

By Stephen Barone

How Stupid Can They Get?

When I was growing up, my father had a saying for those times when I would do something he considered particularly dumb. He would ask, "How can you be so stupid and still live?" It was, of course, a rhetorical question. Members of our species are forever expanding the boundaries of stupidity. Yet they continue to exhale and inhale, ingest and digest, fire little electrical charges across their synapses, excrete this and that from the appropriate glands, maintain homeostasis, etc.

This lack of correlation between measurable intelligence and the maintenance of one's vital signs has been of inestimable comfort to me. Thus, you might imagine my chagrin and despair when I saw the following question in *Vogue's* health and beauty column: "Is it safe to dry my hair with a blow dryer in a bathtub?" Oh boy. Now here's a person who lives dangerously close to that place on the Great Coordinate Plane of Life where the learning curve crosses the mortality rate. Or maybe she doesn't. At least she *asked* before she hopped into the tub with a glass of Perrier, her *Vogue*, and a 2,000-watt dryer.

I wish this was a benign story, but it isn't. In the best of worlds, stupidity that occurs in such extremes would be a Darwinian mechanism by which the species would be purged of, well... the terminally stupid. Instead, stories such as these, about people who live their lives close to the edges of their swimming pools, with their electrical appliances in hand, just encourage the growth and activity of that other subsegment of the population, the *regulators*.

Government regulators have a cushy job. They need only document the latest depths of stupidity, assume that such stupidity is attributable to every member of the species in the same and unvarying degree, then write rules to protect us from *ourselves*. You don't believe me? Then consider the latest issue of the *National Electrical Code*, a list of standards by which the electrical industry is bound in designing and installing wiring in homes, factories, etc. It dictates that all newly constructed bathrooms be fitted with something called a ground fault in-



terrupter. You've probably seen these near sinks or in bathrooms of newer homes and wondered what they are. They usually have a little red button labeled *Push to test*. They cost about 10-15 times more to install than conventional plugs, and they are federally mandated. What's their purpose? You guessed it—to protect you, in case your husband or wife decides to toss the toaster into the tub while you're bathing. Or the hair dryer.

And it gets worse. There's a plethora of tort laws requiring companies to design products not only with their respective uses in mind, but also their *potential misuses*. This is no small order—at least not when you stop to consider that most misuses of products are engendered by stupidity. And as we've mentioned before, stupidity is of dynamic and boundless supply. The following examples are quoted verbatim from *The Legal Environment of Business*:

"1. In Wisconsin, the heirs of a woman killed in a car accident were allowed to collect from the automaker. Witnesses testified that the decedent was driving her car at least 90 mph when the car went off the road, rolled over and crashed. The automaker was held liable for the woman's death because the seat belt ripped apart during the accident.

"2. In Washington, a workman recovered \$750,000 for the loss of a leg

from the producer of a machine used at his place of work. Before the accident, other employees had removed a protective panel from the machine to do some repair work and replaced the panel with a piece of cardboard. Plaintiff was not aware of the cardboard, stepped on the machine, and fell into it, losing his leg. The machine was held to be defective because it was so solidly built that it was hard to assemble and disassemble and because it was not equipped with a device that would make it shut off whenever such a panel was removed.

"3. In California, a person recovered from a wine producer for the loss of an eye. The accident occurred when the cork on a champagne bottle being opened hit her glasses, breaking them and putting out an eye. The court held that the champagne maker should place a warning on the bottle about the possibility of a flying cork."

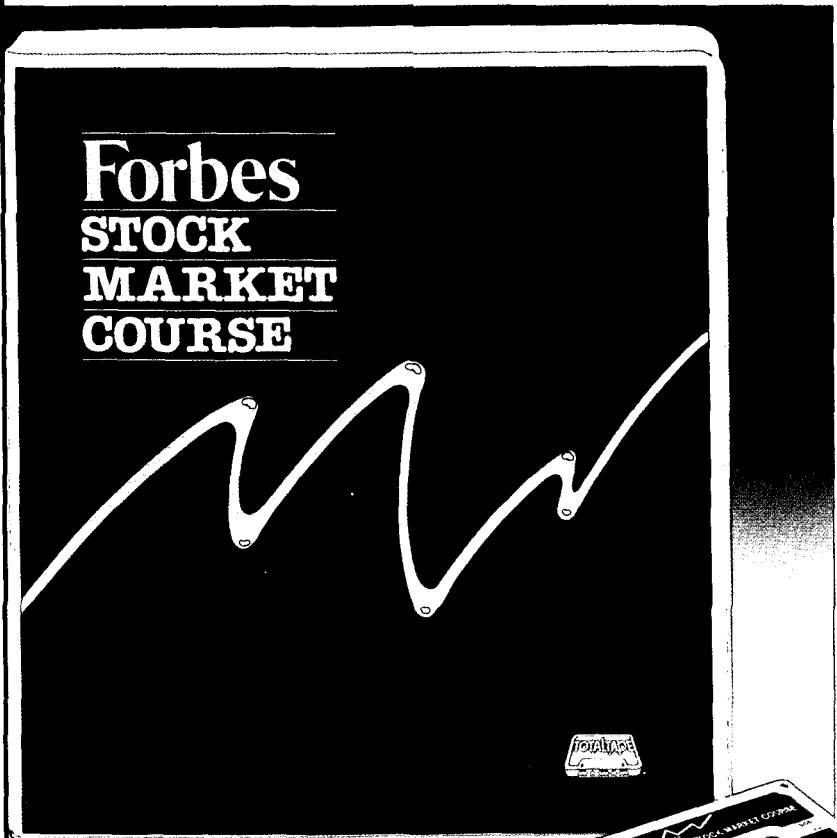
What we have here are some grand cases of basic stupidity. In the first case, the stupidity belongs to the victim. In the second case it belongs to the victim's co-workers. In the third case, I think, it belongs to the judge and jury who made the awards.

