

# TAXONOMY OF LAWMAKING

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# TAXONOMY

The science of classification of things or concepts, including the principles that underlie such classification

- **GOVERNMENT**
- **LAWS OF GOVERNMENT**
- **LAWMAKING**
- **SCIENTIFIC LAWMAKING**

**MAJOR FUTURE ROLE  
FOR SYSTEMS  
ENGINEERING  
IN LAWMAKING**

**GOVERNMENT**

# GOVERNMENT

- **NECESSARY**
  - **ORGANIZATION**
  - **STABILITY**
  - **PROTECT RIGHTS**
  - **RESOLVE DISPUTES**

# GOVERNMENTS

- **AUTHORITARIAN**
- **DEMOCRATIC**

# **AUTHORITARIAN GOVERNMENT**

- **TOP - DOWN**
- **ELITE RULING CLASS  
(SOVEREIGN)**
- **SUBJECT CLASS**



# **AUTHORITARIAN GOV'T PURPOSE**

- **SECURE THE POWER,  
PRIVILEGES AND WEALTH  
OF THE RULERS**





IN CONGRESS, JULY 4, 1776.

# A DECLARATION

BY THE REPRESENTATIVES OF THE  
UNITED STATES OF AMERICA,  
IN GENERAL CONGRESS ASSEMBLED.

**W**HEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes, and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing inevitably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies, and such is now the Necessity which constrains them to alter their former System of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prevent this, let Facts be submitted to a candid View.

- He has refused his Assent to Laws, the most wholesome and necessary for the public Good.
- He has forbidden his Governors to pass Laws of immediate and positive Importance, unless suspended in their Operation till his Assent should be obtained, and when so suspended, he has utterly neglected to attend to them.
- He has refused to pass other Laws for the Accommodation of large Numbers of People, which those People would otherwise have obtained in the Legislature, a Right inestimable to them, and invaluable to Tyrants only.
- He has called together legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of causing them into Compliance with his Measures.
- He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.
- He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large; by which the State remains in the mean time exposed to all the Dangers of Invasion from without, and Civil Wars within.
- He has endeavoured to prevent the Population of these States, for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migration hither, and raising the Conditions of new Appropriations of Lands.
- He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.
- He has affected to alter the Composition of his Will about, for the Tenure of their Office, and the Amount and Payment of their Salaries.
- He has erected a multitude of new Officers, and in a short Space of Time, raised the Number of Officers to several hundred Times, and yet was their Salaries.
- He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislature.
- He has affected to render the Military independent of and superior to the Civil Power.
- He has endeavored to render the Military independent of and superior to the Civil Power, and unacknowledged by our Laws; giving his Assent to their Acts of

