being discovered who now have set a new standard in big-league pitching performance. It was not so long ago that throwing at 95mph was a rare gift, but now it is practically a minimum requirement. That is why we are seeing so many pitchers needing to be treated by 'Tommy John' and other surgical procedures.

It also means that pitchers are not able to last as many innings per game as their predecessors did. Complete games used to be commonplace, and now they are a rarity. This means that we need to see more pitchers per game than ever before.

This might not be such a bad thing if the process of changing pitchers were as quick and easy as the process of changing hitters, but it currently is not. The way that we currently do it, the Manager first needs to walk out to the pitcher's mound, and he seldom seems to be in much of a hurry, either through age or through disinterest or because he's trying to give the relief pitcher more of a chance to warm up. Once he finally reaches the mound, there often is a moment of conversation before the actual pitching change, again especially if they are stalling for warmup purposes. When the signal is finally given, the relief pitcher must make his way to the mound from the bullpen, which usually is situated beyond the outfield fence, making for a very long walk. (The situation was helped some during previous decades by the cute little 'bullpen carts' which drove pitchers out to the mound, but they can have the problem of chewing up the field.) Finally, the relief pitcher is allowed 8 additional warmup pitches from the mound before play can resume.

This process often happens several times per game these days, and not just because we are trying to protect pitchers who upon our expectation are throwing faster and

harder than ever before. We also have the issue that certain Teams and certain Managers like to 'play matchups', and allow a pitcher to face only 1 or 2 batters before getting replaced, simply because the following batter stands on the other side of the plate. This new tendency doubtless comes from our newer technologies providing us with more 'analytics' than ever before, motivating organizations to take some odd measures just to extract a few extra percentage points of probability.

We don't see any issue which slows down our 'pace of play' nearly as much as the increased number of Pitching Changes that we are now enduring. If you want to increase the 'pace of play', then that is where you should be looking.

Solving this problem requires doing one of two things, or maybe both: Either reduce the number of Pitching Changes to something closer to what we used to see, or else streamline the process of changing pitchers so that it does not take nearly as long.

Can we reduce the number of Pitching Changes? That might be tough. Now that several pitchers have learned to throw with their current speeds and movements, newcomers will naturally try to meet or exceed those standards, and fans will naturally expect all future generations to at least keep up. And, while the author would volunteer to change pitchers only between innings, in order to avoid this problem and also to make more efficient use of available resources, yet we apparently cannot successfully persuade certain Teams and certain Managers to do the same (no matter how many times we Tweet it to them), such that they continue to waste both time and roster positions for the short-sighted purpose of increasing by a few narrow percentage points the odds of getting this one next batter out.

One thing which you could theoretically try (but we are not pushing it) is to require any pitcher who is replaced in the middle of an inning to be placed on the Disabled List (DL) for some minimum period of time (probably 10 days, so that their absence in the bullpen will be keenly felt) before being allowed to play again. For, the reason that we call them 'relief pitchers' is because their purpose always was to provide 'relief' to the starting pitchers when they got too tired or sore to continue, such that any pitcher who is getting replaced after only one batter must have gotten injured in the process. On the other hand, we're not sure that it constitutes a proper use of the DL to place people on it forceably who are not really injured, and maybe a Manager really should continue to have the option to burn his players with extremely short appearances if he is convinced that it constitutes a net-efficient use of resources, and if he doesn't care at all about the extreme boredom which those many Pitching Changes cause for the fans.

Another thing which you theoretically could do is to reduce the roster size from its current 25, in order to motivate Managers to keep their players in the game for longer periods, but we are not recommending that approach either, because you sometimes need all those players in an extra-inning game, even when you have utilized them efficiently throughout.

Seems to us that the better approach here is to reduce the time required for Pitching Changes. We can do that in several ways.

First, do not require (or even allow) the Manager to walk out to the pitcher's mound prior to any Pitching Change. Merely announce the change and send the guy in, same as they routinely do with pinch-hitters.

Second, don't have the relief pitcher come in all the way from beyond the outfield fence, either with a cart or without. Have him instead come in from the dugout, which should have an interior area set aside nearby as the 'bullpen' for pitchers to warm up as needed until the time comes from them to get in the game.

Third, maybe we can eliminate those 8 additional warmup pitches. Seems to us, especially if the Manager is 'playing matchups' and therefore can anticipate when different pitchers will be getting into the game, that the relievers should be getting all the warmup pitches that they need in the bullpen (wherever it is), and so should be ready to go when the time comes to play.

But, what do we do about Teams who are not willing to undertake any (let alone all) of these measures? That would require a few rule changes. First, if a Manager or Pitching Coach or Catcher walks out to the mound (Trainer can be exempted) prior to any relief pitcher emerging, then no relief pitcher may come in until after the next at-bat has been completed. Second, require any relief pitcher to come in from the dugout instead of the bullpen, and treat him as having come into the game and immediately having been substituted out if he attempts to come in from anywhere other than the dugout. Third, no warmup pitches from the mound should be permitted, except in case of a legitimate injury-sourced substitution.

These measures will motivate teams to keep at least some of their relief pitchers loose at all times -- from within the clubhouse area -- whenever the defense is on the field, so that they can be ready to go at a moment's notice, and to require them to emerge from the dugout whenever the substitution is ordered by the Manager remaining inside. This will greatly improve the actual and perceived 'pace of play' even if the number of mid-inning pitcher substitutions remains the same. It hopefully will also motivate some Managers to make more of their substitutions between innings, so that the relief pitchers will have the between-innings time to warm up from the actual mound, improving the 'pace of play' even further.

Question 645.3

What else can we do to maintain/improve fan interest in Baseball?

We are not completely sure that this is even a real problem needing to be solved, because attendance is very high these days (except maybe in Miami), TV coverage is extensive, and enough money is coming in from sponsors and other sources to enable many pro players to receive seven-figure annual salaries. But, we have heard various statements from the Commissioner's office in recent years that fan interest has been a topic of official concern. Just in case it is a problem, then, we do have a few suggestions:

First, we suggest eliminating the Home Run Derby from the All-Star schedule, because it encourages hitters to aim for home runs instead of higher-average line drives which can drop in the gaps for hits. Todd Frazier and Cody Bellinger and Giancarlo Stanton and Aaron Judge and others suffered batting slumps and strikeout surges following their participation in the Home Run Derby, and we have to wonder whether the sacrifice in regular-season performance is really worth it for a one-day exhibition.

Not only does it seem to encourage the actual participants to swing for home runs instead of singles, but it also seems to be having the same effect on many other players, including among those who have not even reached the Major Leagues yet.

Everybody wants to hit for glory now, instead of placement, and the trend has turned the game from Baseball to Fenceball. Bases no longer matter as much, only Fences.

It's nice for the fans when the homer actually gets hit, but it can be roundly boring and disappointing and frustrating the rest of the time. We can stay much more engaged when more players actually reach base and give themselves a chance to make something else happen, instead of striking out all the time while attempting to hit the Big Bomb and then sauntering slowly back to the dugout in shame.

It therefore would be good if more teams and individual batters focused more on that part of the game, where you reach one Base and then try to advance to another Base. We would help that encouragement by dropping the Home Run Derby.

Second, teams may still shift their defenses if they want to, in such a way that they have three defenders on one half of the infield, but it looks dumb and boring when the batters predictably fall into the trap and hit directly to where the defenders are standing. The game is more interesting when batters try hitting against the shift, including by bunting. If the hitter takes a batting-practice approach at the plate, simply trying to drive everything as far as he can with no regard to defensive positioning, then offenses score less and it's a boring game for the fans. When the batters respond to the defense as much as the defense is responding to them, when it's more of an interactive contest, that's much more interesting.

Third, it also can get pretty boring when teams 'platoon' their batters, such that they use all/predominantly right-handed batters against left-handed pitchers, and lefty batters against righty pitchers. If all the batters are standing on the same side of the plate, then that allows the Pitcher and the Catcher and all the Fielders to remain in their same spots, and to settle into easy and comfortable rhythms. They therefore make more outs, teams reach base less and score less, and the whole process can be pretty repetitive and monotonous.

Conversely, if more teams were to alternate their batters by lefty-righty, even though some of the batters might drop a few points in Batting Average as a result, yet that would change things up continually with the postures of the Pitcher and Catcher, and with the positioning of the Fielders. They would get wearier more quickly, and they would be more likely to miss a spot at some point and allow a runner to reach base. The game of Baseball is always more interesting when there are runners on base, even if they are from the visiting team.

Fourth, it would also be more interesting if Managers more consistently scheduled in their starting lineups whichever players are hottest at the moment, instead of switching in colder players either to 'get some work in' or to 'keep them relevant'. It's a long season, and there are plenty of opportunities for your initially-hot players to get tired or injured, which is when the other guys can come in and give a better-rested performance and take charge for a while and thus be 'relevant'. When those other guys also get tired or injured, you switch around again. By the postseason, everyone on the entire roster has managed to get some rest in at some point, so everybody is ready to go as needed. In the meantime, the hottest players from each week of the regular season play during that week, so the team should have a strong winning record, and the fans get to have a better time all season long by watching the hottest players play. Change the lineups only after you lose.

Fifth, part of what might make Baseball boring for some people at least some of the time is the fact that many teams organize their batting orders with a 'top of the

lineup' and a 'bottom of the lineup', and sometimes a 'middle of the lineup'. They stack their hottest and biggest hitters at the top (that is, the beginning) of the batting order, so that they will have more opportunities to bat during the course of the game. There is a certain logic to that, but it means that you often will have the 'bottom of the lineup' coming to plate during a given inning (as in *Major League II*), and those innings are often wasted as a result. Even if the #7 guy does get on, the #8 and #9 guys are both unlikely to move him over at all. Not only are you sacrificing some chances for offensive production that way, but you are boring many of your viewers, even some of those who are rooting for you to win.

We feel that it makes more sense to spread your batting power more evenly throughout your lineup, such that somebody good is always either batting now or on deck, and so the pitchers always need to worry, and you always have a chance to make something happen. It is true that whoever is batting last will have statistically fewer opportunities to hit than whoever is batting first, can't avoid that, but if your offensive production improves enough as a result of spreading out your batting power then the difference won't matter very much. Besides, the more important factor is that your team has a better chance of winning more often.

Sixth, we also recognize that different batters have different strengths, and that some of those strengths will vary over the course of an individual player's season or over his career. Some guys hit well for power but can't place their hits very accurately when needed, other guys may have less power but are better at hitting for placement. Some guys are really good at drawing walks, some hit better (or worse) when there are runners in scoring position. Chase Utley was a legend at getting hit by the pitch.

We feel (although we freely admit that we have never once sat in the dugout except on Fan Appreciation Day) that any Manager who needs to reset his batting order following a loss (under 'Fourth' above, he shouldn't change the lineup after a win, except if some previous starter is tired or has gotten injured or has some other kind of individual problem) should keep these different factors in mind (as well as the lefty-righty alternation described in 'Third' above) when deciding who should be batting in front of whom, and in which area of the lineup. Frequent huge changes in the batting order suggest to the fans that very little or no thought is going into the decision procedure, and that it's mostly just random, going with whatever's different from how we did it recently, whether we won recently or not. Maybe that's not actually the case all the time, or any of the time, but our perception is our reality, and in some cases it can affect our level of interest. If we the fans feel that the Manager is not putting that much planning effort into the batting order, then some of us may feel less like caring very much about the outcome. Effort generates attention. Absence of effort is boring.

We therefore wish that some bold franchise in the National League would begin experimenting with a model where the batting order is split into two squads, each of which has its own 'clean-up' hitter who is aiming to hit for power and drive in any baserunners, those two 'clean-up' hitters being the right-handed and left-handed batters with the highest recent average of Home Runs Per At-Bat.

Whoever is leading off the lineup should be adept at reaching when the bases are empty, in order to be moved over by the subsequent batters, so the leadoff batters for the two squads should be the right-handed and left-handed batters with the highest recent average of Reaching-First-Base (including by Error or anything else) Per Plate Appearance. This means that the second 'clean-up' hitter should bat

directly before the first 'lead-off' hitter, so 9th in the lineup, not the Pitcher as NL teams frequently do it now.

In order to keep the righty-lefty alternation described in 'Third' above, if your #9 batter is the right-handed 'clean-up' hitter, then your left-handed 'clean-up' hitter should be in the #5 spot, and *vice versa*. Having your left-handed 'lead-off' hitter always batting in the #1 spot has an amount of logic to it, because the shorter distance to first base increases the odds of getting there, so maybe you always want to have your right-handed 'clean-up' hitter batting 9th. However, you might then get a disproportionately low number of home runs getting hit from the right-hand side, so that might not be so good. Besides, part of the whole reason of alternating is to keep the Defense off-balance, and that can apply over the course of a series and a season, not just a game. Maybe you therefore want to switch off the handedness of your 'lead-off' batter each game, but again as long as you're winning with a certain lineup you really should keep it intact until you stop winning with it. Best therefore to change the handedness of your lineup after each loss, but keep it after each win.

Whoever is batting directly in front of the 'clean-up' hitter for each squad should be good at getting actual hits with Runners In Scoring Position (RISP), because at least two batters in each squad will bat earlier, so there's a fair chance that somebody will have reached at least second base by the time that the 'pre-cleanup' batter comes to the plate. In this case, an actual Single is better than a Walk or a Sacrifice Fly, because it gives a runner on second base a chance to score, so the 'pre-cleanup' spots should go to the right-handed and left-handed batters with the highest recent RISP batting average.

The second squad now has a 'lead-off' hitter, a 'pre-cleanup' hitter, and a 'clean-up' hitter, and needs at least a fourth to go into the #7 spot, and that's where we envision the Pitcher going, who usually has the least amount of experience with batting, so he usually should still be in the bottom half of the order, but should be ahead of both the 'pre-cleanup' and 'clean-up' hitters just in case he is able to get on base at all.

The first squad has a 'lead-off' hitter, a 'pre-cleanup' hitter, and a 'clean-up' hitter, and has the #2 and #3 spots to fill. For those, we recommend using a statistic which the author has not yet seen or heard or read about, and it is what we call the Batting Success Rate (or BSR). We feel that batters are getting gypped when they reach base on an Error, and their Batting Averages do not go up as a result. Even though the fielder bobbed the play in some manner, and maybe you normally would have been put out in similar circumstance, yet at least you did make contact with the ball (always better than striking out!!!), and you did drive it between the lines, and you did so with enough force and/or spin and/or placement that it turned out to be a non-trivial play for the defender, as evidenced by his bobbling. We therefore need a batting statistic that includes Hits and Walks and Errors and any other manner of reaching base. However, that stat should also include getting yourself out but advancing (or scoring) a previous runner, even if it does not fall under the technical definitions of a Sacrifice.

The idea with this new stat -- and specifically with using it for the #2 and #3 spots in the lineup -- is that if the 'lead-off' batter has failed to reach first base, then the right-handed and left-handed batters with the highest BSR will still have a good chance at getting on, and 'setting the table' for the 'pre-cleanup' and 'clean-up' batters. Conversely, if the 'lead-off' batter does get on, then the batters with the

highest BSR will also have a good chance of moving him over, so that the 'pre-cleanup' batter with his good RISP average has a good chance of bringing him in, and of course you do want to take that chance because you cannot always depend on your 'clean-up' batter getting a home run or any base hit every single time.

These measures taken together should improve not only your offensive efficiency (because adjacent batters within your lineup will have distinct relationships with one another, instead of simply having all batters other than #9 being followed entirely by weaker batters, the way that many NL teams do it now), but also your offensive morale. For, players like Yasiel Puig would not need to feel bad or grumble because he is placed in the #8 spot, because now that spot does not signify badness but instead is playing a specific and unique and valuable role within the overall team structure. When batters feel better, they do better, just like everybody else, so their improved morale will multiply the increases in your offensive production, and will therefore enhance fan interest.

The model needs to be adjusted for the American League (AL) system, which uses a non-fielding Designated Hitter (DH) in the batting order instead of the Pitcher. In order to spread out your batting power, and still recognize that different batters have different strengths, and still alternate by lefty-righty as much as you practically can with an odd number of players in the batting order, we figure that it's best in the AL structure to go with three squads in your lineup. Each squad has a 'lead-off' batter and a 'clean-up' batter as before, but the middle guy will be what we call the 'move-over' guy. As with the #2 and #3 spots under the NL structure, the 'move-over' guy should have a high Batting Success Rate (BSR), in order to be able to reach if the bases are empty or to move any existing runners along, as each situation demands.

Under this AL variation, if the 'lead-off' batter in your first squad bats left-handed, then the 'lead-off' batter in your second squad should bat right-handed, and they should have the two highest averages of Single-Base Access Per Plate Appearance. The 'lead-off' batter on the third squad should be the remaining player with the highest average in that category. Do the same thing with the BSR for your 'move-over' batters, and the Home-Run Per AB average for your 'clean-up' batters. At some point, you will need to have adjacent batters approaching from the same side of the plate, but do you what you practically can with alternation to keep the defenses as off-balance as possible, and at the same time maximize fan interest.

Seventh, some fans start getting bored with Baseball in the so-called 'dog days' around August, partly because it's one of the physically-hottest times of the year, but also because the games start to look the same as the dozens which have come before, while it's not yet close enough to the postseason for Division standings to matter very much. One thing which we can do to help is to make the visual look of the games differ over the course of the season, and one way in which we can do that is to apply stars or stripes or other emblems to the players' uniforms for having been the MVP's of previous wins during those regular seasons. (Please don't ever select 'co-MVPs', we hate that, pick one and stick with it, but in case of a tie give weight to whoever has fewer previous MVP designations that year.) The emblems can be embroidered with the key details of the games (dates, opponents, scores), as well as a summary of whatever the players did (such as '3 HR' or '12 K') to earn those MVPs.

In addition to giving the fans something to look at which changes over the course of the season (could be fun to see who gets to Two Stripes first, who gets to Three Stripes first, etc.), this protocol could also improve player morale and therefore player performance. For, when players start to go into periodic slumps (which seems

to happen to a lot of guys around August), looking at those emblems can remind them of what it physically and mentally felt like back when they were doing better, and maybe that helps them to get back on track sooner. Also, as some players advance in stripes earned, the players with fewer stripes might receive additional motivation to play harder and earn more stripes of their own. It all adds up to improved player performance, improved team results, and improved fan interest.

Eighth, TV networks which do not already do so might consider scheduling their coverage of different teams (especially on the Sunday 'late game' set aside for unconflicted viewing by the entire Nation) in proportion to the number of games which each team won during the preceding regular season. Knowing that this is the case may provide an additional motivation for teams to keep trying to win even if they have already clinched all their home-field advantages or been mathematically eliminated from playoff contention.

Ninth, we are okay with some teams wearing colored jerseys and/or leggings in order to improve interest among their local fans, but part of the viewing experience is being able to tell clearly which team is visiting, so that it is easier for fans to tell whom to root for, and we have not always been able to tell that clearly. Insofar as it is not already being done, we should make sure that each visiting team should wear either a gray jersey or gray leggings or both. Home teams may do what they will.

Tenth, some teams don't display any fireworks except on certain days of the week or holidays, whereas other teams display fireworks after each home run. It might help fan interest in the game if those teams who are willing/able to display any fireworks at all should do so after the home team wins, and only on those occasions. Doing it for every home run makes the fans look forward to the home runs, and not care so much about the game otherwise. Doing it only on Fridays or only on Independence Day makes the experience more about the calendar than about the game. It's all about the game. Focus on the game. Celebrate the game.

Question 645.4

Should we use automated systems to make the definitive call as to whether a given pitched ball qualifies as a strike?

This has been suggested more often recently (including by Eric Byrnes and certain other athletes-turned-commentators at the MLB Network), but no we do not support the concept.

First reason why not, the game should be played at the Major League level in essentially the same way it is at the Little League level, and everywhere in between. The lower Leagues often will not have access to the same sort of equipment which can be made available to MLB, and we feel that players should have a certain amount of continuity between how they learn to play the game as kids and how they play it as pros. Pitchers and Catchers and Batters in the lower Leagues make all their pitch-to-pitch decisions based on the fact of a human being standing behind the plate and deciding whether each pitch is a ball or a strike, and so they should apply that same learned skill when they reach the Major League level, instead of essentially needing to learn a new game once they get there.

Second reason why not, even if all Leagues everywhere had access to the same sort of pitch-calling equipment, we still would oppose the concept on grounds that it would remove the critical element of human judgment from the process. The

machine can tell us where the ball crosses the 'invisible plane' which stands perpendicular to the front edge of the plate, and can even give us some information on the path of the pitched ball, but in the end we need a human being back there watching the actual ball in real space and real time, and judging whether or not the pitch is legitimately hittable. For, that's the main reason for requiring pitches to cross the plate in order to be called as strikes, because the general idea is that the Batter has a legitimate chance at the ball if it crosses the plate (which is why he then gets charged with a strike if he lets it go by without swinging), and does not if the ball passes on either side of it. Trick is, though, some pitches which technically cross the plate are not really very hittable, whereas some other pitches which technically pass outside the plate zone are reasonably hittable. It takes someone back there who is taking into account both the location and the path of the ball relative to the Batter, to determine reliably whether or not the pitch should be counted as a strike.

Third reason why not, in addition to whether or not the ball crosses the plate (or close enough in the Umpire's judgment), it also must be within a certain height range in order to qualify as a strike. Trick is, the upper and lower limits of the 'strike zone' are dependent upon the Batter's height, and can also depend on how the Batter stands at the plate. When we see those strike-zone projections displayed on the screen in various TV broadcasts, they never seem to move up and down according to when the Batter raises or lowers his stance, so we are not convinced that the mechanism is a reliable way of judging whether a pitch of a given height can be successfully hit by a Batter of a given height and a given batting stance. A human Umpire is in a much better position to make this call reliably, by changing the upper and lower limits of the 'strike zone' mentally for each different Batter.

Fourth reason why not, even though a particular pitch may not technically be within the 'strike zone', and maybe even does not have a chance to be very hittable, yet it may have such amazing movement on it, and still come fairly close to the hitting zone, that the Umpire may want to reward the Pitcher by giving him credit for the strike. In this sense, the Umpire is watching not only where the ball crosses the plate but also what happens to the ball before and after it gets there, and using the totality of that information to assess whether or not the pitch was net-good enough to count for a strike.

Fifth reason why not, a big part of the charm of Baseball is that the 'strike zone' can vary slightly from one game to the next, not only because you are rotating Umpires, but even because a particular Umpire may see the ball differently on different days. We saw this aspect of the Game endearingly portrayed over the closing credits of the great film *A League Of Their Own*, when the Batter protests a particular strike call, and the Umpire responds: "Yesterday it might have been a ball, and tomorrow it might be a ball, but today it's a strike." Baseball is a game of adjustments, like many other Sports, and one of the ways that we can distinguish the best Athletes and the best Teams is by observing how flexibly they can adapt to different conditions, and that certainly can include how big or small the 'strike zone' is each day.

Question 645.5

Who should be making the definitive call as to whether or not a batter has swung on a given pitch?

While this has been an ongoing issue for years, it was highlighted in a tweet which the author read during Game 5 of the World Series on 28-Oct-2018, with the hashtag

"CT3wasright", a reference to Chris Taylor of the Dodgers, who asked after a particular pitch for the First-Base Umpire to decide officially whether or not he had swung, but was denied that privilege by the Home-Plate Umpire.

The tweet asked whether we could have a rule to require those calls to be made by the Base Umpires and not the Home-Plate Umpire, and we said yes.

For those not as familiar with the issue, the Home-Plate Umpire generally gets to call balls and strikes, but he often is so engrossed watching the path of the pitched ball relative to home plate (which he still gets to do under Answer 645.4, not devolving that duty to a machine) that he is not always able to tell clearly whether or not the Batter has swung the bat far enough to be charged with a strike. In case of doubt, either the Batter or the Catcher may ask for help from the Base Umpire on the opposite side, whose sole job at that point is to focus on whether or not the Batter has swung at the pitch. However, they only get to request, and it currently is up to the Home-Plate Umpire to decide whether to defer to the Base Umpire's judgment.*

[*Here is the actual language from Rule 9.02(c): "If a decision is appealed, the umpire making the decision may ask another umpire for information before making a final decision. No umpire shall criticize, seek to reverse or interfere with another umpire's decision unless asked to do so by the umpire making it."]

We are politely asking that this policy be changed. We take it as a matter of faith that the Base Umpire can focus better on the motion of the bat than the Home-Plate Umpire can. In addition, the Base Umpire has a side angle which can help establish more reliably whether the bat has traveled far enough to constitute a strike, whereas the Home-Plate Umpire is behind the front line of the plate and so is not in nearly as good a position to make that determination.

We don't need to ask the Base Umpire for a judgment on every single pitch, and it would slow the game down too much if we did. (We addressed in Answer 645.2 the need not to drag the 'pace of play' unduly.) However, whenever either the Batter or the Catcher feels that the initial call of the Home-Plate Umpire should be appealed, the Home-Plate Umpire should be required to ask the applicable Base Umpire for a ruling, and that ruling should be treated as final.

We must pay a price for this privilege, though, by making sure that we do not abuse it by asking for help too many times. If the executives at MLB ever once determine that we are dragging the game too much by appealing calls which end up being upheld, then they will understandably go back to the Old Way, and we may never get another chance. Batters and Catchers are therefore urged to remain prudent and selective when considering whether to appeal any given swing calls. Let 'em win the little ones. Choose your battles.

While we are here, if you are determined to have struck out, then please don't throw a tantrum at the plate or in the dugout, and especially don't slam your bat or break it over your knee. For one thing, doing so helps the opposing team's morale, because they know that they have 'gotten' to you, and it hurts the morale of your own teammates, who now must stay away from you for a time instead of being able to interact with you as team members should. Also, it wasn't the bat's fault that you struck out, and taking your frustrations out on the equipment shows gross disrespect for the craftspeople who built it. Anyone who does break a bat probably should be removed the present game, and probably suspended for at least one game, during which time he should be encouraged/required to take a tour of a factory where

baseball bats are made, in hope of acquiring a greater appreciation of the work which went into them.

Question 645.6

Can we recommend at this time any improvements in Baseball statistics?

First of several problems noted here is that we need a better statistic to describe overall player performance, because that can help both teams and fans to understand who is generally more valuable at present than who else, which of course can be very important during trade talks and contract negotiations. The current Wins Above Replacement (WAR) gamely attempts this goal, but it still places too much emphasis on team performance when we want to know more about the individual.

We have been experimenting with a certain new statistic, but it needs more work before we put it into practice. We experimented with it during the 2015 and 2017 seasons, and then needed to break off in order to finish on a higher priority the document which you are now reading. Basic idea is that you get positive credit for all the bases which you generate on Offense and all the outs which you generate on Defense, you get negative credit for all the bases which you allow on Defense and the outs which you generate on Offense, and you divide the difference by the number of innings in which you appeared.

We need to test out different weighting factors to come up with a more reliable final formula, and also different rules on which positions get charged for different types of bases allowed, because the earlier experiments were producing odd-looking results. One factor which we will probably need to incorporate is the proportion of bases generated to outs generated in an average game. As one quick datapoint, in Game 7 of the 2018 World Series there were 69 bases generated and 51 outs, but we will get more data before final packaging.

Second problem is that a Pitcher is credited with a 'no-hitter' only if he pitches the complete game without allowing a base hit. We feel that the definition should be expanded slightly.

This issue came up prominently when Rich Hill of the Dodgers pitched nine innings of no-hit ball on 23-Aug-2017, and then in the tenth inning allowed a hit which ended up costing the game.

It is a tremendous athletic feat -- especially in our modern era of harder-throwing Pitchers who usually are pulled from the lineup after fewer than nine innings -- to go nine innings without allowing a base hit. If that feat is rewarded with an entry in the official 'no-hitter' listing when the game ends after nine innings, then it should be similarly recognized if some other outcome occurs. It should therefore be listed regardless of the number of runs scored by the Pitcher's team, and regardless of the eventual game result. OK to include an asterisk for a game like Rich Hill's if you wish, to show that he eventually allowed a hit after the nine innings of regulation, and/or that the team ended up losing the game, but at least let's still remember that amazing athletic achievement in the permanent history one way or another.

Third problem is that both the Batting Average and the On-Base Average do not count when a batter reaches on a fielding error. We feel that at least the OBA should count those occurrences, because they are far better than strikeouts, because the

batter has successfully put the ball in play between the foul lines, and with enough placement or speed or spin that it turned out to be a non-trivial play for the fielder to make. Basically, any time that you get on base without generating an out should count for the On-Base Average, because that's what the name of the stat implies.

Fourth problem is that runners are not getting credit for all their stolen bases, because of a concept called 'defensive indifference', which sometimes happens when there are two outs in the ninth inning and defensive team is well ahead. They apparently are more concerned with getting the batter out than with the runner possibly scoring. Two big flaws here: The defense really should not be 'indifferent' in the first place, because even if the run doesn't matter then the out certainly does; if there is an opportunity to get the final out by a runner trying to advance, then they really ought to be all over it. Even if they are 'indifferent', though, then the runner should still get credit for the stolen base, because there are plenty of other times when runners steal bases when the defense does not seem to be paying close attention to them; the runner is still helping the offensive team by advancing, and so should get all the applicable statistical credit for their efforts.

Fifth problem is that pitchers sometimes get official credit for wins when they accomplished very little. A pitcher can record just a single out, while giving up any number of earned runs in the process, and still get credit for the win if his team regains the lead before the next pitcher comes in. It sometimes even happens that a relief pitcher can blow a save in the top of the ninth inning, and still get credit for a win if the team comes back in the bottom of the ninth. Credit for a win should go to the pitcher who made the greatest contribution to the team's success. In most cases (if needed, we will let the gurus come up with specific exceptions, as they love to do), the win should go to whoever pitched the most innings, for he probably would not have been allowed to remain in the game that long if he truly sucked in his manager's eyes, and his relative longevity must have made a large contribution to his team's success. If there is a tie for most innings pitched, then it can be broken by number of earned runs allowed, number of total runs allowed, fewest number of batters faced, and/or some combination of other factors.

Subsection III-E-6: Football

Question 645.7

Should we be using a coin toss to decide who kicks off first and/or defends which goal first?

Visiting team has a built-in disadvantage, facing not only the opponents' fans but also the home team which knows how its stadium conditions (sun, wind, etc.) are at different times of the day, and which goal is better to defend first, and/or whether it is better to kick first or receive first. In order to offset this advantage at least partly, the visiting team should always have the option to select either a preferred starting goal or a preferred starting position (that is, either kicking or receiving), but not both, and then the home team should make the other choice.

Only exception need be the Super Bowl, where neither team usually has a distinct home-field advantage, so you could use a coin toss for that Game, with all the ceremony which you might like to have. However, it is also okay to switch whenever you want to a rule that whichever team is coming from farther away is considered to be the 'visiting team' for purposes of starting selections, so you wouldn't any longer need a coin toss for the Big Game.

Question 645.8

Under what conditions shall a Quarterback be allowed without penalty to throw the ball intentionally to a spot on the ground in the field of play instead of toward an eligible Receiver?

We claim never. It used to be that any such play would constitute 'Intentional Grounding', a bad thing. The presumption is that the Quarterback is trying to create an Incomplete Pass and thus get the ball back to the Line of Scrimmage, instead of taking a big loss from a surging pass rush. We would consider that to be 'cheating', by disallowing the Defense from getting credited with the sack which they otherwise had justly earned. As a result, not only would the ball not be reintroduced to the Scrimmage Line after an 'Intentional Grounding', but in order to discourage the attempts at cheating a penalty of up to 15 yards would be assessed from the Line of Scrimmage.

This famously made a huge difference in Super Bowl V.

These days, the penalty has been reduced to 10 yards, which probably is more equitable (we will talk about that in a bit), but the bigger issue is that 'Intentional Grounding' is not called in nearly as many situations as it used to be. It now depends on whether the Quarterback is in the 'pocket' or not, and on multiple other factors.

We don't feel that such distinctions should be allowed to matter. We understand that the intent of the rule changes was to provide greater protection to Quarterbacks, and we don't want to see anyone endangered unnecessarily, but we have to feel that Quarterbacks should simply 'take a knee' and accept their loss safely if they cannot find an eligible Receiver anywhere or gain any more yards on their own. If the Defense has managed to get past the Blockers and to pressure the Quarterback into a yard-losing situation from which he cannot recover, then they deserve to have the ball spotted backward to wherever it was (or should have been) downed, and not have it come back on the basis of a technicality such as an Incomplete Pass which was not really intended to go to anybody.

That's the whole idea of the 'Intentional Grounding' rule, to prevent that sort of thing, and to enable the Defense to push the ball backward if they can, instead of settling for a respotting at the Line of Scrimmage as their best-case scenario on any given play.

Question 645.9

Shall we permit Quarterbacks to throw the ball out-of-bounds in order to avoid a sack?

No, we feel that this is the same as the 'Intentional Grounding' discussed in the Answer above. Quarterback is trying to create an Incomplete Pass in order to avoid a big loss on the basis of a technicality, instead of allowing the Defense to get credit for having pushed the ball backward by means of a successful pass rush. He shouldn't get to do that, not by throwing the ball to the ground and not by throwing it away.

Any forward pass must come within 5 yards of an eligible Receiver (or at least of where the Receiver was expected to be at the end of the pattern), or of any Defender (because maybe he can then intercept it, so for convenience we are including Defenders as 'eligible Receivers' during this discussion), or else the play should be treated as 'Intentional Grounding' and be subject to penalty.

Question 646.0

How much penalty should there be for 'Intentional Grounding'?

We concur that the 15 yards assessed in Super Bowl V seems a bit harsh in retrospect, but we imagine that it would generally be best to graduate the penalty in proportion to the extent of the foul. That is, if the Quarterback fails to get within the required 5 yards of an eligible Receiver, but gets within 10, then he should be penalized only the minimum 5 yards. If he doesn't even get within 10 yards, but gets within 15, then penalize him 10 yards. If he doesn't even get within 15 yards, then penalize 15 yards, but that should be the maximum.

The distance from the nearest eligible Receiver should be measured from where the ball lands on the field, or -- in the case of an out-of-bounds throw -- where the ball would have landed if it had not been touched by personnel standing along the sidelines. The idea is to keep the ball in the field of active play, so that the Defense has a fair chance of recovering the ball by turnover (which is the same logic behind the 'dribbling' requirement of Basketball), or at least of pushing the ball backward. The farther away that you are throwing the ball from where the Defense could possibly intercept it or do some other good Defensive thing, the more of a penalty you should get.

