
The Voluntaryist

Whole Number 119

"If one takes care of the means, the end will take care of itself."

4th Quarter 2003

The Precursor of National Identification Cards in the U.S.: Driver's Licenses and Vehicle Registration in Historical Perspective

By Carl Watner

Introduction: Why?

Most of us living in the United States are accustomed to calling this country the most important bastion of the "free" world. If that is so, why is it that we now hear increased demands for national identification cards which would allow our government to number us like slaves and literally keep track of our every movement? Why do our automobiles and pickups have to be registered with our state governments, when our computers, photocopiers, television sets, power tools, and other personal property do not? Why does the government require that we pass a state test in order to operate "our" cars? Why do we have government-issued driver's licenses, rather than ones issued by our insurance companies, driver's schools, or private safety institutes? Why is the federal government now calling for standardization of state-issued driver's licenses? What is the history of these government imposed requirements and could all of this be part of a long-term pattern - deliberate or otherwise - that is leading directly to national ID? The purpose of this paper is 1) to shed some light on the history of driver's licenses and state vehicle registration; and 2) to explore the implications of government-issued driver's licenses and vehicle registration. These topics are important to understand because the calls for national identification cards would be far fewer if we did not already embrace state-issued documents certifying our birth, identity, and driving "ability." If we accept the principle that government ought to be involved in birth certificates and driver licensing, then why shouldn't it be involved in issuing national I.D.? By what principle of logic do you endorse the one and oppose the other?

Although we expect the federal and state governments to build and maintain the roads, the development of the automobile was strictly a free market phenomenon, largely spawned by individual entrepreneurs and inventors, such as Ransom Olds, James Packard, and later Henry Ford, whose ideas about mass production revolutionized car manufacturing. These backyard American tinkerers took machined steel, crafted their own internal combustion engines, and mounted them on their old farm wagons and horse-drawn buggies. The results were some of the earliest self-propelled vehicles, which they soon refined and offered for sale. From the very start of this process, government had no involvement. The steel, the wagons, the

motors: all were the private property of those who built automobiles. Hence, there was no inherent necessity or reason that these new automobiles had to become subject to government regulation. In fact, "[d]uring the early years of the motor age, any person could drive an automobile or truck without restrictions ... One [was] as free to operate a motor vehicle as to drive a span of horses." Private roads could have evolved without government controls, much like in the early petroleum industry, where private parties constructed their own pipelines on private property. But since the roadways had always been owned, operated, and regulated by local or state governments (federal aid did not begin until 1916), few people were ready to question the state's jurisdiction over the automobile and driver.

Before 1901, state governments had little to do with motoring. Most early legislation affecting the automobile and other wheeled vehicles "was the product of the cities, towns, and villages." For example, in 1898 the city of Chicago had in force a law which required that the owners of "wagons, carriages, coaches, buggies, bicycles, and all other wheeled vehicles propelled by horse power or by the rider" pay an annual license fee. (The law was ultimately declared unconstitutional.) A year later, Chicago passed another ordinance which "required the examination and licensing of all automobile operators" in the city. At the same time, New York City had an ordinance which required that drivers of steam powered cars be licensed engineers. Mitchell, South Dakota, (population 10,000: a city supporting two newspapers and a university) imposed a total ban on the use of motorized vehicles!

From these humble beginnings, government regulation of vehicle operation and operators has evolved to the point where millions of American adults have state driver's licenses; hundreds of thousands of their vehicles carry state license tags, registration cards, and state certificates of titles. Short of issuing every adult a federal identification card, the driver's license (and its companion non-operator identification card) is the most widely government-provided and used means of identification in the United States. Legally, a driver's license is to be carried on one's person whenever one is operating a motor vehicle on a government road, so millions of Americans have been conditioned to use a government-issued card to prove who they are and to show that they have been granted a state privilege of operating a vehicle. It is only a small step to visualize millions of Americans carrying a federally-issued smart card programmed to serve as their personal identification, their driver's license, bank card, credit card, and as dossier of their medical history. Hence, I believe it is quite accurate to describe state driver's licenses as the pre-cursor of national ID cards.

Driver Licensing

Although there is no comprehensive history of the establishment of automobile driver's licenses, personal anecdotes, government legislative records, and histories of

continued on page 2

The Voluntaryist

Editor: Carl Watner

Subscription Information

Published by The Voluntaryists, P.O. Box 275, Gramling, SC 29348. A six-issue subscription is \$20 or .07 ounce of fine gold. For overseas postage, please add \$5 or 1/3 of the regular subscription price. Single back issues are \$4 each or 1/5 of the regular subscription price. Please check the number on your mailing label to see when you should renew. THE VOLUNTARYIST is online at <http://members.aol.com/vlntryst> and voluntaryist.com.