# D. OF INDEPENDENCE

## GOVERNMENT

- NO ELITES
- CONTROLLED BY/  
FOR THE PEOPLE

**D OF INDEPENDENCE**

**OBLIGATION OF GOV'T**

- **SECURE RIGHTS  
AND LIBERTY OF  
THE PEOPLE**

# **RIGHTS AND LIBERTIES**

- **HUMAN RIGHTS**
- **LIVING STANDARDS**
- **QUALITY OF LIFE**

# PURPOSE OF DEMOCRACY

- SOLVE PROBLEMS
  - Human Rights
  - Living Standards
  - Quality Life

# **AUTHORITARIAN GOV'T**

- **CONTROL PEOPLE**

# **DEMOCRATIC GOV'T**

- **CONTROL PROBLEMS**



**LAWS**

# LAWS

- ENFORCEABLE ORDERS
- MEANS OF GOV'T

# LAWS

- HUMAN – MADE
- CONSUME RESOURCES
- OUTCOMES
- SIDE EFFECTS

# LAWS ARE TOOLS

- COMPUTERS
- PESTICIDES
- PORTABLE DRILLS
- SOFTWARE

# LAWS

- **CONSTITUTIONAL,  
FEDERAL, STATE, LOCAL**
- **REGULATIONS,  
STATUTES, ORDINANCES**

# LAWMAKING

# LEGISLATURE

- CREATES LAWS
- TRADITIONAL METHOD OF LAWMAKING

# TRADITIONAL METHOD OF LAWMAKING

- THE “OLD” TAXONOMY
  - RHETORIC
  - DIALECTIC



# TRADITIONAL METHOD

- **BEGIN = IDEA FOR A LAW**
- **TRANSCRIBE = BILL**

# TRADITIONAL METHOD

- LEGISLATURE = MODIFY
- END = ENACTMENT OF LAW

# LAWMAKING PROCESS







# TRADITIONAL METHOD

UNCHANGED / MILLENNIA

- UNFAZED
  - RENNAISANCE
  - ENLIGHTENMENT
  - INDUSTRIAL REVOLUTION

# **TRADITIONAL METHOD**

## **LACKS OR DEFICIENT**

- **PROBLEM DEFINITION**
- **PURPOSE, PRIORITY**
- **KNOWLEDGE, EXPERTISE**
- **ETHICS, FEEDBACK**

# TRADITIONAL METHOD

- INCOMPETENT
- UNDISCIPLINED
- UNPRINCIPLED
- IRRESPONSIBLE



**TRADITIONAL  
METHOD  
USEFUL FOR  
AUTHORITARIAN  
GOVERNMENTS**

# **AUTHORITARIAN GOV'T LAWMAKING**

**SIMPLY WRITE LAWS THAT  
TRANSFER POWER,  
WEALTH, PRIVILEGES TO  
THE RULING CLASS**

# **AUTHORITARIAN GOV'T LAWMAKING**

- **NO KNOWLEDGE REQ'D**
- **NO DESIGN EXPERTISE**
- **NO RESPONSIBILITY**
- **NO ETHICS**

# **AUTHORITARIAN GOV'T LAWMAKING**

**INCREASED NUMBER OF LAWS**

- **GREATER CONTROL OVER  
SUBJECT CLASS**
- **MORE PRIVILEGES, WEALTH**

# GOV'T CONTROLS PEOPLE, INSTITUTIONS

Agriculture, Aviation, Education  
Energy, Finance, Health Care,  
Housing, Insurance, Real Estate,  
Transportation, Pensions...

**TRADITIONAL  
METHOD**

**NOT USEFUL FOR  
DEMOCRATIC  
GOVERNMENTS**

**TRADITIONAL  
METHOD**

**UNABLE TO SATISFY**

**THE PURPOSE OF**

**DEMOCRACY**

# **TRADITIONAL METHOD**

- **ONLY PRODUCES LAWS**
- **NOT A PROBLEM  
SOLVING PROCESS**



# TRADITIONAL METHOD

- A FAILURE
- POVERTY, WAR, CRIME  
HOMELESSNESS...

# RESULT

- **Chaos – Too many laws**
- **Ineffective / wasteful laws**
- **Pork barrel / special interest laws**

# **THREAT TO DEMOCRACY**

- **FAILURE TO SOLVE PROBLEMS**
- **RESOURCES WASTED**
- **DECLINE PUBLIC CONFIDENCE**

# THREAT TO DEMOCRACY

- **DRIFT TOWARDS ARBITRARY ENFORCEMENT OF LAWS**
- **DRIFT TOWARDS AUTHORITARIAN FORM OF GOVERNMENT**

# SCIENTIFIC LAWMAKING

# **SCIENTIFIC LAWMAKING**

- **EXPAND SCIENCE TO  
ENCOMPASS LAWS  
AND LAWMAKING**

# RATIONALE

- **LAWS ARE TOOLS**
- **PRODUCE PROFOUND EFFECTS  
ON THE PHYSICAL WORLD**
- **EMINENTLY SUITED TO  
SCIENTIFIC INVESTIGATION**

# RATIONALE

- **IGNORANCE OF LAWS IS DANGEROUS**
- **LACK OF DESIGN EXPERTISE IS DANGEROUS**



# RATIONALE

SCIENCE AND ENGINEERING  
HAVE A PROVEN  
RECORD OF SUCCESS

**SCIENCE OF LAWS**

**INVESTIGATIVE  
SCIENCE**

**CREATIVE SCIENCE**

# INVESTIGATIVE SCIENCE OF LAWS

- ACCUMULATE AND PUBLISH  
KNOWLEDGE OF LAWS  
AND INVESTIGATIVE  
METHODOLOGIES

# INVESTIGATIVE SCIENCE OF LAWS

- END IGNORANCE OF  
MECHANICS OF LAWS

# INVESTIGATIVE SCIENCE

- REVEAL “HISTORY” OF LAWS
- BASIS OF QUALITY ASSURANCE PROGRAM FOR LAWS
- “NECESSARY AND PROPER”

# QUALITY ASSURANCE

## REPEAL OF LAWS:

Ineffective, Unenforced,  
Outmoded, Purposeless,  
Omnibus, Conflicting,  
Harmful, and Redundant

# SCIENTIFIC LAWMAKING

- CREATIVE SCIENCE OF  
LAWS
- THE “NEW” TAXONOMY

# CREATIVE SCIENCE OF LAWS

- DESIGN METHODOLOGIES  
(REPLACE DIALECTIC)
- ESTABLISH QUALITY  
STANDARDS FOR LAWS



# CREATIVE SCIENCE OF LAWS

- **MODELING**
- **ALL RELEVANT FIELDS (SysE)**
- **COMPUTER SIMULATION**

# QUALITY DESIGN STANDARDS

- **Competitive Bidding for Law Design Contracts**
- **Licensure / Competency Req's for Law Designers**