Another big difference that we are recommending from current practice is that any penalty for 'Intentional Grounding' should be measured from the Spot of the Foul (that is, from where the ball was improperly thrown), not from the Line of Scrimmage. We should be crediting the Defense with as many pushback yards as they have justly earned, plus the appropriate penalty (as described above) for the QB attempting to 'cheat' by throwing the ball away.

As indicated in Answer 645.8, and as it usually happens currently, no penalty should be assessed for 'Intentional Grounding' if the Quarterback was legitimately throwing to where he thought the eligible Receiver was going to be, but if the Receiver simply tripped or got blocked or was texted along the way.

Question 646.1

How do we stop the Quarterback from simply kneeling when ahead during the last moments of the game, removing the other team's last chance to do anything, and making the end-game boring?

Football can be a lot of fun to watch, but it can look pretty ridiculous sometimes, and one of those times is when the clock is running out, and the leading team has possession. If it is a large lead which the other team cannot possibly overcome in the short time remaining, then you should simply declare the game over (as in Boxing), and let's all move on with our lives. As it is now, the players and the referees and the guys holding the down markers and everybody else must walk to their assigned positions on the field, hike the ball, and watch the Quarterback drop to a knee, maybe once, maybe two or three times. They all look like a bunch of Slaves

or Robots, going through a lot of useless motions in order to satisfy a rule technicality which nobody is demanding.

Conversely, if the game is close enough that the other team does have a shot at retaking the lead before time runs out, then we should give them that opportunity, so that everything counts all the way to the last second of regulation.

For both these reasons, we object to the practice of allowing the Quarterback to drop to a knee in order to allow the clock to run out. If you want the clock to keep running, then you must attempt an actual run or pass or something else which will give the Defense at least a small chance of generating a turnover, or of stopping the clock by successfully stopping the intended run or pass. When the Quarterback simply drops to a knee, and the clock keeps ticking, that's too easy, it's too boring, and it effectively cheats the Defense out of their last minute of opportunity to change the outcome of the game. The fans likewise get cheated out of a minute of potentially-meaningful action.

This problem has an easy fix: The clock should stop for any loss of yardage, at least during the last two minutes, but we think all the time. It's okay for the clock to keep moving when the Offense has successfully moved the ball forward, and has thus earned the right to control the clock until the beginning of the next play. But, it should not have that privilege after any loss of yards, because the Defense has thus earned the right to stop the clock and give their own Offense that much more of a chance to advance the ball the other way.

This is most especially true at the end of the game. We want every minute and every second to count, and we want the game to be as competitive as it can be until it is officially over. We therefore want the Offense to keep using strategy and physical effort all the time to advance the ball even if their team is ahead, so that by continuing to gain yards and make First Downs they are continuing to earn the right to maintain possession, and meanwhile the Defense has at least some chance to recover a fumble or interception, which is not an available option if the Quarterback is allowed to take a knee for a loss of yards and still watch the clock tick off.

Besides, by stopping the clock when the Quarterback takes a knee for a loss, we eliminate the necessity to 'spike' the ball for an Incomplete Pass in order to stop the clock, which is what teams with possession currently do sometimes if they are behind in the score with limited time remaining. As we mentioned in Answer 645.8, we want to discourage/prohibit the occurrences of throwing the ball to the ground intentionally, so this rule change would remove another motivation to do so.

Question 646.2

What rules should apply in the case of Overtime?

Used to be that we had a coin toss at the beginning of Overtime, whoever won the coin toss would trivially elect to receive the ball, and whoever scored first in any manner won the game immediately. That's why they used to call it 'Sudden Death'.

As much as we like a certain amount of Tradition in our various Sports rules, however, yet we must agree that this approach is not really fair, and that the result may not really be reflective of the relative strengths of the teams that day. The odds of winning while possessing first under those conditions are better by such a huge

degree that the coin toss is really having too much influence on the outcome of the game.

We therefore applaud the fact that leagues have experimented with different approaches at different times, but we have some problems as to their specific approaches, and we have a recommendation for a different way of doing it.

As a minimum requirement, we feel that each team should generally get at least one possession, with the only exception being if the defense directly produces a score on the first possession. Thus, when New England scored a touchdown on the first possession of the AFC Championship game in January 2019, we claim that Kansas City should have had at least one chance to get a touchdown themselves.
#GiveKCaChance

Even if we do that, though, what then? If the second team gets a Touchdown too, then we're simply back to where we were before. If we then simply go into a 'sudden death' format, then the team who won the coin toss still has too much of an advantage. If we instead keep giving each team an equal number of possessions, then they could trade Touchdowns or stops indefinitely, and the game might not end for days.

Fortunately, we have a workaround, something which will bring the game to a quick termination, but which will also not give an overwhelming advantage to the winner of the coin toss.

Here's how we do it: Each team has one possession. If the receiving team scores a Touchdown on their possession, then they are permitted an attempt at only a regular Extra Point. If they make that extra point, and if the kicking team then scores a Touchdown on their possession, then they must attempt and complete a Two-Point Conversion or else they lose the game.

Among other advantages, this system makes the coin toss more meaningful, but at the same time less impactful on the outcome. For, whoever wins the coin toss now has an important decision to make, and there is value on either side. The receiving team is eligible to attempt a regular Extra Point, so they have a good chance at scoring 7 points and winning the game. However, the kicking team also has the advantage of being able to score 8 points on their possession, but that ability comes with the price of not being able to attempt a regular Extra Point to re-tie the game. The teams automatically switch sides from however they were arranged during the second half, so that is not a factor in the coin toss for Overtime, but the other elements are valuable enough to make it a non-trivial decision for the toss winner.

Another advantage is that you don't keep trading Touchdowns indefinitely, so we have a decent chance at wrapping up the game at a reasonable hour.

This system has some room for customization, so that you can fine-tune it to your particular preferences. One opportunity for variation is what happens if each team scores a Field Goal on its first possession. A theoretical option is to start over with the original Overtime rules of one additional possession for each team, and if the first team gets a Touchdown then they can attempt only a regular Extra Point, and then if the second team also gets a Touchdown then they must complete a Two-Point Conversion or else lose. However, we do not recommend going that way, because it means that we will have gone through the whole time and effort of two complete possessions just to get back to where we started.

A somewhat-better option is to go to 'sudden death' format after consecutive Field Goals. It's a way to go, but it seems at that stage that we may be continuing to play needlessly, for we may already have enough information to determine the outcome.

Our preferred option after consecutive Field Goals is to declare as the game winner whichever Field Goal was kicked from the longer distance. One advantage is that we wrap up the Overtime period after only two possessions. Another advantage is that it rewards not just points but also distance. Third advantage is that requires the receiving team to use some strategy during its drive: Do they try to go all the way to the Goal Line in hope of a Touchdown, and then if unsuccessful settle for a short Field Goal which the other team will be able to outkick trivially if our Defense fails to stop them? Or, do they stop their drive at a certain point and go for a long Field Goal which will be hard for the other team to outkick? Answer could vary from game to game, based on what you know about your own Kicker, what you know about your opponent's Kicker, how your Defense is holding up, wind conditions, and other factors. We think that it would be interesting to see how different teams approach the problem in different situations.

Another opportunity for variation is what happens if both teams fail to score at all on their initial possessions. Either you could make it 'sudden death' afterward, or else you could still require that the kicking team gets one more possession if the receiving team ever scores first, but we prefer the first of those. After two successful stops, the effect of the coin toss drops significantly, and the distinction between 'kicking team' and 'receiving team' becomes much less important, and we really don't feel like keeping track after the first two possessions of which team kicked off, so we feel that it would be safe to switch to 'sudden death' format from that point in the interests of both expediency and better drama. However, it's not a necessity.

Another option for what could happen after consecutive stops is that you simply declare as the game winner whichever team got nearer to their Goal Line. It does have the advantage of ensuring that we do not go past two possessions in Overtime. However, it creates a situation where the 37-Yard Line is the new Goal Line, and maybe that's okay, but visually that introduces a whole different element to the game which maybe we do better without. It always was that you can win the game only by scoring points, and that you can score points only by somehow getting the ball past the Goal Line in front of you. There never was any provision to our knowledge that points could be scored or games could be won with the ball never getting past the 37-Yard Line, and we are not convinced that we should be creating such a provision at this time, so we are not recommending it. However, it is a theoretical option if for any reason you want to limit Overtime to only two possessions no matter what.

In sum, we are recommending that there be at least two possessions in Overtime, except if the Defense produces a score on the first possession (in which case game ends immediately), and that there should be no further possessions if either Offense scores during that time. If each team scores a Touchdown on its first possession, then the first team may attempt only a regular Extra Point, and if they make it then the second team must complete a Two-Point Conversion or else lose. If each team scores a Field Goal on its first possession, then the game is decided by whichever Field Goal was longer. If neither team has scored during the first two possessions, then play proceeds on a 'sudden death' basis until any team scores anything.

Question 646.3

Shall we allow the Referees to be influenced by Instant Replay?

As we described in Answer 644.1 in the context of Baseball, it is not that we are allowing the Referees to be influenced, it is that we are allowing them to be overruled, for certain selected types of situations where the replay clearly shows that the field calls were incorrect. We have the technology available now, in ultra-high-def and ultra-slo-mo, so we may as well use it, and thus make sure that the outcome of the game reflects what the teams actually did on the field.

Question 646.4a

Shall we continue to encourage Thursday-night Football?

We don't think so. Making an exception for Thanksgiving is one thing, but doing it on a routine basis takes away from the special nature of Sunday being Professional Football Day (although Monday night is still okay, as kind of like 'dessert' or just the 'extra-late game'). Besides, it mucks up the player's exercise and practice schedules, and we have heard and read several of them have complaining about it during press interviews in recent years.

Question 646.4b

Can we recommend at this time any improvements in Football statistics?

We do have one suggestion: It always disturbed us that the Quarterback would credit statistical credit for the entire distance acquired in any pass play. Seems to us that the Quarterback should get distance credit for getting the ball to the point of reception, but that should be it, no more credit after that, because his job is done at that point, and he cannot possibly have any material influence on the rest of the play. Conversely, the Receiver should continue to get distance credit not only for getting to the point of reception, but also for any subsequent advance of the ball, unless and until he once surrenders possession of the ball to another player.

Subsection III-E-7: Basketball

Question 646.5

Do we need to make any rule changes to Basketball?

Yes, we have two suggestions.

Basketball can be a very fun game to watch, and we understand that with all that frenetic activity around the ball some unintentional Personal Fouls are going to happen. That's part of the game, and the rules provide a compensation of Free Throws in recognition of the frequent nature of the occurrence.

However, we don't like it when any situation calls for a Personal Foul to be inflicted intentionally, especially when it is near the end of the game, and the Defense is behind in the score but close enough that they still have an outside chance at winning. They deliberately strike the player on the arm or something in order to inflict a Foul and stop the clock while the guy takes his Free Throws.

We get the logic. Even if he makes both Free Throws, you still have managed to stop the clock and regain possession, which is better than what probably would have happened if the guy had been allowed to run the 24-Second Clock all the way to the end before shooting. If he misses one or both Free Throws, then you have managed to come out ahead, and you improve your chances of coming back.

Still doesn't alter the fact, though, that the situation is calling for you to strike somebody intentionally. We don't ever want that, not in Sports, not in Real Life.

We offer this solution: Do what they do in Baseball now with the Intentional Walks, and simply give a recognized sign that you want to stop the clock, and to be charged with a Foul, and to allow the guy to take his Free Throws as though he had actually been fouled. In other words, everything is the same in terms of what happens in the game situation, except that you don't actually strike the guy.

If after we adopt this rule, somebody commits any actual Personal Foul which appears to be unnecessary against a player with clear possession, then he should be charged with a 'flagrant foul', which should result in the fouled player receiving an additional Free Throw (hopefully can keep it at '3-to-make-2', but may need to go with '3-to-make-3' if the violations continue), because again we don't want those kinds of things happening anywhere at any time for any reason.

Unless anyone has a better idea, we default-suggest that the new sign to take an 'Intentional Foul' should be two hands meeting over your head, same as they use to call a Safety in Football. It's not otherwise used in Basketball, and it should be high enough for everybody to see clearly.

Second suggestion relates to Free Throws. The idea has always been that the player has a free chance at making a basket, so there is to be no interference from any other players. They are therefore required to stand along the 'key' to wait for any rebound on the last Free Throw, but they're supposed to stay outside the lines in order to refrain from interfering with the Free Throw. Trouble is, players have become so eager to get into position for rebounding that they have left their assigned positions while the ball is still in the hands of the shooter. This can have the effect of interfering with the shooter, and unduly altering the outcome.

Players on both sides have been guilty, and so they both should be subject to penalty. Whenever the refs catch anyone entering the 'key' while the shooter is still touching the ball, the shot (regardless of whether it was made or missed or never attempted) should be taken over, and the overly-eager player should be removed from the vicinity of the key without replacement for the remainder of that sequence of Free Throws. This will mean that the other team will have a much better chance at securing a rebound if the final Free Throw is missed, so hopefully all players will have more motivation to visually confirm the release of the ball before they move.

The penalty can apply to multiple players on the same Free Throw, even if they are on opposing teams, and even if it means that only the shooter will be close enough to his Free Throw to attempt a rebound. It would be okay for the shooter to pretend to shoot in order to draw opposing players off the line if he suspects from experience that they are likely to do so, but should exercise caution because he may draw his own guys off the line as well.

Question 646.6

Can we recommend at this time any improvements in Basketball statistics?

We do have one suggestion: If it has already happened then we have not yet heard about it, but in any case we have long felt that an accurate statistical measure of a player's overall performance is to add up all the team points acquired while the player is on the floor, subtract all the team points allowed, and then divide the difference by the number of minutes played. This statistic reflects both offensive and defensive effectiveness, as well as the fact that players can pass and post and 'punch out' and do other things to help their team to score, even if they are not getting any Baskets or Assists or Rebounds or other individual stats on their own.

Subsection III-E-8: Hockey

Question 646.7

Do we need to make any changes to Hockey?

Yes, we have one suggestion.

Hockey can be a very fun game to watch, and we understand that with all that frenetic activity around the puck someone is eventually going to take exception at the way that he was 'checked' by an opponent. What we don't understand is why they are allowed to have fistfights about it, while the Referees simply stand around and watch for an extended period, until sometimes they eventually decide to step in and call for them to stop fighting.

As a core Basic Principle of this entire document, we don't want people physically fighting, nor trying in any other way to physically and nonconsensually injure other people. We don't want it happening at the International level, we don't want it happen in Domestic settings, we don't want it happening on the Streets, and we don't want it happening in Sports. When our professional athletes are allowed -- and especially when they are encouraged -- to beat each other up in front of the stadium crowd and especially in front of a TV audience, we are sending the message to our entire Society that it is okay in at least some circumstances to inflict physical harm upon other people who are not directly attacking you.

Do we want to send that message? Heaven forbid.

If the opposing player actually has been excessive in his 'checking' or 'tripping' or whatever else you think that he did, then you must rely upon the Referees to spot it and call it and penalize him for it. If they do not do so, then either it was too minor to capture their attention, or else they did have a clear view and saw no basis for a penalty. Either way, you should not be taking it into your hands to inflict your own physical punishment. We can ask the lawyers, but perhaps such 'unilateral justice' may rise to the level of constituting criminal assault, which not only needs to be stopped and penalized by the Referees as soon as it happens, but which also may need to be considered for external prosecution.

Subsection III-E-9: Horse Racing

Question 646.8

If we still allow Horse Racing, then should we allow/encourage a rule requiring lighter Jockeys to carry sandbags in order to provide a standard weight for the Horses to carry?

We claim no. If the Jockey can be lighter but still stay strong enough to manage a 1000-pound Horse, then the Team should be able to use that advantage.

Question 646.9

Should we still allow Horse Racing?

Added in May 2019: We now are discouraging racing of horses and greyhounds and all other animals, based on extensive Twitter feeling that the sports are abusive. In particular, @romyreiner pointed out that we should especially discourage sports where the animals need to be whipped in order to make them go faster.

Subsection III-E-10: Boxing

Question 647

Shall we continue to allow Boxing?

If we were to attempt to outlaw Boxing, then numerous science-fiction films (usually set in post-Apocalyptic times) tell us that the activity would carry on underground, meaning less regulatory oversight and more danger to the participants. We would be making the situation worse, not better, so we should not be going that way.

If that many people still really want to do it, and if that many people still really want to pay to see it, and provided that everybody involved in the industry operates fairly and with full knowledge of all the risks, then we suppose that we must regretfully let it go on. It is a key Basic Principle of this entire document, that we should all be able to do what we want, if only if we do not injure or threaten other people against their will. If somebody is willing to stand up there and get punched 500 times because some other people are willing to pay him money for the privilege of watching it happen, then who are we to claim that such an arrangement should be outlawed?

In addition, we never get tired of watching the first four *Rocky* films, not just for the fun scripts and good acting and cool music and everything, but also as shining examples of what regular folks can accomplish if they once combine enough courage and dedication with their natural talents. And, we certainly must agree with what he told the Russian crowd in *Rocky IV*, that it's better for two guys to be killing each other than twenty million.

Even with all that, however, although we must reluctantly acknowledge that people have the right to participate in Boxing and to watch Boxing, yet we must recommend on a non-binding basis against either doing it or watching it in 'real life' any further.

Two main reasons why: First main reason is that it strikes us as pretty stupid to participate in any athletic contest where sustaining physical damage is not only a risk but an inevitability.

Second main reason is that by continuing to promote the activity in any way we are also continuing to endorse its main message, that it's okay to beat up and injure

other people if only you happen to be strong enough to be able to do so. That's a culture in which Bullies Win, and in which Nations with smaller armies must do the bidding of Nations with larger armies, or else suffer from War and other nastinesses.

But, you may ask, how can we continue to enjoy the *Rocky* films if we are now claiming that Boxing should be discouraged? Answer is for the same reason that we can enjoy *Patton* and numerous other films about War, while at the same time maintaining that we should avoid all War in the future. We can also like *Goodfellas* without endorsing Gangsterism: We can enjoy the films in an historical and artistic context, and we can be moved to admire the achievements of the characters who did what they could under the conditions which prevailed at the time, but we can still encourage those conditions to be different going forward.

You may also ask, what about what Rocky said about two guys killing each other being better than twenty million? Shouldn't we continue to slake our bloodlust vicariously through the injuries which our 'modern gladiators' inflict upon each other within our limited arenas, rather than by engaging one another in real-life Fistfighting or International War? Might be nice in theory, but it hasn't seemed to work out that way in history. We have had many cultures in many places and times stage Boxing and Swordfighting and other contests based on Violence, and still we have been plagued by War through the centuries. Keeping a certain amount of Violence in our Sports does not seem to be preventing or even reducing it in 'real life', and may even be encouraging it, so maybe we should see whether reducing Violence in our Sports will also reduce it in our real world. Can't make it much worse.

We have heard it argued that Boxing should be not only allowed but encouraged, because it encourages people to learn the skill of Self-Defense, which you never know might come in handy someday. Problem with this argument is that Boxing involves much more than Self-Defense, it involves actual infliction of mayhem on the other guy. You don't win a Boxing match by defending yourself better, you win it by causing more injury to the other guy than he is causing to you. It's all about Damage, it's all about Pain, it's all about Injury, it's all about Violence, it's all about all the Crap which a huge portion of this document is trying so hard to avoid.

We have also heard it argued that Boxing should be encouraged because it involves the skill of reacting to your opponent's actions within fractions of a second, unlike Chess which can involve several minutes for each move. However, the sports of Fencing and Wrestling also involve real-time reactions, but (with appropriate Rules and Equipment) do not involve any short-term or long-term injury to yourself or your opponents. Tennis is also pretty quick, with about a full second between volleys, and involves no physical contact at all. We therefore have enough other one-on-one Sports involving immediate responses to your opponent's actions that we don't really need Boxing in addition to them.

Good news is that even if we can't outlaw Boxing, at least we can discourage it, not just through this document but in how we address it as a Society on an ongoing basis. For instance, while we probably need to allow matches to be shown on certain TV networks on a 'pay-per-view' basis, at least we can make sure not to broadcast them on general-access networks, the way that we used to do on 'Wide World of Sports', which seemed fun at the time, watching Ali and Frazier and Foreman and all those guys, but we didn't realize how much we were continuing to promote a Culture of Violence by displaying those contests in front of millions of impressionable kids.

Another step which we can take to discourage Boxing without outlawing it, is to drop it from the roster of Olympic events. We had always heard that the Olympics were about friendly competition, about taking some time out from War and Violence and Conflict and Hatred, while we have some fun playing some games, and see who is more physically gifted without sending people onto a battlefield. We see little sense in including as an Olympic sport any activity which emphasizes the infliction of contusions and concussions and organ damage and other bad things upon your fellow human beings. Does not seem consistent with the 'Olympic ideal'.

We understand that they have been trying to mitigate the violent effects of Boxing through the use of protective headgear, and by modifying the Rules to reward any contact and not just damaging contact. However, we regretfully claim that these steps do not go far enough. You still have to hit quickly in order to contact your opponent before he moves out of the way or blocks your punch, and any blow which is delivered that fast is likely to cause some amount of damage, even with protective equipment. More than that, the simple fact that we are training our athletes to develop and strengthen the specific muscle memory of thrusting their fists forward, which is not really useful in any other athletic activity with the possible exception of the Shot Put, has the effect of mentally conditioning those athletes that it's both acceptable and actively desirable for them to thrust those fists forward whenever any opponent is standing in front of them. That is a bad Social message, and we want it stopped.

When two opponents face each other, they should resolve their differences in some manner other than by the thrusting of fists, or by the wielding of any other sorts of weapons. Let's by all means teach actual Self-Defense, so that we can deal with the actual bullies and other bad people when the time comes, but beyond that let's not train and encourage people to thrust their fists forward to make physical impact with their opponents' heads and bodies. No good can come of it.

In sum, reluctantly okay to allow Boxing to continue in clubs and on 'pay-per-view', in order to satisfy the bloodthirsty adult savages who will find a way to pursue their peculiar passions whether we legally allow it or not, but let's please eliminate it from the Olympics and from any other general-public broadcast which could be seen by kids.

Same goes for any 'Mixed Martial Arts' (MMA) contests which involve kicking or choking or any other action which is clearly intended to cause pain and injury to your opponents. No competition based on violence should be either broadcast or advertised on any medium which is accessible to kids.

Subsection III-E-11: Olympics

Question 647.1

Shall we continue the institution of the Olympics for the foreseeable future?

Yes, we certainly hope to. The institution still seems to be a net-positive thing for us, both specifically as Americans and generally as Humans, and the moments of dazzling greatness seem to far outnumber and outshine the occasional bump, so let's by all means continue to support it, with the greatest of pleasure.

Question 647.2

To what extent shall we continue to encourage the inclusion of Gymnastics, Figure Skating, Diving, and any other events which involve judging?

Some folks may prefer to watch contests which are decided by objective factors such as most points or fewest seconds, but events like Figure Skating and Gymnastics also continue to have large followings, and they clearly also require athletic ability and years of preparation in order to be able to compete at the International level.

It has been a problem at different times that the political bias of certain Judges has occasionally influenced their scorings, and thus the outcomes of certain events. If such actions ever become too pervasive, then we may need to revisit this Question, and possibly reduce or eliminate from the Olympics any event which requires the judgment of human beings. In the meantime, please keep doing what you can with both scoring formats (dropping the high and low scores is often helpful) and judging selection to mitigate the frequency and severity of politically-biased judging.

For those event categories which do not already do so, we have one specific suggestion (it's a bit mathematical, so okay for the casual reader to skip to the next paragraph, and we'll take care of this one) which can help to motivate Judges to score fairly if they want to keep their jobs: Program your computers to calculate the 'standard deviation' of the scores from each routine, and to count the number of times that each individual Judge's scores fell outside of that range. If after a certain number of attempts a given Judge has either too many outliers, or too high a proportion of outliers, then he can be removed from further use as a Judge.

Another theoretical possibility is to exclude all politically-controversial Nations from participating in the judging pool. Leave it up to Norway and New Zealand and other folks who manage to stay out of trouble. However, that strikes us as being contrary to the Olympic ideal: If athletes from all Nations should be allowed to participate, then judges from all Nations should be allowed to critique them. Maybe we end up needing to suspend a certain Nation from judging access for a limited time in the case of some particularly-scandalous conspiracy, but otherwise best to give everyone an ongoing chance to participate in the Games fairly, whether as Athletes or Judges.

As a possible specific exception, we might at some point need to cut the Ribbon Twirling, because that looks to us much more like a Dance competition than an Athletic contest, so it may be more appropriate for other times and places than for the Olympics. However, we can wait to see whether public sentiment ever once catches up to agree with our group.

Question 647.3

Shall the Winter and Summer games be held in the same year or different years?

Obviously, there's arguments both ways, because we've done it both ways.

There's a certain amount of traditional and historical charm associated with keeping both Games scheduled on those years which are divisible by four, so that the intervening four-year period can still be properly referenced with its original label of 'Olympiad'. Also, people previously needed to wait it out for the entire four years of any Olympiad before getting to enjoy the next Olympic experience, and so maybe we want to require our modern people to do the same thing. Sort of keeps us all in the same community over time, whatever that means.

On the other hand, especially now that both Games are so much more heavily populated and widely broadcast and extensively sponsored than ever before, as a practical matter we need to recognize that that's now an awful lot of logistics and schedule reconstruction and 'hype' to happen twice within any single year, even if we ignore the fact (which we don't) that the elections for U.S. President always happen in the same year. Our 'inner accountant' tells us to spread out that effort and expense, and have the Games alternate every two years as they do now.

Besides, it was not so big of a deal back in 776 B.C. to make people wait four years for the next Olympics, because they didn't have all that much else going on anyhow. By contrast, our 'iPhone Generation' has a much shorter attention span these days, with so much more going on to watch and to talk about, and with our advanced technologies bringing Sports coverage to us within milliseconds instead of months. We can't really expect people to wait four years between their Olympic experiences anymore, so let's not bother to try.

In sum, no change from current system.

Question 647.4

To what extent shall professional athletes (however that may be defined) be permitted to participate?

One of the trends which caused the original Olympics to decline and eventually discontinue was the inclusion of professional athletes in their equivalent of a 'circus' environment. As with Answer 647.3, though, a lot of things are way different now from how they were then, and so maybe we shouldn't be applying the same standards and harboring the same expectations.

They have been allowing NBA stars and other pro athletes to participate for several years now (we fondly remember the 'Dream Team' of 1992, featuring Magic Johnson and Michael Jordan and other big names), and the Earth has continued to spin on its axis.

What we are generally doing here is to see which Athletes are the best, and which Nations are producing them. Allowing professionals to participate helps to tell us that.

On the other hand, it was always the vision of Baron Coubertin to utilize only amateur athletes, who presumably are there only for the fun and competition, and not for any salary or endorsement, so both the athletes and the overall competition were considered to be 'purer'.

On the previous hand, though, again our modern Games are viewed by many more people than saw them in 1896, and the athletic standards are more demanding than ever. It is no longer reasonable to expect college students and farm hands and fast-food flippers and office clerks to have both the spare time and the spare change to put in the level of training necessary to compete on the international stage. We should therefore expect some amount of corporate support going to at least some of these athletes, if we are to keep seeing the level of competition to which we now have become accustomed.

Question 647.5

Under what conditions (if any) would we wish to allow the exclusion of any Nation from a given Olympic competition?

One condition is easy. Other condition is harder.

If a 'heavy preponderance' of the available evidence indicates that a particular Nation cheated during a recent Olympic competition, or in any other significant way violated the rules and policies which have been duly established and ratified by the Olympics' governing body, then one remedy which certainly can be actively considered is to suspend the offending Nation for at least the next time when that particular event comes up in an Olympic competition, or maybe from the entire next Olympics of the same winter/summer variety, or maybe even for a fixed number of years from all Olympic participation.

If our hangup is about something other than what the Nation in question allegedly did during an actual Olympic competition, then the Question becomes harder.

The whole idea of the modern Olympics is for all Nations to 'take a break' from their various international conflicts, and engage in some friendly fun and games, while in the process taking an occasional moment to recognize and appreciate the great things which Human Beings can achieve if they have enough commitment and dedication. It follows that any Nation which is especially hateful and violent toward its neighbors, to the point where they probably do not recognize the value of this ideal, probably doesn't belong on the same stage.

On the other hand, if the Olympic Ideal demands that all Nations on 'the other side' must stand down their political aggressions in order to participate, then it demands the same thing of us. We too must set aside our political prejudices, and focus on just the People and the Athletics.

Of course, that doesn't mean that you don't get to cheer when someone from your home Nation -- or some other Nation which you happen to like -- does well in the Olympic Games, nor to wish a low medal count for certain other Nations which tend to irk you somehow. That's part of why the athletes represent Nations at the Games, and not just Clubs or Leagues or Corporations, is so that we get to do that. However, wishing a low medal count for some particular Nation is one thing; barring them from participating at all is something else, and we had better have some pretty good reasons available if we are going to take that harsh step for anything other than simple athletic cheating.

Another important point to remember in this discussion: Not only are the Olympics intended (at least in theory) to be conducted outside of any atmosphere of political difference among the Nations, but we generally established way back in early Part I that Nations generally get to do whatever they want within their borders, as long as they are not harming or endangering or threatening other Nations. That's why we have separate Nations in the first place, and not just a single homogeneous society, so that different Cultures which prefer different ways of living can feel free to live their own lives in their own ways, because no one of us is wise enough to decide which national ways are net-better than which other national ways.

As we stated back in Part I, we will evacuate anyone who hates her nation's policies and can't get out any other way (in the tradition of the Scarlet Pimpernel), but otherwise we will not meddle in what a sovereign Nation does within its own borders.

It follows that we are often going to be unqualified to decide that any Nation's purely-internal policies are grounds for exclusion from the Olympics. We therefore are recommending as a partial Answer that any entirely-internal practice or policy should not be considered as a valid basis for Olympic exclusion.

But, what if some policy or practice of theirs actually is affecting one or more other Nations? What if they're at War with somebody? What if they're wantonly polluting the Global Environment? What if they're violating some other duly-established requirement of the prevailing International Oversight Organization?

If any Nation is currently engaged in open and active Warfare against one or more other Nations, or if they are openly threatening any Nation(s) with military or nuclear attack, then they clearly are not interested in Peace at this point in their history, so they have no business participating in the Olympics until they re-learn how to 'play well with others'. They therefore should not be surprised or offended once they hear that they have been banned from Olympic participation pending the permanent cessation of all hostilities.

If they are causing Environmental damage outside their borders, then a sufficiently-verified and sufficiently-heavy violation may be held as sufficient cause for Olympic exclusion, but please be very careful here, because either these judgments can be very subjective, or at least they can appear to be, so whoever is making the case for exclusion had better be making a really strong case.

Same goes for any other violation of actual Global Law (as duly established by the prevailing 'international oversight organization'): If it is severe enough of a problem, and if you have really strong evidence of culpable participation, then you can consider some amount of overall Olympic suspension, but again you had better be prepared to justify your decision to the inevitable wave of protests.

If it is not a violation of actual Global Law, then any hangup which some of us might have about whatever they're doing is probably going to be a matter of personal or cultural preference, and may therefore not be sufficiently robust of a cause to justify exclusion from the Olympics. If their ways are not your ways, then maybe it's you who needs to change, or maybe nobody needs to change, but in any case don't use that as grounds for Olympic exclusion unless and until the Global Governance collectively agrees with you through due process.

In our model, any decision by the International Olympic Committee (or any other entity which may oversee the Olympics in future) to suspend any Nation from any amount of Olympic participation may be appealed to the House of Nations, which is one of three equal houses of the Earth Congress, and which is specifically tasked with deciding any issue involving international interaction, including as to athletic competition, as can be seen in Appendix G of the final package.

Question 647.6

Do we have any suggestions/requests to offer regarding TV coverage of the Olympics?

Yes, we do. It seems unnecessary at this stage that we should ever need to sit through any taped coverage. There are many events, there are many athletes competing in them, and we ought to be able to spread things out in such a way that

there is always something going on which can receive live TV coverage around the World, including in all time zones within America.

We strongly suggest that the organizers of each Olympics should schedule all their outdoor events in the local daytime, and all their indoor events in the local nighttime. Many athletes and tourists already need to adjust their sleep schedules from their long travels, so it is not an unreasonable requirement for them to adjust to the local schedules for indoor and outdoor events.

Not only is live TV coverage more exciting for the viewer, but it also helps to bring us together as a global community, everybody watching the same thing at the same time. We were all able to see live coverage in 1972, so why can't we see it now?

Subsection III-E-12: Pool/Billiards

Question 647.7

How -- if at all -- do we want to clarify/change any rules in 8-Ball, 9-Ball, Cowboy, Cutthroat, or any other Pool/Billiards game?

Probably not so much. Rules need to change according to whether or not you're playing at a coin-operated table. For, if you are not then you have the option to assess penalties by bringing up a ball after any Scratch or Table Scratch, but on a coin-operated table this option is not available.

Beyond this, we have observed that some places with pool tables evolve certain favorite variations on the Basic Rules, such as the 'last pocket' variation of requiring the 8-ball to be sunk in the same pocket where the last non-8 was sunk by the player/team making the shot. Best to allow any such variations to happen as they wish, but just make sure that they are clearly understood by any new player walking into the venue for the first time, so that we can avoid the physical altercations which have sometimes arisen over misunderstandings about the rules.

Any such newbies are thus strongly advised to make sure that you clearly understand the 'house rules' before boldly taking on the locals on their home floor.

Subsection III-E-13: Chess

Question 647.9

Any changes to recommend in Chess?

We have two suggestions to offer.

In the 2018 World Championship, each of the 12 regulation games ended in a draw, which had never happened before. The rules of the time provided that any tie scores at the end of regulation play should be resolved by a series of tiebreaker games at extra-short speeds.

We disagree with this approach, because it makes the result too random. We feel that Chess should operate the same as Boxing, even though we don't like Boxing all that much, yet they did always seem to have the right idea that one needs to defeat the Champion decisively in order to displace him. If a championship match ends in a draw, then the Champion retains the title.

It should be the same in Chess: If the score is tied after all regulation games have been played, then the match should be over, and the Champion should retain his title.

Our other suggestion relates to Chess.com and other online platforms which have their own separate rating systems. We are plagued by players who allow the times to expire when they are in lost positions, instead of officially resigning. They currently lose the same number of points either way, but those looking on cannot clearly tell that the winner actually merited a win by superior position, as opposed to the other guy simply letting the game get away through poor time management. In addition, it gets boring to wait for several days while the other guy allows the clock to run out.