The Precursor of National Identification Cards

continued from page 1

the automobile offer us many details about early licenses. (By a driver's license, I refer to the requirement that motor vehicle drivers have a valid, state-issued piece of paper in order to legally drive; and by driver license examination, I mean the operator has passed a state-administered written and/or oral test about driving rules, passed a vision test, and a state-administered driving test proving his skills.) One thing is clear from the historical record: While the justification for government licensing of automobile operators was sometimes a safety issue, in a majority of the states, driver competency examinations were not used until years after the initial licensing regulations were in place.

In the early days of motoring, every American learned to drive without any help from their local, state, or federal government; most of them learned to drive safely; and most of them never had any sort of government document to identify themselves or to prove that they had ever passed any sort of government driving test. The states of Massachusetts and Missouri were the first to establish driver's licensing laws in 1903, but Missouri had no driver examination law until 1952. Massachusetts had an examination law for commercial chauffeurs in 1907, and passed its first requirement for an examination of general operators in 1920. The first state to require an examination of driver competency was Rhode Island in 1908 (it also required drivers to have state licenses as early as 1908). South Dakota was both the last state to impose driver's licenses (1954), and the last state to require driver license examinations (1959). *Our contemporary belief that driver's licenses were instituted to keep incompetent drivers off the road is a false one.* The vast majority of Americans who drove already knew how to drive safely. Why the state governments demanded that they have a state-issued license and pass a government test appears to be more a matter of "control" than of public safety. Why early 20th Century Americans didn't resist licensure and didn't see where it might lead is another question.

Personal reminiscences of many old-timers verify this assertion. For example, one author in VINTAGE JOURNAL wrote that "I remember when the first driver's licenses came out. They cost 50 cents and you didn't have to take a test." Here are a few other comments found on the internet:

In Jefferson County, Kansas "on July 8, 1947,

someone from the county seat (Oskaloosa) came to Meriden to issue driver's licenses. Anyone who was 16 years or older and paid the fee was immediately issued a driver's license. No test. The date was easy to remember because I was 16 on that day and did get my driver's license." [Licenses were first required in Kansas in 1931, and driving examinations in 1949.]

During the 1930s in Georgia ... "you didn't have to take a test for driving. You sent for the permit by mail." [There were no driver's licenses in Georgia until 1937, and no driving examination until 1939.] In Missouri the gas stations sold driver's licenses — "no test. For 25 cents, they gave you a stub — you had this until the 'real' license came in the mail." [As noted, Missouri was one of the first states to require licenses (1903), but examinations were not required until 1952.]

In Washington state driver's licensing was started in 1921. "Applicant must furnish signatures of two people certifying that the person is a competent driver and has no physical problems that would impair safe driving." [Driving examinations were not begun until 1937.]

H. L. Hunt thought "that Communism began in this country when the government took over the distribution of the mails."

- Stephen Fay, BEYOND GREED (1982), p. 14.

James J. Flink presents a different point of view in his book, AMERICA ADOPTS THE AUTOMOBILE (1970). In his discussion of "Licensing of Operators" (pp. 174-178) he points out that "Automobile interests were well ahead of municipal and state governments by 1902 in recognizing that the compulsory examination of all automobile operators would be desirable. ... Officials of both the American Automobile Association and the Automobile Club of America publicly advocated ... that the states should certify the basic competence of all automobile operators by requiring them to pass an examination before being allowed on the road." It is clear, however, that widespread public sentiment did not exist to support these opinions. It was years before all the state governments passed such laws. In summarizing, Flink concludes that

Despite the motorist's own desire to have their competence examined [an assumption which I would challenge] and certified, state governments still remained reluctant to take adequate action at the end of the first decade of the twentieth century. As of 1909, only twelve states and the District of Columbia required all automobile drivers to obtain licenses. Except for Missouri, these were all eastern states - Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, and West Virginia. In seven other states, only professional chauffeurs had to obtain operator's licenses - ... The application forms for operator's licenses in these nineteen states as a rule asked for little more information than the applicant's name, address, age, and the type of automobile he claimed to be competent to drive. This might have to be

notarized, but in the vast majority of these states a license to drive an automobile could still be obtained by mail. In the twelve states that all operators had to be licensed, a combined total of 89,495 licenses were issued between January 1 and October 4, 1909, but only twelve applicants were rejected for incompetency or other reasons during this period - two in Rhode Island and ten in Vermont.

