

Brother, Can You Spare a License?

BY MARNI SOUPCOFF

THERE ARE MANY WAYS TO GET PEOPLE TO STOP doing things you don't want them to do. You can ask them politely to desist. You can threaten them with a lawsuit or a black eye. Or, if you're the government, you can demand that they go get a license.

That last option may not sound like much, but it can be an incredibly effective deterrent. When you consider the forms, lines, rules, hoops, and, well, *bureaucrats* that are part of any government licensing process, it's little wonder that many people would sooner risk an avaricious trial attorney and minor beat-down than subject themselves to a regulatory agency.

That's what the City of Minneapolis seems to be counting on. The city is considering a proposal that would require local panhandlers to obtain government licenses and identification cards before they can beg in public. Sound suspicious?

"It's not a trick to get people not to [beg]," Minneapolis Police Chief William McManus insists. "It's just something that allows you to control [panhandling] a little better." But that's a little like claiming that a luxury car dealership requiring a \$100,000 cash deposit is not a trick to stop destitute people from test driving a new car. It might be correct technically, but the outcome's going to be the same: very few welfare moms checking out the latest Lexus.

And anyway, as McManus and other Minneapolis officials know full well, the last thing most panhandlers can handle is making a yearly trip to a government office to get registered and photographed. As a rule, these are people at the fringes of society who have failed at the rudimentary tasks of maintaining a job, home, or decent hair cut. Are they really to be expected to conform to a regulatory schedule and willingly sport an ID tag for the privilege of asking a passerby if he can spare a dime?

In a word: no. According to the *Pioneer Press*, even Minneapolis City Council president Paul Ostrow, who is quite keen on the idea of a panhandling license, has admitted that he really doesn't know how the city would persuade panhandlers "to

apply for the license in the first place." After all, it's not like peer pressure or public service ads are going to work.

More likely, the panhandlers will either leave town or become unlicensed beggars who are then subject to arrest. Either way, that gets them out of everyone's hair without the city having to come right out and directly ban the beggars' speech—an action that tends to displease judges who get hung up on that whole First Amendment thing.

So is the panhandling license really just a transparent dodge? Of course. But it would be unfair not to admit that this calculated half-measure is, to be blunt, something of a relief, even to the libertarian-minded. One can fully appreciate a panhandler's right to say whatever he likes and still dread being approached by a panhandler when walking alone at night. As Voltaire might have said, "I will defend to the death your right to beg, but that doesn't mean I agree with the way you smell."

Still, the expediency of eliminating uncomfortable, or even scary, situations is not reason enough to use the law to force someone to stop asking annoying questions (whether they be "Spare some money for food?" or "Would you like to super-size

your value meal?"). Somewhere inside, we know this. And the government does, too—which is why Minneapolis officials are relegated to the embarrassing position of defending the fiction that the panhandling license is not intended to stop people from panhandling, but rather to encourage "proper panhandling procedure" or some such silliness.

A preferable approach would be for local governments to acknowledge both the frustration and fear caused by being begged at and the legality of begging. They could do this by ensuring that it is straightforward for a person to file a police complaint against a beggar who has made a threat (an offense in itself, having nothing to do with the offender's status as a panhandler).

In other words, my plea to Minneapolis is to respect everyone's rights and not to resort to licensing as a means of stopping legal behavior that people don't happen to like.

Not that I'm begging, mind you. I'd never take that kind of license. **R**



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