We feel that this practice can be mitigated drastically if we assess a larger point loss for a loss-on-time than for a loss-by-resignation, so that more people have a motivation to play the game out as long as they have a chance to win, and to resign for the record when the game is lost. Don't need to add any extra points to the game winner, because they didn't do anything other than win the game normally, but yes extra penalty points to anyone who loses by time.

Subsection III-E-14: Monopoly

Question 648

So, what about the Free Parking rule, anyway?

Notwithstanding the 'house rules' which some folks prefer, and which some aren't even aware are 'house rules' at all, we are standing by and supporting the actual rules on this point. That is to say, we claim that it is good to leave Free Parking as an empty resting space which does not involve any kind of 'jackpot' or other bonus. We feel that it helps to have a free space to land on when there's lots of hotels and stuff around, but that it's not good to give people a big 'windfall' for a total stroke of luck. The balance between luck and skill in this game is just right as it is, without making things more random by awarding any kind of 'jackpot' for landing on Free Parking.

Question 649

Do we like the rules by which one gets out of Jail?

This is one 'house rule' of ours which we are recommending for general usage.

Under the current rules, if it is either your first or second roll after ending up in Jail, then you have the option either to stay in Jail for your roll, or else to get out of Jail by posting \$50 bail or by playing a 'Get Out Of Jail Free' card. If you come out of Jail at that point, then you position your token on 'Just Visiting' and roll normally. If you choose to remain in Jail for your roll, then you still come out if you roll Doubles, but you do not roll again afterward.

In our opinion, the decision is too easy under these conditions, and therefore too boring. If it's early in the game, then you obviously want to be out of Jail immediately, so that you can keep trying to buy as many good properties as you can during their limited remaining period of availability. If it's later in the game, then

you obviously want to stay in Jail in order to avoid landing on other people's Houses and Hotels.

We feel that it's much more interesting to make the decision about coming out of Jail after you have already rolled the dice. You can still pay \$50 or play your card before the roll if you want, with play proceeding normally after that, same as under the current rule. Also, if you do roll Doubles while in Jail, then you must accept the roll but you do not roll again afterward, same as under the current rule.

Difference is, if you roll a non-Double during either your first or second turn in Jail, then you have the option to stay in Jail or to pay your \$50 bail (or play your card), and then you can take that roll normally.

If you roll a non-Double during your third turn in Jail, then you must pay your \$50 (or play your card) and take the roll whether you want to or not, same as under the current rule.

The one small change can make things a little more interactive and interesting later in the game, by introducing an extra layer of non-trivial decisionmaking into the mix.

Subsection III-E-15: Scrabble

Question 649.2

Which types of words should be allowed, and which disallowed?

The idea of Scrabble always was to challenge people to use actual words, and not to allow them the 'shortcut' of using any expressions which are not actual words. There was always supposed to be a certain amount of standardization, such that all players would be operating from basically the same set of acceptable expressions, so that the game would be testing both your recall of the standard words and your strategy in placing them in the right places at the right times.

For this reason, the rules of the game have always excluded 'slang' words as well as all but the most common interjections, because it is far too easy to claim that any random string of letters is a valid 'slang' word or a valid interjection. ("Remember that time when I got upset and yelled 'QWBJVXZ'?") It is also common practice to use only a single language for your word source, so that multilingual people would not have such a trivial advantage over unilinguals, but of course variations can be allowed in casual settings, although they should not be allowed in tournaments.

Problem is, a lot of folks whom the author has encountered in tournaments have insisted upon using the so-called 'Scrabble Players Dictionary' as their word source, which is not such a bad idea in theory, but it fails in practice according to our perception. That book includes a lot of expressions which appear to come directly from other languages, such as names for certain Vietnamese coins, instead of actually coming from English. Also, some other entries which do not specify a foreign origin still don't sing out as being actual English words, because we have never heard them anywhere nor seen them in print.

While we are not in a position to speculate reliably on anyone else's intentions, it does appear that the publishers were attempting to throw numerous entries into the book which are not actual English words, in order to give players more options and to allow them to trounce players who rely on actual dictionaries for their word

sources. Maybe they felt that they would sell more books that way, and maybe they were right.

In any case, the result is that some players have trained themselves to memorize the 'Scrabble Players Dictionary' (or at least the special 2-letter and 3-letter lists, which contain so many entries that players have a good chance of qualifying on many random letter strings which they don't recognize as actual words), without any regard to whether the words actually come from the English language, nor to what the words may mean. Someone places a certain expression on the board, another player asks 'What does that word mean?', first player says 'I don't know, but it's in the Scrabble Dictionary'. That's happened to the author a lot.

Dictionaries are here to tell us which words currently exist in a given language, not to create words which do not already exist elsewhere.

Therefore seems to our group's perception that we have lost the art of placing only valid words on the board during games of Scrabble (as well as card-based variations such as Palabra and Quiddler), and that we have reduced the motivation for people to add words to their individual vocabularies by learning their actual meanings.

Obviously, players can agree on any word source for their games, whether in casual settings or in tournaments. And, if any two opponents agree not to use the 'Scrabble Players Dictionary', then they might have a hard time settling on which reference source to use instead, because each one of them might have a different preference with which she is already more familiar.

We therefore are offering a few recommendations here: First, unless all players at a given table willingly agree to use the 'Scrabble Players Dictionary' as their reference source, we politely suggest that it be discouraged, partly because it includes numerous entries which do not resemble actual English words, and partly because it emphasizes memorization of spelling over building of vocabulary.

Second, if there is agreement to boycott the 'Scrabble Players Dictionary' for the duration of that game, and if the players then disagree about what source to use instead, then we politely offer a temporary default of the 'American Heritage Dictionary', partly because we distrust any dictionary which contains the misleading expression "Webster's" in its title* [*We can't prohibit the use of "Webster's" in a dictionary name, partly because it is in the public domain, and partly because some new lexicographer might come along someday whose name actually is Webster. However, we can discourage it through boycott, on the grounds that we shouldn't be buying any dictionary which is not confident enough in the quality of its own product to place its own unique brand identity upon it. That way, where once the use of "Webster's" may have helped sales for those dictionary-makers, it will now be something to be avoided. Each dictionary can then have its own unique brand, and we can then easily distinguish those brands which do the best job of balancing the goals of documenting the language and helping properly to shape and protect it.] (so that eliminates a lot of contenders), and partly because they seem to have done a pretty good job over the years of including numerous English words without including too many non-English words. Oxford English Dictionary (OED) is another possibility, but it is way too huge and comprehensive on rare words and meanings for convenient use in casual games.

Third, we are hoping that someone will come along one day, who has more free time than the author does, but who is just as fussy and fastidious, and who will be willing to create a new dictionary which features these four basic attributes:

(A) No word should be listed unless it has appeared in actual literature somewhere, without any Capitals or 'quotes' or *italics* or any other editorial indicator which might suggest that it is anything other than an actual standard English word.

(B) So that the reader can be confident that the listed 'word' is an actual word, each entry should include two examples from actual literature. The first example should be the oldest known occurrence of the word with its currently-accepted spelling. The second example should be one of the most recent occurrences of the word, so that we can tell that it still is in modern usage.

(C) Every single word which meets the conditions of (A) should be separately listed, including all plurals and other 'forms of the word'. Reason is that a lot of these 'forms' (technically known as 'inflections') have irregular spellings, such that the reader who does not know the text language very well might not recognize that they are forms of other words, and therefore might not be able to find them easily in a 'regular' dictionary.* [If you are unconvinced that this is a real-life problem, then we suggest that you try picking up a book or news article written in French or some other unfamiliar language, and try to translate it one word at a time using a regular dictionary. You will have a hard time, because not all of the expressions which you see in print will appear as primary alphabetical entries in the dictionary.] When all words (both 'roots' and 'inflections') appear separately within the master word list, it is a lot easier to tell how many words exist within the modern language at any particular time of history, and it is a lot easier for people to learn those words, whether it is their primary language or a secondary one.

(D) Don't give it a title which has anything to do with anyone named Webster.

When they finally get around to creating this Best Of All Dictionaries, then we will recommend it for primary use in Scrabble and all similar games.

Question 649.3

If we are agreeing in Section I-D that an Office of Language Services at the Federal level should periodically produce a standard dictionary of American English, then should we encourage this work to be adopted -- either formally or informally -- as a primary authority in Scrabble?

This certainly will depend on whether we end up actually agreeing to having that Office in our final structure, and at this point we are not as convinced of it as we once were. If we do have it, then we would now have a hard time justifying the expenditure of Federal resources to assemble and update a special dictionary for Scrabble players, when we have millions of people in our Nation (let alone elsewhere) who are in desperate need of food and shelter and basic medical care.

However, if it is doing so anyway, and if it contains one main listing of just the actual regular words (including all plurals and other inflections), and secondary listings for letters and contractions and abbreviations and proper names and other expressions which readers might find in print but which are not actual standard words, then yes we would be happy to nominate that dictionary as a primary source to replace the 'Scrabble Players Dictionary' and American Heritage and anything else.

In the meantime, as discussed in Answer 649.2, we should continue to use some source other than the 'Scrabble Players Dictionary', so that we can establish by real-life example (preferably both historic and recent) that each entry is an actual English word. However, our primary recommendation at this preliminary point is that the dictionary should be created by a private organization, and if necessary ratified by Executive or Legislative action as being an acceptable reference source for anyone wishing to use the American English language for any official or casual purpose.

SECTION III-F: LANGUAGE

Question 650

Any need to clarify rules of Language as part of this effort?

At the time that we assembled our 'black book' of preliminary ideas back in the mid-1990's, when things were not quite as goofy as they later became, we envisioned a Federal agency called the 'Office of Language Services', which would somehow keep track of the ongoing evolution of America's primary language(s), and provide updated models which would serve as the basis for Education, Diplomacy, Contract Law, Journalism, and any number of other fields where clarity of communication can be highly helpful.

We were prepared to argue that the cost of the agency would be justified by different improvements that it would render in our Society, such as by reducing civil litigation and criminal prosecutions (because laws and contracts would be understood more easily), and also by allowing immigrants to assimilate into our Society more easily so that they could contribute to our economic growth more quickly.

At this point, however, we are not sure that we actually need an 'Office of Language Services' at the Federal level, when we have so many citizens lacking Food and Shelter and Medical Care. It may be far more cost-effective to allow academic institutions like the University of Chicago, or dictionary publishers like American Heritage, to use their expertise to provide ongoing documentation of our current vocabularies and spellings and grammars, which they would be doing anyway. If their private efforts ever require any official ratifications or negotiation on the part of the Federal Government, then a simple Congressional legislation usually can accomplish that task much more easily and cheaply than a separate cost-center within the Executive Branch ever could.

Whether you have such an agency in the Federal structure or not, though, we still want to have some amount of discussion in this document about the topic of Interpersonal Communication, because we have some pretty big Social problems in this area, and any Society does better when its members communicate better with one another.

We therefore will be highlighting here a sampling of the problems which currently hang us up the most. If we end up overlooking any of your personal 'pet peeves', then we are hoping that the examples presented within the Subsections below will provide a context and guidance for addressing any other specific issues.

Question 650.5

Before getting to any specifics, what opinion -- if any -- shall we render on the topic of 'Ebonics'?

This is an expression which we haven't heard in the news much for a few years, so maybe it is no longer perceived as a problem or issue requiring our collective social attention. Or, maybe it's still an issue which is just getting eclipsed by other news.

In any case, let's do make it generally clear that -- no matter what specific clarifications or standardizations we might accomplish in the course of this Section --

we yet fully expect that some Regions and some Subcultures will continue to develop and maintain 'dialects', minor variations in Vocabulary and/or Pronunciation which can often develop when any group communicates mostly within itself, but which hopefully can still be recognized (more or less) by outsiders.

This is a big part of what happens with Language generally. 'Control freaks' such as the author might love to insist that there is only one Vocabulary, and only one way of Spelling and Pronouncing everything, and only one way of constructing your Sentences, and that those ways should always be exactly the same, here and everywhere, now and forever. Sadly for us, we don't get to do that in 'real life'. Language has always been living and flowing, and has continually adapted and evolved as different peoples in different areas at different times felt net-best for them. Can we ever hope to stop that raging river, even if we wanted to?

We doubt it. We have a few specific suggestions here to clarify/standardize certain expressions which are in common use within our current Society, and we are generally hoping and pleading for improvement in our Language Education, both for our 'primary' language and the 'secondary' languages which we hear prominently in certain areas. Nevertheless, we must reluctantly acknowledge that the overall Rules and Standards are going to need to change further over time, and that variations by Region and Subculture will still develop here and there, whether we like it or not.

That said, we probably don't want to help that process along too much by actively encouraging divisions within our primary Language, or within any prominent secondaries. It's unavoidable that Language must evolve, and that there will always be some regional variations in a large Nation like ours, and some of those variations can be very colorful and beautiful, but we still want people to be able to understand one another as much as we can practically manage. That's the primary purpose of having any kind of Language in the first place, so that we can express ourselves to our neighbors, and understand what they have to express to us.

If we all spoke many different Languages, then we would have a harder time accomplishing much of anything, and our lack of mutual understanding might someday escalate into armed conflict, as it has already done so many times in our human history.

Our formal education therefore needs to emphasize a standard Language which we expect should be generally understood throughout our Nation, with other Languages and Dialects to be taught supplementally only as the need locally arises and as resources are locally available.

To apply the general principles to the specific example of Ebonics, we are allowing that some regional school districts may want to educate their local students in that variation (there has been disagreement as to whether it properly should be called a Dialect or a Language, so let's just not call it either one for right now), so that they will be better able to understand the associated Vocabularies and Pronunciations when they hear them. However, we recommend against teaching Ebonics as a standard or 'primary' Language, because that would make it harder for the students to communicate effectively with adults from other Regions and Cultures when the time comes.

According to a CNN report from 1997* [[*www.cnn.com/US/9701/16/black.english/](http://www.cnn.com/US/9701/16/black.english/)], the school board of Oakland CA stated that they "would not try to classify Ebonics-speaking students as bilingual in order to obtain Federal funds", as others apparently

alleged, so that's good. Regardless of what their actual intentions may have been, we concur that it would not be appropriate to create any special definitions of anything in order to increase Federal funds. To the contrary, that's one of the big lessons which we want to take from 'subsidiarity' (defined in Part I), is that the Fed should not be making local funding decisions like that at all. If you think that something is important to be taught in your local community, then you arrange to do so from local resources. Leave the Fed to focus on issues affecting the entire Nation.

Subsection III-F-1: Grammar

Question 651

Shall we continue to have a rule that 'split infinitives' are bad?

As a widely-known example of what we are talking about here, the purists claimed that Captain Kirk should not have said "to boldly go" in the opening to 'Star Trek'. In their opinion, he should instead have said "to go boldly", or some other construction.

The idea was that the phrase 'to go' was considered to be what grammarians call the 'infinitive', which is the basic root form of any verb, and which then gets modified in various ways to deal with plurals and past tenses and other such adjustments.

In older languages such as Latin, the infinitive was just a single word* [*For example, according to Cassell's Latin Dictionary (5th Ed., 1968), *ire* is the primary infinitive which means 'to go', although there are multiple alternatives for various specialized uses. Curiously, *ire* does not appear in the Latin section when you are trying to translate back into English, which is an example of the problem described in Section III-E. Any word which appears in one half of any translating dictionary should appear in the other half as well, so that the unfamiliar reader can compare halves to make sure that the selected translation fits the specific situation.], and so it therefore could not be split up with 'boldly' or any other adverb. If the infinitive could not be split up in Latin, then the purists felt that it also should not be split up in English.

What some of those folks may have missed, however, is that 'to go' is actually not the 'infinitive'. The base word of 'go' is the actual infinitive, and that's what gets modified into 'going' and 'gone' and any other inflection, without involving the 'to' lead-in in any way. Instead, the entire expression 'to go' is an 'infinitive phrase'* [*See <https://englishsentences.com/infinitive-phrase>, even though as of February 2019 they were still using the older definition of 'infinitive' which included 'to', instead of recognizing 'to' as a separate 'infinitive connector', as we are now here describing it.], which is a construction that allows us to get the infinitive form into a regular sentence when we want to.

Our use in English of a two-word 'infinitive phrase' in our sentences not only allows us to insert adverbs in front of the actual infinitive, but it practically encourages us to do so. There is a subtle-but-important difference between 'to go boldly' and 'to boldly go', and we want to be able to express that difference in our language. It's not just that we're 'going', and it happens to be 'boldly'. Rather, 'to boldly go' is an actual thing, and it's more meaningful that way, so we should get to use it that way.

By way of comparison, we get to insert the adverb before the verb in constructions like 'This could really help us', so we do not see any real reason to prohibit a construction like 'This person wants to really help us', merely in order to satisfy a technicality which has no relevance in our modern language, and which sometimes actually takes some meaning away from our expression.

In summary, the fact that we now have two words to describe an 'infinitive' means that they can be split, and to do so often seems to be the clearest and easiest way to express your message. Therefore, we are suggesting that the 'split infinitive' (which is actually the splitting of an 'infinitive phrase') should now be allowed in English. Teachers should no longer assess penalty marks for it, and students should politely challenge any teachers or others who still try to correct them for it. Simply tell them that you read it in "The Answers To Everything" as the new accepted usage. Just don't be too klutzy about it by inserting a long and complex phrase instead of just a single adverb, because simpler constructions will usually work better for you.

Question 652

Shall we continue to have a rule against ending clauses with prepositions?

We don't think so. We can end a clause with a verb which takes a direct object appearing earlier in the sentence (as in 'This is the ball that I kicked'), so we do not see a good reason not to be able to end a clause with a preposition taking an object appearing earlier in the sentence (as in 'These are the goals that we aspire to'). In fact, trying to rearrange a sentence in order to avoid this may make it even more awkward and less easily understandable. As with the split infinitives discussed in Answer 651, though, do please try to avoid any awkward constructions.

Question 653

What case of pronouns is appropriate in the predicate position?

For those unfamiliar with the terms, what we're talking about here is a construction such as 'It's me' or 'That's her', which we hear in ordinary conversation all the time, but which the classical grammarians would insist should be phrased as 'It is I' or 'That is she' instead.

Without going into too much detail, we're going to settle this issue by first introducing a few vocabulary words to the casual reader who might not have gotten them in school, or who maybe did get them but later forgot.

The first is the 'case' of the pronoun. They call it the 'nominative' case if it is either I or We or He or She or They, because it can be used at the beginning of a sentence to identify the name* [*The word 'nominative' comes from the Latin *nomen*, meaning 'name'.] of the 'subject'. They call it the 'objective' case if it is either Me or Us or Him or Her or Them, because it can be used in the 'predicate' of the sentence as the object of whatever action has been taken by the 'subject', or as the object of a preposition.

Thing of it is, when you have an expression such as 'It is [insert pronoun here]', the individual(s) being referenced by that pronoun did not receive any action taken by any 'subject', and also is/are not the object of any preposition. Instead, the use of what they amusingly call the 'copulative verb' of Is or Are or Was or Were in that sentence means that you are basically equating the 'subject' and the 'predicate', saying that they're basically the same person(s). They therefore figure in that circumstance that the case of the pronoun should be the same as the case of the 'subject', and that it should therefore be the 'nominative' case.

As sadly often happens, though, the classical grammarians live in one world (the author knows, he's been there), and everybody else lives everywhere else. They attempt to sway how the language should be, instead of documenting how it is.

In this instance, we feel that they should be accepting that people customarily say 'It's me' and 'That's her', figuring out the appropriate grammatical terminology to explain what they're saying, and then teach those uses in the interest of social unity.

But, can we convince the grammarians that they should be abandoning their argument that equating the 'subject' and the 'predicate' by using the 'copulative verb' means that the pronoun in the 'predicate' must not take the 'objective case'? Fortunately, we don't need to. We can define a third case which will preserve current usage, but which will satisfy the grammarians at the same time.

This is going to be another one of those times that we will not be setting a good example for the rest of the World, as much as we might like to always be* [*A split infinitive. Suck it up. See Answer 651.] doing that. Instead, we will follow the example of where a different practice is working well elsewhere.

In this instance, we will take an example from the French. Instead of only two pronouns (I and Me) which English has to describe the 'first-person singular', the French have three (*Je*, *Me*, and *Moi*). They use the nominative '*Je*' in the 'subject' position (as in *Je t'aime* for 'I love you'), and they use the objective '*Me*' as a direct object (as in *Vous me chatouillez* for 'You tickle me'). They also have '*Moi*', which they describe as the 'disjunctive' case, and they use it both as an object of a preposition (as in *Sauvez quelqu'uns pour moi* for 'Save some for me') and especially in the equative construction of *C'est moi* to mean either 'It is I' or 'It is me'.

What we are therefore proposing, rather than 'requiring' millions of Americans to change their manner of speaking (because good luck making that happen...), is simply to label their existing uses of 'It's me' and 'That's her' as examples of the 'disjunctive case' of pronouns, something which we didn't have in English grammar before, but let's please have it now. Those same pronouns can still be considered as 'objective case' when used as a direct object, indirect object (as in 'Read me a story'), or prepositional object. However, we can consider them as the 'disjunctive case' when used in the equative constructions, following an example set by the French, so we're not inventing anything new here. Agreed?

Subsection III-F-2: Vocabulary

Question 654

In what sorts of circumstances is the use of the word 'literally' appropriate?

Funny thing about that. This was a 'pet peeve' of the author going back way before our 'black book' of preliminary ideas was assembled back in the mid-1990's, and we assembled numerous examples of good usage and poor usage at that time, with the intent of including them in the final packaging here, but since that time the problem has gotten way worse, so we are now more eager to address it than ever.

We are favoring the originally-intended use of 'literally', and no other. Let's explain.

The word 'literally' was originally intended as the opposite of the word 'figuratively'. We often use various expressions in a 'figurative' sense as 'metaphors' in order to create a linguistic effect, describing something in an exaggerated manner which is not actually happening in real life, as in the following examples:

She was walking on air.
He bit the dust.
That car cost me an arm and a leg.
She was drowning in praise.
He was so transparent that you could see right through him.
Don't cut off your nose to spite your face.
He called me and literally belched fire through the phone.

In those particular instances (the last of which came from an actual letter written on 10-Dec-1991), the thing which the phrase is describing would be extremely unlikely to happen in real life, so these expressions are always 'figurative', and it therefore would always be inaccurate and improper to add the word 'literally' to them.

Every once in a while, however, a phrase like this which is usually used 'figuratively' is used 'literally', meaning that the thing which the phrase is describing actually is happening in real life, as a rare exception to the usual thing. When that happens, the speaker will often add the word 'literally' to highlight the fact that she is using a common phrase in an uncommon manner, as in the following examples:

He had the strength of ten men, literally. (People sometimes say figuratively that somebody 'had the strength of ten men' if he's just really strong, but the phrase would apply literally if they actually measured the guy's strength, and it actually turned out to equal the strength of ten regular guys.)

The speaker screamed until he was blue in the face, literally. (People sometimes say figuratively that somebody is 'blue in the face' when they're just really mad about something, but usually their faces don't actually turn blue. Every once in a while, though, if someone's face actually turns blue from anger (or maybe it was just really cold), then you could add 'literally' to this expression.)

The child was starving, literally. (People sometimes say figuratively that they're 'starving' when they're just really hungry, but if they're still strong enough to say that they're 'starving' then they're probably not 'literally' starving. However, if you obtain a warrant and enter a house where severe child neglect has been taking place (remember the Turpins of Perris?), then you might discover that a child has been malnourished to where she meets the medical standard for 'starving', so could add 'literally' here.)

He was at death's door, literally. (People sometimes say figuratively that somebody is 'at death's door' when they're just really sick. Even if someone is in a terminal condition, though, and even if he then dies, there usually is not a literal 'door' involved anywhere. However, if they are carrying a terminal patient into a hospice or mausoleum for expedited disposition, then maybe at that point you could declare 'literally' that the patient was at death's door, but not otherwise.)

They waited until the last minute or until the eleventh hour, literally. (People sometimes use these expressions figuratively when something has been procrastinated until close to some given deadline, but it usually is not the literal 'last minute' or the literal 'eleventh hour', so you would not add 'literally' to the expression. Once in a while, though, something is actually delayed until there are between 60-120 minutes remaining, in which case you could say that they 'waited until the eleventh hour, literally', and then only if you are operating on a 12-hour clock. Or, if something is delayed until there are fewer than 60 seconds remaining before the deadline (like a couple of the Baseball trades in 2018), then you could say that they 'waited until the last minute, literally', but not otherwise.)

He ate his words, literally. (People sometimes say figuratively that someone 'ate his words' if he once discovered that he said or wrote something which he now regretted, but it usually does not involve any literal ingestion of anything into the body, so you usually would not add 'literally'. However, if the guy lost a bet on who wrote the better speech, and if the bet called for the loser to eat the paper on which the words were written, then you could say that he 'literally' ate his words.

I'm a happy camper, literally. (People sometimes use the phrase 'happy camper' in a figurative sense to describe someone who is in a general state of contentment, but they usually are not in an actual camp at the time, so to add 'literally' would be inappropriate. However, if somebody is staying overnight at an actual campsite, and is still happy, then you could say that he's 'literally' a happy camper.

Trouble is, people have recently been using 'literally' in a different manner, to provide simple emphasis to a regular statement of non-exaggerated fact, as in the following examples to be avoided:

He was speechless, literally.
It was so noisy that you couldn't hear what she was saying, literally.
It was so cold that my hands were numb, literally.

In these cases, the fact reported in the main part of the expression is a straight and simple statement, something which happens in real life all the time. You therefore are not starting out with a 'figurative' expression and using it in a 'literal' sense on an exception basis. To the contrary, you are not adding any meaning or other value to the sentence at all by sticking 'literally' anywhere in it. All that you are doing is showing the listener that you do not understand how to use 'literally' correctly.

As a free extra bonus, here are a few examples of good and bad uses of 'literally' in actual real-life journalism:

Bad Anaheim fire of 31-Mar-1997 literally reduced the apartment building to ashes. (Fires will do that ordinarily, so inserting 'literally' adds nothing here.)
You have to put yourself in [the opposing party's] shoes, literally.¹ (It was just to mean that you need to be able to anticipate what the other party is going to say in his/her case, and had nothing to do with anybody's shoes.)
A certain traffic accident "literally happened six minutes ago".² (Did they mean that it literally happened, or that it was literally six minutes ago? Either way, it does not describe an ordinarily-figurative expression in an unusually-actual sense, so could have dropped the extra and misleading word without at all changing the meaning of the sentence.)

[¹Harvey Levin on 'The People's Court', broadcast 14-Jun-2004]

[²KNX radio, between 10-10:30am PT on 27-Nov-2017]

Good **Where is the creative genius that produces these miniature masterpieces of frozen water, quite literally out of thin air?**¹ (People sometimes say figuratively that someone produces something 'out of thin air' if its origin is unclear, but it usually does not actually come out of the air, and even if it did the air is usually not very thin at the planetary surface where people live. In this exceptional, case, however, the journalist was talking about Snowflakes, which literally do get produced in the 'thin air'.)
Police in New York City were on a wild goose chase, yes literally.² (People sometimes use the phrase 'wild goose chase' in a figurative sense to refer to any search which turns up nothing. In this case, though, the TV cut to footage of a wild goose strolling along the causeway. They really were chasing a wild goose. That was good, that was funny, that was right, more like that.)
Many people have waxed rhapsodic about Auberne [a region of France], this person quite literally: Here is the 'Auberne Rhapsody' by Saint-Saens.³ (Usually, when someone is 'rhapsodic' about something, it does not involve an actual rhapsody in terms of musical composition, so it's usually only figurative, but this time it was literal.)

[¹Caltech 336, Vol. 1, No. 1, 11-Jan-2001]

[²Tony McEwing on 'Good Day L.A.', broadcast at 7:52am PT on 17-Jun-2004]

[³KUSC radio, 4-Nov-2011]

Are we all getting the concept here? The word 'literally' is not to be used as mere emphasis for ordinary statements of ordinary fact. People who do so might think that they're sounding 'hip' or 'cool' or 'trendy' or some other postwar adjective, but they actually just come off sounding ignorant, and it's a shame because some of them are actually very smart, and it would be unfortunate for their statements to be overlooked simply because they are using 'literally' in an incorrect manner.

Question 655

Under what conditions (if any) should it be considered acceptable to say "ain't"?

We were taught while growing up that "ain't" is improper and unacceptable under all conditions. It was considered incorrect, sloppy, and unfit for polite society.

We are suggesting here that it may be time for a promotion.

Our 1981 hardbound edition of the *American Heritage* dictionary (remember from Answer 649.2 that we distrust any dictionary calling itself *Webster's*), the primary definition of "ain't" is as a contraction for "am not". This makes perfect sense to us, because we have two other present-tense negative contractions to go with various pronouns ("She isn't" and "They aren't"), one future-tense negative contraction ("We won't"), and two past-tense negative contractions ("I wasn't" and "You weren't"), but we have no negative contraction other than "ain't" which goes with the first-person singular in present tense. If you want to be able to express "I am not" with a contraction, and you don't want to interfere with the main pronoun with "I'm not", then "I ain't" seems to be our best candidate.

However, the Usage Panel for *American Heritage* (comprising 100 experts who voted on various controversies treated in the book) overwhelmingly disapproved the use of "ain't" even as an ordinary contraction for the first-person present-tense singular, even though "I" have no other contraction available which stands for "am not". We are only speculating here, but we imagine that their collective disdain for "ain't" was fueled largely by the fact that "ain't" has been used in recent decades as a generic substitute for numerous other contractions of different persons and tenses.

We claim that it's a bum rap. Just because the word has been misused in numerous ways at numerous times, doesn't mean that we can't keep it in everyday use with its originally-intended meaning.

Therefore, with as much humility as we can muster, we are suggesting to overrule the Usage Panel, and to declare as a collective society that "ain't" is an acceptable substitute for "am not", but still is not officially acceptable under any other condition. In other words, if it is considered grammatically acceptable to say either "She's not coming" or "She isn't coming", then it should also be considered grammatically acceptable to say either "I'm not coming" or "I ain't coming". It is so ordered.

Question 656

Shall we consider it acceptable to use the personal pronouns 'he' and 'him', and the possessive adjective 'his', when a generic unisex reference is being made?

We had this Question on the books back in the mid-1990's, so no it was not added in response to the recent rise in the presence of women in Congress and other areas of leadership, nor in deference to the female victims who have recently come forward with reports of chronic sexual abuse by certain powerful celebrities. However, even though the Question was added earlier, the Answer probably should be considered within the context of these recent social developments.

Specifically, we have a confession to make here, but it ends well: The original 'black book' of preliminary ideas from the mid-1990's actually did suggest that we should continue to use 'he' and 'him' and 'his' in unisex constructions, even though we explicitly acknowledged in the notes that the custom was sexist in origin, but yet on the grounds that folks had previously attempted to introduce a new set of unisex pronouns (including 'e' to mean either 'he' or 'she') into our language, and that all such attempts had failed.

It is especially astonishing now for the author to read that those notes from over 20 years ago even went on to claim that we could "only clarify and codify the rules that are in common usage at least somewhere, not make up entirely new ones". How wrong we were!

This then is yet another example of how the author changed his personal mind during the course of working on this Project, so again the reader should feel no shame in doing the same. Changing your mind is the first step toward Wisdom.

The reports and actions of recent years have demonstrated far more clearly than ever before just how much Women have been unjustly marginalized all over the world for centuries. The use of separate pronouns for males and females, with no third set to designate a unisex gender, is only one example of this. It may seem petty to some, but in its subtle way it actually is sending a very powerful message: What it's saying is that any meaningful Thought or Action which is ever undertaken by anyone -- and which is ever going to be the focus of any sentence in our language -- is almost always going to have been undertaken by a Male, and we use the feminine pronouns only when we are specifically referring to Females for some reason, so we simply don't need a third set of pronouns to refer to people generally.

We need to rectify the imbalance between Men and Women in our society, and in order to help that process we need to rectify the imbalance between Men and Women in our language.

However, the 'black book' did make one important point: All previous attempts at introducing a set of all-new gender-neutral words into our language have failed to gain enough traction for successful implementation. Part of the reason why is that not everybody 'got the memo' that any change was being proposed, but hopefully that gets better now with our improved social communications. Even with the technological advance, though, another part of the reason is that it's hard for any panel or the whole Society to judge which of the competing proposals is net-best.

That is why we are advocating a different approach, one which sends the message that Women deserve to be treated with far more respect than they were previously getting, but also one which does not require wholesale rewrites of all our dictionaries and grammar books.

We mentioned it in Answer 643.3, and we will rearrange the Questions during the final packaging such that this generic policy is established before that specific application. To sum it, we now offer our recent usage of feminine pronouns for successful and ethical people, and male pronouns for criminals and other losers, as 'affirmative action' to reverse the trend of thought until we get Equality.

At that point, we can re-evaluate (whether the author is still alive at the time or not), but we probably will want to go with using the feminine pronouns and possessive adjective for all generic unisex references, because again we don't want to bother with trying to get new words into the language by force, and because it occurs to us that the Guys can use a break from being our Grammatical Go-to's.

Question 657

What about expressions like 'chairman' and 'congressman' and 'postman'?

Even our 'black book' of preliminary ideas -- assembled back in the Dark Ages of Pre-History -- recognized that many of these expressions can be easily replaced by unisex alternatives. We have those unisex alternatives appearing in real life a lot more these days, so that's good. Seems like a good and important trend.

Where the 'black book' suffered on this point is where it suggested that this ongoing conversion process was not one of our higher social priorities. We now feel differently. How we refer to people with our language both expresses how we feel about them, and influences how we treat them. The more that we continue using terms like 'chairman' to refer to someone in a position of authority, the more that we will assume that only Men should be undertaking those roles, and the more that we will subliminally prefer hiring and electing Men for those roles.

It's got to stop, and it's a big priority.

Question 658

Shall we permit the continued use of the phrase 'Senators and Congressmen'?

Even if we did not have a gender-based hangup about the term 'Congressmen', we still would have a hangup about the fact that the term refers to everybody in Congress, and not just in the House of Representatives. When you refer to 'Congressmen' (or its proper unisex equivalent), you are referring to both Senators and Representatives, so it is always redundant to add 'Senators' to the term.

We maybe could go with 'Congresspeople' to replace 'Congressmen', but something about it feels a little too 1970's for the author's taste. We suggest using the term 'Legislators' when you are referring to members of both Houses collectively. It's the same number of syllables as 'Congresspeople', and the emphases come in the same spots, but it is fewer letters, and to us it looks a little more dignified.