It is simply impossible to determine how well the general population complied with these laws. Flink offers one statistic, however: a roadcheck in Boston, Massachusetts in 1904 revealed that only 126 of the 234 motorists that were stopped complied with Massachusetts state registration and licensing requirements.

Vehicle Registration

"In the realm of government jurisdiction over traffic safety, matters at first fell to revenue collection agencies on the one hand and to law enforcement agencies on the other. Vehicles were initially licensed solely for the purpose of collecting revenue, and not for many years did the notion appear of vehicle inspection for safety purposes." Although the history of vehicle registration is about as sketchy and incomplete as the history of driver's licensing, some limited information is available to back up this statement. In New York, the first state to require vehicle registration (in 1901), the law required that a motorist would have to display a state-issued number or his initials on his automobile. The system that is in widespread use today, which encompasses a state-issued certificate of title, an annual or biennial registration fee, and state-issued license plate, was unknown in numerous states, even as late as 1967. When registration was imposed, in most cases it was perennial, signifying that it only had to be done once and that it lasted for so long as the owner of the vehicle owned it or lived in the county in which it was registered. By 1905, 26 states had instituted vehicle registration, but only three of the twenty-six had annual registration requirements. By 1915, every state in the union had some sort of registration law, but it was not until 1921 that annual registration was required in all states.

In **FILLER UP!: The Story of Fifty Years of Motoring** (1952), Bellamy Partridge offers the following description of the evolution of vehicle registration in New York state:

Members of the [New York] state legislature, having officially discovered the motor vehicle, were not long in working out a method of imposing a tax on it by requiring registration. Motorists did not particularly object to [having their vehicles] registered. It gave them a feeling of importance, and many of them smiled as they read the printed instructions (which had come with the applications for registration):

"Every owner of an automobile or motor vehicle shall file in the office of the Secretary of State a statement of his name and address and a brief description of the character of such vehicle and shall pay a registration fee of \$1.00. Every such automobile or motor vehicle shall have the separate initials of the owner's name placed on the back thereof in a conspicuous place. The letters of such initials shall be at least three inches in height."

Registration in New York state for the year 1901 was 954 motor vehicles, ... The following year saw

an increase of 128. However, the initials proved to be an unsatisfactory form of identification, since there were numerous duplications and the printed letters were not always easy to read. The suggestion was made that the motor vehicles should be named as in registration of vessels so that duplication might be avoided. But this method failed of acceptance and the state began registering the vehicles according to number. For each car registered, the state issued a numbered metal disc. The disc could be carried in the pocket of the motorist, but he was required at his own expense to display the figures in Arabic numerals on the back of the vehicle where they would be plain and visible.

This brought out some fancy numerals of every color of the rainbow, and quite a few numbers from people who had not bothered to get a disc. Artistically inclined motorists painted their numbers on the body of the car, surrounded by landscapes, sunsets, or other ornamental designs. There were complaints about this, and the following year the state began to furnish number plates and raised the registration fee to \$2.

"The champion is not the one who wins, but the one who never quits."

Vehicle registration seems to have originated for two primary reasons. The first is alluded to in the opening lines of the above quote. Registration and license fees were viewed as "a major source of revenue for highway purposes. Until 1929, these sources provided the major share of revenue derived from highway users." The second reason was for the need to be able to identify vehicles, both for purposes of taxation, as well as for identifying those that were operated recklessly or unsafely. Flink derides the opposition to Detroit's vehicle registration law of 1904: "They claimed that the \$1 fee [for registration] constituted double taxation of personal property and that the ordinance was unjust 'class legislation' because owners of horse-drawn vehicles were neither forced to carry identification tags nor deprived of the right to allow children under sixteen years of age to drive their vehicles." Flink then adds:

Undoubtedly, the most important reasons for motorists' objections to numbering ordinances remained covert. Motorists generally feared that the facilitation of identification of their vehicles would increase chances of arrest, fine, imprisonment, and the payment of damage claims. Also, registration helped tax assessors identify and locate automobile owners who were evading payment of personal property taxes on their cars. To cite but one example, it was estimated that in Denver one-third of the automobiles in the city had gone untaxed prior to the adoption of a registration ordinance. Since such motives could not be expressed legitimately, motorists were forced to cloak their cases in the respectable mantle of the constitution... . Probably the last such effort worth noting was a halfhearted attempt, undertaken after a year's hesitation, by the National Association of Automobile Manufacturers to test the constitutionality of state motor vehicle registration laws in 1905.

By then, however, most motorists had become convinced that "the continual wrangling with authorities was a much greater annoyance than carrying numbers."

