

Fact or Fiction?



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What If Noah Had to Build the Ark Today?

A modern-day version of the Bible story of Noah and the building of the ark.¹

And the Lord spoke to Noah and said, "In six months I am going to make it rain until the whole Earth is covered with water and all of the evil people are destroyed, but I want to save a few good people and two of every living thing on the planet. I am ordering you to build an ark." And in a flash of lightning, he delivered the specifications for the ark.

"Okay," Noah said, trembling in fear and fumbling with the blueprints.

Six months later, it starts to rain. Thundered the Lord, "You had better have my ark completed or learn to swim for a very long time!" And six more months passed. Rain continued to fall. The Lord saw that Noah was sitting in the front yard, weeping. And there was no ark.

"Noah," shouted the Lord, "where is my ark?" A lightning bolt crashed to the ground next to Noah. "Lord please forgive me," begged Noah. "I did my best, but there were big problems.

"Regulations are flourishing and I am having a very difficult time learning all of them, and new ones seem to appear daily. As an example, the 1998 *Federal Register's* 68,571 pages represent the highest count since the Carter presidency, and a six-percent jump over 1997. Contained within the *Federal Register* were 4,899 final rules, the second-highest count since 1984. Seventy of these new rules are "major," meaning they will cost at least \$100 million each, compared with 60 such high-cost rules the year before.²

"Here's one you might really appreciate Lord, since it's a follow-on of your Ten Commandments. A recent report titled *Ten-thousand Commandments* tallies the price tag for implementing and sustaining federal regulations. The grand total is \$688 billion per year.³

"Another example close to home is that of your Mother Teresa and her Missionaries of Charity. They wanted to convert some abandoned buildings into homeless shelters in New York city, so the city offered the buildings at one dollar each. The Missionaries of Charity set aside \$500,000 for the reconstruction, and the nuns developed a plan to provide temporary care for 64 homeless men in a communal setting. Although the city owned the buildings, no official had the authority to transfer them except through an extensive bureaucratic process.

For a year and a half, the nuns—wanting only to live a life of ascetic service—found themselves, instead, traveling in their sandals from hearing room to hearing room, presenting the details of the project and then discussing the details again at two higher levels of city government. In September 1989, the city finally approved the plan and the Missionaries of Charity began extensive renovations. After almost two years, however, they were told that New York's building code requires an elevator in every new or renovated multiple-story building. The Missionaries of Charity explained that, because of their beliefs, they would never use the elevator, which also would add upwards of \$100,000 to the cost. The nuns were told the law could not be waived, even if an elevator didn't make sense. Mother Teresa gave up. She didn't want to devote that much extra money to something that wouldn't really help the poor.⁴

"Well, Mother Teresa's problems were minor compared to mine. First, I had to get a building permit for the ark's construction project, and your plans did not meet the code. So I had to hire an engineer to redraw the plans. Then I got into a big fight over whether or not the ark needed a fire sprinkler system.

"My neighbors objected, claiming I was violating zoning by building the ark in my front yard. They were using the NIMBY

principle," Noah explained, "which means Not In My Back Yard. One book I read on this topic suggests that the way to handle this type of issue is to give the people something in return.⁵ So I was wondering, Lord—could I offer them eternal happiness in Heaven, or perhaps at least free passage on the ark once the rain starts?

"Next I had to get a variance from the City Planning Commission. Then I had a big problem getting enough wood for the ark. You see, there was a ban on cutting trees because of the spotted owl. I had to convince the U.S. Fish and Wildlife that I needed wood to *save* the owl, but then they would not let me catch any owls. Last, according to one report, each owl must have 7.7 million acres of habitat,⁶ quite a bit more space than will be available on the ark. So that clinches it, Lord—no owls.

"It gets even more complicated. Recently, for the first time, scientists have documented a case of an infection wiping out the last remnants of an entire species. The victim was a type of land snail that scientists were trying to pull back from the brink of extinction in a captive-breeding program. This shows that captive breeding is not always a safe haven, and one has to guard against infectious diseases when nursing species. The ark, by all intents and purposes, will be a captive breeding program. In other words, it will be a form of zoo, and experts say that species need to be in the wild, not in zoos.⁷

"Next, the carpenters formed a union and went on strike. I had to negotiate a settlement with the National Labor Relations board before anyone could pick up a saw or hammer. Now I have 16 carpenters going on the boat ... and still no owls.

"I finally started gathering up animals and got sued by an animal rights group. They objected to me taking only two of each kind. Just when I got the lawsuit dismissed, the EPA notified me that I could not complete the ark without filing an environmental impact statement on the proposed

flood. They did not take kindly to the idea that you had jurisdiction over your conduct, and that you were the supreme being.

"Then the Army Corps of Engineers wanted a map of the proposed new flood plain. Right now, I am still trying to resolve a complaint from the Equal Employment Opportunity Commission over how many minorities I am supposed to hire. Political science professor Aaron Wildavsky points out that, after 30 years of expanding rights against workplace discrimination, Congress has succeeded in 'protecting' more than 70 percent of all American workers. Many people, in fact, have multiple claims, and Wildavsky has calculated that if you apply all the protected categories, they add up to 374 percent of the American population.⁴

"Finally, Lord, the IRS has seized all of my assets, claiming I am trying to avoid paying taxes by leaving the country, and I just got a notice from the state about owing some kind of use tax. I really do not think I can finish your ark for at least another five years," Noah wailed.

Then the skies began to clear. The sun began to shine. A rainbow arched across the sky and Noah looked up with a smile. "You mean you are not going to destroy the Earth?" Noah asked hopefully.

"No," said the Lord sadly, "the government already has." *Pe&SF*

References

1. This originally appeared in *Environment & Climate News*, Vol. 3, No. 5, 12 (May 2000), and was written by Rep. Gary Miller (R-California). I've taken the liberty to lengthen it in some spots and add a few references. Permission of The Heartland Institute to publish the original is appreciated.
2. J. Brignell, *Sorry Wrong Number*, Brignell Associates (2000).
3. D. Miller, *Intellectual Ammunition*, Vol. 7, No. 5, 2 (Nov./Dec. 1998).
4. P.K. Howard, *The Death of Common Sense*, Warner Books (1994).
5. H. Inhaber, *Slaying the NIMBY Dragon*, Transactions Publishers (1998).
6. W. Dietrich, *The Final Forest*, Penguin Books (1992).
7. D. Ferber, "Bug Vanquishes Species," *Science*, **282**, 215 (October 9, 1998).