Besides, if we adopt the tricameral model proposed in Section I-E, the phrase 'Senators and Congressmen' would become even less applicable than ever. In the meantime, if you want to refer to the current House of Representatives, you should use 'Representative'. If in the future you want to refer to that third House which is based on Geographic Area, then you can refer to them as 'Delegates', because we may want to go with the 'House of Delegates' for that third assembly.

Question 658.1

Shall we continue to rely on the current strict use of 'continual' and 'continuous'?

Well, for starters, we don't know how "strict" the usage is, because we encounter mixed usages all the time. In any case, it would be helpful if we clarified the terms.

The adjective 'continual' and the adverb 'continually' refer to events which recur on an ongoing basis, such as 'continual' traffic problems resulting in someone 'continually' showing up late for work.

By contrast, the adjective 'continuous' and the adverb 'continuously' refer to conditions which remain the same without interruption, such as 'continuous' high temperatures or a planet 'continuously' rotating.

Trouble is, there's no really easy way to remember which is which, so the words get mixed up a lot, even by professional journalists.

It may not always make a big difference in casual settings. However, if you ever want to be taken seriously as either a speaker or a writer, then you need to be aware that your work is going to be evaluated by folks who know these various grammatical

distinctions, and who will judge you according to how well you also know them, even if your subject has nothing to do with grammar or language.

They figure that if you haven't taken the time to learn the basics of vocabulary and grammar, then you probably also haven't made the larger time investment required to become an 'expert' on any other subject. They therefore feel that they should not bother to spend any precious time reading or listening to any more of your words.

Maybe that's a valid judgment to make, and maybe it's not, or maybe it's really a case-by-case thing. In any event, though, all speakers and writers do themselves a favor by learning and consistently applying the current accepted standards of spelling and vocabulary and pronunciation and punctuation and grammar, because not doing so will often distract their intended audiences undesirably.

We therefore suggest that people find a way to learn the difference between 'continual' and 'continuous', and to use the terms consistently in all their formal writing and speech, including in Journalism.

If a 'mnemonic device' might assist you, then one possibility for your consideration is that 'continual' ends with the same letter that 'late' begins with, and it's easy to remember that being late is a repetitive event rather than an ongoing condition, so maybe you could associate the terms that way. Conversely, the word 'continuous' ends with the same letter that 'same' begins with, so maybe that would help you to remember that it is referring to a condition which remains the same at all moments.

Question 658.2

Shall we continue to rely on the current strict use of 'farther' and 'further'?

As with the previous Question, we don't know how "strict" the usage is, because we encounter mixed usages all the time, but we can still aim for clarification.

This one hopefully will be easier to remember than the previous one. The adjective 'farther' refers to actual physical distance, as in 'my electric car can travel farther on a charge than yours', so hopefully you can remember that 'far' means 'far'.

By contrast, the adjective 'further' refers to comparisons of a more figurative nature, as in someone being qualified to advance 'further' in her career than someone else.

Again, maybe not a huge distinction, and we certainly have much bigger problems to tackle in our world, but we are here to address Everything, so we cannot allow this opportunity to pass without taking a moment to call your attention to these points.

Question 658.3

What other words/expressions in our vocabulary do we feel should be either modified or at least clarified?

We list the following points in alpha order, although some will involve changes and some will not, so the thorough reader will need to check Everything:

Champing/chomping at the bit

The original and correct phrase here is '**champing at the bit**'. It comes from a time when people rode horses more frequently than they drove cars, and refers to when a horse is chewing on the 'bit' (the part of a bridle which goes into the horse's mouth for stability) because for some reason he is impatient with his present situation.

We can 'chomp' on food, but we can only 'champ' on a bit, and it's usually only horses who ever have a bit in their mouths, but some folks say 'chomping at the bit'.

The phrase 'chomping at the bit' fails on a couple of levels. First, it involves the changing of a word to one which sounds similar and has a related meaning and derivation, but which yet has come to mean something different. Second, especially if you work in the field of Journalism, not only are you making a technical mistake but you are starting out bad by using a cliché which is so remote in its time of origin that many of your audience don't even know what it means or how to use it correctly. If you must use a cliché at all which is based in antiquity, then please at least always use it right, but better to find a more modern expression.

Comprise

This infinitive and its inflections ('comprised', 'comprises', 'comprising', etc.) are misused frequently, and as long as we are here talking about Everything we would love it if this problem could get fixed as well.

People often say incorrectly that some larger quantity A "is comprised of" several smaller quantities B, as in 'the sophomore class is comprised of 75 students'. What they don't realize is that technically (at least according to our *American Heritage* dictionary), the Whole 'comprises' the Parts, so they should be saying '**comprises**' instead of 'is comprised of'.

When you want to describe it the other way around, then the Parts 'constitute' the Whole, as in '75 students **constitute** the sophomore class'. We do not require any 'is comprised of' or any 'is constituted by' or any other such complex and confusing construction. Just remember that the Whole 'comprises' the Parts, and that the Parts 'constitute' the Whole, and on this point at least we will be fine.

Concerted effort

People sometimes say that a solitary individual is making a 'concerted effort' to accomplish something, but this is inaccurate. When an effort is 'concerted', it means that it has been undertaken 'in concert', meaning that it involves working together with one or more other people. One person alone cannot make a 'concerted effort'.

Different from/than

People sometimes say that A "is different than" B, but that is not correct, or if it is then it shouldn't be.

We never say that A "differs than" B, but instead always say that A "**differs from**" B. If for any reason we want to expand the expression with another inflection of the infinitive 'differ', then we should not be changing the preposition which it customarily takes. Thus, we should be saying that A "**is different from**" B, not "different than".

Irregardless

This non-word comes from people mixing up **'regardless of'** with **'irrespective of'**, which mean basically the same thing. While we reluctantly accept that some continual evolution needs to happen with our language* [*As another example of our Answer 658.1, the evolution happens in stages, not every single second, which is why it is 'continual' and not 'continuous'.], yet we see no need to allow inaccurate expressions to enter our language masquerading as 'words'.

In this instance, 'irregardless' contains a double negative, so technically it means the exact opposite of either 'regardless' or 'irrespective', and so it therefore should not be used as a synonym for them, nor for any other purpose.

Junior

For multiple centuries now, we have often appended "Junior" (abbreviated "Jr.") to the name of any male who carries the same first and last name as his father or grandfather. If the same name continues to additional generations of the same line, then we start using "III", "IV", etc., as with Kings and Popes.

First change that we need to make here is that we should be allowing the usage to extend to female offspring if desired. This becomes even easier if/when we allow the new custom suggested in Answer 535, where at least female offspring -- and maybe all of them -- generally take the last names of their mothers.

Second change is that we need to make it clear that any suffix like "Jr." or "III" is not a part of this person's last name! We unfortunately see it a lot on athletic jerseys, such as the one reading "BRADLEY JR." for Jackie Bradley Jr. of the Boston Red Sox. His last name is Bradley. His father's last name was Bradley. If his wife Erin had taken his last name, then she would have been Bradley and not Bradley Jr. Their first child (born in 2016) was given the last name of Bradley and not Bradley Jr. Since his last name is Bradley, only "BRADLEY" should be appearing on his jersey, and only 'Bradley' should be mentioned by the commentators when for easy convenience they happening to be referring to different players by their last names.

Only exception to the above is if you have a situation where Ken Griffey Sr. and Ken Griffey Jr. are field coaches for the same team, and so both would have "GRIFFEY" on their jerseys. In order to tell them apart from a distance, it would make sense for them to wear "GRIFFEY SR." and "GRIFFEY JR.". It would also make sense for the commentators to use "Senior" and "Junior" when referring to one of them doing something in the dugout or coming out onto the field of play for any reason.

Lie, Laid, Lain

This is one where we are going to need to make a change. The textbooks are insisting one thing, but nearly everybody is actually saying something else in real life. If we can't change the usage to match the textbooks, then we should be changing the textbooks to match the usage.

To recap the current 'official' rules, and to re-introduce a couple of vocabulary terms from your primary-school English classes: The infinitive 'lie' -- even when it does not involve telling an untruth -- can still be used as either a 'transitive verb' or an 'intransitive verb'. A 'transitive verb' is one which involves a direct action which is received by a 'direct object', as when you kick a football, 'kick' is the 'transitive verb' and 'football' is the 'direct object'. By contrast, an 'intransitive verb' is one where no other object is directly involved (except possibly yourself), as when you 'sunbathe'.

When you go and 'lie down' to take a nap, you are using 'lie' in an intransitive manner, and 'down' is a simple adverb. When you are doing the same thing to something else other than your own body, they want you to use 'lay' in a transitive manner, as when you 'lay' a cloth down on the ground for your picnic.

As if that were not already complicated enough, the textbooks make it worse: When you want to refer to lying down (intransitive) in a past tense, they want you to use 'lay', the same word which they also want you to use in the present-tense transitive. If you want to refer to laying something down (transitive) in a past tense, they want to use 'laid', as in 'the Marines laid the flag upon the coffin'.

Not tricky enough yet? Now we get to the 'past participle', which you use when you are talking about some previous time, and you are referring to some action which took place sometime prior to that. As a general example to refresh, in the sentence "When I interviewed the candidate last week, she had already taken five other interviews that day", the word 'taken' is the past participle of the infinitive 'take', and it allows us to place the described events in a clear sequence. Trouble is, the past participle of 'lay' is 'laid', which is the same as the regular past tense, but for 'lie' the past participle is the different 'lain', which we almost never hear anymore in real life.

However those usages may have evolved, not very many people understand the technical distinctions anymore, and some of those who do will deliberately use a more familiar construction, simply so that they do not come off sounding like a fussy and fastidious stickler for technical purity instead of a 'real person'.

As a result, a different usage has developed, where people say that they are going to 'lay down' instead of to 'lie down'. The author previously opposed this change, because he was a fussy and fastidious stickler for technical purity (and to a large extent still is), but now embraces it.

To get a sense of what really turned us around, consider the following example: "When she entered the bedroom, he was lying in bed." Under the previous rules, this sentence could have two completely different meanings, one in which the male subject was merely reclining, and one in which he was actively telling untruths in bed, which certainly wouldn't be the first time that that's ever happened.

If we allow 'laying in bed' to mean reclining instead of 'lying in bed', then we can distinguish the two scenarios much more clearly.

We therefore now support the use of 'lay' to mean placing either your own body or something/someone else onto a surface, and we reserve 'lie' for when you are telling a falsehood. In the latter instance, we can continue to use 'lied' for both the past tense and past participle. In the former, using 'laid' for the simple past is easy, but should we use 'laid' or 'lain' for the past participle? Again, we're going to go with the more common usage here, and select 'laid' instead of 'lain'. Nobody ever says 'lain' in real life, and it hardly ever appears anymore in print. If we can use 'lied' as both past tense and past participle, then we can do the same with 'laid'. So ordered.

Like, As

This debate goes back to at least the 1960's, when cigarette commercials were woefully allowed to air on general-access TV, and when the Winston brand famously advertised that their cigarettes tasted good "like a cigarette should". Even way back

then, we read in various newspapers and heard on TV (no Internet, remember...) that some purists had argued for the slogan being changed to "as a cigarette should". They pointed out that 'like' is a preposition which takes only a noun as its object, and that 'as' is a coordinating conjunction which modifies an entire clause.

We imagine that Winston loved having this debate go on in public, because it brought that much more attention to their brand. For all that we now know, they may even have selected that language deliberately in order to piss off the grammarians and get them talking about cigarettes instead of grammar. Or, perhaps they even felt that anyone dumb enough to smoke tobacco probably wouldn't be smart enough to know about this distinction, let alone care about it.

In any case, even though we blissfully do not need to worry anymore about cigarette ads appearing on TV, they still currently are allowed to appear in print, and the general issue can also apply to any advertiser of any product: Should we insist that 'like' and 'as' are always used correctly in advertising, or shall we allow informal familiarities in the interest of greater market penetration and increased sales?

As with other such issues, the Fed has a lot more to be concerned about than this, and so have the rest of us, so this probably should not be among the highest of priorities. However, there is an important factor to consider here, not just for 'like' and 'as' but for anything: Having only one standard usage makes it easier for children and immigrants and diplomats to learn our language, and adhering to the standard usage enables us all to be taken more seriously in our speech and writing. Any politician or celebrity or journalist or advertiser who uses his position of mass influence to encourage a non-standard usage of the language, without explicitly arguing that the usage should be changed, is basically telling our kids -- and everybody else -- that it's okay to 'dumb down' and have multiple competing versions of the language floating around, and that expressing yourself in a clear manner to educated individuals is not all that important.

Should we be sending a message? We doubt it. Communication is important, and Education is important, and we don't need any greedy corporations telling us otherwise just so that they can sell us more of their filthy poisonous crap.

We probably do not need to spend time constructing any FCC regulations about it, so ordinary consumers can get the message across to the corporate advertisers, by boycotting any products which are advertised with improperly-constructed slogans.

Make head spin/swim

We probably shouldn't be using this expression much at all anymore, because people's heads neither spin nor swim in real life (not by themselves, anyway), and because as with the 'champing' and 'chomping' the origin of the expression is so obscure by now that it really has very little relevance to modern readers/listeners.

However, to the extent that it still wants to stick around in our modern language, let's please at least make sure that we are using it correctly and consistently.

For historical comparison, making the head 'swim' appeared in a 'Peanuts' comic strip from 26-Jan-1964, and making the head 'spin' was written into the 1989 'L.A. Law' episode "Urine Trouble Now" involving the Gatling Brewery.

With only these two datapoints, it's tempting to assume that the earlier usage was correct, and that the later variation was incorrect. It's also possible that the writers deliberately used 'spin' in 'L.A. Law' because the character speaking the line was an executive for the nasty defendants who eventually paid a settlement on the claim.

In any case, as we noted the head does not either 'spin' or 'swim' literally* [*This is a correct usage of the adverb, as described in Answer 654.], but under certain conditions it can feel internally as though it is doing both. With that being the case, there is no really compelling reason to mandate one usage over the other, beyond mere grammatical consistency, which is a 'nice-to-have' but for some lower-priority uses we can maybe cut folks some slack. It could be argued that 'swim' is more metaphorical and more colorful than 'spin' in this context, but that's pretty narrow, and some may disagree.

Therefore, as much as us fussy and fastidious grammarians might prefer a clear and consistent usage, this might be one where we need to stand down our objections, and let folks use whichever cliché verb they prefer.

Only

There is not much ambiguity about what this word means, but there does seem to be considerable confusion as to how it should be used, and this confusion can cause huge differences in the meaning of your sentences.

The trick with 'only' is that it can easily modify many different words of several different parts of speech, so it's not always clear which modification the speaker or writer actually intends. For this reason, we recommend that it be placed directly next to the term which it is modifying, in order to make the meaning clearer.

Consider the following examples. When you know that the word 'only' is modifying the expression immediately following, each sentence has its own unique meaning, so you should place the word where your intended meaning will be clearest:

Only the team's coach hoped
The only team's coach hoped
The team's only coach hoped
The team's coach only hoped
The team's coach hoped only [will construct a better example later]

The same principle can apply to any word or phrase which modifies something else within a sentence: In general, the modifier should be placed as close as possible to the expression which it is modifying, or else the meaning might become distorted. Good example is this Yahoo headline from 23-Feb-2019:

"NBA coach Don Nelson sports new look and talks about smoking pot at press conference"

The way that this is phrased, it looks as though he smoked pot at the press conference, which is usually not a good idea for anybody. What they apparently meant according to the article is that he was smoking pot at other places and times, and that he was merely talking about it at the press conference. To make that fact clearer, the headline probably should have read:

"NBA coach Don Nelson sports new look and **talks at press conference** about smoking pot"

Percentage

This term is often misused, especially in the Sports world, and most especially in Baseball. For a Sport which has placed so much emphasis recently on 'sabermetrics' and other statistical analysis, you would think that they would be a lot more precise in the terms which they use to express everything, but not so, at least not yet.

The most frequent offenders are the expressions 'On-Base Percentage' and 'Slugging Percentage'. We don't need to go into the technical definitions of those expressions here, but the important point is that they are both routinely expressed as three-digit decimals (as in ".424" and ".587"), in exactly the same way as the Batting Average.

We therefore claim that we should be saying 'On-Base Average' and 'Slugging Average' instead for consistency. The term 'Percentage' should be used only when we are talking about some particular portion of 100 (as in a candidate receiving 60% of the vote, meaning that she received 60 votes out of every 100 cast), because the word comes from the Latin *per centum*, meaning 'for each hundred'.

Unchartered territory

What they really mean is '**uncharted territory**', referring to territory (either literal or figurative) which is still new and therefore has not yet been placed on any chart.

When you 'charter' something, it means that you are reserving it for your paid use, as in when you 'charter' a boat or a plane. You don't ever 'charter' territory, so it makes no sense to refer to 'unchartered territory'. Let's all pay attention here.

Verbal, Verbally

A lot of folks mistakenly say 'verbal' or 'verbally' when they really mean 'oral' or 'orally', as when an employer tells you that you will get a 'verbal' warning first and a 'written' warning second. In fact, all 'written' warnings are also 'verbal'.

The adjective 'verbal' and the adverb 'verbally' both come from the Latin *verbum*, meaning 'word'. When some kind of idea is expressed 'verbally', it means that the presenter is using words to express the idea. If the presenter is instead using 'non-verbal communication', it means that she is not using words, but rather is using pictures or gestures or music or some other medium which does not involve words.

Nearly any statement which is presented in writing relies most heavily on words to convey the intended messages, so 'written' statements are also 'verbal'. If you wish to refer to a statement which is spoken as opposed to written, then we advise you to use the correct 'oral' instead of 'verbal', because 'oral' comes from the Latin root meaning 'mouth', and therefore refers specifically to statements made by mouth.

Subsection III-F-3: Spelling

Question 659

When a verb ends in one 'l' or 'r', is it always appropriate to double it when adding a suffix such as '-ed' or '-er' or '-ing', or always inappropriate, or does it depend on the word or on the suffix or on one or more other factors?

This is another one where our 'black book' of preliminary ideas offered one suggestion for the group's consideration, but where we ended up developing a

different standard during the succeeding 20+ years. That different standard has worked pretty well for us, and can be summarized and remembered very easily.

Basically, notwithstanding our previous paradigm (which we now see was more complicated than really needed), we now simply double the final consonant if the final syllable of the infinitive is stressed, or if the first syllable of the suffix is stressed. Otherwise, doubling the final consonant is useless and should be avoided.

For example, comparing the words 'cancel' and 'excel', we see that they each have two syllables and end with the same three letters, but that the two words stress different syllables. Thus, when we want to form the past tense of 'excel' (which has the final syllable stressed), we should double the final consonant to make 'excelled', because otherwise the result of 'exceled' would look as though it should be pronounced 'ex-SEELED', which would not be correct.

Conversely, the word 'cancel' has the stress on the first syllable, so we can easily form 'canceled' for the past tense without making it look as though it should be pronounced in any but the most common way.

In addition, even though the first syllable of the infinitive 'cancel' is stressed, such that the final consonant need not be doubled while forming the past tense, yet the first syllable of the suffix in 'cancellation' is stressed, which is understood more easily by English students if we double that final consonant.

Question 659.1

What should be the correct spelling of the word currently spelled as 'judgment'?

This is another one where the author changed his mind during the course of this Project. If he can do so on some points, then you the reader can do it on others.

We fussy grammarians tried carefully over many years to preserve the 'correct' spelling of 'judgment', even though the similarly-constructed 'acknowledgement' has traditionally taken an 'e' before the '-ment'. However, we now must reluctantly admit that we have been waging an unnecessary war all this time. Again, it is far easier for people to learn our language (or any other) if we make our rules more consistent, and insist on arbitrary differences less.

In this instance, if we can simply add '-ment' to the infinitive 'acknowledge' in order to make the noun form of 'acknowledgement', then we don't see why we should need to drop the final 'e' of the infinitive 'judge' before doing the exact same thing.

As a point of comparative info, the 1981 hardbound edition of *American Heritage* allows 'judgement' as an alternative spelling, but all the examples use the primary spelling of 'judgment'. It does not present a reason for the dual approaches, but it does note in the etymology that the word comes from the Middle English *jugement*, which of course does have an 'e' before '-ment'. We therefore are allowing for the distinct possibility that somebody (perhaps a Justice on the Supreme Court?) mistakenly dropped the 'e' one day, and it somehow became the standard usage, which all the 'fundamentalist footsoldiers' like the author have needlessly and fruitlessly labored to preserve and protect.

We now claim that 'judgement' should be the new 'judgment', and should take over as the standard 'correct' spelling.

But, when should the effective date of this change be? With various other usage adjustments, we have exemplified the newer usages within the text of this document, making them effective immediately. In this case, however, we hesitate to adjust any of the previous occurrences of the word 'judgment' retroactively, partly because it's just a very tough transition, and largely because we don't want readers getting turned off of the earlier parts of the document because they once see the spelling of 'judgement' and run away. Better to make the effective date of this change to be immediately after the publication of our final package (projected for Spring 2020), unless and until anyone wants to stand forward and argue why it should be the other spelling, in which case you had better have some better reason than "we've always done it that way" or any similar variation.

Question 659.2

What about the idea to replace all c's with either k's or s's as applicable, or to replace all q's with c's, or other similar consolidations of letters?

It would make English more phonetic and therefore simpler to learn, and therefore better qualified for a global language. We could also get away with smaller keyboards, which might be better for all our mobile devices. But, changing all the dictionaries and laws and contracts and other documents in official circulation, or even simply resolving to do so, might be creating more problems than we're solving.

We therefore agree with proceeding with these changes if and only if enough other folks feel that it would be sufficiently worthwhile. However, we are not pushing it, and we would be very happy to 'declare victory' if the remainder of our Agenda is approved and implemented without this element.

Question 659.3

How do we feel about the fact that Americans have words spelled like 'honor' and 'neighbor', but Britons and Canadians use 'honour' and 'neighbour' instead?

A shorter and simpler system is better both for our own convenience and space efficiency, and also for making our language easier for people to learn.

We do not presume to suggest that the Britons and Canadians do anything differently from their current practice, although they might find it net-easier to drop the superfluous 'u' from these words which end with '-or' in America. In any case, it's easier for us to stick with the shorter spellings, so that is what we shall do.

Question 659.4

What other words should have their spellings either modified or at least clarified?

There are many that we could cite, but that would take up too much room in a document which has much higher priorities in it. However, we offer the following few examples to help guide the way for other similar issues:

Farther/Further

As expressed in our *American Heritage Dictionary*, it is clearest and most consistent when we use 'farther' and 'farthest' to refer to actual physical distance (as in "It's

farther to Phoenix than to San Diego”), and ‘further’ and ‘furthest’ to refer to some more figurative comparison (as in “What can I do to advance further in my career?”). Overlaps happen, even *American Heritage* admits it, and the world keeps rotating, so maybe we shouldn’t get so hung up about it as we have been heretofore, but anyway if you want to know the correct usage then there it is.

Its/It’s

We understand that this is a tough one, because the apostrophe can be used in two distinct ways in English. It can be used either in a contraction (such as “she’s” for “she is”), or in a possessive adjective (such as “Mary’s”). When the reader who is still learning English come across the word “it’s” in print, it is not always immediately obvious whether the word is being used as a contraction or as a possessive.

We can therefore easily forgive people for not always getting this one right, especially if you’re in a hurry or something, but here’s a quick trick which hopefully will help you to remember the rule: There is also the word “its”, which does not take an apostrophe. We know that all contractions take apostrophes, whereas some possessives (such as “his” and “her”) do not. When we see “its” without an apostrophe, we therefore know that it cannot be a contraction, so it must be the possessive, and then “it’s” with an apostrophe is the other one by elimination.

Lose/Loose

This one is a lot simpler. Each of ‘lose’ and ‘loose’ is an actual English word, with an actual English meaning. But, their meanings are way different from each other.*
[*Please note the correct use of ‘different from’, as discussed in Answer 658.3 above.] The verb ‘lose’ means the opposite of ‘win’, whereas the adjective ‘loose’ is the opposite of ‘tight’.

This never used to be a problem, but we suspect that people began to mix them up when they started relying more on the ‘spell-check’ features in their various desktop and mobile applications. They start to type a word one way, they make some kind of typo, and the spell-check delivers the spelling of the other word. Both the sender and the receiver see the words in their incorrect contexts, it happens several times, and before you know it they begin thinking that those are the correct spellings.

It carries over to where other people are trying to learn our language. That’s what we want them to do, right? Some folks say that if people are going to come and live here then they should at least learn to speak our language. We also want to make things easier for our kids, if they are to take over the management of our society when they grow up. To make it easier for others, we must do it right ourselves.

If you need a trick to help you remember the difference, then consider the inflection ‘loosen’, meaning ‘to make loose’. You never see that word spelled ‘loosen’, do you? That spelling will never come up on your spell-check, and if you try to force-type it then your app will give you multiple alternatives. The correct spelling must be ‘loosen’, so the correct spelling must be ‘loose’ for the adjective meaning the opposite of ‘tight’. Thus, by elimination, ‘lose’ is correct for the opposite of ‘to win’.

Anything ending in ‘-ough’

One of the biggest problems of the English language, making it very difficult for children and immigrants and diplomats to learn, is the fact that we so often use the same letter combinations to represent different word sounds. In the specific case of

'-ough' (as famously satirized in an old 'I Love Lucy' sketch), the same letter combination represents completely different sounds in the common English words of 'tough', 'though', 'through', 'cough', and 'bough'.

Do we want to change any or all of these words in order to make them more phonetically consistent? In a larger sense, do we want to simplify the spellings of all difficult English words in order to make them easier to learn? We observe that sentiment being expressed from time to time, including on Twitter, but we are not sure how seriously the proponents are really intending it. Do folks realize what a huge undertaking that would be, first to get everybody's approval across the nation (especially including within the Education and Government sectors), and then to rewrite all laws and contracts and dictionaries and textbooks and other documents?

We sympathize with the desire for simplicity in our language, to make things easier both for ourselves and for others trying to learn our language. (You want folks to speak English when they move here from elsewhere? Then we had better make it as easy as we practically can for them.) However, at some point, the simplification process can create more problems than it solves.

We therefore are not specifically recommending at this time that any words in our language (not even those ending in '-ough') should be changed for purposes of phonetic consistency. However, neither would we strenuously object if enough folks felt enough collective desire for simplification that the process could become net-worthwhile.

Subsection III-F-4: Punctuation

Question 660

With three or more items in a series, should a comma be placed before the last item?

This is the so-called 'Oxford comma', which some commentators feel should be included, and which some others feel should not.

The supporters of the 'Oxford comma' note that the comma easily guides the reader to separate all items within a given series, especially when some of the items are actually compound nouns or complete clauses themselves, as in these examples:

My favorite circuses are Cirque du Soleil, Barnum & Bailey, and the United States Senate.
Either the manager will fill the vacancy immediately, or the department will consolidate two or more positions, or else the company will defer the decision to the next budget cycle.

The opponents of the 'Oxford comma' argue that most series include a conjunction such as 'and' or 'or' before the last item, so adding a comma after the second-to-last item would be redundant and a waste of space, which was a big deal back in the days of paper newspapers, when every character mattered for maximizing content.

However, as we see in the second example above, a conjunction might even come before other items in the series, not just the last one, and still it makes the reading easier when all the items in the series are separated by commas.

Both for general clarity of reading, and also because minimizing character usage is not nearly as important in our modern electronic era as it was while we had paper

newspapers, we favor the placement of a comma between each pair of items in a series, whether any conjunctions are also used in the series or not.

Question 661

Where should we place commas and periods in relation to quotation marks?

We never accepted what the textbooks told us for this one. They said that if you include a quoted expression at the end of your sentence, then the period to close the sentence must appear inside the quotation marks, whether the expression which you are quoting included a sentence-ending period or not.

We believe that the whole original idea of using quotation marks is to separate what you wrote from what somebody else wrote. If you include anything else within the quotation marks beyond what the first writer wrote, then you are misquoting.

Same goes for single quotes around unfamiliar vocabulary words such as 'infinitive', as we introduced in Answer 651, and as we have just now reproduced here. You will notice here that the comma separating the subordinate clause falls outside of the second quote mark, again because it is not part of the expression being quoted.

Generally, if you are quoting any kind of written expression, the only punctuation which should appear inside the quotation marks must be in the original expression.

Why, then, did they do it the other way for so long? We are not entirely sure, but the 2007 book "Comma-Sense: A Fun-damental Guide to Punctuation", by Richard Lederer and John Shore, asserted that periods and commas were originally placed inside quotation marks in order to save the elements from getting crushed in the old printing presses, and that the convention stuck around through our electronic age, even though the authors agreed that the convention is grammatically faulty.

It is a somewhat different matter if you are quoting somebody's oral statement in a written format, which we see in novels and newspapers all the time. For example:

"Mark my words, the Patriots will lose the Super Bowl sometime within the next ten years," the sports commentator boldly predicted.

In this instance, the quoted sentence would have ended in a period if it had been made in writing. As it is, it was spoken on the air, so there is no actual period that we need to deal with or worry about. If we had included a period in place of the comma appearing after 'years', then it could make things very clumsy, because we are adding that last phrase about the sports commentator to the sentence, and it is part of the sentence itself, so we generally should not have a period before the actual end of the complete sentence. We therefore use the comma instead, as sort of a 'compromise', to show that the quoted sentence was ending, but that our written form of the overall sentence was not.

We see no big reason to change this practice. The one change which we do insist upon is that any written text appearing within any quotation marks (either single or double) should include only material which appeared in the original source, and that any punctuation which we are adding to the overall construction should be placed outside the quotation marks.

Question 661.2

Any other suggestions to make on quotation marks?

Generally, we should use single quotes when referring to a word or expression without quoting anyone, except if the word or expression contains an apostrophe (like the "ain't" of Question 655), in which case use double quotes. Otherwise, double quotes should be only for actually quoting somebody.

Notwithstanding any conventions which may have been recommended or used in previous years, we are now recommending the following updated convention for referring to various published works in print: Use *italics* if you are referring to a book or a feature film, because it is one large work of human effort, and therefore should be set aside from the surrounding text very clearly. Use 'single quotes' if you are referring to a newspaper or TV series, because those are works which are produced in stages, so each issue or episode is only a partial effort, so the title does not need to be set off so distinctly from the surrounding text. As with the previous paragraph, though, okay to use double quotes as an exception, if the title of the TV series contains an apostrophe (such as in "Murphy's Law"). Use "double quotes" if you are referring to a specific episode of a TV series. All clear?

Question 661.4

Any other suggestions to make on punctuation generally?

Some words (like 'cliché' and 'façade') are imported into English from other languages with their original accent marks intact, and it can sometimes present a problem. It's not so bad if you're simply writing something out by hand, but any letter containing what they call a 'diacritical mark' is viewed as a separate character by the computer. We have done better with computer technology in recent years, but some of the more basic programs may still be unable to recognize and reproduce those special characters. Even those which do may still have trouble translating them to other programs, such as when you copy a passage into an e-mail, and the recipient sees some random wingding instead of the intended special character.

Sure, we could make our technology even better than it already is, so that all communication protocols will correctly identify and reproduce all these special characters, but we feel that we can solve the problem much more easily.

The easier fix is if we simply ignore all such letter markings in all our English-language correspondence. We have already accomplished this with the 'dieresis' on words like 'coöperate' and 'reëntry', designating a second consecutive vowel which is to be pronounced in a separate syllable. We found that we can easily recognize these words without the extra markings, so we dropped them some time ago. We are asking only to do the same thing with all other such special markings, so that both our computers and our people can deal with smaller alphabets.

Subsection III-F-5: Footnotes

Question 662

Is it better for footnotes to be placed at the bottom of the page, or at the end of the chapter, or at the end of the book/article?

Used to be that all footnotes would be placed at the bottom of the page, so that readers could easily see whether they included simple reference info or some actual supplemental text to provide additional illustration to the main passage.

Some authors got crazy with it, though, and included either a lot of tiny footnotes containing simple reference info, or a small number of very long footnotes containing extensive supplemental text. This sometimes meant that the footnote section on a given page was larger than the main text, and that the footnotes sometimes even needed to 'bleed' into the following page, which could be a further problem if that page had footnotes of its own to be managed.

Some short-sighted folks thought that they would fix the problem by requiring all footnotes to appear at the end of the chapter, or all the way to the end of the book. However, this causes an additional problem: The reader who is in the middle of some chapter in the book does not know whether a given footnote provides a simple reference citation or whether it provides some potentially-interesting supplemental text. In order to find out, we need to locate the footnote, either at the end of the chapter or at the end of the book, and it's a big pain and hassle either way, especially when you go through the trouble and find only a boring citation for your reward. If there are several footnotes, then you need to hold your place at where they are located, and then flip back and forth, disrupting the main reading flow.

Our 'black book' of preliminary ideas from the mid-1990's suggested a compromise, by which all the boring reference citations could be stuck at the end of the chapter or book, but all the potentially-interesting supplemental text could remain on the main page. However, upon further reflection, we are now not big fans of this approach.

Footnotes are footnotes, and each one should appear at the 'foot' of the page containing whatever point the footnote is referring to. That makes it easiest for the reader to see quickly whether anything interesting is happening there. If not, then you can move on. If so, then you can absorb the added text without flipping pages. Even if it is just a boring citation, just seeing that it is there comforts the reader that external support for her statement is available if desired, and again it's easier for the reader to derive that comfort without needing to flip to the end of a chapter or book.

If you are concerned about a footnote running so long that it 'bleeds' into the next page, then we suggest that you re-edit your work in such a way that this does not happen. Either work it into the main text somehow as its own topic, or else move it into an appendix. It's not the fault of our original footnote placement that some authors happened to put too many words into their footnotes, so we should not need to change our ways just because of their poor writing or editing.

Question 662.1

Is it better to use "op. cit." and "Ibid." as standard footnote abbreviations, or some more modern notation?

To refresh, "Ibid." stands for the Latin *ibidem*, meaning 'in the same place', and is used in a footnote to state that the reference citation of the current statement is exactly the same as in the footnote immediately preceding. Its cousin "op. cit." is short for the Latin *opere citato*, meaning 'in the work cited', and is used in conjunction with the author's last name (and possibly a different page number) to refer to a book cited in some footnote earlier than the most recent one.

We get it that Latin words and expressions and abbreviations are generally becoming less and less relevant in our modern society, and that trying to teach these usages to our schoolchildren will often just increase their desire to go outside and play.

Nevertheless, at least as an exception, we continue to advocate for the use of these abbreviations to mean the things indicated. When we use the same convention to mean the same thing, it makes it easier for the casual reader to skip over it if desired, and also for the critical reader to locate the markers which point to where additional information can be found. Abbreviated forms of these standard expressions are even easier to either locate or ignore, as you prefer.