The earliest registration laws were imposed by municipalities or counties, rather than by the states, and this proliferation actually led to the demand for federal registration of vehicles as early as 1905. Motorists in 1906, found the situation in Missouri deplorable. In order to drive legally in every county in that state, a motorist had to pay \$295.50 in registration fees. Finally the law was changed so that after June 14, 1907, only a single state-wide registration of \$5 was required. Such registration expired "when either the vehicle was sold or [when] the owner's county of residence changed." Flink points out that national registration would have been valid in all states and eliminated the confusion caused by "dinky legislatures, county boards, or town trustees and supervisors." Under the guise of "regulating interstate commerce," both the American Automobile Association and the National Automobile Chamber of Commerce "backed a bill in the 60th Congress [1907] that would have required Federal registration for all vehicles." The bill died in committee "because legislators doubted the necessity for, and the constitutionality of, such an extension of power of the federal government," and by 1910 the movement was diffused by "the general adoption of interstate reciprocity provisions and a trend toward increased uniformity in the motor vehicle laws of the various states."

Although there appear to have been no legal challenges to the constitutionality of requiring driver's licenses, there were a number of test cases in several states which challenged the legitimacy of the registration laws. Invariably these laws were upheld on the basis that they were a proper exercise of the police power of the state to provide for the health, safety, and comfort of its citizens. The earliest registration laws were justified by state authorities, as well as vehicle owners, because of "the need of identifying a vehicle with its owner as a protection against theft." In order to provide this service, the states created motor vehicle administrations and state highway commissions, and these bureaucracies required funds in order to exist. It was invariably held by the courts that fees collected for the registration of vehicles and for the maintenance of the highways were legitimate. In a discussion of "The Constitutionality of Motor Vehicle License Fees and the Gas Tax," published in 1924, it was pointed out "that the State[s] had, without any doubt, the right to regulate the use of its highways and that in doing so [they] could compel the registration and numbering of automobiles; [and] that [they] could impose fees which would compensate the State for the expenses and costs which such legislation entailed, but that such fees had to be reasonable and fair...". An earlier case in New Jersey, that was ultimately upheld by the U.S. Supreme Court, held that "imposition of license fees for revenue purposes was clearly within the sovereign power of the State." As a test case in Detroit put it, vehicle registration requirements and fees were "a justifiable exercise of the police power in the interest of the safety of the travelling public," and this new form of taxation was accepted by the American populace so long as they believed it would be applied to "securing better roads."

Better Roads: Public or Private?

The extended use of the automobile increased the agi-

tation for good roads during the first decades of the 20th Century. During those years, real and personal property taxes, and other general revenues supplemented by State and local bond issues were the main source of road construction, improvement, and maintenance. At that time there were no interstates, much less any well-traveled routes across the country. The first person to wage a national campaign for a transcontinental highway was Carl G. Fisher, the man who had founded the Prest-O-Lite Company and inaugurated the Indianapolis 500 race in 1911. In September 1912, he publicly laid out his plans for "a road across the United States," which he called the Coast-to-Coast Rock Highway. He calculated that such a road could be graveled for about \$10 million. "This money would be used to buy only basic road-building materials; the labor and machinery, he said, would be provided by the counties, towns and cities, along ... the route," which was eventually to become known as the Lincoln Highway.

"Shoot for the moon. Even if you miss it, you'll land among the stars!"

— Les Brown

"To fund this grand project, Fisher proposed outright donations of cash from the manufacturers of automobiles and auto accessories." He encouraged pledges of 1% of gross revenues (prorated at 1/3 of 1% for 3 years, or 1/5% of 1% for 5 years), and asked automobile owners, as well as members of the general public to subscribe to an annual \$5 membership. Frank A. Seiberling of the Goodyear Tire and Rubber Company immediately pledged \$300,000. Portland cement companies all along the route made donations in kind, totaling many thousands of barrels of cement. Other leading manufacturers waited to hear what Henry Ford thought of the project. If Henry Ford, with some 118,000 Model T's on the road by 1912, offered his support, so would they; but as it turned out Ford did not believe in using his money to build the Coast-to-Coast Rock Highway. Writing on behalf of Henry Ford, James Couzens, secretary and treasurer of Ford Motor Co., informed Fisher:

Frankly the writer is not very favorably disposed to the plan, because as long as private interests are willing to build good roads for the general public, the general public will not be very much interested in building good roads for itself. I believe in spending money to educate the public to the necessity of building good roads, and let everybody contribute their share in proper taxes.

Nor would Ford change his mind: "The highways of America should be built at taxpayers' expense."