Still, those of us who make up the *unstupid* have a problem on our hands. We must tend to the wants and the needs of our own lives. Yet we also bear a larger and more unmanageable burden: liability for all the stupid things the stupid people of the world might do to themselves, now or in the future. How might we meet that challenge?

I don't think we can. How could we try? Tell them it's better to drop used razor blades into that little slot in the medicine chest rather than swallow them? Let them know it's not a good idea to store preschoolers in the refrigerator? Advise them that there are no "user serviceable" parts in a thermonuclear reactor? Let them know it's not a good idea to trim one's nails with a band saw? Shout from the rooftops, "*Never, ever* dry your hair with an electric blow dryer in the bathtub!"?

Stephen Barone is a children's psychologist in Platteville, Wisconsin.

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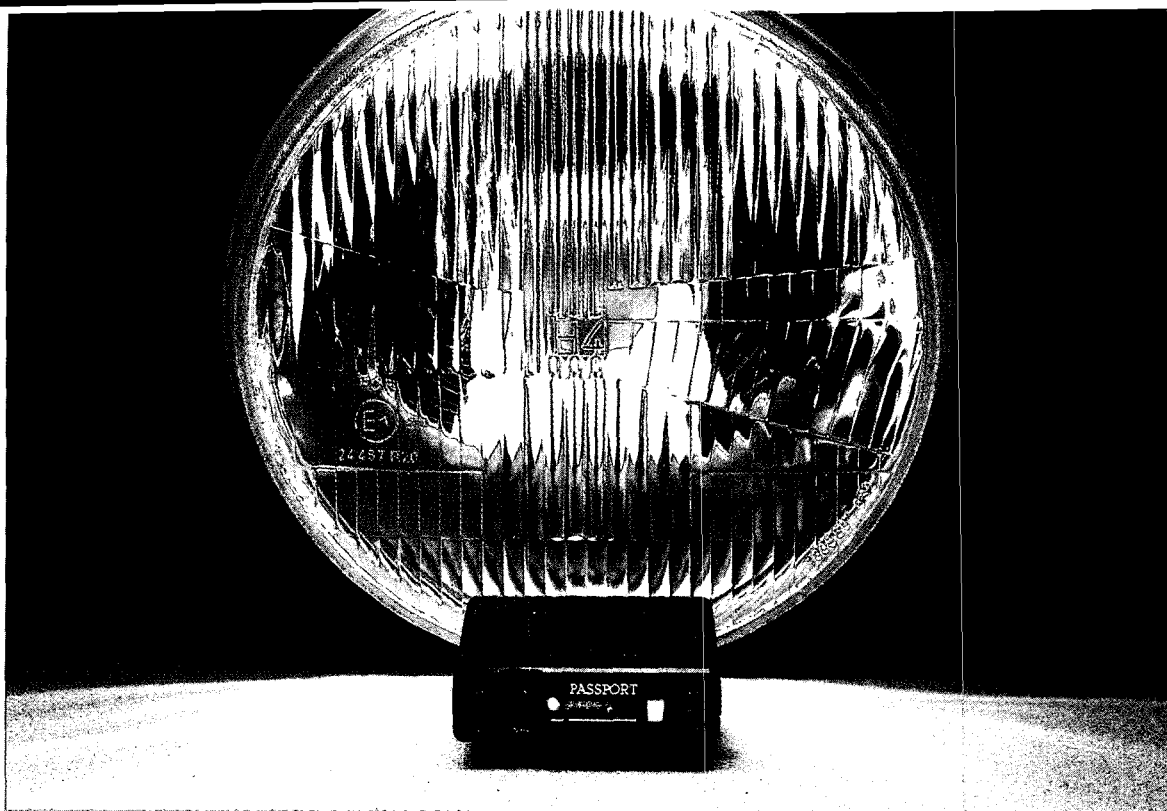
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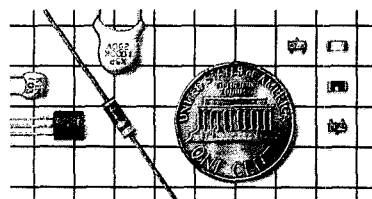
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