We theoretically could come up with some arbitrary English-language expression for each of "op. cit." and "Ibid." if we really wanted to, and then abbreviate it for space efficiency, but that would constitute extra work for both the people inventing the new rule and all the others who are asked to learn it. Far simpler all around to use the abbreviated Latin expressions which have been with us for many years. Teach in secondary school what the expressions mean, and then use them happily.

Subsection III-F-6: Numbers

Question 662.3

Shall we continue to use Base 10, or shift to Base 8 or Base 12 or something else?

We do not see any big reason to vary from using Base 10 for our normal societal operations, and using Bases 2 and 8 and 60 for certain special uses in special fields.

Question 662.4

Do we prefer the American system of defining a 'billion' to mean 10^9 , or the British/French system of a 'billion' meaning 10^{12} , or something else?

The values of a 'thousand' ($=10^3=1,000$) and a 'million' ($=10^6=1,000,000$) are the same in both systems. However, when we begin to speak about a thousand multiplied by a million (that is, ten to the ninth power, or 10^9 , or 1,000,000,000), we in America simply call that a 'billion', but the British refer to it as a 'thousand million'. Only when you multiply that quantity by another factor of 1,000 (to make 10^{12}) do they call it a 'billion', whereas we in America call that a 'trillion'.

Maybe we are prejudiced for having grown up in America, and maybe we don't want to require our American audiences to learn more new ways of doing things than are absolutely necessary. In any case, we advocate for the shorter and simpler method. It is easier to say and write 'billion' than 'thousand million', and it is easier to say and write 'trillion' than 'million million'.* [*Did you notice how the comma and period are properly placed outside the single quotes in that sentence, as described in Answer 661?]

In this case, it happens that the American system is the shorter one, so there we go.

Subsection III-F-7: Measurement

Question 662.5

What about this whole 'metric system' business?

We realize that some people like to hold on to their traditional ways generally, and specifically that some Americans don't like to be told what to do by foreigners. In this instance, though, we are afraid that we must advocate in favor of change.

Just as it was helpful for the British to abandon their 'farthings' and 'shillings' and 'guineas' in favor of a decimal-based currency, and just as we Americans made things easier by reporting the unit prices of our stocks in hundredths of a dollar instead of 'eighths', it's getting pretty close to time for us to realize that the rest of the world has the drop on us when it comes to physical measurement.

Under their 'metric system', you have base values of 'meter' for length and 'gram' for mass and 'liter' for volume, and every multiple or fraction of that base value is expressed by either multiplying or dividing that base value by some factor of 10, as in 'kilogram' to mean 1,000 grams, or 'centimeter' to mean 1/100th of a meter.

It's easier for us to express our own measurements with these terms (for example, '1.9 meters' is easier than '6 feet, 3 inches'), and it's also easier for us to communicate both politically and scientifically with the rest of the world, which makes us more of a productive and efficient global society, instead of a bunch of isolated tribes all doing things the hard way just for the purpose of being stubborn.

We probably don't need to change our various standards for Carpentry (after all, a '2x4' doesn't really measure two inches by four inches, anyhow) or other fields where conversion would require a massive mechanical effort. However, there are several easier steps which we can take to get more Americans thinking in metric terms. One of these is to convert the field measurements at Baseball stadiums from feet to meters. Football and Basketball can decide internally whether to resize their standard arenas to a round number of metric units (do you want to go 100 meters down the Football field instead of just 100 yards?), or whether to keep the same basic size (47ft for Basketball = 14.3256m) but express it in meters instead of feet.

In the meantime, manufacturers of smaller-scale industrial products (such as thermometers, meat scales, gas pumps, etc.) are encouraged to convert to metric measurements at their earliest practical convenience. What is their incentive for doing so? Our model of Federal agencies includes an Office of Measurement Standards, which is already tasked with spotchecking new measuring equipment for accuracy, and assessing various penalties when problems are found. That same agency can establish timetables for metric conversion, subject to Congressional specification, and can similarly penalize manufacturers who convert too slowly.

That said, we should also keep in mind that setting arbitrary timetables for metric conversion has been attempted in America before, going back to the 1970's, and so far it has not worked completely, maybe not at all. We therefore are recommending that the Fed should make the process more gradual, and accept smaller increments of progress which can be established and monitored and enforced more easily, but still making sure that overall progress is continually getting expedited.

In sum, the faster that we can dialogue with the rest of the World on common issues using common terms and standards of measurement, the sooner that we have a shot at being accepted again by the rest of the World as a global Partner, and possibly even as a global Leader. If we decide to simply stay our own way, then they will go theirs, and pretty soon we will be shut out of the international loop in Business and Politics and Diplomacy and everything else.

Question 662.6

Should we continue to use the term 'weight', or should we instead use 'mass'?

Many of you folks may think that this a trivial matter which does not belong even in an outline purporting to cover Everything, and you might be right. However, the author once attended a 'town hall' meeting with the local representative of Congress, and no kidding somebody else raised that issue at the microphone, even with all the other national problems still needing to be solved. So, we will give it a brief look.

In strict scientific terms, 'mass' refers to the amount of physical 'stuff' which a body contains, whereas 'weight' refers to the degree of gravitational attraction the body experiences when near some other massive body. That is why a body in Earth orbit still has about the same amount of 'mass' as normal, but feels about zero 'weight'.

Also in strict scientific terms, our current 'pounds' and 'ounces' are units of 'weight', whereas the 'grams' and 'kilograms' of the metric system are units of 'mass'. If we convert either partly or completely to metric in America, then we will be talking about 'mass' units instead of 'weight' units. Should we therefore still be speaking in terms of needing to 'lose weight', or instead in terms of needing to 'lose mass'?

Most folks are neither Scientists nor Astronauts, and so the distinction would make very little difference to them. As many other changes as we are asking folks to make in how they view things and do things and express things, we have a hard time bringing ourselves to offer them this recommendation as well.

Besides, even if/when we do convert to metric, a dieter is still interested in losing 'weight', because he still wants to reduce the degree of his gravitational attraction toward the Earth, regardless of his relative altitude at any given moment. The fact that he needs to reduce his 'mass' in order to reduce his 'weight' does not alter the fact that he is trying to lose 'weight', so the expression is still technically correct.

Question 662.7

Should we make any adjustment to the 60-second Minute, the 60-minute Hour, and/or the 24-hour Day?

Some folks might argue, if we are making such a big push toward the 'metric system' so that each unit of physical measurement is bigger or smaller than each other unit by some factor of 10, then why would we not want to do the same thing with our Time? Shouldn't we have a 10-hour Day, a 100-minute Hour, and a 100-second Minute, and then adjust the standard length of the Second accordingly?

If we were starting completely from scratch with our Timekeeping, then this might be a defensible argument. As it is, we have billions of analog and digital clocks in the world which would all need to be recalibrated or replaced if we change the structure of our Day, and so the change might cause more problems than it solves.

Besides, a big argument in favor of metric conversion is to get us more in sync with the rest of the World, but behold the rest of the World is still using the 24-hour Day, so converting our Time measurements would actually take us out of global sync.

You might then suggest that we ask the entire World to change simultaneously, but we have yet another reason for keeping things as they are: The 24-hour Day has an advantage over its decimal equivalent, in that it is easily divisible by 3 and 4 and 6 and 8 and 12. If you want to have 6 watches per Day on your naval vessel, then it is far easier to measure them out at 4 regular Hours each, than to use $1\frac{2}{3}$ of the 'new' Hours. Same goes for any other reason for dividing your Day into 'shifts'.

At some future point, maybe at least for the limited purpose of interplanetary or interstellar travel (where we would not need to be tied so closely to the sidereal rotation of the Earth), we might look at this issue again. For our foreseeable Earth-based needs, though, we are probably fine as we are with our current Clock.

Question 662.8

Should we make any adjustment to the 360-degree Circle, or any other Circular measurement?

Most 'regular' folks know (don't they??) that there are 360 Degrees of Arc in a circle. What many of them don't know, unless they're Cartographers or Navigators or some other kind of specialist, is that a Degree of Arc includes 60 Minutes, just like an Hour of Time, and that a Minute of Arc includes 60 Seconds.

This then is another argument which might come up more often as we move closer to the 'metric system' for other measurements in America: Why would we need to adopt decimal-based measurements for some quantities and not for others??

As with Answer 662.7, part of the reason is because there is little or no reason for us to change when the rest of the World is currently doing it the same way as we are.

Also as with Answer 662.7, having 360 Degrees in your circle instead of 400 allows you to divide your circles and quadrants into 'thirds' and 'sixths' and 'twelfths' without fractions, which can be useful for a variety of reasons.

Therefore, not hearing a really big cry in favor of change, we recommend against it.

Subsection III-F-8: Pronunciation

Question 662.9

Recognizing that minor variations in Pronunciation occur naturally among different regions within a large Nation, do we yet have any specific recommendations to offer?

We do have one, and it's another where the author changed sides over the years.

The word in question is 'short-lived', along with its less-frequent sibling 'long-lived'.

The regular word 'lived' (being the past tense of the infinitive 'live', meaning to 'exist' or 'reside') is pronounced with a 'short' vowel sound, same as 'give' or 'lift'. A lot of folks therefore understandably assume that the second syllable of 'short-lived' would be pronounced in the same way, as if to say that somebody 'lived short'.

That is not actually the case, however. When we have a construction with an adjective in front, followed by a hyphen, and then the word ends in '-ed', the base of

that second element is actually a noun, not a verb. Examples are 'short-sighted', 'long-legged', 'red-breasted', 'yellow-bellied', 'double-edged', and 'loud-mouthed'.

Following these rules, when we say that something was 'short-lived', we are actually saying that it had a 'short life', so to make that clear we should be using the 'long' vowel sound, same as 'wife' and 'knife'. Just as we change the 'f' to 'v' when making the plurals of all these words, we do the same thing when we convert any of them into a modified past participle, but we do not change the base pronunciation. The word 'lives' (as the plural of 'life') and 'wives' and 'knives' all rhyme with 'arrives'.

In other words, if someone has 'short sight' then you say that he is 'short-sighted', and if something has 'short life' then you say that it is 'short-lived'. But, because that latter word is a noun form, and is only changing one letter because a suffix is being added, the modified form is pronounced in the same way as the original. In sum, 'short-lived' should rhyme with 'arrived'.

SECTION III-G: RACES, RELIGIONS, & OTHER GROUPS

Question 663

To what extent -- if any -- should any of the foregoing apply differently to different races, ethnic groups, religions, gender identities, sexual preferences, hand preferences, political persuasions, areas of the country, or any other groups?

We had no bigots present at the meeting during which this Question was considered, to present their own arguments to support their theories of differentiation by population segment. Everyone who was present agreed very trivially that there should never be any such differentiation, and we feel confident that many/most folks -- both in the 'general public' and in the political community -- would agree with us.

For, in a world full of 7.5 billion people running around randomly, which is the starting condition of this whole Project, who is to say which people are 'superior' to which others, and on what bases would they make those distinctions?

Trouble is, there are many other folks out there who still do not agree, who still feel that our various Rights and Privileges should apply differently to different groups.

Question 664

What is the final goal that we want to achieve with respect to race relations, or to relations among individuals of different racial backgrounds?

The final goal -- as we hope that we all can agree, except for the extremist bigots for whom some of us now pray [pause] -- is for race or other personal attributes not to matter at all for anything anymore.

If you will not trust a white guy's perspective on this point, then perhaps you would place greater faith in the words of the Rev. Dr. Martin Luther King, Jr.*:

When we allow freedom to ring-when we let it ring from every city and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last, Free at last, Great God a-mighty, We are free at last."

[*The entire text of the 'I Have A Dream' speech can be downloaded in PDF from <https://www.archives.gov/files/press/exhibits/dream-speech.pdf>, and it's a great read.]

Because this speech was delivered over 50 years ago, when things were even worse off than they are now, Dr. King was focused mostly on one particular stage of our overall social evolution, so he didn't take the time to specify different gender identities, sexual preferences, tall and short, thin and fat, left- and right-handed, likes or hates the designated hitter, etc., but he did say "all of God's children", so we imagine that he would have agreed to a policy of non-discrimination for everyone.

Question 665

Should any special provisions (including admission or employment quotas, busing, housing subsidies, etc.) be made by Government to force individuals from different racial backgrounds to do stuff together?

At this stage of our evolution, we are suggesting not. It might have been helpful at one time, but continued efforts are contrary to the goal stated in Answer 664. Also, any attempts at retroactive retribution only continue to engender hatred and resentment among different groups. Certainly okay to have laws prohibiting discrimination, but it probably would be better to avoid specific mention of 'race' in those laws. Rather, phrase them so as to prohibit discrimination on the basis of *any factor not relating to the job*, to distinguish between fair and unfair discrimination.

Question 666

What penalties should apply to an individual guilty of unfair discrimination?

At the very least, the guilty party should be forced to leave his position of authority, so that he cannot cause any further damage. He probably also should be required to attend counseling or a standardized course to relieve him of his bigotry.

Beyond this, jail time is probably excessive, as would be any monetary damages to the victim, because nobody is injured if the discrimination is reversed before any damage is sustained. However, if the victim needed to front any legal fees or other costs in order to combat the unfair discrimination, then the guilty party should be covering those, following the principles which we established in Section I-F.

Question 667

Do we agree that it is worthwhile to try to relieve bigotry among the populace?

The bigots themselves might not agree, but it is our group's position that it is.

Question 668

If so, then what steps shall we take?

Some people might never allow themselves to change their mind on any subject, and they will forever hold to whatever they were taught as children or later ideated on their own, because they are not willing to confront the possibility that they may have been wrong about anything for so long of a time. Nevertheless, we may at least have a shot at convincing some of these folks to modify their positions, and the following points may help to do it:

First, whether you believe in Creation, or Evolution, or Some Third Thing, or Nothing, all belief systems seem to agree that all humans now alive descended from a common source. That makes us all Cousins, so when you are visiting war or bigotry or unfair discrimination on any other persons, you are doing it to your own family.

Second, because for some reason a lot of bigots seem to consider themselves Christians, you might get their attention with the Bible phrase "Judge not, that ye be not judged".* [*Matthew 7:1] You don't need to believe in God or the Bible in order to understand and appreciate the universal logic of this principle: If we maintain a society in which people are judged and delimited on the basis of irrelevant personal factors, then sooner or later it may happen to you, too. If you want to be left alone to live your life freely, following only the Basic Social Rule of not injuring or threatening others against their will, then you stand a much better chance if you refrain from encouraging or promoting that kind of culture, which means that you shouldn't set a bad example by judging or unfairly discriminating against others.

Third, we have read that some folks consider the expression 'African-American' to be inaccurate, because the expression has been used to describe Caucasians who had been naturalized from South Africa. We are now thinking it better to eliminate reference to both race and nationality entirely. Only time that you ever need to refer to a person's ancestry is when you are looking for a suspect or a missing person, in which case you should refer only to a 'descent', such as 'European-descent', 'African-descent', 'Hispanic-descent', and 'Asian-descent'. Following this line, we could use 'American-descent' to refer to our own indigenous populations.

Question 669

Shall we try to ease relations among different religious groups?

Even if you don't believe in Religion, you should at least believe in Peace. If you don't believe in Peace, then we need for you and your buddies to vacate our Civil Society, and to form your own Nation where you get to beat each other up, for whatever you think that's going to accomplish.

If you do believe in Peace (again, whether you believe in any Religion or not), then you should be opposed to any agent which threatens it. You therefore should be opposed to any Religion which seeks for any reason to bring War to others.

If your own current Religion currently advocates any form of Violence to any people for any reason (those folks really blew it with the Crusades and the Inquisition, for example), then you should seek either to change their policy, or else to abandon that Religion in favor of one which promotes Love and Peace.

Question 670

If so, then how shall we proceed?

First, everyone needs to recognize that there are many different faiths, plus numerous variations and sub-variations. Since we can't *all* be right, some of us -- probably most of us, and maybe even all of us -- are wrong on one or more points. Each of us, then, must allow for the possibility that we are individually wrong on one or more points. We therefore should not hold it against our neighbor just because she may have a different religious perspective, for she may possibly be right.

Further, we must acknowledge that -- notwithstanding the Canaanite Wars or the Maccabean siege or the assaults on the Vatican or the Islamic Jihad or any other military struggles of our past in the name of Holy Religion -- virtually all 'real' religions in our modern world preach Peace, Love, and Harmony among neighbors, and decry violence and hostility.

Let us therefore put down our swords, live together in Peace, and have a sane dialogue on any ethical or philosophical or cosmological or other issues which currently cause us to want to have different religions in the first place.

Question 671

Is there any valid reason to harbor or display any hostility toward participants of alternate lifestyles, particularly those with sexual preferences different from ours?

At the risk of duplicating our statements in Section III-B (especially Answers 489-492), no we believe that there is no such valid reason.

Question 671.1

Is it appropriate to circumcise male children during infancy?

This was not part of our original Outline, but came out of our Twitter interactions (the 'fourth group') in 2019. It appears that numerous Jewish persons are now opposed to the long tradition of circumcising their infant male children.* [*See circinfo.org/jews_against_c... and beyondthebris.com for more.] It is further asserted that male circumcision is not philosophically different from mutation of female genitalia, a practice widely (though not yet universally) condemned around the world, and that there are no real medical or reproductive benefits obtained from male circumcision. Until we are once convinced of the contrary, we are joining those who find that forced circumcision of any infant -- even by parental order -- constitutes an abrogation of that person's bodily rights. Better to allow that person to make that decision when achieving the necessary levels of age and/or education.

SECTION III-H: THE ANSWERS TO EVERYTHING ELSE

Subsection III-H-1: Dates & Time

Question 672

Best to keep year count as current, or to reflect a better estimate of Christ's birth, or to align with Jewish or Chinese or other calendar, or to tie to some other event of great historical significance?

As our 'black book' of preliminary ideas says, we are not observing any big push to change our year-numbering to either the actual year of Christ's birth, or to any other particular historical event. It is only a mild inconvenience to refer to the fact that Christ was born in 4 B.C., or 4 'B.C.E.', and that mild inconvenience affects only certain communities within our society, and need not be a point of concern for everyone.

Besides, although 4 B.C. is a more likely date for Christ's birth than the 'zero singularity' which early Church leaders attempted to create in their calendar, there is

some evidence to suggest that the date may actually have been as early as 6 B.C. or 7 B.C., so changing all year designations by a factor of 4 would not necessarily tie us definitively to Christ's birth date.

If we were going to change to anything, then it may be better to base everything on the Founding of Rome (753 B.C.), because that civilization is historically important for both the Christian and Secular communities.

However, any problem with our current year-numbering appears to be so small that it's probably not worth the effort which would be required to decide upon a particular convention, and then to get the World's buy-in (good luck with that), and then to engineer the change in the unlikely event that everyone agrees to it.

Therefore, while we are receptive to further discussion if anyone cares that much about the matter, yet we see this issue as low-pri enough that we are recommending No Change at this time.

Question 673

If keeping the current year-numbering convention, then do we want to make any change to the current use of the abbreviations 'B.C.' and 'A.D.'?

Same deal as with Answer 672. It's something which has been discussed, and can be discussed further, but it appears in our group's perception that it is not a big enough issue for either our group or our entire Society to bother with, so not pushing any change in this area at this time. Keeping the DH out of the NL is much more important.

Question 674

Do we wish to adopt the European custom of abbreviating dates in the format of 'D/M/Y', or encourage them to adopt the American 'M/D/Y', or keep both systems, or do something else?

What you do in your private correspondence is your own affair. And, if your job does not involve interacting with any foreign entities, then there may not be a big reason for you to change whatever you're doing, and that goes for wherever you live.

However, for those individuals and corporations and governments which interact with foreign entities, we feel from experience that you would do yourselves the most good by defaulting to the DD-MMM-YYYY format (as in '25-Feb-2019', when this Question was treated by the Monday group), such that not only does the Day come first, but you are making that fact clearer than it would have been if you had used all numbers.

But, you may ask, why should we Americans change to their practice? Why shouldn't they change to ours? Answer is: You are right that we shouldn't always need to change our ways to match those of other people and other Nations, but sometimes it makes more sense to do so, and we feel that this is one of those times.

Two reasons why: First, it is more natural and more logical for the date to flow from smallest time unit to largest time unit; our American way of mixing up the order is the one which makes less sense, and therefore is harder to defend. Second, when you are specifying Days and not just Months, then the Days must matter more for

whatever topic you are discussing at the moment, in which case it makes the most sense to lead your expression with the most important element.

Question 675

Do we want to reset the date of the New Year back to the Winter Solstice, or stick it in March as the Romans did, or leave it as is, or do something else?

This is one area where we do favor a change, and specifically we favor setting the Calendar New Year back a few days to be in line with the Solar New Year, that is, with the Winter Solstice. We would 'lose' a few days in the conversion, but that has happened before when people changed their calendars, and the Earth has continued to rotate on its axis without interruption.

Societies have long recognized the Winter Solstice as the 'effective date' of the New Year, because it clearly and uniquely demarcates the entire life cycles of our plant and animal life. Even the Romans eventually changed their minds on this point, which is why they converted from beginning the year in March (which is why September is now in the 9th position instead of its original 7th* [*Latin *septem* = 'seven'], and why October-December similarly shifted) to doing it in January. Spring is when we see the greatest appearance of new plant and animal life, but much of that development goes back to when the Earth is just beginning to warm up again after the Winter Solstice.

If we were going to have our calendar year begin anywhere close to the Winter Solstice (as we currently do, and which makes perfect sense), then why would we want to 'miss' it by 9-10 days? Just define that what we used to call December 22 is the new January 1, and then your Calendar will finally match what is happening in Real Life.

Question 675.5

Do we want/need to do anything with Time Zones or the International Date Line?

We wish that the Time Zone boundaries would follow State boundaries more closely, so that we would know how far ahead or behind any particular American city is from wherever we are. As it is now, Nebraska and Idaho and Kentucky and Tennessee and the Dakotas and other States are crossed unnecessarily with multiple Time Zones, and it can make things confusing for some of us.

We initially figured that all of Idaho should be in the Mountain Zone (it's a pretty mountainous State in general), that all of the Dakotas and Nebraska should be in the Central Zone (they look pretty central to us), and that all of Kentucky and Tennessee and Alabama (and probably also Mississippi) should be in the Eastern Zone.

However, that superficial analysis was based on maps of the existing Time Zones, which we wanted to streamline but not completely change. When we looked at the actual Longitudes of some major American cities, we found that the lines need to be shifted even further. We further found that the exact nature of the shifting must depend on where the 'first' Time Zone of the Western Hemisphere begins and ends.

We don't ever hear anybody suggesting any change from the current Prime Meridian as the starting-point for all our mapmaking, so we do not seek to change it. To the

contrary, its current placement allows the International Date Line to zigzag between Asia and North America, which seems perfectly natural, so no we do not have any hangup about the International Date Line either. What we do wish to know is whether the Prime Meridian should be the middle of the 'first' Time Zone for the entire World, or whether there should be a complete Time Zone on either side of it.

Question 675.6

Where should the 'first' Time Zone of the Western Hemisphere begin and end?

There certainly is an argument in favor of doing it however we're doing it now, because changing it would require time and energy which probably should be devoted to higher-priority challenges. However, we should also remember that a core premise of this entire Project is to assume that we are starting everything from scratch, so we are still curious to know what we would have decided if all the maps had not already been made.

As a matter of theoretical arithmetic alone, we probably would have suggested having the first Time Zone of the Western Hemisphere cover from 0° to 15° , the second from 15° to 30° , and so on, because it is relatively easy to divide any given Longitude by 15° in order to figure out the likely Time Zone for that location.

However, as a matter of practical geography, we are yet siding with the current practice, where there is a single 'first' Time Zone for the entire World, generally extending 7.5° on either side of the Prime Meridian. We realize all too well that this means a range of 7.5° - 22.5° for the first 'full' Time Zone in the Western Hemisphere, a range of 22.5° - 37.5° for the second 'full' Time Zone, and so on, which is much clumsier from an arithmetical standpoint. However, when you look at an actual map of Europe, you can see that the city of Lisbon has a longitude of 10° West, meaning that -- with a slight adjustment for Portugal and Ireland -- the whole of Western Europe can be in the same Time Zone if we keep the fundamental lines where they are, and even here in America we can understand the utility of keeping it that way, so recommending No Change on that point.

Question 675.7

Given the placement of the fundamental Time Zone(s) of the World, where specifically should the Time Zone boundaries in America be?

According to Answer 675.6, we are keeping Zone 0 at its current general range of 7.5° West to 7.5° East. This means that Zone 1 should generally cover a range of 7.5° - 22.5° , Zone 2 should generally cover a range of 22.5° - 37.5° , Zone 3 should cover 37.5° - 52.5° , and Zone 4 should cover 52.5° - 67.5° . Zone 5 should cover 67.5° - 82.5° , which is where we begin to see the first cities on the American mainland.

From here, we look at the longitudes of certain American cities which are located on the Western or Eastern edges of the ranges which generally cover the American mainland. We can summarize the key spots as follows:

- Zone 5 - 67.5° - 82.5° - includes Bangor ME 68, Montpelier VT 72, New York NY 74, Allentown PA 75, Baltimore MD 76, Miami FL 80, Akron OH 81
- Zone 6 - 82.5° - 97.5° - includes Atlanta GA 84, Pensacola FL 87, Baton Rouge LA & Eau Claire WI 91, Dallas TX 96

Zone 7 - 97.5^o-112.5^o - includes Abilene TX 99, Rapid City SD 103, Santa Fe NM 105, Billings MT 108, Flagstaff AZ 111, Phoenix AZ 112
Zone 8 - 112.5^o-127.5^o - includes Yuma AZ 114, Las Vegas NV 115, San Francisco CA 122

Given these placements, we seem to be correct already that the boundary between Zone 7 and Zone 8 should come up between California and Arizona (Yuma is close enough that it can remain happy in Zone 7) and continue along the Eastern edge of Nevada. As a change from current practice, though, we claim that it should then shift over to the Western edge of Idaho and follow that up to the Canadian border.

In order for Abilene to remain in Zone 7 while Dallas remains in Zone 6, it would be necessary for the interzonal boundary to split the State of Texas as well as its Northern neighbors, but again our primary recommendation here is to avoid splitting up any States, so we think it better for the boundary to travel up the Western edge of Texas and Kansas and Nebraska and the Dakotas, still leaving plenty of room for several large States (including Montana and Colorado) to occupy the Mountain Zone.

Since we are fudging the Zone 7 line a bit West, we can do the same with Zone 6, so Atlanta gets to stay in the Eastern Zone even though its longitude theoretically places it in Zone 6. That boundary coming up along the West edge of Georgia should continue up along the Eastern boundaries of Tennessee and Kentucky and Ohio, even though Akron technically falls within Zone 5.

This means that Michigan and Ohio and almost all of Indiana would need to switch from Eastern to Central, but this makes sense both Geographically (wanting to get all complete States within their natural 15-degree zones to the extent that we practically can) and also Historically (since Ohio and Kentucky and the rest were added to the Union after the establishment of the 13 original States). Most of Florida lies within Zone 6, and Florida was not one of the 13 original States, so some folks may want to place it in the Central Zone; however, most of Florida is also directly South of Georgia, which we are keeping in the Eastern Zone, besides which it's hard to call any State 'central' when it possesses a large Eastern border which overlooks the Atlantic Ocean, so our primary recommendation is to keep Florida in the East.

Let us know if you need any help with other areas of the World, but hopefully you folks can figure it out if you simply make sure not to divide any State or Province which takes up less than 15 degrees of total Longitude.

Question 675.8

Can we now eliminate Daylight Saving Time?

Yes, do, and make sure that no State gets to set its own timeframe apart from that which we have figured out in Answer 675.7 for the entire Nation.

Our group's perception from Twitter feeds and Yahoo News and numerous in-person conversations is that many people seem to oppose Daylight Saving Time these days, and that very few people (if any) seem now to be in favor of it. If you the individual reader already oppose it, then you may feel free to skip to the next Question. For any who may still support it, we ask that you please consider the following points:

First, for those who cite that Benjamin Franklin proposed the concept, apparently he supported a different concept where certain tradespeople might want to change their times of getting up and working over the course of the year, but did not advocate in

favor of everybody changing their actual clocks.* [[*https://www.history.com/news/8-things-you-may-not-know-about-daylight-saving-time](https://www.history.com/news/8-things-you-may-not-know-about-daylight-saving-time)]

Second, for further historical background, it appears that the practice of changing clocks was first legislated in 1918 as a wartime savings measure, and that the legislation was repealed the very next year. After this time, different States and Localities developed their own systems, which understandably developed quite a bit of cross-confusion over time. The current practice was formalized in 1966 under the "Uniform Time Act", so it would need to be repealed at the Congressional level.

Third, for those who claim that the current practice of making all non-Arizonians in the Nation change their clocks twice a year somehow helps Farmers or any other workers, we politely suggest that we are not thereby doing anything for Farmers or others which they can't do for themselves if they wish. Any individuals in any industry who wish to change their personal schedules such that they 'gain' an hour once each year, and then 'lose' it again six months later, are perfectly free to do so.

They are also perfectly free to adjust their rising time more gradually over the course of the year according to the periodic shift in sunrise time, or to adjust their retiring time according to evolving sunset times, or to keep their schedules at fixed times throughout the year, or else to take each new day as it comes. Whatever your personal or professional preferences may be, you may do as you please, but it is not necessary to take the rest of us with you. Just as you get to do things your way, please let the rest of us do things our way, please do not any longer require us to change our daily schedules according to your set schedules, and please do not any longer make us go through the annoying process of switching all our analog clocks.

Instead, simply designate that when you are standing in the middle of your Time Zone, and when the Sun is at its highest point in the sky, that time is defined as 'Noon', and then base all your other times of the day upon that one astronomical singularity. 'Noon' was always intended to mean the middle of the day, the natural demarcation between when the Sun appears to rise and when it appears to set, and it is why the hands on our analog clockfaces were designed to point straight up at that time, up to where the Sun may be found at that moment.

There is no valid reason that we can see to define 'Noon' arbitrarily as anything other than the time when the Sun is at its highest point of the day in the middle of your Time Zone, so let's all simply set our clocks to the Sun one final time as may be needed, and then let's simply live our lives with no more clock changes.

Subsection III-H-2: Holidays

Question 675.9

Shall we continue to observe Holidays in our modern society?

We're thinking yes, and we're going with yes, but even as we say yes we must acknowledge that there are arguments in favor of no.

One argument in favor of no alleges that Holidays place too much of a strain on our economy, in terms of both our reduced production and the costs of any civic celebrations. Another argument in favor of no points out that Holidays tend to mess up our various local schedules, such as how you never know whether the trash is going to get collected on its regular day or on the next day.

These certainly are valid points to consider, but let's also consider what our Life would be like if we did not have any Holidays in our schedule at all: If every week were exactly the same as every other week, all year and every year, forever, if we are stuck eternally in the same weekly loop, then we become Slaves and Robots, our Existence would become very dull and boring very quickly, we would become depressed on a Global scale, our economic production would eventually go down, and we would suffer as a Species. That can't be the right way for us, not if we are seeking to observe our Basic Principle that any Species should be continually working to at least maintain and hopefully improve its position within our planetary Ecosystem, lest it drop out of prominence and eventually out of existence.

It's important to break up our schedule once in a while, if only to affirm repeatedly that we are the Masters of our schedule and not Slaves to it. It's also important for both kids and adults to have something to look forward to at least sometimes, not just within the week but also on a seasonal and annual scale. It also adds some 'spice' to our lives when we occasionally do or see something outside of our normal routine, whether it be a vacation getaway or watching a town parade.

Besides, whereas schoolchildren get several long breaks throughout the year (as described in Section III-C), working folks get only 1-2 weeks of paid vacation per year if they're lucky, and in any case they can use an occasional Holiday to break their routine, and give them some extra time for errands and/or recreation.

We're doing all this weekly work for a purpose, and it must be for more than keeping ourselves in Existence, because that too must have a purpose. If all that we are doing is Working, without ever Enjoying anything, then we're just wasting all our time and effort. We must at least occasionally take some time to Enjoy our lives while we can, and whatever weekly work we wreak will keep us in a position to be able to do that, but never should be allowed to prevent us from ever doing so.

So yes, notwithstanding the periodic drop in economic production, and the costs of any community celebrations, and the inconvenience of needing to shift your weekly schedules around, let us by all means continue to allow ourselves to take an occasional break from our normal routine to celebrate a new Season or a Big Anniversary or a Great Citizen or anything else which makes us happy that we and our community compatriots are alive to enjoy our Lives and our World.

Question 676

To what extent shall we retain the custom of celebrating certain Holidays on the nearest Monday?

This may possible depend on whether we're talking about whether the actual 'Day' falls on a weekend or on some other day of the workweek, so let's consider each scenario separately.

If the normal 'Day' which is the nominal focus of the community celebration falls on a Saturday or Sunday, then many/most folks in the community would have the time available to observe and participate in any Big Parades or other local activities which are scheduled to celebrate that 'Day', so there is an argument that those activities should be conducted on that actual 'Day', and not on the nearest Monday.

However, many folks by now have become so accustomed to getting a 'day off' for that holiday, regardless of whether it falls on a weekend or not, that they might now consider that they are getting 'gypped' if we now tell them that they must a regular weekly work schedule when the actual 'Day' happens to fall on a weekend. It would therefore likely cause folks to have less faith in our overall Agenda here, so I'm afraid that probably need to concede them this their expectation, even though it may not strictly be necessary, but yet in favor of the Greater Good.

If the normal 'Day' which is the nominal focus of the community celebration falls on a Tuesday through Friday, then there are arguments in favor of conducting the celebration on the actual 'Day'. One argument is that keeping it on the actual 'Day' helps us to focus more on the original reason for the celebration. (The lyric goes 'Born on the Fourth of July', not 'Born on the First Monday of July'.) Another argument is that having a 3-day weekend for every Holiday also becomes predictable and boring after a while, whereas one of the key reasons for having Holidays in the first place (see Answer 675.9) is to break up our normal routine.

However, this is another one where we probably will just need to defer to present practice and current custom. We have heard complaints from some folks over the years when certain Holidays have been observed on weekdays other than Mondays, that it causes too much stress to reconstruct their weekly schedules around those dates, worse than if we simply observed them all on Mondays. We philosophically favor doing it on the actual dates, for the reasons given above, but if most folks really want it the way that we're currently doing it, and if they are willing to accept the larger points of our Agenda (such as No More War, No More Income Tax, and No More Support of Political Parties), then this probably is going to be one of those elements where we can 'let them win the little ones'.