# QUALITY DESIGN

## BLOCK / ELIMINATE:

- Pork Barrel
- “Earmarks”
- Special Interest Provisions
- Political Agendas

# QUALITY DESIGN

## NEW LAWS

- Address Societal Problems
- Effective and Cost Efficient
- Non-Intrusive
- Minimal Side Effects, Risks
- User Friendly

# QUALITY IMPROVEMENT (OPTIMIZATION)

- SIMPLIFY EXISTING LAWS
- IMPROVE COST-BENEFIT PERFORMANCE

# APPLICATION OF SCIENCE

- LEGISLATURES DISCUSS GREAT ISSUES OF THE DAY
- LEGISLATURES “SET POLICY”
- CONTRACT WITH DESIGN INSTITUTIONS TO CREATE LAWS

# SCIENCE OF LAWS

SHIFT OPERATION OF LEGISLATURES

FROM THE FALSE TASK OF MAKING

LAWS TO THEIR TRUE TASK OF

SOLVING PROBLEMS

# TRADITIONAL LAWMAKING

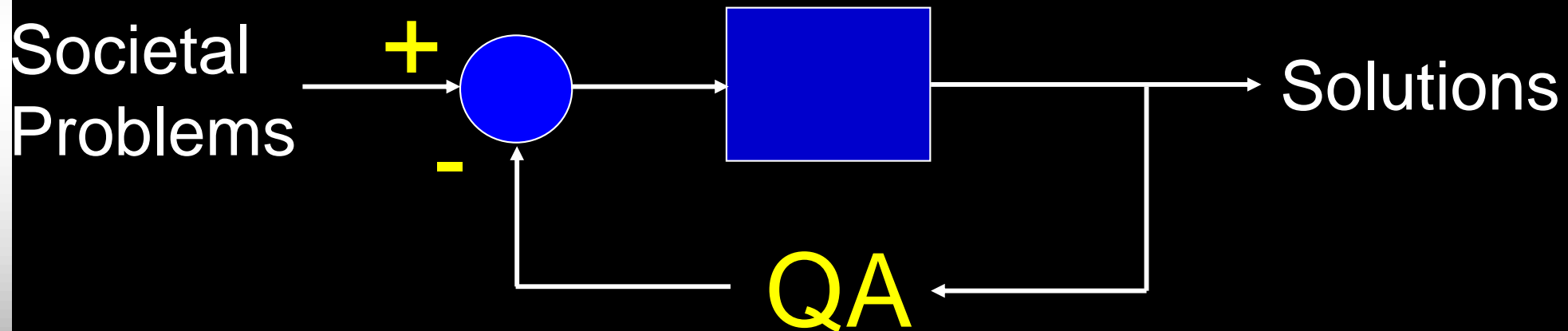
Ideas



Laws



# SCIENCE - DIRECTED LAWMAKING



# GOV'T CONTROLS SOCIETAL PROBLEMS

Crime, Corruption, Drug Abuse,  
Poverty, Homelessness,  
Illiteracy, Inflation, Pollution,  
Unemployment, War

# SCIENTIFIC LAWMAKING RESULTS

- PROBLEM SOLUTION
- QUALITY STANDARDS
- ELIMINATE  
UNPRODUCTIVE LAWS

# RESULTS

- **ECONOMIC GAINS (100'S BILLIONS)**
- **IMPROVED PUBLIC CONFIDENCE IN GOVERNMENT / LAWS**

# RESULTS

- **END THE THREAT TO DEMOCRACY**
- **LAWS WILL SATISFY THE PURPOSE OF DEMOCRACY**

# SUMMARY LAWMAKING

## OLD TAXONOMY

- **BASED ON DIALECTIC**
- **LACK OF KNOWLEDGE / EXPERTISE**
- **LACK OF STANDARDS**
- **LACK OF FEEDBACK / INNOVATION**
- **CONTROLS PEOPLE / INSTITUTIONS**

# SUMMARY LAWMAKING

## NEW TAXONOMY

- ENGINEERING INSTITUTIONS AND BEST PRACTICES
- QUALITY STANDARDS
- CONTINUOUS IMPROVEMENT
- INCREASE IN KNOWLEDGE
- SATISFY PURPOSE OF DEMOCRACY

# SUMMARY SCIENCE OF LAWS AND LAWMAKING

- IMPROVE GOVERNANCE
- IMPROVE RULE OF LAW
- HAS BEGUN
- COMPLETE THE TASK



**THANK YOU**

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