Although Ford's refusal to support the private efforts of the Lincoln Highway Association stymied its attempts to build a transcontinental highway, Fisher, with the help of Henry B. Joy, president of Packard Motor Company, pressed on to provide marking for the entire route and to build at least one mile of experimental concrete highway in each of the states the route crossed. This was ultimately done in Ohio, Indiana, Illinois, Iowa, and Nebraska. The efforts of the Association, though only partially successful, give some credence to Rose Wilder Lane's statement in her 1943 book, *DISCOVERY OF FREEDOM*:

... American government should have never interfered with highways. Americans created a free, mutual association, the American Automobile As-

sociation, which was dealing with all the new questions arising from the invention of automobiles. Private enterprise originated and built the first trans-Continental highway [this statement is not true if it refers to the Lincoln Highway]; free manufacturers and car-owners would have covered this country with highways, as free Americans covered it with wagon-roads. Americans wanted cars and highways; no police force was needed to take their money from them and spend it for highways. And it is injustice to the Americans who do not own cars, to compel them to pay for highways.

Had American roadways been private property, another question relating to the propriety of driver licensing would have been more easily resolved. Under the common law, driving a team of horses, oxen, or mules was a matter of right. Such activities were clearly not a privilege granted to the individual by the state.

In one of the earliest decisions relating to registration and licensing, the Supreme Court of Illinois stated that the City of Chicago might regulate commercial activities, such as those engaged in by draymen, but "no reason exists why [licensing] should apply to the owners of private vehicles used for their own individual use exclusively, in their own business, or for their own pleasure, as a means of locomotion."

Anything which cannot be enjoyed without legal authority would be a mere privilege, which is generally evidenced by a license. The use of the public streets of a city is not a privilege but a right. ... A license, therefore, implying a privilege, cannot possibly exist with reference to something which is a right, free and open to all, as is the right of the citizen to ride and drive over the streets of the city without charge, and without toll, provided he does so in a reasonable manner.

"A really efficient totalitarian state would be one in which the all-powerful executive of political bosses and their army of managers control a population of slaves who do not have to be coerced, because they love their servitude."

—attributed to Aldous Huxley in
BRAVE NEW WORLD.

Over one hundred years have passed since this decision, and now the general legal consensus is that driving is a privilege, not a right. How we reached that point remains to be explained, but the actions of the American Bar Association's National Conference of Commissioners on Uniform State Laws should not be overlooked. Started in 1889, as part of an effort to standardize state laws, the Commissioners developed a Uniform Motor Vehicle Operation and Chauffeur's License Act in 1926. This was at a time when driving was still recognized as a common law right in at least the 8 states, which issued no licenses (either operator or chauffeur) at all. "Thus the ABA, under its self-appointed mandate to produce uniformity [of laws] among the states, labored to license every driver in America."

In 1935, there was a debate in the Texas legislature regarding the issue of whether or not Texans had a "God-given unalienable RIGHT TO DRIVE." The Texas Senate

had approved the American Bar Association's Licensure Act, which viewed driving as a privilege, rather than a right. "The Texas House knew all to [sic] well that Texans had been driving cars and trucks for ... years on the roads of Texas without approval from anyone." Thus the Texas' House version of the law read as follows:

Every person in this State desiring to operate an automobile under the provisions of this law shall upon application and identification be issued an operator's license to drive by the county clerk of the county in which the motor vehicle is registered. But every person in this State over the age of fourteen (14) years and who is subject to none of the disqualifications herein- after mentioned, shall have the right to drive and/or operate a motor vehicle, as that term is now defined by law, upon the public highways and roads of this State.

Although the "right to drive" language was finally incorporated in Section 17 of the Texas law of 1935, it was removed by the legislature in 1937. Nevertheless, it is apparent that some Texans recognized their unalienable right to drive was being negated by their legislators and the American Bar Association's Committee on Uniformity.

Conclusion

The end result of the ABA's efforts of "creating a country-wide trend toward uniformity" and standardization looks as if it will result in a multi-use federal or state-issued driver's license and/or identification card. If a federally-issued smart card were used, it could be structured in such a way that "the revocation of driving privileges would allow you to keep the card and use it to function for other purposes without actually having the issuing authority repossess the card or require you to turn it back into them." A simple change in programming at the central data bureau would indicate to anyone checking the card that your driving privileges were temporarily suspended or denied, but you could use the card to draw money out of your bank account, to vote, or to identify yourself at the hospital.