Question 677

What would we have done if Washington and Lincoln had been born in different months?

Research indicates that Washington's Birthday was celebrated unofficially during his lifetime, and became a Federal holiday in 1879.* [*<https://www.whitehouse.gov/articles/great-debate-presidents-day-washingtons-birthday/>]

Meanwhile, here's a trivia question to stump your friends: In what year (within five years) did Lincoln's Birthday stop being its own separate Federal holiday? Answer is, it never was its own separate Federal holiday!* [*<https://www.timeanddate.com/holidays/us/lincolns-birthday>, <https://constitutioncenter.org/blog/how-abraham-lincoln-lost-his-birthday-holiday-2>]
Instead, Lincoln's Birthday has been recognized for many years as a Holiday in several States, but never at the Federal level. It was apparently attempted several times, but never successfully.

The sources also show that the 'Presidents Day' now recognized on the third Monday in February (by the Uniform Monday Holiday Act of 1971) technically recognizes Washington's Birthday only, even though Washington was actually born on February 22, which can never be the third Monday. However, it also appears that 'Presidents Day' was invented at least partly because Lincoln was also born in mid-February, and partly because previous efforts to give Lincoln his own separate Federal holiday had always failed, so 'Presidents' Day' apparently was some sort of compromise solution.

These historical points suggest to our imagination that Washington probably would have retained his own birthday as a separate Federal holiday if Lincoln had been born in any other month, and that it probably would never have been converted to a generic 'Presidents Day'. Meanwhile, Lincoln might have had a better shot of getting his own separate Federal holiday if his birthday had not fallen so close to that of Washington, and if we therefore could have gotten another holiday worked into our 'Master Calendar' if we were not trying to take two full days out of a month which is already shorter than all of its fellow months.

We may never know for sure, but that's our guess, and we're sticking to it.

Question 678

What action (if any) do we now wish to take with the current 'Presidents Day'?

As suggested in Answer 677, we think that it is pretty unlikely that we would have invented a generic 'Presidents Day' if Washington and Lincoln had been born in different months. We don't feel that such a fluke of history should be responsible for our having a Holiday which we would not have had otherwise.

In addition, whatever our various political persuasions, we probably can all agree that not all of our Presidents have been all that good. You may personally feel that some of them downright sucked, and in at least some cases you may very well be right. If some of our Presidents have been so lousy, then do we really need or want to honor all of them as a group with their own Holiday?

Something else, we originally celebrated Washington's Birthday not just because he was a President, and not just because he was the First President, and not just because he was broadly considered to have been a Good President, but rather also for the numerous other contributions which he made to our Nation over the course of his career, including (but not limited to) his command of the Continental Army during the Revolutionary War, and his leadership of the convention which constructed our current Constitution. Perhaps it could be argued that focusing only on the Presidential period of Washington's life might be doing a disservice to his overall historical legacy.

Moreover, we feel troubled that this method of paying homage to our entire pantheon of National Leaders begins to get a little too close to what numerous totalitarian states have done in the past (and perhaps also in the present...). Declaring a Holiday to celebrate your National Leader is a means of granting him/her an almost-divine status, and of concentrating additional power in that individual, which is fine if you want to live in a dictatorship or other form of Monarchy. The whole idea of America, though, both historically and in our model per Answer 38, is that we are not an autocracy, that power rests within the hands of the People, and that we will fight to the death (and usually win) against any jackass who tries to take too much power unto himself.

In this kind of environment, is it really 'socially healthy' for us to take a national day off from work so that we can spend the entire day thinking about what a wonderful National Leader we have, and how much He has done for us, and how much we can't live without Him, and how we should be willing to give Him whatever financial and electoral support He may ever ask of us? We suspect not.

The office of U.S. President is a very important one in our Constitutional Republic, not only as the CEO of the Executive Branch, but also as a participant in the Legislative process, and with authority to nominate appointees within the Judiciary, and as the diplomatic and moral head of our entire Nation. And, we do not argue but that the job is a very tough and stressful one, at least for the incumbent who takes it seriously. But still, is it really right to single out one political position for a generic annual Holiday, especially within a Nation which prides itself on bestowing Equal Rights to All, and even more especially when we probably wouldn't have had the Holiday at all except for the historical fluke of Washington and Lincoln both being born in mid-February?

We think not, and we offer a variety of alternatives for the public's consideration:

Our primary recommendation is to go back to recognizing Washington's Birthday as its own Holiday, again not just because of his Presidential tenure but for all the contributions and sacrifices which he made to this Nation in his lifetime, and for the lasting successes which he repeatedly achieved against devastating odds. It may not really need to be a take-off-from-work day, especially for Banks and the Postal Service. Maybe just Federal workers outside of the Postal Service could be given the day off, but our core economic production shouldn't be stopped just for that. We can still be given Public Service Announcement (PSA's) over our radios and TV and online media that it's Washington's Birthday, as they already do for other Great Americans in our history.

A possible alternative, if you really like the idea of having a Day to celebrate our Presidents, is to have additional Days to celebrate our Speakers of the House of Representatives and our Chief Justices of the Supreme Court. That way, we would reinforce the message that the U.S. President has certain powers but also certain limitations, and shares power with other national leaders, and is not an absolute ruler who gets to do and command whatever he wants.

We offer that suggestion somewhat facetiously, basically to show that all three governmental Branches have approximately-equal importance, but we don't really envision taking three days off each year just to meditate upon the blessings provided to us by our Government. Even one Holiday may already be too much. But, if you think that one Holiday is just right, and that it should be for multiple Presidents and not just Washington, then another possibility is to change 'Presidents Day' to 'Good Presidents Day'. That way, at least you would remove from public worship those individual Presidents who failed to satisfy the proper expectations of their positions.

Assuming that we stick with our primary recommendation of bringing back Washington's Birthday, we like the idea of making it a day off for Government workers (except for selected key services) but not for private industry. As discussed in Section III-C, schoolchildren could still attend school on that day, but teachers should plan on using at least part of the day to focus on Washington and his struggles.

The day should be observed on Washington's actual birthday of February 22 (or March 3 under the new calendar recommended in Answer 675, or March 4 during leap year), except when that falls on a weekend the affected employees can still be given the following Monday off, but not otherwise. As discussed in Answer 676, it is okay to have some Holidays celebrated on a nearby Monday, but some other Holidays should not be. As an amendment to that rule, we suggest that birthdays and historical anniversaries should be celebrated on their actual days (with some

possible exceptions of celebrating on Monday when the day falls on a weekend), but that more generic observances (such as Memorial Day, Labor Day, etc.) may happily occupy certain selected Mondays as a matter of routine.

As for Lincoln's Birthday, that's a slightly trickier area. Many folks recognize that Lincoln also endured many struggles and overcame many adversities, and made huge and permanent contributions to our Nation against devastating odds. Some folks consider him to have been our second-best President, behind only Washington. Mount Rushmore places him in at least the Final Four.

However, there are certain areas of our Nation where previous residents had major political disagreements with Lincoln. That's a big difference between those two Presidents: Washington was respected and supported nearly unanimously, whereas Lincoln (whether he intended it or not) ended up being a more polarizing figure. Even with everything which we have achieved from Reconstruction to the Civil Rights Movement and through our present day, we can yet understand that certain folks in certain communities still may not be quite ready to celebrate Lincoln by a separate Federal Holiday. If they had been, then it probably would have happened by now.

Probably best for the present, therefore, to leave Lincoln's Birthday as a matter for observance at the State level. States choosing to observe the holiday can give the day off to government employees at State and Local levels (again, except for selected key services), but Federal employees would need to continue to report to work. As with Washington's Birthday, and any other, it should be observed on the actual birthdate of February 12 where it is being observed at all (or February 21 under the new calendar recommended in Answer 675), and schoolchildren can be given special lessons on that day about Lincoln and his struggles, although we should keep the national eye on whether the narrative is being expressed differently in different areas.

When all States in the Union have come around to recognizing Lincoln's Birthday as an official Holiday, then we can resume discussing the possibility at the Federal level. When that happens, please don't get too hung up on the fact that the days fall so close to each other on the calendar, for again you are giving the day off only to selected government employees, and not shutting down America's farms and factories.

Question 678.3

How do we currently feel about 'Columbus Day'?

Yeah, we're quite ready to drop 'Columbus Day' at this time, partly because 500 years is plenty enough observance for anyone whose last name isn't 'Christ', and partly because we have learned more in recent years about how Columbus tainted his legacy by abusing the people whom he so accidentally discovered.

Some have suggested that we convert 'Columbus Day' into an 'Indigenous Peoples Day', in order to focus attention on the Nations which existed in the Americas before the Europeans sailed over to colonize and occupy them. While the sentiment sounds noble, the 'real' motivation feels more like folks still want to have a Holiday in mid-October, because Halloween is just too far away yet, and they will happily settle for any excuse that they can get. Doubt our word? Feel free to have your 'Indigenous Peoples Day' if you wish, but please place it as far away from mid-October as you can practically get, and if necessary find some other Big Event to commemorate by

selecting that anniversary as your Holiday. That way, we can drop all observance on October 12, and not give any more historical attention to that nasty guy than he rightly deserves. Betting that you're going to get a lot of resistance, though, from folks who don't ever want to give up any Holiday once they've won it.

Regardless of how that debate may play out, and although it was not specifically asked before, we also take this opportunity to suggest that it may be about time to change the name of the 'District of Columbia'. Mexico has a similar zone which they simply call their '*Distrito Federal*', so we could simply call our zone the 'Federal District' until someone on Madison Avenue comes up with a better brand, one which doesn't glorify any one individual as much as it does all the best attributes of America as a Nation.

Question 679

Shall we continue to encourage stuffing candy down our kids' throats on Halloween, Christmas, Easter, birthdays, etc.?

Sorry, gang, but we must urgently recommend against it. American kids are eating too many sweets these days as it is, and suffering from obesity and periodontitis and juvenile diabetes already, and we do not need to exacerbate the problem by giving them even more sweets on certain days of the year, and basically say to them 'yeah sure please by all means eat more sugary snacks, the more sugar the better'.

We can understand a few extra treats on Birthdays and certain Holidays, with the express understanding that they are to brush teeth and gums shortly after any consumption, and that parents should actually observe to make sure that it's happening, both for the kids' good and to reduce your family dental expenses. But, let's please not go overboard, as with a whole basket of treats at Easter, a whole bag of treats for Halloween, and a whole stocking of treats at Christmas.

We don't want to be total Grinches, and again one of the big reasons for having Holidays at all (see Answer 675.9) is to take a break from your normal routines and disciplines and to do something special for yourself, in celebration of your continued life upon this beautiful Earth. Just let's not go overboard, let's find and maintain a good balance between dangerous indulgences and good health.

Question 680

But, if we are reducing candy emphasis, then what is there left for kids to do on Halloween?

There's two bad things about Halloween as we currently observe it: One is the whole concept of kids asking for -- and being given -- large amounts of sugary snacks which are probably doing the kids far more harm than good. Other is that we are training our kids to knock on the doors of strangers, when we probably should be teaching them to stay away from such places for their own protection.

There are some interesting stories out there about how our current concept of Halloween developed generally, and how our current 'trick-or-treat' practice began specifically. Regardless of the romance, though, maybe we should be toning this holiday down some, maybe even entirely.

We get that the Day has its roots in honoring our deceased friends and relatives, and that we still may want to do that on at least an annual basis. We also understand that some adults who like to watch Horror films are particularly fond of doing so in October, and most especially on Halloween.

We therefore suggest this: Whatever you would do to honor your dead, and/or to get in touch with our 'supernatural sides' (whatever that means), find some way of involving your kids in the practice, so that they can learn and participate and join in the family/community experience, but make it some way which does not involve either watching Horror films or knocking on strangers' doors or eating a wheelbarrowful of candy.

Question 681

If we are reducing candy emphasis, then candy companies and their employees will not have as much work: Wouldn't this be bad for the economy, as well as the individual workers and their families?

We don't want the economy to be supported so heavily by the creation and distribution of sugary ingestibles which will rot our kids' teeth and destroy their diets. We want our people to be healthy, and in particular we want our kids to be healthy, so -- while we can still allow the production and consumption of candy on a moderated basis, and please keep making with your dental hygiene as you do so -- yet the engines of our economy should be directed much more toward foods and other products which will improve the health of our people and especially our kids.

If this means (as it probably does) that some candy companies (perhaps all of them) need to reduce production and lay off workers, then as tough as the transition will be for some families, we yet must regretfully hold that it is in our Nation's best interests in the long term. Sorry, it's gotta be that way.

Candy companies and candy workers who have not already done so should therefore actively consider retooling and retraining to make other products or perform other services, which are less destructive and more net-beneficial. Don't wait to get laid off or go bankrupt, start the process now, get out of that building before it collapses.

Question 681.5

Should we continue to observe anything resembling our current Thanksgiving?

We understand from recent revelations that the romanticized view which we learned in primary school, of the Pilgrims from Plymouth and the natives of Massachusetts Bay sitting down together at a long feasting-table for several days in the early 1620's to celebrate the Europeans expanding their colonial activities in North America, may not have been completely accurate. Even if that one particular incident did actually occur as portrayed in our Grade 3 history books, it still presaged an imperial aggression by the Europeans which lasted for several centuries, and which resulted in the suffering and slaughter of millions of indigenous inhabitants, and the permanent marginalization of their cultures.

Some folks may yet argue that the European invasion resulted in more good than harm overall, but fortunately we do not need to settle that question here. Regardless of how our European ancestors got here, and regardless of what they did once they got here, the simple and undeniable reality is that their lasting influence

can be seen throughout our Nation, in our demographics and in our language and in our municipal structures and in our industries, and in many other aspects of our society. It is not practical to expect that we could undo everything which we have done, and even if we could somehow undo everything then it probably would do more harm than good overall, so the best practical course is simply to own our moral mistakes, learn from them and teach the lessons to all future generations, and let's all move forward as best as we practically can under the circumstances.

Wherever you are in the World, though, and whatever period of history you are living in, and whoever your ancestors were, we still always need to generate enough food to sustain our population. Further, we probably need to continue to do so through affirmative agricultural action, because the 'hunting-and-gathering' model probably will not work for a planet containing several billion human inhabitants. In other words, we still need to farm, and we still need to generate harvests, mostly in the Fall so that we can remain healthy during the cold Winter. Whenever we do generate a successful harvest, and when we know that we have enough food to last us until the next harvest, that certainly is a cause to celebrate.

Different cultures have celebrated their harvests for millennia, and we need not be any different on that point. Just because our forefathers committed some 'bad acts' distant centuries ago (which didn't begin or end with their treatment of the native inhabitants during their colonial expansion), that doesn't preclude us from living our own lives now (does it?), nor from celebrating whenever we accomplish anything (such as generating a good harvest) which has redeeming social value.

It is also not inappropriate to express a level of Thanks for what we have, both generally and for the recent harvest. If you happen to believe that one or more transcendental beings may have been at least partly responsible for the bounteousness of the harvest, then please feel free by all means to express your Thanks to them in some non-disruptive manner. Whether you believe in any transcendental beings or not, however, we all would do well to express Thanks to all the men and women who worked in their various ways to create this harvest, and to bring it to our tables. Kids can (and should) also thank their parents for all the work which they performed during the year, not just in earning incomes to bring food into the house but also for all the support which they provided to maintain a happy and harmonious home.

While we are celebrating our harvest and thanking everyone who helped in any way to provide it, we should be allowed to treat ourselves to a larger-than-usual meal if there is enough left after setting aside for the Winter. As we discussed in Answer 675.9 for Holidays generally, we should not be required to live as Slaves and Robots, doing and eating the exact same thing every day and every week of our lives. If we have generally managed to work and produce and come out net-ahead for the year (both on the Family scale and as a Society), then by all means we get to reward ourselves by eating a bit more than we usually do. For, if we do not allow ourselves to earn any rewards or bonuses for good work, then (as described in Section II-A) we diminish our own motivation to keep working hard, and our whole Society suffers. Rewards make people happy, and we want happy, so rewards are good.

If we can therefore just keep our focus on the harvest-festival aspects of this Holiday, and use other times of the year (especially the 'Indigenous Peoples Day' which Answer 678.3 is suggesting for mid-April) to remind ourselves of the bad things which we have done in the past, and which we are periodically asking ourselves never to do again, then we can use the occasion to have a happy time

together as a Society, and to motivate ourselves to generate another successful harvest next year. In sum, then, Thanksgiving is still okay to have, if we do it right.

Question 681.6

Do we have any strenuous objection to continuing to celebrate Thanksgiving on a Thursday?

No strenuous objection. We realize that many private companies give themselves the following Friday off as well, and that this might translate to a bigger dip in production within certain industries. However, again, the idea here is that we are giving ourselves some time off at the end of a busy harvest season, to celebrate the fact that we have managed -- even with an extra-big meal and with at least one day off of work -- to come out net-ahead for our fiscal year. As long as we are still coming out ahead even after a second day off, then yes let's please reward ourselves not only with an extra-big meal, but also with some extra time to enjoy it.

Question 681.7

In what month should we be celebrating Thanksgiving in America?

In order for it to be a true harvest festival, it may make more logical sense to celebrate it in October, as the Canadians do, and we would have no strenuous objection if that concept ever gained enough popular support here in America. However, we understand that folks have come to expect those four big Holidays (Halloween, Thanksgiving, Christmas, New Year's) to come in consecutive months. If we were to move Thanksgiving to October, then either we would be scrunching two big Holidays in October while leaving November mostly empty (although there still are some other observances typically happening in that month), or else we would need to reschedule Halloween into November (which would mean also moving All Saints Day from November 1 on the calendar of certain religious groups, because the term 'Halloween' comes from an expression meaning 'the day before All Saints Day'). Seems like too much of a disruption from our angle, accomplishing too little. Okay for Canada and America to celebrate their Thanksgivings as they currently do.

Question 681.8

What about the emphasis on eating Turkey for Thanksgiving?

This tradition stems largely from that same old image of the Pilgrims and Indians sharing a few days of Love and Peace and Food before all the bad stuff. Turkeys were also indigenous to America, and were a major source of sustenance for early settlers when other food sources became scarce. In using Turkeys as our default entrée for Thanksgiving, we are continuing to connect our current feast with that historical event (or, rather, with our romanticized view of it), but we advised in Answer 681.5 that we should rebrand Thanksgiving as more of a generic harvest festival than of a commemoration of anything which the Pilgrims allegedly did. If we continue to emphasize Turkeys for Thanksgiving, then we make it that much harder for ourselves to get away from that whole Pilgrim image.

We therefore are making a very tough suggestion here, tough not only for America as a Nation but also personally for the author, who loves Tradition generally and who especially loves the big classic Thanksgiving dinner of 'Turkey and all the trimmings'. If we really want to disassociate Thanksgiving from the old Pilgrim image, so that it

can become less of a 'day of atonement' and more of a day of celebration for our entire Society, then we probably need to de-emphasize Turkey as the default entrée. Switch in the Ham or the Roast Beef or perhaps some non-Meat dish, and save the big Turkey dinner for Christmas or some other feastday.

Question 682

Do we want to keep Christmas on December 25?

See, here's the thing with that: Even for that subset of the population (and you know who you are) which believes that Jesus possessed some level of 'divine nature' (whatever that means), and that His birth is therefore a worthy subject of annual celebration, we don't really know for sure even approximately when He was actually born. Rather, it appears that early Church leaders tried to associate Jesus' birth with the Winter Solstice (because they were heavy into converting previous Pagan rituals to Christian branding), and they simply miscalculated.

Even if you believe the whole story in the Gospel of Matthew about this big worldwide Census allegedly ordered by Caesar Augustus (curiously, this big event was not mentioned by Tacitus or any other contemporary Roman historian of whom we are currently aware), requiring all families to travel to their hometowns for registry, it is unlikely that such massive crisscrossing travel would have been scheduled for the coldest time of the year. Probably would not have been done during the hot Summer, either. Spring is a possibility from a standpoint of climate, but it might have constituted a big economic problem if many people had to leave their farms when so much cultivation work needed to be done. Fall seems most likely, after the work of harvest so that people had both time and food available for travel, but before the coldest months of Winter. However, that is only speculation, and we don't really know for sure.

Why not leave it where it is, as either December 25 in the current calendar, or January 4 under the revised calendar suggested in Answer 675? It's a way to go, and we imagine that a lot of folks would prefer it that way, if only for the sake of Tradition. To our group's perception, though, it causes a couple of problems:

First, it gives people a false understanding of our history, making them think that something happened at a certain time (Holiday songs such as 'In the Bleak Mid-Winter' and 'The Last Month of the Year' are pleasant pieces, but don't help our historical cause) when it actually happened at a different time in all likelihood.

Second, several other religions seem to want to conduct major festivals in conjunction with the Winter Solstice, such that this opportunity that we have -- to celebrate the beginning of another Solar Year as an entire Species -- is squandered by degenerating into a mere highlight of our various religious differences.

Our recommendation -- both for Christianity and for all other religions -- is to allow the Winter Solstice to be the Winter Solstice, and let's all celebrate it together as a single Family, whether you follow this religion or that religion or no religion. We are all riders on this planetary Bus, and we all get to celebrate having survived to the beginning of another Bus loop, as well as to honor the memories of our fellow humans who didn't make it. Any religion which wishes to commemorate some other big event -- especially when (as with Christ's birth) they don't know exactly in what time of year the event allegedly occurred -- is asked to please select some other

time of year which does not conflict with any other major festivals (especially religious ones) in our 'master calendar'.

That all said, September probably is the best time for Christmas, both for the historical reasons mentioned above (speculative as they are), and because you would still be getting your same four big Holidays happening in consecutive months (Christmas in September, Halloween in October, Thanksgiving in November, and New Year's Eve in December), so you all could still have the 'Holiday season' to which you have become so accustomed.

What day in September? Again, we don't know the exact date of Jesus' birth, so we have some flexibility. Probably should be in the latter half of the month, more specifically sometime after the Autumnal Equinox, partly to provide some distance from Labor Day, but largely to keep our big holiday season confined mostly to the Autumn as we have in the past. Keeping it on the 25th of the month probably is best, then, so that we can at least keep the "ember 25" portion of the date, as a tie and homage to our previous tradition.

Question 683

Do we want to continue/encourage the practice of exchanging gifts on Christmas?

We have read various historical accounts suggesting that the practice of exchanging gifts near the Winter Solstice goes back as far as the Roman Empire, if not earlier. Maybe all those stories are true, or maybe some are apocryphal. Fortunately, we do not need to settle that question here. What we do need to do here is to figure out whether it's a net-good thing for us to be doing now and moving forward.

We claim that the practice should be continued, but reduced, and we'll give you our reasons why.

Specifically, we believe that it should be continued (and even encouraged) when the recipients are kids. The author vividly remembers the excitement building up over several days as wrapped presents began to accumulate under the tree, and hitting its peak when we arose early on Christmas morning, knowing that we finally had license to open all our presents. We always had a fun and thrilling time opening our presents, and playing with them for months and years afterward. Our parents knew us very well, they always had a great knack for picking out things which we did not already have but definitely would enjoy, and they had the resources to buy them which we kids did not have at the time. Those memories are among the most precious in the author's life, as they are for many folks, and not for the Wide World would we ever consider depriving any child of those delightful experiences.

However, it becomes a different experience when we are talking about adult recipients. We have become so conditioned that we always need to be giving gifts every Christmas, and should always expect to receive them, that some of us close our eyes to the fact that we are often waging an unsuccessful campaign. For, after a certain point, many adults end up possessing -- either from previous gifts and/or by their own purchase -- all the toys and games and books and clothes and gadgets and other things which they could ever possibly need or want. After that point, either you are giving someone something which they already have, or else you are giving them something which they do not want.

This creates problems on a couple of levels. On the individual level, it creates mounds of annual stress as we try to figure out for each adult on our 'list' something which he definitely would want but for some reason does not already have. As the average age of your 'list' goes higher, and as your recipients accumulate more stuff, the objective becomes increasingly difficult, and the exercise becomes increasingly stressful. For some folks (including for the author), the stress level can get so high that it makes us hate the holiday, and even hate the entire time of year, because it means that oh crap we gotta deal with the chore of Christmas shopping all over again. Receiving unwanted gifts can be a stress source too, because first we must act as though as it's something that we've always wanted, and then we need to decide whether to allow the increased house clutter or else to deal with regifting. We know about the stress, and we complain about the stress, but we keep on doing the same thing, year after year!! It was only when the author finally announced to all friends and family some years back that he was withdrawing from participation in all further gift-exchanging that he finally began to enjoy Christmas again.

On the macro level, the practice of adult gift-exchanging encourages manufacturers to create products which are of little or no usefulness or value, and which recipients just throw away or stick in the back of a closet or a drawer somewhere, whereas we want such manufacturers to focus on making stuff that people can actively use and enjoy. While the occasional 'gag' gift might be cute, we generally want to buy only those items that the recipients would naturally be inclined to buy for themselves, given the opportunity. But, if we buy things that certain adults would want, then it's likely that they already have them, so we scrounge around looking for things which they might not buy for themselves, but then even when we find them there's a good chance that the recipients might not ever do anything with them. Making and buying gifts that the recipients would not be likely to buy tends (with some exceptions) to diminish the availability of goods that people will actually use and enjoy, making these items cost more than they really need to. It therefore is in our macroeconomic interest to diminish (if not eliminate) the practice of seasonal gift-exchanging when it comes to adult recipients.

Christmas can be really nice by getting together with family, going to church (for those who are into that sort of thing), enjoying a big meal or two, playing games, watching old movies, listening to cool music, and thinking about the significance of the event being celebrated (whatever month it actually happened in). There's plenty to do and enjoy in conjunction with the Holiday without making it a stress source by commanding ourselves to locate unique-but-desirable gifts for all our adult friends and relatives, so we suggest giving that a rest and seeing how it works out for you.

If anybody asks you why you are not giving X number of presents, as 'expected', then just tell them that you would rather focus on the meaning and value of the Holiday itself, than follow along with the rest of the sheep on some misplaced and stressful and economically-destructive tradition.

Question 684

Shall we allow/encourage the tradition of erecting and decorating Christmas trees?

This is another Pagan practice originally having nothing to do with Christmas, and we don't particularly care for the idea of killing more trees than we already are, especially when we are simply decorating them for a week or two and then throwing them away.

Christmas trees can also be a big fire hazard, especially when you wrap them up with electrical wiring, and also especially when they dry out and get discarded. Controlled burning of Christmas trees releases dangerous carbons back into the atmosphere.

Multiple historical sources available online discuss the back-and-forth feelings of the White House when it came to 'official' Christmas trees, as in the following:

White House Christmas trees fell out of favor around the turn of the 20th century. Conservationists denounced cutting down young trees in forests to make Christmas trees, calling it "arboreal infanticide." Some critics wrote President William McKinley in 1899 urging him to drop the White House "Christmas tree habit." McKinley did, except for a small tree in the kitchen for the maids.

The policy continued when President Theodore Roosevelt took office in 1901 after McKinley was assassinated. An ardent conservationist, Roosevelt banned cut Christmas trees in the White House.* [*https://www.washingtonpost.com/history/2018/11/27/think-melanias-red-forest-is-kooky-consider-christmas-tree-once-hidden-white-house-closet/?noredirect=on&utm_term=.52c95449ff3d]

Our group is siding with Teddy here, even though he got 'overruled' by subsequent Presidents who apparently saw the practice as politically useful even if environmentally irresponsible. We can decorate our homes (including the White House) for Christmas without killing any trees in the process.

It helps the cause somewhat to erect artificial trees which can be reused for several years. However, as long as people keep buying artificial Christmas trees, they will keep buying Christmas trees generally, and a lot of folks probably will continue to buy natural trees if only not to be forced into using artificial substitutes. Better for us all if we simply get away from Christmas trees entirely.

Of course we recall the story that we told in Answer 683 about the author's happy memory of wrapped presents piling up under the Christmas tree, and of course a part of us will be sad to see that Tradition go away, but the good news is that we can still continue the core traditions of Christmas lights (energy supply permitting) and non-electric decorations and family feasting and Christmas gifts for the kids, without messing with trees at all. If you really wish to have some fresh greenery in your home for Christmas, then maybe you can trim some holly branches or something similar from your yard, something which doesn't kill the core plant and which doesn't create that much of a fire hazard or an environmental pollution when discarded.

Question 685

Shall we continue to proactively teach children about the existence of Santa Claus, the Easter Bunny, the Great Pumpkin, and other such characters?

They confronted this issue in the classic film *Miracle On 34th Street*: Mother may judge it net-best for various reasons to keep her child focused on reality, but what if a certain character whom we thought was fictional turns out to be real? Even if that doesn't happen, it still can be healthy (up to a point, anyway) for both kids and adults to have fantasies, because it helps us to have fun in the 'Imagi Nation' which we can't always enjoy in our boring and pedestrian 'real life'.

It also can be a bad look for a parent (like the DA in the film) to affirmatively tell his child that Santa Claus currently exists, and then appear to have been a liar if the child once forms a different perception later on.

We solve both problems by advising parents to take a non-committal approach with respect to such ideals. Don't go out of your way to affirmatively tell your child that these different characters are real if you don't know it for sure yourself. If your child comes up to you at some point and asks you if any/all of these characters exist, then simply tell the actual truth as you know it, that you don't know for sure that they actually exist because you haven't met them, but that it's possible that they may exist anyway. In other words, you don't know, because in fact you don't know.

In sum, don't proactively teach your children about the existence of such characters, but also don't deny it if they hear about them from other sources.

Subsection III-H-3: Traffic

Thought that we'd never get here!! We've got lots to say in this Subsection, hoping that we remember it all.....

Question 685.9

Should we be addressing traffic improvement at all as part of this effort?

Funny thing about that. In the 1969 film *Gamera vs. Guiron* (at least in the English-language version which they satirized on 'Mystery Science Theater 3000'), the juvenile lead character Akio spoke repeatedly about his vision of an ideal society, in which there would be neither War nor Traffic Accidents. Everything else apparently occupied some much-lower level of priority in his mind, and we have had fun with that bit ever since.

We have already outlawed War in our model. Can we possibly consider our agenda to be complete if we do not heed the rest of Akio's message and obey it as well?

Actually, according to our research* [*See <https://www.imdb.com/title/tt0064360/> and <https://www.tvtropes.org/pmwiki/pmwiki.php/Film/GameraVsGuiron>], the dubbed version which we hear is a literal translation of a Japanese expression meaning 'urban chaos', so perhaps Akio was not really focused so much on automobile collisions after all.

In any case, whether the phrase in the 'MST3K' version was intended literally or not, Traffic has long been a problem in many modern cities (both in America and elsewhere), reducing productivity, increasing human stress, contributing to harmful atmospheric emissions, and draining our economic resources when vehicles need to be repaired/replaced and human injuries need to be mended. It is therefore an economic and environmental problem as well as a social one, and so is well within the ability of communities and ordinary individuals to fix, and also well within the scope of our group's Mission of offering suggestions to help fix any political, economic, or social problem.

Question 686

Who should have the primary authority of establishing speed limits?

It should be whoever owns and operates each roadway which has such a speed limit. If it is a U.S. Highway (such as 'Route 66'), then the U.S. Department of Transportation should decide it. If it is an Interstate highway (such as the 'I-10' or the 'I-80'), then the State should decide for any segment of the highway lying within its borders. If it is a State highway (such as California's 'SR 1', commonly known as

'Pacific Coast Highway' or 'PCH'), then the State should decide. If it is a County road, then the County should decide. For all other streets and highways, the County should decide, except for any segments lying within the borders of an incorporated City, for which segments the City should decide. There, did we leave out anything?

This is one of the best examples of the 'subsidiarity' principle described earlier, because the smallest jurisdiction is in the best position to determine the best speed limit, since they know most about local traffic patterns, road conditions, weather, etc. Higher levels of government generally should focus on higher-level issues.

This was a big issue during the 1970's, when the U.S. Federal Government responded to the so-called 'energy crisis' by mandating that no Federal or State or Local roadway in the country was allowed to have a speed limit any higher than 55mph. Lot of folks complained at that time, both on the specific grounds that a speed limit of 55mph is allegedly unsafe (see the 1976 film *The Gumball Rally* for documentation), and on the general grounds that the Fed allegedly had no business micromanaging regulations affecting only local jurisdictions.

Perhaps those Federal regulators genuinely thought that their harsh measures were saving fuel resources at a time when they supposedly were in short supply, or maybe they simply saw it as another opportunity to push the locals around some more. In any case, we hopefully have 'wised up' to some extent in the interim, because many speed limits are blessedly higher now, although the Fed still likes to micromanage a lot more than it really should.

If this should ever happen again, with any Federal agency trying to impose harsher local regulations than it is able to enforce with only its own resources, then we should no longer stand for it, and we should seek proactively to identify those offending regulators, and their bosses, and their bosses' bosses, and reach out with our free press and our social media and our legislative representatives to compel those officials to change their policies under penalty of losing their jobs.

If the fuels needed for our transportation ever become so limited that people become tempted to reduce maximum speed limits again (tough to imagine, with the U.S. still among the highest exporters of oil in the world* [*<https://oilprice.com/Energy/Energy-General/Citi-US-To-Become-Worlds-Top-Oil-Exporter.html>]), then we should allow free-market economics to fix the apparent problem. As prices for the scarce resources continue to rise, more people will need or elect to skip out on some of their traveling in order to save on fuel expense, so we will save fuel that way. Don't need to mutz around with the speed limits at the Federal level anymore. Leave it to the locals.

Question 686.5

Should streets and intersections surrounding a Federal building be policed by only Federal officers, or should Local police be allowed to deal with it?

We claim that any nearby streets are still part of the City (or should be), and that they therefore should be policed by City officials. We cannot realistically expect Federal personnel to be experts -- or even good apprentices -- when it comes to Municipal traffic control. That's not their skill set. That's not what we're paying them for.

Local police generally have the most experience when it comes to Municipal traffic control, and each specific Local police force knows the specific Local conditions of

topography, weather, traffic patterns, etc., so is in the best position to keep the Automotive Peace within any Federal governmental districts.

Besides, pursuits may start within a particular Federal district and then proceed into non-Federal territory, or a pursuit may begin outside and proceed into the Federal district, or it may pass through the Federal district and continue outside. In any such case, the fugitive is attempting escape his pursuers, or at least slow them down, by crossing Federal boundaries in hope of confusing everybody and/or requiring them to engage in complex intergovernmental negotiation, while precious minutes go by during which we might otherwise have apprehended the fugitive.

We cannot allow him to achieve this objective. We must allow Local police officers to have full peacekeeping authority anywhere within their City/County limits, even on land which is titled to and operated by some agency of the Federal government, including to continue and conclude any pursuit of Local fugitives.

Question 686.7

Should carpool lanes exist? If so, then should users be required to have two or more licensed drivers in the car, or is it sufficient to have two or more random individuals? If the former, then should there be an exemption for babies?

We feel that we do not need to deal with the specific sub-questions of who gets to travel legally in carpool lanes and under what conditions, because we are generally finding that we should get rid of them, except when the local population approves a particular carpool lane overwhelmingly.

First reason, they often simply concentrate traffic to fewer lanes than they encourage actual carpooling. Many users of carpool lanes would have had the qualifying number of passengers in the car anyway on those particular occasions, so there's little or no actual reduction of traffic volume resulting from those lanes being there.

Second reason, carpool lanes actually contribute to traffic delays, as a result of cars changing lanes to get into or out of them, requiring other drivers to brake while the greedy carpoolers cut over in front of them, whereas we might have gotten all that traffic off the road faster if we had allowed it to proceed more forward instead of laterally.* [*A prime example is the segment of the eastbound CA134 to the immediate east of the southbound I-5. The exit ramp from the 5 creates two new lanes on the left side of the 134, and then a new carpool lane immediately starts to the left of those. Several drivers from the preceding eastbound highway are eager to get into the new carpool lane, so they perpetually cross over in front of the two lanes of cars coming in from the 5, requiring them all to slow down or stop. This backs up traffic on the right-hand lanes of the southbound 5 for as much as two miles. Another good example is where the westbound 210 transitions to the northbound 210 in Pasadena CA, because the transition lanes are on the right, but many greedy carpoolers have been driving in the left-hand carpool lane for as long as they can, and then cut over several lanes of traffic in order to get to the northbound segment, whereas without the carpool lane they might have positioned themselves in the right-hand transition lanes much earlier. Even though fairly few cars do this, it is easily enough to block and back up the westbound traffic for several miles, and the traffic always clears up directly after that pesky interchange.] We generally should not be changing lanes any more often than we really need to, and especially should not be cutting off other drivers in the process any more than absolutely necessary. Carpool lanes therefore encourage good drivers to do bad things.

Third reason, when we're all stuck in traffic, and a loud truck or motorcycle whizzes past us in the carpool lane, the noise can freak us out, especially if we're in a convertible or have the windows down, but sometimes even if not. Of course, part of

that problem may also be that the whizzing vehicles are simply too loud, and if so then we also need to deal with that, but in any case let's please not set a special lane aside for loud vehicles to freak out any more innocent drivers than they already do.

We claim that it is not realistic to expect more than a small fraction of us to be both able and willing to go out of our way to conform our daily schedules to those of any other persons who happen to live and work in the same locations as we do. Not all of us can leave the house at the same time every day, some of us may not be able to leave our jobs at the same time, and many of us need or like to make other stops (sometimes long ones) on the way home. As a practical matter, many of us still need to drive solo on a frequent basis, and maybe on a regular basis, no matter how much you may wish us all to be carpooling wherever we go. It is more important therefore to allow us to use all available lanes, so that we can all move more freely and more quickly, and get off the road that much faster.

Question 687

To what extent should police, state troopers, etc., be allowed to break the very traffic laws which they are endeavoring to enforce?

We understand that all emergency vehicles sometimes need to drive fast and make a lot of noise and run red lights and do other things which we might ordinarily condemn on our streets and highways. We put up with it on an occasional basis in exchange for those services being available to each of us in case we ever need them.

However, if a particular emergency vehicle is not presently engaged in an emergency service, then we expect that its driver will obey all applicable traffic ordinances, same as everybody else. Multiple reasons why:

1) In general, it causes a great deal of stress to any society whenever its leaders and their uniformed enforcers are perceived (whether accurately or not) to be 'above the law', and free to do anything that they want without legal restriction. It is a fundamental principle of Answer 38 (or will be by the time that we get through with final packaging), at least for America if not for the whole World, that we do not wish to live in a perpetual condition of Terror, in which we fear our protectors at least as much as we fear all the lawbreakers who are not wearing uniforms.

2) In the specific case of traffic control, it would help the Police's supposed objective of legal obedience if they set a good example for the rest of us, and if they show us continually that yes you can drive a little or you can drive a lot, but in any case you still can and should obey all traffic regulations at all times. These should include staying within the posted speed limit, coming to a full stop behind any limit line, not crossing a red light, signaling when turning or changing lanes, and others.

3) In the even-more-specific case of velocity control on the highway, it defeats the purpose if the state troopers (or other equivalent) drive faster than the speed limit in order to 'catch up' to any ununiformed speeders who have probably already outrun them and gotten off the road. It would be far more effective if the state trooper (or equivalent) drove at the posted speed limit when not in active pursuit, acting as a 'pace car' to control the velocity of all drivers to the rear. If any driver then decides to drive significantly faster than the rest of the pack, then he will be clearly visible to the highway patroller, and an easy target for pursuit and apprehension.

Question 688

But, can police concentrate on driving legally and enforcing the laws at the same time?

Any officer who can't do both at the same time should be assigned to somebody else as a partner, and tasked with either the driving detail or the policing duties of watching for suspicious activity, handling the radio, etc., according to some combination of personal preference, skill set, and personnel availability.

If the issue is that the posted traffic signs are too obscure for the police to see clearly, then they should arrange through channels for them to be fixed, and in the meantime should cut the rest of us some slack for not being able to see them either.

Question 689

But, police drive all day, every day: Even with partners sharing the duties of actual policing, is it reasonable to expect drivers of police vehicles to pay attention to all traffic laws all the time?

Damn right. Lots of people drive all day, but they still are expected (with good reason) to follow all applicable traffic regulations. Driving a lot doesn't mean that you get to drive unsafely or discourteously.

Question 690

Can't police and state troopers find violators faster if they drive in excess of the speed limit?

This was covered as #3 in Answer 687. If all highway cruisers act as 'pace cars' when not in active pursuit, then nobody will ever pass them without running the risk of being spotted and stopped. If the cruisers are strategically assigned such that one passes through each stretch of road every few minutes, then no one will ever have the opportunity to become a long-distance speeder without being spotted and stopped by one of the 'pace cars', so we should be seeing fewer violations.

Question 691

Will police be able to see enough of the neighborhood if they drive within the speed limit, and remain stopped at every red light?

This was covered in the first paragraph of Answer 688, that they should split the driving and crimespotting details between partners wherever needed. It also references the second paragraph in a more general sense, that any conditions which the officers perceive as excessive for them should also be considered too excessive for others to be morally enforceable. In short, if they don't want to do it, then don't make us do it.

Question 692

Should police be required to obey all posted parking restrictions?

We can cut some slack here, provided that they are on official business at the time and not on a 'Code 7', and also provided that they get out of the way of any fire hydrant before the Fire Department gets there and needs to use it.

Question 693

What rules should we have in place for determining how to place lane arrows on freeway signs?

We claim that every lane which will get the driver where she wants to go should be marked with that destination and an arrow on at least one sign approaching the corresponding exit or interchange, so that we can minimize the number of lane changes (and resulting traffic backup) which will be required. Also, no lane which will not get the driver where she wants to go should be marked on a sign with an arrow as though it will, since it will result in a last-minute lane change, backing up traffic further. Any lane which will split into two separate roads should have two arrows pointing to it, so that the driver knows that she has the option.

We have observed numerous violations of these principles in different areas of the country* [*One example is on the transition from westbound CA 134 to northbound I-5. As of March 2019, two separate signs hanging over the two lanes of the upcoming transition each contained only two arrows, one for each lane. The arrow on the left says that traffic there will head toward Los Angeles, and the arrow on the right says that traffic there will head toward Sacramento. Anyone in the left lane wishing to head toward Sacramento therefore feels that she needs to merge into the other lane, but in fact she does not need to do so, because both lanes actually will get the driver to the Sacramento-bound highway. Signs should each have a third arrow pointing from the 'Sacramento' indicator to the left-hand lane, indicating that drivers in that lane can get to either highway segment from there without merging any further.], so all highway owners should check their signs for accurate routing, and drivers should report violations to the highway owners as applicable for remediation.

Question 693.2

Is our recent American trend in favor of SUV's and other large cars a net-problem or a net-solution?

Large cars are a solution for individuals and families and social groups and businesses needing to carry numerous passengers or large quantities of equipment/merchandise or both. By getting more people or 'stuff' into their cars, they can often save having to use more cars or make multiple trips, so that cuts down on our aggregate traffic volume.

However, we are also seeing a few problems with the trend.

First problem relates to the actual traffic itself, and that is the fact that larger cars increase the risk of collisions, both on the streets and highways and in our parking lots. Our streets and highway lanes and parking spaces were all measured and built on the assumption that the average car using them was going to be much smaller in size than our current average. It is harder to see through and around larger cars, both on the highway and when we are attempting to pull safely out of a parking lot with a large parked car blocking our view of oncoming street traffic. It is also harder to squeeze into and out of spaces in parking lots when extra-large vehicles are parked over their limit lines. Some areas of the country may be able to increase the width of their roads and the size of their parking lots in order to allow for larger vehicles, but many of our denser cities have already allocated as much space for driving and parking as they practically can, so it would make things much easier and safer if at least the drivers in those places went back to driving smaller cars.

Second problem is part Traffic and part Social. We occasionally observe that the driver of an exceptionally-large vehicle apparently feels a level of 'entitlement' to drive extra-fast and extra-unsafely and extra-discourteously. One example is the guy who is so impatient to get to his destination thirty seconds faster that he weaves rapidly through any spaces in the highway that he can either find or create, changing lanes an excessive number of times, and cutting very closely in front of smaller cars without signaling. He apparently feels (with good reason) that all other cars will not wish to risk collision with his larger vehicle, so he leaves it up to them to slow down or stop as needed. Even if a collision does happen, the smaller car will get the brunt or entirety of the damage, so the driver of the large vehicle doesn't care, and he just plows through all resistance like Patton's Third Army. Not only does this driving style increase the risk of collision and cause other traffic to back up and stop in order to make way for the Jerk, but it is also a Social problem, because it exemplifies and highlights the idea of whoever is bigger and stronger and more reckless and less considerate getting whatever they want, at the expense of everybody who is smaller and nicer. Go have that kind of society somewhere else if you want to, but leave the rest of us who believe in Peace and Courtesy and Egalitarianism to have all equal access to our driving lanes, and to get where we're going with a minimum of stress.

Third problem is one of Resource Management, so it has an Economic implication. Larger cars take up more steel and rubber and other resources than smaller cars do, and they also tend to burn gasoline faster. If we really want to be serious about solving all of our country's problems, then one of them has to be the fact that many of our American brethren don't even have homes to live in. When we put fewer resources into extravagances (for, some people who drive these larger cars apparently don't actually need them for any practical purpose, but instead do it only for show and/or for the feeling of being wealthier and superior), we are able to devote more resources where they are needed the most. In this example, trending back to smaller cars might allow us to build more homes and more cars and more appliances that can improve the quality of life for millions of Americans (if not also in the rest of the World), and everything (including gasoline) might be less expensive for everybody.

Fourth problem has Political overtones, and that is the perception which other countries have of us because of our obsession with exceptionally-large cars, and more generally with our perceived overuse of all our economic resources. Some folks may not care too much about what any foreigners think of us, but we claim that they should. If you know anyone like that, then maybe you might consider helping to 'clear him up': When any foreign governments dislike us for what they perceive as our greediness and wastefulness, and our throwing our shoulders and elbows around to get whatever we want, then they are much less likely to trade with us, they are much more likely to want to attack us militarily (for the duration of time that the World still foolishly chooses to allow War), and they will be less inclined to allow us to have any influence over any international policy. When any foreign individuals dislike us for the same reasons, they will boo and hiss whenever we appear in any international athletic competitions, they will capture our embassies and hold our citizens as hostages, and they will commit numerous other acts of terrorism against us and our few remaining international friends.

Some folks say that they want to "Make America Great Again", but a big hangup about that slogan is that different people mean 'Great' in different ways. For some, it means that America can once again be a leader on the international stage, showing by ongoing example how people can effectively use Democracy and Capitalism to

build happy and healthy and sustainable societies. For others, it simply means that we have bigger cars than everyone else.

We claim that we cannot achieve both of these objectives at the same time. If we want to appear less of a 'Great Satan' in the eyes of the rest of the world, if we want to reduce (and possibly eliminate) the motivation of other individuals and groups to commit acts of terror against us, and if we want other nations to respect us and do whatever we suggest and request of them, then we must be good leaders, which means (among other things) being good stewards of our economic resources, using only what we need to maintain a modestly happy and comfortable lifestyle but not living to excess.

In sum, we understand that some Americans actually need larger cars for different reasons, and we expect that the States which register them may (and probably will) want to assess larger registration fees to help offset the extra resources which they take up and the extra stresses which they impose upon other drivers and the higher risks of collision and economic damage. However, for everyone who doesn't really need a larger vehicle, but who either drives one now or aspires to do so, we are politely asking you to reconsider your priorities. We can improve traffic conditions, increase safety and the quality of life for our fellow citizens, and restore America to its former position of moral prominence on the international stage, if we cut back on our SUV's and other large vehicles wherever and whenever we practically can.

Question 693.3

What can we do about drivers who violate traffic rules directly in front of us, other than yell at them and flip them off?

Maybe the yelling and the flipping-off makes you feel better, and maybe it doesn't. In any case, the problem is still happening, so we need a more effective approach.

Honking is a temptation, and maybe needs to happen on the rare occasion that somebody is on a collision course with you for not knowing that you are there, or for some other acute emergency. Other than those rare exceptions when it is needed for safety (which is why we can't outlaw it), honking as a means of simply expressing disapproval of someone else's driving generally is to be discouraged, because it can freak out nearby drivers who are not in any way involved with the violation.

We understand that some drivers on at least some occasions like to flash their bright lights so that they shine into the mirrors of the driver ahead, if he is driving too slowly or recently changed lanes without signaling. That tactic is not as dangerous as the honking, because it does not impact the drivers on either side of you. However, there still can be a safety issue for the driver who is being flashed, so that should be considered, and for that reason some jurisdictions may treat the practice as illegal (even though in committing a smaller sin the rear driver may be attempting to prevent a larger sin). We therefore are not encouraging the practice. If you feel that you must do so in a given instance, though, at least make sure (1) that there is no oncoming traffic which can get blinded by your unreflected bright lights, and (2) that no vehicles (especially trucks) are in either of the neighboring lanes between you and the offending driver and can thus get confused by your signal.

The longer-term solution is that we need a way to record and report these occurrences, so that local law-enforcement agencies can take the appropriate

actions. Only then will poor drivers begin to drive more safely, if not out of courtesy then at least out of fear.

Specifically, we envision that some clever person or group will someday (hopefully soon) develop a front-end camera which eventually can be standard equipment on all newer vehicles. The camera will keep a record of the recent trip, including data on every frame of the date and time and location and direction. Resolution should be high enough to capture license plates in motion. Like the security camera at a bank or convenience store, the footage can be erased to free up storage if nothing interesting happened on the trip. If something interesting did happen, then there should be some technology available which can 'clip out' the applicable footage and discard the rest. The clip can then be reported to local police agencies for action.

What exactly happens with the footage after that may need to be debated further by the lawyers, partly because one single clip recorded by a civilian driver may not be considered sufficiently compelling evidence for prosecution. Even if it is, the rule of allowing defendants to confront and cross-examine their accusers may require the other driver to appear in court to certify that she witnessed the violation and recorded the footage, and for multiple reasons some folks may prefer not to deal with any of that. Also, we may be violating our previous standard that only marked police vehicles get to cite people for traffic violations.

What may need to happen, then, is that prosecution can proceed only if enough drivers report violations against the same perpetrator separately. The resulting pattern should be enough to persuade the attorneys of the poor driver not to seek trial (for, under our Section I-F, guilty people who seek trials and lose should be subject to additional penalty for wasting our public resources), so the recording drivers would probably not need to appear in court. Even if they do, then there should be enough 'safety in numbers' that they would not need to fear reprisals.

Or, even if the lawyers find that no combination of civilian recordings can be sufficient to enable a criminal prosecution, perhaps they can be permitted to come into play when assessing penalties for bad drivers who are actually caught by the police. If it can be shown that this bad driver did not only this one bad thing but a whole string of bad things, we might nominally keep the focus of the prosecution on this one bad thing which the police caught, but yet assess a stiffer penalty so that we can more easily capture the bad driver's attention.

This step can be made easier if we also have our local police issue warnings whenever they receive these clips of poor driving. If the drivers once become aware that people are ratting on them to local law enforcement, then they might get 'scared straight' even with no actual criminal prosecutions ever happening. If they continue their bad behavior even after the official warnings, then penalties for future transgressions can be expanded when they are actually caught by the police and prosecuted by the legal system.

Question 693.4

What can we do to mitigate noise pollution from motorcycles in quiet neighborhoods?

If you're going to live in a quiet neighborhood, then it stands to reason that we should expect you to be quiet also. That's part of the compact, quiet people want to live together in quiet neighborhoods, and those who like noise (or at least are not bothered by it) can congregate elsewhere.

We therefore should not be tolerating loud motorcycles driving through quiet neighborhoods, especially on a regular basis. They should have quieter vehicles, or else they should move to other sections of town. No one gets to be a Jerk.

Cities and towns perceiving this to be a problem should set up pages on their local civic websites, where residents can register complaints confidentially, including the date and time of each offense. If the noise really is bad enough to warrant correction, then enough complaints will have been generated along a certain path of travel within a particular time window to be able to identify the likely culprit. When enough such violations have occurred, a warning notice can be sent to the perp's home, and actual disciplinary measures can be taken if the offenses continue.

Question 693.5

What can we do to mitigate noise pollution from motorcycles on highways?

Even if/when we get rid of carpool lanes as recommended in Answer 686.7, and even if we enable the front-end cameras to record traffic violations as recommended in Answer 693.3, and even if/when we get loud vehicles out of the quiet neighborhoods as recommended in Answer 693.4, we still can have the problem of loud motorcycles freaking out innocent drivers on regular streets and highways.

We have heard it argued that it improves safety for motorcycles to be loud, because the car drivers know that they're coming and can plan their lives around them. However, our individual experience has been that we often cannot hear the motorcycle until it is right up next to us, where it suddenly becomes so loud that we freak out, in which case our sudden uncontrolled movement (including possibly from a heart attack) can actually endanger the motorcyclist even more.

Because the motorcycles can ride between traffic lanes, they do not require carpool lanes in order to freak people out. The front-end cameras which we propose might not be able to capture everything happening in neighboring lanes, especially if a motorcycle is whizzing by too fast for his license plate to be clearly visible in even one single frame of video. Some folks in quiet neighborhoods can be persuaded to quiet their vehicles or switch to quieter vehicles, but some may prefer to move to noisier places, or they may have remained there all along. The problem therefore can still remain on our regular streets and highways, so the Question is still relevant.

Unfortunately, their agility often/usually prevents them from being identified, so we probably cannot realistically expect to 'catch them in the act' very often or at all. If we require some noise test periodically when the vehicle is being reregistered, then a truly jerky owner will strip off whatever parts are making the extra noise until the test is over, and then reinstall them.

We therefore offer two suggestions here: First is that we are hereby asking very nicely for the drivers of all loud motorcycles (or all loud vehicles, actually) to voluntarily quiet their vehicles down somehow, or at least to be courteous when driving near other vehicles and not drive hugely faster so as to freak them out. In offering this suggestion, though, we are painfully aware that anybody who is truly jerky is probably not going to be reading this document at all, let alone responding to any of our calls for courtesy. We do point out that keeping our fellow citizens in good mental health will make this a happier and more productive society for all of us,

and that being excessively loud and freaky will work against our mutual societal interests, and maybe this will help, but it also may not.

Second suggestion is a combination of our A693.3 and A693.4 approaches. Even though we may not be able to record the license plate with our front-end cameras of motorcycles whizzing by us in a neighboring lane or between lanes, we can still at least record that something whizzed by, and we have the date and time and location and direction from our front-end cameras. If we later report that clip on the local webpage for that community, and if others report it too, we might be able to establish a complete path of travel for the offending vehicle, and in that manner might be able to identify the possible violator at least with enough confidence to allow the issuance of a warning, which may at least help the problem.

Question 694

To what extent should we allow/encourage speed bumps in streets and parking lots?

The actual decision may rest with the owners of the parking lots, and some majority (would settle for 2/3, but would be happier with 3/4) of residents on a given block. However, as a philosophical matter, we claim that the practice should be discouraged wherever possible, on the grounds that it's really bad for those cars who must travel on those paths: It's bad for brakes, shocks, engine (stopping and starting), transmission, gas mileage, emission control, driver/passenger comfort, etc. Many cars can also suffer scraping damage to car bodies and low-lying mechanical parts.

If you must reduce usage or speed, then you can accomplish your objective more safely by installing a cobblestone (or other uneven) surface, with the same notice that you would give to speed bumps. Drivers will avoid the passages if they practically can, but those who must drive them will do so both slowly and evenly.

Question 694.1

What else can Governments do to improve traffic conditions in our communities?

In no particular order:

a) As previously mentioned, Counties (like L.A.) with big traffic problems should maintain an office which exchanges commuters working similar jobs in each other's locations, so that the same amount of the same work is being done with less overall travel. Workers interested in participating in that pool should be able to register on a corresponding page within the County's website, indicating their origins and current destinations. Longest commutes should get the highest priorities.

b) Consider erecting some relatively-safe hazards on all 'gore points' and lane divisions and other barriers which currently are only marked with solid-white painted lines. The solid-white lines as opposed to dotted is generally intended (with some possible local variation) to indicate that the driver should never be crossing that line except in emergency. The author got ticketed for it twice. However, it still happens, and contributes to the slowdowns and unfairnesses of our current traffic environment. Select a few samples around town, and cover the painted lines (or even the entire 'gore points') with some raised and rough surfaces, or maybe a group of those orange plastic barriers, or maybe a sensor with camera sending a warning photo to the driver's home. Each such instance not only will cut down the offenses in that specific location, but also will serve as a warning that other such

locations will need to be similarly treated if the violations continue, so hopefully the violations will also decrease elsewhere, and further treatments will not be needed.

c) If you are not already doing so, then please consider establishing stricter requirements and stiffer fees/penalties for larger passenger vehicles, according to either height or width or length or weight or some combination. For, the current price structure and increased gasoline expense do not seem to be combining satisfactorily to mitigate our current excesses in size. The only folks who should be driving those collision-risky and resource-consumptive vehicles are those who actually need them enough that they are willing to pay extra for the privilege.

d) Post signs at all points of street/highway entry, announcing any traffic rules which are different in your jurisdiction than they are in the jurisdiction which the driver just came from.

e) Use amber-alert signs for more specific messages than platitudes such as 'buzzed driving is drunk driving' (which, by the way, is not nearly accurate, as we imagine that anyone who has actually done both can attest). One good candidate is "PLEASE SIGNAL WHEN YOU CHANGE LANES", works on either two or three lines, and sends an important message which apparently has not been getting broadcast enough. Any such sign (including the good ones for buckling up) should not just scare people with "it's the law", especially because that language actually turns some people on to do whatever you're prohibiting (we call it the 'Keep Off The Grass' syndrome), but instead should emphasize that it's "FOR YOUR SAFETY" or otherwise a good idea.

f) Insofar as some jerky drivers continue to change lanes without signaling, please prosecute offenders more frequently than you're currently doing. We still are seeing some violators do so directly in front of law-enforcement personnel who do nothing about it. Even if you don't issue an actual citation (because maybe you are judging that the violation was not serious enough to warrant all that paperwork and a court appearance and everything), the mere fact that you have stopped someone for a warning might 'scare him straight', and if not then the mere inconvenience of getting stopped might encourage the jerk to straighten up if only to avoid repetition.

g) Please don't reduce the number of lanes on any outbound highway until the traffic volume has actually reduced to where it can still proceed at full speed. Some of our biggest traffic slowdowns come from more lanes trying to squeeze into fewer lanes as we approach the outskirts of our urban areas. (One nasty example is where the I-15 reduces from three lanes to two lanes on the way from Las Vegas back to L.A.) Some particular spots may not allow any more lanes than they already have, but if space allows then please undertake the investment to increase your artery width, so that the blood can flow more freely, and you will be healthier overall.

h) If you have sensors embedded under the streets at certain intersections, such that the lights for those lanes turn green faster (or only) when a sufficiently-heavy car is waiting there, then those sensors should not extend past the limit line, because we want to encourage cars to remaining in their proper places. Also, they should be extended as much as 1½ car lengths behind the limit line, so that cars which stagger their positions at the intersection in order to avoid anyone being tempted to 'drag' (see Answer 694.2g below) will still be able to trip the light-changing mechanism even when they voluntarily take the second position.

i) If you are not already doing so, then set up a network of sensors which can capture the speed of each passing vehicle, and a computer program which can

calculate the average speed at each sensor point over a given hour or day or year. Plot on a map those spots where the average speed is higher than the posted limit to the greatest degree, so that you can either increase the limit or look for ways to reduce speed or some combination. More importantly, find the spots where the average speed is lower than the posted limit to the greatest degree, so that you can figure ways to improve those average speeds, whether by better signage or elimination of carpool lanes or more outbound lanes or something else or some combination.

j) Wherever possible, entry lanes should not point directly into the right-hand lane of highway traffic. Reason is because that requires drivers in both lanes to slow down and 'zipper' with each other in order to squeeze the two lanes of traffic into one, which slows traffic for well before the entry point, and often also for the other nearby lanes. Better where possible for the entry lanes to point to a separate 'collector lane' which runs to the next exit ramp, so that entering drivers have a longer space to find a spot to squeeze in without requiring other drivers to slow down much or at all. Even if they fail, worst that can happen is that they come off on the next exit, but there usually is another entrance nearby, so they can try again with little fuss.

k) If two lanes ever need to combine into one, then please make sure that there is plenty of signage to provide warning. The author remembers one interchange in New Orleans where lanes combined without warning, and it was very freaky.

Question 694.2

What else can Drivers do to improve traffic conditions in our communities?

In no particular order:

a) Don't pass on the right. Most traffic on American roadways enters and exits on the right-hand side, so traffic is generally slowest on that side of the road. The lanes on the left, farther removed from the points of entry and exit, are usually considered the 'fast lanes' for those drivers who are traveling farther and therefore do not need to worry so much about any vehicles which are entering or exiting the highway at any point. It is therefore normal and expected that any drivers who wish to pass us will do so on the faster side, that is, on the left. Trouble is, some sneaky drivers choose (whether from ignorance or malevolence) to pass people on the right. Drivers do not expect people to pass them on the right, and (depending on the geometry of their vehicles) there may be a 'blind spot' over there to make it harder for them to see any oncoming traffic. While of course we try to stay aware at all moments of what is happening around us in all directions, as a practical matter we can't always see everything, especially in our 'blind spots', so we often need to focus our attention on where people are more likely to pass us. Thus, when a vehicle is ready to merge to the right, and especially if it needs to do so suddenly in response to some other hazard, the risk of collision increases whenever somebody tries to pass on the right. OK as an exception if the vehicles on your left are either stopped or else traveling slowly enough that they are not a threat to enter your lane. In all other cases, please either accept the 'pace' of the vehicle which is ahead of you and on your left and limit your speed to that pace, or move an additional lane to your right if available and then proceed normally, or else get around that driver and pass her on her left.

b) Stop at the limit line. Some jurisdictions will paint two lines for a crosswalk, and then a partial third line on the side of the street where drivers will be approaching.

That partial third line is known as the 'limit line', and all vehicles are requested or required to stop completely behind that line before crossing the intersection. This is done as a matter of safety, to provide pedestrians with an extra cushion of space, so that if a driver goes over a little bit then there still is sufficient room. Trouble is, many drivers 'fudge' when no pedestrians are immediately visible, and either don't stop at all or else stop with some portion of their vehicle having already crossed over the 'limit line'. Some of those drivers apparently get into that habit, because we observe the same happening when pedestrians actually are present. Therefore recommending that all drivers who have not already done so should train themselves to stop completely behind every limit line, whether any pedestrians are in view or not. Make it a game, where you win only if you follow all the rules.

c) Leave 'big open spaces'. We still are seeing some drivers drive too closely to the vehicles in front of them, and sometimes even accelerate when the car in front is clearly braking. Not only does this tactic increase the risk of collisions, but it can also freak out any passengers whom you may be carrying, as well as the drivers in front of you. We have heard of the 'two-second rule' and the 'three-second rule' for assessing whether you are too close to the car in front, but we advise a 'five-second rule' for increased safety and peace. Also applies laterally, don't drive directly alongside any vehicle in a neighboring lane, or merge when any car is approaching from two lanes over. Always leave plenty of 'big open space' everywhere, and then traffic accidents won't ever happen.

d) Please signal when you change lanes. As we referenced in Answer 694.1e, it causes problems when people change lanes without signaling. For one thing, nearby drivers don't always know whether you are actually intending the change or whether you are simply falling asleep. For another thing, if you are intending the change then that means that you are an inconsiderate jerk who clearly doesn't care about the feelings of your fellow drivers. If you are that dangerous and inconsiderate now, then you may be even more dangerous and inconsiderate as we continue down the road together, and we will experience tremendous amounts of debilitating stress wondering what horrifying stunt you're going to pull next. Besides, it's not as though you are completely entitled to your new lane, so a signal is your way of asking permission to cut in front of other drivers, and saying 'thank you' when they agree to let you in.

e) Don't change lanes unless you really need to. One thing that's funny about sitting in traffic jams is watching some of the cars ahead of you jockey for position by changing lanes repeatedly, even though they often achieve little advancement of territory as a result, and sometimes even lose. Trouble is, whether the attempts are successful or not, and whether the drivers signal their lane changes or not, each change of lanes causes other cars to slow further or stop in order to make room for you. Now, you may not care much (or at all) about their feelings or schedule issues, although we would prefer it if everybody cared at least a little bit about everybody else. In any case, though, the repeated lane changes are contributing to the overall slowness of traffic, and it's likely that one of the reasons why you're stuck in traffic now is because somebody else was being a jerk somewhere in front of you. If we all agree as a perpetual compact that we will change lanes only when we need to, and hopefully when we are not causing others to slow down or stop as a result, then we will have a Culture of Cooperation, and our overall traffic problems will go way down.

f) If two or more lanes are turning into some other street, then please start your turn in whichever lane you will need to be for turning somewhere else afterward. We often see people turning from the far-left lane, and then merging into the second

lane after they complete their turn, and then merging again or turning to the right directly after that. They should have turned from the second lane to start with, so that -- as suggested in the previous paragraph -- they could minimize their merges.

g) Following our general note in paragraph (c) about leaving 'big open space' everywhere, we should consider staggering our positions when we are stopped at a red light. When there are two or more lanes on your street, some drivers tend to creep all the way up to the limit line, regardless of what other drivers in other lanes are doing. If everybody does that, then the 'limit line' turns into a 'starting line', and then the cars drag out as soon as the green light hits, trying to see who can get position on the other. We don't need that. We don't need a drag race on every red light. We don't need that competition. It's much more important that we all get where we're going with a minimum of risk and stress. When you are the first one approaching a red light, come to your stop a half-length behind the limit line, and allow anyone to proceed all the way up to the limit line who comes along in a neighboring lane after you. That way, all the cars lining up behind the two of you will be clearly staggered, with each one knowing who has 'position' on who else, and there is no cutthroat competition to 'beat' anyone else to the next intersection. Keep windows up while waiting with one or more nearby vehicles at a red light, so that you do not breathe their toxic exhaust fumes, or their toxic tobacco smoke while it is still legally permitted within a given locality.

h) Don't cross a solid-white line, either between lanes or at a 'gore point'. You may change lanes (after signaling, of course) where the lane dividers are dotted, but solid lines have been placed there by folks who figured out or learned from experience that it is either dangerous or discourteous or both to drive at those spots. If we suspect that they blew it in their line placement, then let's apply through channels to have the lines redone. In the meantime, let's all please observe and obey the lines as they currently exist, if only because other drivers are doing so, and we should all be fair and play by the same rules, but also because it increases the risk of collision whenever anybody does anything unexpected or illegal on the roadway.

i) If local ordinances require you to come to a full stop at any posted stop sign, then please do so, whether any cops are around or not, and whether any pedestrians or other drivers are around or not. All the way, all the time. If you allow yourself to get into the habit of 'rolling' through a stop sign, then you can create a hazard when you when pedestrians or other drivers are around whom you don't happen to be able to see at the moment. It also can freak those other people out, which is not only discourteous to them but disruptive to our entire society. In addition, when multiple cars are approaching an intersection from different directions, it is easier to tell who gets to cross the intersection first by seeing who arrived at the intersection first, and you can tell that more easily if everybody comes to a complete stop when they arrive, such that whoever stops first goes first, but it gets much fuzzier and more dangerous when anyone 'rolls' through without ever completely stopping.

j) If you are turning right out of a parking lot or side street, then please do not commence your turn until all approaching drivers have completely passed you. When you start to 'roll' through while another driver is still approaching, then the other driver doesn't know if you see her or not, so for safety she must apply her brakes, and maybe other cars behind her need to do so as well. Bad scene. You are not gaining that many more microseconds by begin to 'roll' through a turn while other cars are still approaching, and you are easily causing more problems than you're solving, so please just don't do it. Patience, grasshopper.

k) When you do need to change lanes, and even when you are signaling, and even if the lane change is actually necessary and productive, please allow existing traffic to go by first if at all possible. They were in that lane first, so they have first dibs on it, and ideally you should enter that lane only when space is available without blocking other drivers. We understand that it must happen sometimes that we need to block others in order to get where we're going, but to the extent that we practically can let's all please try to wait our turns, and not change lanes until it's clear. This applies especially when a large truck is approaching, because with his higher momentum (which increases according to the larger mass that he is carrying) he can't always slow down and stop for you as easily as a regular car can, so either he must plow through you or else he must try to swerve around you, which can cause collisions with other cars, and which can cause the truck to spin out and collapse, blocking traffic for miles, and further decreasing our collective productivity and increasing our collective stress. Wait for your turn, go when it's clear.

l) When you need to change more than one lane at a time, please try not to do so in a single motion. Better to focus on each change, signal, make sure that lane is free of existing traffic, execute your change clearly and definitely, line up in the new lane, and turn off your signal. Then, after a few seconds of making sure that the environment has restabilized following your movement, go through the process again if all the conditions continue to be favorable. Too often we see folks change two or three or four lanes in a single motion, and it can be a huge problem even when they signal, because now the entire highway has to slow down and stop instead of just one lane at a time.

m) When you do need to pass someone on the left, pass definitely. Too often we see people passing us or other people slowly on the left, and for that duration of time the risk of collision is still high, because somebody blows a tire, or they run over an object or a slippery spot on the road, somebody loses concentration and veers out of lane, a third driver causes a collision from another side, etc. Part of leaving 'big open space' is to reduce the amount of time that you are nearby a car which you are passing. Don't pass so fast that you freak out the other driver, but pass definitely.

n) As other folks have been saying for quite a while now, please reduce your cellphone usage and other distractions while driving, especially any actions which require either of your hands to be off the steering wheel for more than a quick moment of time. Your main focus should be on your driving, from the moment that you leave until the moment that you arrive. Any communications or other actions which want to happen in the interim must be done with minimal distraction, or else must wait until the car is safely stopped.

o) Be extra-slow and extra-careful when it's raining.

p) If you have a large and/or complicated take-out order, please do the rest of us a favor, and walk into the establishment to place it in person. The 'drive-thru' lane was set up specifically as an 'express' lane for those of us who want to get in and out quickly, and who therefore are able to do so. Anyone who is sitting in the drive-thru lane when they know that they have a large and/or complicated order is abusing the privilege in our opinion. The cutoff amount for an order being considered too 'large' for drive-thru will need to change over time, until our currency reaches a stable level, as suggested in Answer 368, so for the present we shall need to rely on the 'honor system': If you know that you have a relatively large and/or relatively complicated order, please just do us the courtesy of staying out of the drive-thru.

q) If you need to merge within a highway of three or more lanes, you should make sure that no traffic is oncoming not only in your destination lane, but also in the lane on the other side. One reason is because an oncoming driver from two lanes over may also be seeking to merge into your destination lane, and maybe is not planning to signal (having not yet read this document), so you still could be merging directly into a collision. Even if the other driver is planning to remain on the other side of your destination lane, your suddenly merging over in his direction could freak him out, even if you are signaling your merge as requested, because for all that he knows you might not have read this document and therefore may be intending to merge two lanes over at once. It all comes down to leaving Big Open Space.