Although we don't have a national identification card yet, the driver's license that is used today is clearly an indication of what might come. "Embossed with a photograph, current address, a validated signature, and (often) a social security number, the license is routinely requested by merchants when asked to accept a check, by vendors of alcohol to validate a young person's age, by voter registrars to enfranchise individuals, or by numerous others who need some reliable form of personal identification. ... A driver's license is the only form of identification held by a majority of Americans and controlled and distributed by the State. In 1989, 79 percent of females and 91 percent of males (aged 16 and older) in America held driver's licenses. In all, 165 million Americans h[e]ld licenses as of 1989" and the percentages and numbers are probably even higher today. Such multitudinous contact with the State is not always ennobling. As the Secretary's Advisory Committee on Traffic Safety noted in February 1968:

... the average adult American citizen [has] more direct dealings with government through licensing and regulation of the automobile than through any other single public activity. Not all of these dealings [are] especially uplifting, and some [have] acquired implications all the more ominous because they so quickly came to be regarded as natu-

ral. Thus in the course of the regulation of highway traffic, the incidence of arrest [for violation of motor vehicle laws] by armed police in the United States has undoubtedly reached the highest point for any civilization, democratic or totalitarian, in recorded history. While ours is assuredly a free society, it has nonetheless become commonplace for an American citizen to be arrested by an armed officer of the law. Indeed, so frequent have such arrests become - in 1965 the California Highway Patrol alone made 1 million - that experience has ceased to be regarded for what it is at law and has come to be looked on as a rather routine accompaniment of modern life. One may well question whether the instincts of a free people will not one day be impaired by the habit of being arrested without protest; certainly the pervasiveness of automobile-related regulatory activity is a matter about which we must all agree.

Driver's licensing and vehicle regulation are both precursors to national ID. Both are trademarks of totalitarianism, no matter how you look at them. Read the above quote again if you don't believe me!

"As long as we continue to go to work or pay our taxes or otherwise conduct business as usual, we contribute to the continued functioning of the various social systems to which we belong.... We are therefore implicated in the deeds of our group, even if they are not our own deeds. In such circumstances, we are not untouched by evil because our own hands are unbloodied, because we did not personally drop a bomb, or sign a release for a bomb, or direct where a bomb would be dropped.... Having no conscious role in evil, therefore, is not the same as having the purity of the righteous. Doing nothing [to oppose evil in our social and political system] leaves us tainted by default."

— Douglas V. Porpora, *HOW HOLOCAUSTS HAPPEN* (Temple University Press, 1990), p. 185.

Is there not something eerily Orwellian about the way the requirements for compulsory birth certificates and compulsory driver's licenses fit together? Isn't this development a perfect example of how government manages to spin a web of power to ensnare unaware citizens? No one, obviously, planned the invention and development of the motorized vehicle, but look at how government has used the automobile to control its citizenry and make them submissive. First, the government "owns" the roads which it forces everyone to pay for regardless of how much they use them, or whether or not they own and drive a vehicle. Government ownership of the roads is socialism, despite the fact that most people refuse to recognize it as such. Second, the government began requiring that children have birth certificates. That demand preceded, and was, obviously, unrelated to the issuance of driver's licenses. Then the government required driver's licenses, but there was no need

to show proof of who you were. Then it became a precondition to the issuance of a driver's license that one must present a government-issued birth certificate. The loss and denial of the common law right to drive (without any sort of government license) upon the state's roads only accelerated this trend toward total control.

Pick any piece of government legislation that has been implemented in the last fifty years. Consider anti-bank secrecy and money laundering legislation: what started out as a requirement that banks keep microfilmed copies of customers' checks has turned into a call for electronic banking, where the use of cash in amounts larger than \$3000 must be reported by both the banks and the parties receiving the cash. Look at other examples: health care; firearms regulations; the drug war; asset forfeiture programs. Practically every new piece of legislation leads to further and further government intervention. Haven't the uses for Social Security numbers expanded far beyond the wildest expectations of everyone? Won't the same hold true for national ID?

When the government has the technical ability to identify and track every person in its jurisdiction, and make an outlaw and criminal of any person who refuses to carry government "papers," then we have truly reached the situation described in Orwell's 1984. Additionally, consider the "mission creep" built into these ID proposals. Not only will a national ID card keep track of who we are, they have the potential to show where we have been, what health care we have received, what we have spent our money on, where we have spent it, whether or not we have voted, and whether or not we have paid our taxes.

What is it about the operation of government that ordinarily makes it expand and expand? "How is it that everything the government does leads to greater control for it, less freedom for us?" Theodore Lowi, a political scientist at Cornell University in the late 1970s and early 1980s, did a good job of explaining the reason why we always seem to get more government, rather than less. In his book, *INCOMPLETE CONQUEST: GOVERNING AMERICA*, he wrote:

Every action and every agency of contemporary government must contribute to the fulfillment of its fundamental purpose, which is to maintain conquest. Conquest manifests itself in various forms of control, but in all those forms it is the common factor tying together into one system the behavior of the courts and cops, sanitation workers and senators, bureaucrats and technocrats, generals and attorney generals, pressure groups and presidents.