In sum, we all must share this narrow road, so it is in all our interests to tone down our normal aggressive tendencies, and to cooperate such that we all get where we're going with a minimum of risk and stress. That means leaving big open spaces everywhere, not ever driving in an unexpected place or manner, and communicating with all nearby drivers so that we all know what we're all doing at all times.

Question 694.3

What else can Pedestrians do to improve traffic conditions in our communities?

In no particular order:

a) Don't stand on or near the curb while waiting for a green light. If you are too close to the curb while I am turning, then there is a risk that you might slip and fall into the intersection, or accidentally get pushed from behind if the intersection is crowded. Even if you don't actually fall in, your being that close freaks me out as a driver, and so I need to proceed much more slowly than I otherwise would need to. Even if you don't care about other people's feelings, causing any amount of stress to anyone causes stress to the entire society, reduces our production, and generally makes us unhealthier. Help us out, please, give us a little room away from the curb.

b) Get out of the way of emergency vehicles. Seems trivially obvious, but the author personally observed a pedestrian creeping very slowly through a crosswalk while an emergency vehicle was standing still in the intersection with sirens and lights blaring.

c) Don't linger on the street side of a parked car. Maybe you're getting out of the car, maybe you're getting in, maybe you are retrieving something from the car, or putting something away. Whatever you are doing, though, do it from the passenger side if possible, and if not possible then wait until existing street traffic has gone by, and then proceed with your action quickly before any more cars come.

In sum, just because you have the 'right of way' as a pedestrian, doesn't mean that you also have the 'right to be a jerk'. We still need a measure of cooperation from you so that our entire traffic (cars and walkers and all) can get where we're going with a minimum of risk and fuss. If you don't care about people's feelings, then at least cooperate as a practical matter of keeping your society in smooth operation.

Subsection III-H-4: Entertainment & Advertising

Subsubsection III-H-4-a: Film

Question 695

Should screenwriters be locked into constructing their scripts on a page-per-minute basis?

The author admits to some bias here, because years ago he tried to push his screenplays in 'shooting script' format, with numerous specifications included as to editing and camera length and set design and other details which typically do not appear in scripts which are still being shopped for production. Everyone who looked at those versions told me that I needed to condense them to one page per minute of projected running time. I played along because I had to, but I didn't like it, because I felt (with additional bias) that my visual treatments of the stories were a big part of the appeal of the scripts, and that we would lose a lot of that appeal if we stripped it down to just bare dialogue and only the briefest summaries of any action sequences.

Made myself a note then that we should think about this whole business some more when we got around to completing this present Project, so here we are. With some years of removal from those experiences, perhaps we can be bit a more objective.

From the imagined perspective of the people who are tasked with considering these scripts for approval, we can see the utility of expecting each script to contain a number of pages equal to the projected film length in minutes. First reason why is that being handed the script tells you instantly how heavy the production is likely to be. Second reason is that you can get a sense of where the key 'plot points' are occurring in the story as scripted, to compare with where they usually occur in the current standard model. (These include that the first plot point starting the second act usually occurs 25 minutes into the film, and that the 'technical climax' defining the arc of the central character usually occurs at the halfway point.) If the writer includes a lot of detailed descriptions of scenery along with the text and main action, then the readers don't get as good a sense of the flow of the proposed film. Besides, a lot of those scenic details might not make it into the finished film, anyhow. For the readers and all other folks who are considering a screenplay for production, the minute-per-page model generally works better.

Question 696

And, what about the director's need to create his/her vision?

We are all too aware that many directors consider themselves to be the 'filmmakers', even though other people often do most or all of the writing and producing. They therefore often feel that it is their right, if not their duty, to give their own visual design to the film, and that the writer's influence should be limited to dialogue and main action. This is where we have a bit of a quibble. The directors often speak about their 'vision' of the film, but the fact is that the writers often visualize the film before the director is ever attached to the project. We see camera lengths and angles, we see blocking for the actors, we see the editing of the individual shots, we see sets and costumes and hair and makeup and all the other visual elements of the film. The film is playing in our heads, and we seek to convert that moving mental image into a physical film, so that other folks can enjoy the same experience that the screenwriter sees.

If we had the technical knowledge to convert our mental vision into a piece of film, then we would do it ourselves, but as it is we need a director who has that knowledge and experience to manage the conversion process for us.

However, as we discussed in Answer 695, studios often dismiss from consideration any script containing so much descriptive detail that the totality ends up with more pages than the finished film would have minutes.

And, even if we included the detailed descriptions in a script 'addendum' or in a separate 'shooting script', the studios will often tend to ignore such input, and go instead with whatever visual designs the director and other creative personnel come up with. Again, they typically view the writer's job as being limited to coming up with the dialogue and the main action elements, and then they're often not even allowed on the set, lest they interfere with the director's authority and creative process.

Even if the studios could be persuaded to adopt more of the writer's stated vision, having those extra specifications established in advance could turn off many directors from having anything to do with the project. If they are to be directing at all, then they must direct completely, and keep the writer away from me at all times.

In order for the project to move forward, with a sufficiently talented-or-otherwise-famous director attached that the studio will be willing to bankroll the project, we probably must require the writer to limit her visualization to whatever she can manage to squeeze into one page per minute of finished film. Any descriptive element which is so fundamental that it makes that cut probably will make it into the finished film, even with someone other than the writer directing. Any additional descriptions probably are going to get ignored, and so should be left out of the script in the interests of expediency.

Phooey, the author was personally hoping for a change here, but behold we can't get everything that we personally want, so on to the next thing.....

Question 697

Considering the above, should screenwriters have any greater participation in the production process?

The notes which we entered long ago into our 'black book' of preliminary ideas were composed shortly after the author hit some snags in his script-marketing efforts, and naturally reflected his bitterness over those experiences. They include that many films wouldn't exist without a writer creating the script first, that the writer should be allowed to specify as many scenic details as she likes, that the director should either obey all the writer's specifications or else make a case (while the writer is on the set) for why some of them should be changed, and that any directors who don't feel like playing by those rules can go out and write their own damn scripts.

However, upon years of reflection, and after considering the points made in Answers 695 and 696, we must regretfully acknowledge that Hollywood probably isn't ready to make that kind of cultural shift, and maybe never will be. Not only that, but maybe they are actually right. For, it's often tough enough even in our present culture to get a film produced on time and on budget: How much longer would those productions take, and how much more overtime would we need to pay to the cast and crew, if the screenwriter is continually on the set arguing about every single little thing that the director seeks to do?

While we are game to discuss the matter further, yet the system probably is best as it is, and screenwriters must continue to play the game of 'haiku', using just enough

pages to tell their stories, no more and no less, communicating as much information as they practically can within those limited spaces, and then staying home.

Writers who are understandably unhappy with this result might consider adding a phrase like 'More details available on request' to any description which would otherwise run more than one page per minute, so that they can consult with you if they ever get stuck, but honestly don't get your hopes up that they're ever going to get so stuck that they would ever consider asking the lowly writer for assistance.

Question 698

Shall we designate the optimum credit sequence for the director, producer, and writer?

This has gone back and forth over the years. In some older films such as *The Scarlet Pimpernel* from 1934, the director's name appeared in the middle of the credits, whereas today it usually appears at the end of any opening credits or the beginning of any closing credits. The latter convention has been in place for so long that we probably couldn't change it if we wanted to, and we don't really want to, because on average we would need to concede that the director probably has more influence on the finished product than any other person.

Of more uncertainty is the positioning of credits for the producer and writer. One argument is that writers and directors should be adjacent in the credits, as the two main creative individuals behind the film. Other argument has that directors want to have as little to do with writers as possible, and that the producers need to step in between in order to keep them apart, so they may as well appear between them in the credits.

We guess that we are asking for the spot next to the director, if the producers are willing, on behalf of writers who are already marginalized enough by 'the Industry', but we will not insist, because the producers are often doing more to get our scripts produced than the directors are, so we are very happy to keep the producers happy.

Question 699

What position shall we take on so-called 'possessory credits'?

This is where they say "A Film By" somebody, or "A [Somebody] Film", usually at the beginning of the film, but sometimes at the end. The 'somebody' usually is the director alone, but *All The President's Men* in 1976 shared the possessory credit between director Alan Pakula and co-producer Robert Redford.

One question is whether the writer should be included in that credit, or should have a similar one next to it, for (as noted above) the film usually does not get made unless the writer first creates at least a general plan for what the director will eventually be doing. In addition, whoever is bankrolling the project, and whoever is hiring and coordinating the activities of all the crew members who work on the project at all, could also be considered as 'filmmakers', so maybe the producers should generally be included in the 'possessory credits' as well. But then, that frame could end up getting a little crowded.

We claim that the solution is not to have such a 'possessory credit' at all, as it is purely redundant, and not completely descriptive: We are already saying elsewhere

who directed the film, who wrote it, who produced it, and who did everything else, so we do not need a line that says that the film is 'by' anyone. Any line which does say that the film is 'by' someone -- even if it also includes the writer(s) and/or producer(s) -- ignores the contributions of the dozens/hundreds of other artists and technicians who worked on the project.

Besides, it's an extra line which just gets in the way, and can make it longer to get into the actual movie. Seems like an extra level of vanity for the director, giving him two credits instead of one, so we think that we would do better without it.

Question 699.7

Shall we make any adjustments to the film rating process?

We prefer a rating system which does not seek to segregate us according to chronological age, because again (as noted several times above) some people may be ready to see the images at earlier ages than the current standard, while others may not be ready to see them until much later or maybe ever.

We particularly have always gotten confused over the difference between 'PG' and 'PG-13': Which is the more serious? According to the Motion Picture Association of America* [[*https://www.mpa.org/film-ratings/](https://www.mpa.org/film-ratings/)], the rating 'PG' means that "Some Material May Not Be Suitable For Children", and the rating 'PG-13' means that "Some Material May Be Inappropriate for Children Under 13". What ages are the "Children" in the first rating, if they can have a subset of "Children Under 13" in the second rating? What is the difference between "May Not Be Suitable" and "May Be Inappropriate"?

For both these reasons, better to approach it from the angle which we have recently seen on TV, where we don't specify any chronological ages anywhere at all, but we do indicate with big initial letters whether the program contains Violence or Nudity or Sex or some other content which parents may want to filter for their kids, or which other adults may wish to filter for themselves.

We do generally like the recent trend of adding short descriptive phrases to the ratings to warn of specific content, and we especially like the one about 'historical tobacco smoking', which does a nice job of establishing that we really shouldn't be having actors smoke tobacco on film unless it is for historical accuracy, because as a society we really want to get away from that whole evil practice. However, we laugh when something is said to contain 'adult themes' or 'thematic elements', as though those were necessarily bad, so maybe clarify those, and then that should be it.

Subsubsection III-H-4-b: Television

Question 700

Shall we make any adjustments to the rating system for TV shows?

We generally like the current system as described in Answer 699.7, where we use big initial letters before the program -- and in any paper or electronic program guides -- to warn potential viewers and their parents about any filterable content. Then, different individuals and households can make their own decisions, based on their own feelings and preferences. We don't need any strict cutoffs of access according to chronological age or any other factors decided by external authority, so we appear to be in pretty good shape now.

Question 701

To what extent should we continue to allow/encourage movies to be cut (or 'compressed') for time?

We strongly disfavor the concept. We understand with some reluctance the idea of editing for content, in order for the artists behind the film to have a broader audience for at least an abridged version of their work. However, if there is no need for a particular film to be edited for content, then it also shouldn't be edited for time. If you are going to show the film at all, then you should show the entire work as the artistic team created it, because anything else robs both the artists and their audiences.

We are aware of the old argument that ending each televised program on the hour or half-hour allegedly makes it easier for other people who are finishing a program on some other channel to switch to whatever you have coming up. If you start running a film 10 minutes after the start of the hour, then (so the old argument goes) people concluding some other show ending on the hour will not wait to watch your program, because they will have 10 minutes of nothing to do or watch. Meanwhile, those whose previous shows don't end until the half-hour also will not watch your program, because they will have missed the first 20 minutes of it.

We find that this argument dates from a bygone age, when there were only three major TV networks and a small handful of local channels, and when we didn't have the technology available to record a program and watch it later. As it is now, there are numerous stations available which can provide you with 10 minutes of amusement if you need it before your cool movie comes on, while those who for any reason join the film in progress can record it for later viewing in its entirety. Neither of these is any longer a valid reason to compress any televised feature films for time.

Besides, when people remain with a previous show until it concludes at 10 minutes after the hour, they are more likely to 'stay tuned' until the next program comes on the same channel, if there are fewer alternative shows starting at that same time, so at least to some extent it would be in the network's interest to conclude each show at or near its natural time, without any significant compression.

This includes running all credit sequences as originally presented, and not zipping through them so fast that no 'reasonable person' can read anything at all, and also not covering up any supplemental footage which may have originally accompanied the credits. We generally can understand and tolerate a narrow banner of advertisement to run concurrently with the closing credits, on condition that the credits are otherwise presented normally, and that no auditory announcements cover any music or other sound which may have accompanied the original credits.

Question 702

Is it generally better to have a few long commercial breaks, or several shorter ones?

This applies to both Television and Radio. It can be left up to individual broadcasters, and may need to vary for different types of programs, different types of sponsoring products, different times of day, different days of the week, or other factors. Generally, though, we recommend for more breaks of shorter duration, so that viewers/listeners will be less inclined to flip channels during commercial breaks.

One exception might be if you are running a 'period' film such as *The Ten Commandments*, in which case the frequent switches in timeframe can be disruptive and disturbing to the viewer. In most cases, though, as a viewer/listener I will feel better about sitting through the commercial break, and possibly even observing the ads which you are running during it, if I know that the interruption will be brief and that I will soon get back to my preferred program.

Question 703

Is it acceptable for broadcasters to stick auditory announcements over film credits?

Was addressed in Answer 701. Bad for any audio announcements or other messages to obliterate any auditory portion of the film (which includes its credit sequences), or to deny the film's creative artists their just acknowledgements.

Question 704

What revisions, if any, shall we make to the system by which viewership is measured?

We take issue with the so-called 'science' behind the absurdly-small sample sizes which they have been using to project total viewership. Not only do we generally object to the small sample size, but we specifically object to their premise that all white men between ages 50-55 will always watch the same thing as their sample datapoints, that all black women between 35-39 will always watch the same thing as their samples, etc. We are all individuals, and we all have our own viewing habits and preferences, which may not be (and probably are not) tied to any particular combination of demographic attributes which you can dream up.

What we generally prefer is a technology and process which will capture the history of millions of willing viewers, not just a couple of thousand. We understand that marketing analysts like to know not only how many people generally are watching a particular program, but also who they all are, so that their bosses can plan their commercial outreach accordingly. However, we are hoping that there is (or someday will be) a technology which allows them to do that without sacrificing the underlying total volume of assorted Human Beings who are actually watching.

We also dislike their reliance on viewers filling out log sheets, because the logs are cumbersome to prepare and upload, because the viewers in many cases will only approximate at best (including by ignoring any momentary channel-surfing which may happen during commercials), and because some viewers for whatever reason may decide that they want to be dishonest (such as by pretending that they watched a certain show which they like while they actually were out dancing). Better if a device permitted by the viewer would track every moment that the viewer is tuned in to each channel, so that networks can gauge not only who generally is watching their programs, but how the viewership goes up and down over the course of the program's duration. (For, your sponsors don't really care who's watching the programs, they care who's watching the commercials.) That information might help them to select different programming, different schedules of commercial interruption (see Answer 702), different actual commercials, etc.

Question 704.2

Any suggestions to offer for cable coverage?

One suggestion is that subscribers should not be required to pay high prices for hundreds of channels which they never watch. They should be required to pay for only those channels which they are willing to have on their active program menus. Then, only the channels which they have actually purchased will be highlighted on the televised program guides, to indicate that they are available for viewing. All other channels which are available for purchase can still be shown on the televised program guide, so that subscribers who are not paying for them can know what they're missing, but they should be grayed out to show that they currently are not available.

Another suggestion is that no cable company should have exclusive control over any geographic area of any size, as they frequently have had for many years now. This violates the principles of free-market economics which we explored in Part II, and allows the companies to charge whatever prices they like, and to provide service only on their terms. The suggestion offered in the preceding paragraph is not likely to happen in real life as long as any cable company is allowed to enjoy a monopoly over any city or neighborhood. According to Part II, no company in any industry should have more than one-third of the available market share, or else it must face some amount of regulation by the applicable government as a 'public utility', which can include either price controls or diverting excess revenues to public purposes. We therefore recommend that each household should have access to at least three competing cable companies.

Subsubsection III-H-4-c: Radio

Question 705

Should radio commercials have all that legal crap?

No, we say dump all the legal crap, especially when they run it at faster speeds and/or higher pitches which the average 'reasonable person' cannot understand for a single moment, let alone retain until she can once do anything about it, so we would ask the higher courts to consider whether it really constitutes adequate disclosure under those conditions. In any case, if the product cannot legally be advertised on the radio without all that legal crap, then find another medium. The legal crap which you are seeking to gloss over by running it extra-fast and/or extra-high is just scaring me away from buying whatever product or service you are trying to sell, so it's not doing any of us any good.

Question 706

What limits, if any, shall we place on what statements may be included in radio commercials?

We have heard numerous radio commercials make announcements such as 'with a price so low that we are not allowed to advertise it on the radio'. Why should that be the case? Any factual statement about your own product/service (including the price) should be allowed, but don't make any opinion-oriented statement about any competitor's brand.

Question 707

How come radio stations that are primarily for playing music interrupt their programs with traffic reports or weather predictions or other news updates, particularly in markets where there are one or more stations which specialize in such coverage?

We have sometimes objected to this practice, because it takes our focus away from whatever mood we are trying to engineer by listening to the music in the first place. However, we see the utility of allowing -- if not requiring -- each radio station to make some periodic announcements of current conditions in order to show that one or more actual people are there running an actual broadcast, instead of the whole thing being managed by computer. Generally should be left up to individual stations, who might consider polling their viewers for their preferences.

Subsubsection III-H-4-d: Advertising - Other

Question 707.5

How do we feel about unsolicited sales calls on our telephones?

While of course we cannot immediately be certain at this preliminary stage (maybe later), we yet feel pretty confident that we speak for pretty much the entirety of America (with the exception of the Advertising sector) when we answer that we think that they stink. We are especially miffed at the ones which speak in Chinese or some other language which we don't all have yet. What makes those folks think that any of us would have the slightest interest in whatever they're trying to sell? Don't they know that we know that many of those calls are scams of some kind anyhow?

Well, apparently they still are getting enough responses to make them believe that the effort is still net-worthwhile. And, while nobody to the author's direct awareness has ever been happy to receive any of these calls, we yet allow for the possibility that someone out there may actually have prized the experience, in which case we wouldn't presume to seek to deny them the pleasure.

However, the rest of us should have a choice. When we receive a call from an undesired source trying to sell some crap that we don't want (or otherwise trying to scam us), even if we let it ring until it stops, we must at some point take the time to check what the call was, determine that it was from an undesired source, and delete the call and any voice message from our phone archive. We may also want to take the time to block that individual number, but the tactic appears to have little practical use, because they simply gobble up more numbers to call from. Because it prevents us from doing what we otherwise would be physically and legally able to do, even if only for a few moments, that still qualifies as 'injury' under our definition. And, while it may not be a 'natural' right (because critters get injured in Nature all the time), yet most of us are agreeing as a 'civil' right that citizens should not be injured against their will.

That being the case, we claim that we should have the option to set our phones to block automatically all calls coming from anyone except those on our contact lists. However, while some devices or accounts may currently allow this option, not all devices and accounts do, so we strongly recommend and urge it for universal application.

Whenever you wish to add a contact to your approved list, it would be very easy to switch off the block-all option for a moment, ask the new contact to call you, set up the new contact, and then reset the block-all option.

Why don't all telephone manufacturers and carriers allow this option now? Is it because they simply are not aware yet of how much it would elevate the quality of our collective existence in this Universe? Or, is it because they are taking kickbacks from the Advertising sector to keep those options off of everyone's devices so that they can keep conducting their evil business? We don't wish to assume malicious intent for anyone, and we must imagine that the technology would easily be within their reach at this advanced stage, so we are defaulting that they simply haven't yet thought of it. If that is indeed the case, then we hope that they take their cue from this document, and proceed apace to give us what we desire and are paying for. Any manufacturer or carrier which does not allow this option going forward, even now with the knowledge that this is something that most of us want, may then be considered and treated as malicious jerks, to be abandoned in favor of companies which are more sensitive and responsive to their customers' needs.

Subsection III-H-5: Free Press

Question 708

What limits, if any, should we place on 'freedom of the press'?

Any individual or corporation should be allowed to operate a printing press or electronic platform to report on news, and/or to provide opinions on current events. To be able to do so is one of the key elements which we adopted in Answer 38 for American society going forward, because it is a key manner in which the people can assert and wield their natural authority over any governments which they may allow to exist, especially when the electoral process is suspected (whether accurately or not) of undue governmental or plutocratic manipulation.

If a given society elects to require its press outlets to be licensed as a condition of official approbation, then each such individual or corporation could lose their license to operate as an approved news/opinion provider if they are shown to have enough violations for asserting supposedly-factual statements which they know -- or should have known -- were actually false.

What if the publisher in question is promoting an agenda of discrimination, hatred, violence, or some other bad thing? This is a tricky area, because we generally don't want to suppress opinions which differ from those of the prevailing governments, because sometimes those alternative opinions are the net-better ones, and because governments have a built-in conflict of interest when it comes to considering which alternative publications should be allowed and which should not. Besides, if others are allowed to promote their 'bad' agendas, then at least the rest of us all know that those 'bad' mentalities are still out there, and that they are still trying to attract disciples, in which case our barring them from publishing legally will just drive them underground, and will not solve the core problem. Best for us all to know what 'bad' philosophies are still out there in our 'real world', so that we can debate them out in the open, and hopefully persuade the 'bad' people to adopt our 'good' agenda.

Subsection III-H-6: Genetic Engineering

Question 709

What limits -- if any -- shall we place on Genetic Engineering?

It should be used to cure diseases, and to make foods either more plentiful and/or more nutritious for our consumption, but not for bizarre experiments to create 'monsters' as in the H.G. Wells novel (filmed multiple times) of *The Island of Dr. Moreau*.

We are not hung up on "tampering with God's creation", partly because not all of our readers are convinced (or ever will be) that any 'god' was to any extent responsible for our creation at all, and partly because any divine involvement in our creation must (according to the overwhelming evidence in several scientific disciplines) have included some component of Evolution, in which we may still be in an intermediary stage, so it may not have been "God's plan" that we look and act exactly as we currently do.

What we are concerned about is interfering with our ecological balance to such an extent that our actions create unintended consequences (as suggested in numerous films containing the word *Jurassic*), which could end up being harmful to Humanity, or some other species, or maybe even the entire Earth.

We do not trust -- and will not authorize -- any technology which comes from a 'secret laboratory', and will assume on face that it was created by a 'mad scientist' (probably played by Bela Lugosi) with suspicious motives and limited scientific or environmental controls. We therefore recommend that nobody ever go that route, for you will be wasting both your time and ours.

Rather, if you truly seek to benefit Humanity or the Earth with some form of genetic engineering, then you will have no problem with applying for proper licensing through established channels (at the national level at least, and at some point possibly global), nor with having the applicable agencies supervise your experiments to protect the safety of both the general public and any living experimental subjects. By applying for licensing promptly, you will have a priority claim on any patent rights which may eventually attend your inventions, whereas your claims would be dubious if you performed any of your work in secret without proper supervision.

Added in May 2019: Our limited support of genetic engineering includes the appropriate use of 'stem cells' to help generate replacements for injured body parts, or to provide some other direct medical benefit to an ill/injured patient. Anyone still harboring any hangup on such technology really should question which values are actually the more important, the preservation of innocent human life, or whatever they read in some book written thousands of years ago in another language.

Added in May 2019: However, we are not huge fans of using genetic engineering to create clones of any humans. As dramatized in the film *Multiplicity*, such actions can have unintended consequences, especially in the case of multi-generation cloning. We might change our position someday if it can ever be demonstrated to us robustly that the potential benefits significantly outweigh the potential pitfalls, but for now we are erring on the side of safety.

Subsection III-H-7: Fashion

Question 710

Shall we continue to pressure males to have short hair, and females to have longer hair?

No, we claim that such artificial distinctions are holdovers from a time (depicted in the 1969 film *Easy Rider*, the 1979 film *Hair*, and elsewhere) when gender roles -- including as to appearance -- were much more rigidly defined. It creates no harm to anyone else if a given male keeps his hair long, or if a given female keeps her hair short, or if a given non-binary individual handles his/her hair however he/she wants.

When you 'conservative' folks finally stop waging wars against one another, and when you have provided food and clean water and shelter and medical care to all the citizens of the world, we can then have a renewed conversation about hair length. Until then, please kindly allow individuals to groom themselves in any manner which does not injure or threaten any others, and meanwhile please focus on our more urgent global priorities.

Question 710.3

What about outfits worn by schoolchildren?

We understand some of our older citizens pleasantly recalling the days when they could conveniently expect that all boys would wear 'male' outfits to school, that all girls (now that they have been allowed into school at all) would wear 'female' outfits, and when there were no third options to consider. However, the recent increases in transvestism and transgenderism have shown us (among other things) that such rigid categorizations and stereotypes are not really all that necessary in our society, and that they may be doing more harm than good, especially to the young person who has trouble feeling accepted because he/she doesn't fit neatly into either of the two primary paradigms.

Therefore, rather than deny a child a formal education because he/she doesn't like to dress as you might prefer, or to single him/her out for ridicule or reprisal just for dressing differently, the net-beneficial course may (and often will) be to adopt some reasonable amount of flexibility in how the various schoolchildren dress.

However, that does not mean that the schoolchildren can wear whatever they want. It still is reasonable to expect a fairly close adherence to a school uniform if uniforms are generally required. Where uniforms are not required, we still ask and expect that each student will wear something which is both presentable in polite society, and not disruptive (including by any political reference) to the other kids who are trying to study and learn. Just as athletes wear uniforms during both practices and official games, and as military personnel and first responders wear uniforms while on duty, and as businesspeople and politicians wear tasteful suits to official meetings, and as others of us wear especially-elegant outfits for award ceremonies and diplomatic receptions and other formal occasions, among numerous other examples, we agree to tone down our individual expressions during certain limited time periods when we come together as a team for some common purpose, to help ourselves and our colleagues to remain focused on whatever it is that we're trying to do.

In sum, then, please be tasteful and non-disruptive when dressing for school, and we will endeavor to allow you a reasonable amount of latitude for individual expression, including by variation from the previous standard model of gender distinctions.

Question 710.5

Shall we take any position about models being pressured to starve themselves?

Yes, we strongly discourage it. First, the ultra-thin image which we have often seen in certain fashion catalogs and adult magazines is not as universally appealing as some publishers may think. Second, even if it were, it makes little sense to keep marketing toward an ideal which many women couldn't realistically attain even if they wanted to. Makes far more sense to market to women of all shapes and sizes, and to glorify the beauty to be found throughout the entire multi-spectrum of body types.

Even if all that were not the case, though, there are plenty of models who are naturally slender and therefore do not need to undertake any harmful diets or other unusual practices, so we do not need anyone to try to achieve such a size/shape via any unhealthy methods, and we would rather not have it. We could recommend some method of ensuring that any girl applying for work as a model is living a normal and healthy lifestyle, but hopefully that will no longer be necessary: If we merely encourage all fashion catalogs and artistic publications to include a healthy array of diverse body types, then hopefully no aspiring model will ever feel the need to starve herself -- or do any other self-destructive thing -- in order to get work.

Subsection III-H-8: Restaurant Protocols

Question 711

Why do we ask that napkins be placed in the lap while dining?

Seems obvious to some, but apparently is not to others. There are two main purposes: One is functional, by keeping food scraps off the diner's clothing. Other is courteous, so that your fellow diners do not need to see your balled-up greasy napkins while they are trying to have an elegant experience with you, just as we ask you to please keep your mouth closed while chewing, so that we do not need to see or hear any disgusting stuff.

Question 712

Could restaurant workers wait to clear stuff from my table until after I have left?

Sorry, not really. It probably is more efficient for them to clear stuff off in stages, so that they can rotate their time among their several tables, rather than work on a single table all at once while the other tables remain unattended. Besides, it's a hint that you may be staying too long, and denying other people access to your table, and/or requiring the waiter to check with you every few minutes even though you're not buying anything new. No change recommended.

Subsection III-H-9: Around the House

Question 712.7

What about this trend that we recently read, about millennials tending to eschew the 'top sheet' on a bed?

According to the article "Why Millennials Aren't Using Top Sheets on Beds", published on 30-Aug-2018*[*<https://www.yahoo.com/lifestyle/why-millennials-aren-apos-t-185000102.html>], some younger people are apparently getting away from the classic model of reposing under a flat 'top sheet' covered by some number of fabric-based blankets. Instead, they "slip between the scandalous combination of a fitted sheet and a comforter-

filled duvet.”*[*As a reminder from Answer 661, the closing period may reside inside the quotation mark this time because it is part of the expression being quoted.]

Apparently, the top sheet tends to get kicked into a “dispirited wad toward the lower third of the bed”, but the sleeper still gets the comfort of a linen-type cover with the duvet. The duvet cover is as easily washable as the top sheet (so the article attests, seems like a bit more work from our angle), so it is just as sanitary to use the duvet without any top sheet at all.

The fear here is that some manufacturers will eventually begin (as the article goes on to describe) to put out bedding sets which do not include a top sheet, which would then need to be purchased separately, if it would still be available at all. This would be a problem for us who still prefer the classic model.

We hope that everyone’s differing desires can still be accommodated in the open market on an ongoing basis. Rather than simply let it go at that, though, we offer a point for everyone’s consideration which the article does not mention.

It seems to be a premise of the article that any top sheet -- and maybe some/all of any added blankets -- must be fitted around the mattress (possibly with “hospital corners”), which of course requires some added time, and which may be contributing to the problem which the kids are experiencing of the top sheet tending to get kicked down during the night. We do not accept that premise.

Rather, at least for some of us, it seems both easier and more functional to lay the top sheet and any added blankets on top of the mattress without tucking anything in. Cuts much time from the morning bed-making process. Better still, when you do crawl into bed at night, you have the option of flipping your feet in such a way that the top sheet (and maybe also the blankets) tuck under and around your feet, so that you’re all bundled up nice and snugly as in a sleeping bag, but you have the option at any time to stick your feet out into the open whenever they need a breath of cool air. Seems like the net-fastest and net-easiest route.

Even if you still prefer a comforter-filled duvet to a combination of fabric-based blankets, you still might consider trying it in conjunction with a top sheet which is not tucked around the mattress, and seeing how that works for you. Some of us really like the top sheets, and we are not eager to lose them.

Question 713

Which way should the toilet-paper roll be oriented?

According to the article “Confirmed: This Is How You Should Hang Your Toilet Paper”, published on 4-Apr-2019*[*<https://www.yahoo.com/lifestyle/confirmed-hang-toilet-paper-203546225.html>], the original 1891 patent (illustrations are included in the article) for our common system of dispensing toilet paper expected (if not required) that the paper roll over the top away from the wall, as now allegedly preferred by 70% of the population. Stated reasons for the preference include easier access and reduced germ exposure by not needing to move your hand all the way to the wall. We also cite that it’s easier on the knuckles over time if you do not need to impact the bank of your hand against a wall one or more times each day.

The article goes on to assert that “The vehement 30 percent in the “under” camp counter that their position gives a tidier appearance and makes paper less prone to

pet attacks".[*As a counter-example relating to Answer 661, the closing period here must reside outside the quotation mark, because it is not part of the expression being quoted.] For the latter, we suggest closing the bathroom door, or otherwise denying pet access to the toilet area. For the former, 'tidier' simply equates to whichever your personal preference is, so it is not really 'tidier' either way.

Rolling away from the wall seems to be the general preference already, and there are multiple reasons to prefer it, whereas we have not heard or read of any valid reasons to prefer the alternative, so everyone is asked and advised to switch your personal preference to the rolling-away-from-the-wall approach as applicable.

CONCLUSION

Question 714

There, did we miss anything?

If so, then please feel free to send a Direct Message (DM) by Twitter to @a2e_project sooner rather than later, and we will do what we practically can to add it to our final package before it gets published to the 'real world'.

Thanks to everyone who helped this Project along in any manner and to any extent. Good luck to us.