Although Lowi did not include them, we might add government health departments (that issue birth certificates), government motor vehicle administrations (that issue driver licenses), the Immigration and Naturalization Service (which is responsible for keeping track of aliens residing in the US), and the Office of Homeland Defense (which is responsible for waging the War on Terrorism). If and when it comes, a national ID program will be part and parcel of Lowi's description of the "fundamental purpose" of government "which is to maintain conquest." [Editor's Note: This article was excerpted from my anthology on opposition to government enumeration. Footnotes deleted. More information available from The Voluntaryists.]

Taxation = Theft:

continued from page 8

such things. The reason I harp on what the "law" itself says—which may seem odd since I don't believe the "law" has ANY legitimacy anyway—is because almost everyone else DOES believe in the legitimacy of "law," and the insane idea that politician scribbles ("legislation") can actually ALTER right and wrong, and make something bad into something good.

In short, I want freedom to win. Oddly enough, I believe the "law" can be used to accomplish that. Literally THOUSANDS of people who fervently believe that we are all obligated to surrender whatever politicians demand via "law," are nonetheless now actively working to tear down the IRS. Why?

You and I don't think "law" changes morality. Most people do, mostly because they never thought much about it. But NO ONE wants to be robbed, extorted, and defrauded. To most people, there is a HUGE difference between being "taxed" and being TRICKED. I can show them that they were just plain FAKED OUT into thinking they owed income taxes, when the law itself shows that they didn't. Yes, I would rather the country resist such extortion on principled moral grounds, but at the moment, they aren't going to.

Ironically, I think the "legal" issue will ultimately result in more people considering the more important MORAL issue. Once they see how they have been defrauded via "legislation," I believe a whole lot of people will start to reconsider whether "legislation" is even legitimate to begin with. (And I have seen numerous examples of people going through that thinking process already.) For now, I want to get their support based on what they ALREADY believe ("illegal" extortion is bad), and later hopefully we can get them to understand the deeper issue (ALL extortion is bad).

Thanks for your note, and if you have further comments or questions, let me know any time.

Sincerely,
Larken Rose

9 26 02 email

Dear Larken,

Hope you got my last email in which I asked if I could publish our correspondence, requested a copy of the Theft by Deception video, and in which I offered a free copy of my newsletter anthology, I MUST SPEAK OUT.

Have you ever seen the Emma Goldman quote about means and ends?

There is no greater fallacy than the belief that aims and purposes are one thing, while methods and tactics are another. This conception is a potent menace to social regeneration. All human experience teaches that means cannot be separated from ultimate aims. The means employed become, through individual habit and social practice, part and parcel of the final purpose; they modify it, and presently the aims and means become identical.

There are very few people with whom I correspond who "don't believe the 'law' has ANY legitimacy," as you put it. As I said before, I applaud you on grasping that point.

However, I don't believe that you can use the "law" to bring about freedom.

Your rebuttal to that would be that by showing people how they have been tricked and deceived by the "law," they

are apt "to reconsider whether 'legislation' is even legitimate to begin with."

Nevertheless, it really doesn't make any difference if they have been duped or if the law honestly requires them to pay taxes. And until you get them to understand that point, we'll never get rid of taxes because they must question the moral propriety of taxation, not its legality. But you understand all this.

I hope, at the very least, that my contact with you will prompt you to make a formal proviso to every presentation and statement that you make: Something to the effect that although you are challenging the income tax law (so-called) on the basis of its legality, you even more strongly challenge and call into question its morality and legitimacy. I hope you see the need to get that message out (explicitly), too. It is far more important than showing people how they have been deceived and duped.

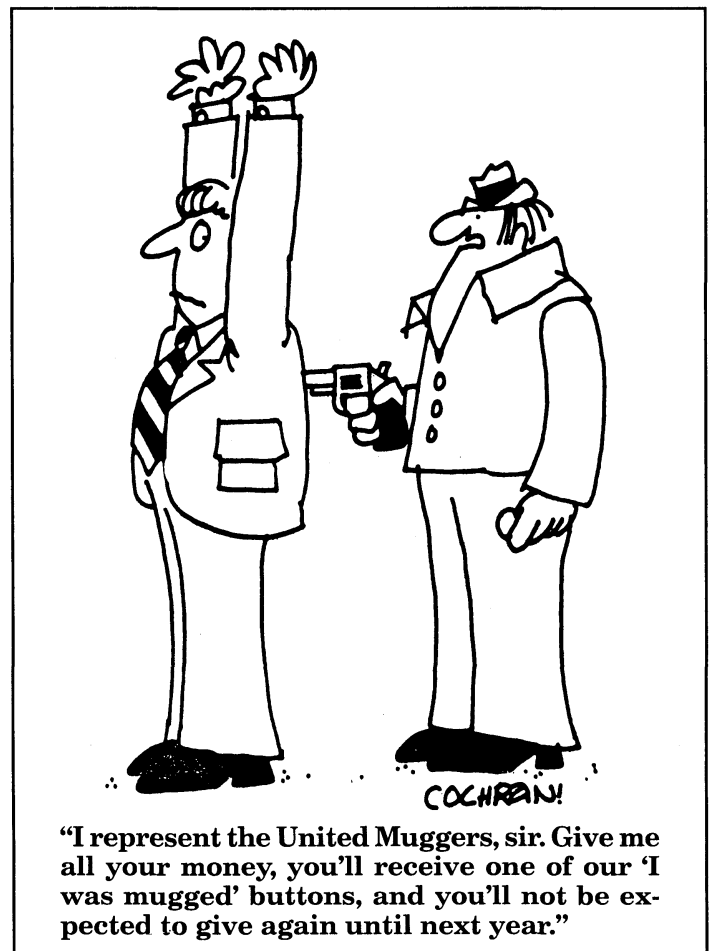
On another note, I have two questions:

1. Why did the writers and promoters of the income tax legislation resort to fraud and chicanery? What did the people of the early 1900s believe that the 16th amendment actually authorized? Was the population duped from the very beginning of the income tax amendment or did the deception occur later (if so, when, and why then)?

2. Why don't the current legal authorities make the necessary changes to the "law" (so-called) to remedy the deficiencies that you (and others) point out? Is there any impediment to their creating new legislation that openly and honestly authorizes direct personal income taxation?

I hope you have time to respond.

Sincerely,
Carl Watner ☐



Taxation = Theft: Correspondence with Larken Rose

Larken Rose
Box 653
Huntingdon Valley, PA 19006
Dear Mr. Rose,

Sept 16, 2002

A friend from Oregon told me about your website and work against the federal direct income tax. I applaud your stand and efforts.

I am sure you get all kinds of junk mail, but I hope you have the time and interest to read my enclosed newsletter [No. 105: "Is Taxation Theft?"].

In it, I question—not the constitutionality or political legality of income taxation, but rather—the moral propriety of all taxation. If (federal income) taxation is theft [by deception, as you put it], it is stealing. Stealing is wrong regardless if that practice is sanctified by the Constitution or by Congress passing laws making it politically legal.

And whether or not the government would shrivel up and die without taxation is beside the point. The essence of my argument is that it is not morally proper to steal from people, even for a good cause. And if the cause is truly a good one, people (or at least some) will voluntarily contribute their own money to fund it.

Sincerely,
Carl Watner

Date: 9/23/02 2:48:27 PM Eastern Daylight Time
From: GrandDelusion@erols.com
To: inmanfeedmill@alltel.com

Dear Mr. Watner,

I just received your letter. To jump to the punchline, you are absolutely right about the fact that "theft" cannot become legitimate or moral by way of "legislation." By coincidence just yesterday I sent a message to my update list (which deals with the tax issue), and it included this:

"A lot of people tolerate, or even LIKE, being "taxed." Some think it's just their "dues" for living in a prosperous country (which economically is akin to believing that flushing money down the toilet is what makes the plumbing work). Some think it's the "price we pay for civilization." I can't think of anything nice to say about that, so I won't say anything at all. (Hi, Mom.) Some think it's just a "fact of life"... whatever that means. But I have yet to hear anyone say "I LIKE to be robbed!" Americans of ALL stripes, in all income brackets, of all religions (or lack thereof), of all political persuasions, of all ages, etc., do not want to be lied to, tricked, robbed, extorted, defrauded, etc. While I personally don't see much (or any) moral difference between "legal" theft ("taxation") and "illegal" theft*, most people do. They might put up with or even endorse the former, but they resent and despise the latter."

(*The asterisk led them to a suggestion that they read THE LAW by Bastiat.)

So I agree entirely, and this country would be in infinitely better shape if the people understood individual freedom, and why ANY theft ("legal" or not) is illegitimate. Unfortunately, most people never get around to thinking about

continued on page 7

The Voluntaryist

P.O. Box 275 • Gramling, South Carolina 29348



FIRST CLASS

Please renew your subscription if the number on your address label is within one digit of this issue's number.