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## **Panhandling**

Seven selected articles on the topic of panhandling reflect the tug of war between the two American ideals of free enterprise and civil liberty. The articles, in order of publication date, are Fenton's " Guilt-Free Panhandling", published in 1993 in the Alberta Report and Newsmagazine; Two pieces published in 1993 in the ABA Journal, in which writers Hershkoff and Conner take opposite sides on the question, " Do aggressive panhandling laws violate the constitution?"; Wilcox's " Time's Expired on Panhandling", published in 1998 in Kiplinger's Personal Finance Magazine; A sidebar titled " Panhandling" in a 2005 issue of American City and County; Loew's " Cities Crack Down on Panhandling" in USA Today in 2008; and Gomez' continuation of " Cities Crack Down on Panhandling" in USA Today in 2009.

This paper draws a parallel between the articles' contents and the political party (Democrat or Republican) of the then incumbent U. S. president. The author recognizes that the two parties both endorse the ideals of free enterprise and civil liberty, but differ in relative emphasis on these ideals. At the risk of oversimplification, Democrats place a higher premium on civil rights compared with Republicans who strongly endorse free enterprise. It is also recognized that the presidents do not cause the tone and content of the articles but represent the social and political climate of the time they hold office.

The three 1993 articles, one by Fenton (16) and the paired set by Hershkoff (40) and Conner (41), focus more on the plight of panhandlers than on the effect of panhandling on nearby businesses. Fenton tells of voucher systems in Edmonton, Canada and Berkeley, California whereby donors buy vouchers

from retailers and give the vouchers instead of cash to panhandlers. These vouchers can be traded for food and shelter, but not alcohol and other proscribed items.

In taking the position that laws against panhandling violate the constitution, Herschkoff cites two Supreme Court decisions, one in 1940 and another in 1980, which support begging as a form of free speech. Herschkoff states further that “ the term ‘ aggressive’ is vague and leaves too much discretion with police, who are likely to enforce it disproportionately against people who are dirty, different or of minority groups” (40). Conner, who claims no objection to panhandling itself, makes a case against aggressive begging. He gives concrete examples of aggression--chasing after a potential donor, touching or screaming at him or her, and blocking prospective donor’s passage.

It might be noted that in 1993, Democrat Bill Clinton was serving his first term as U. S. President, following Republican George H. W. Bush. In 1998, while Clinton served a second term, Wilcox (20) reported on a small California town’s method of helping the homeless gain food and shelter without the necessity of panhandling. At this point in history, the emphasis is still more on helping the homeless than on instituting limits on vagrancy and panhandling in order to protect business interests.

In 2005, Republican George Bush was in the middle of his second term as president, and the 2005 panhandling sidebar (10) in American City and County seems to reflect a transition to a more equal balance between protecting the civil rights of citizens, even if they are panhandlers, and protecting merchant interests in running a profitable business. The article

leads with mention of a lawsuit by four Chicago panhandlers who claim that police single them out for harassment, in violation of their right to freedom of speech. Following discussion of the panhandler's side, the article goes to the "city side" of the issue by asking selected interviewees, "What restrictions, if any, should local governments place on panhandling" (10)? Two of those interviewed were town managers and one a systems analyst. All three voiced negative opinions of panhandling as inimical to business. The analyst brought up a novel view, claiming that, "Begging is commercial speech, which hasn't traditionally had all the protections accorded personal speech" (10).

The year 2008 saw the end of Republican Bush's second term as president and the beginning of Democrat Barack Obama's first term. This was the political setting for Loew's (3a) article in USA Today, "Cities crack down on panhandling". Loew noted that civil rights advocates point out that begging is free speech, so realistic laws try only to limit where it can occur. Places singled out are downtown shopping areas, near ATMs, or on public transportation.

The seventh and last article, by Gomez (3), was published in 2009 as Obama began his first term as president. Like the earlier USA Today article, it touched on both sides of the panhandler versus business people issue. The reporter interviewed a pawn shop owner in St. Petersburg, FL and officials in three U. S. cities on the one hand and Tulin Ozdeger, Civil Rights Director for the National Law Center on Homelessness & Poverty on the other. The former complained of such blights as "people sleeping and urinating amid piles of filthy blankets and empty bottlesvagrants who won't take no for an

answer [cursing] at shoppers all the way back to their cars” (3a). Ozdeger countered with the observation that in our current economy most cities cannot fund housing to meet peoples’ needs, with the result that homelessness is widespread. Yet “ multiple ordinances and increased harassment by police have reached the point that simply being homeless has nearly become a crime” (3a). The dilemma is real, and the solution is another challenge to our social and political system.

It seems we must conclude that conflict is healthy when we have the checks and balances of a two-party system. It prevents an ideal such as freedom of speech being protected to the extent that it overrides another ideal such as free enterprise. The tug of war described here is only one instance of how the political process is and must be one of constant conflict and self-correction.

## **Works Cited**

Conner, Roger. “ Aggressive Pan Handling Laws: Do These Violate the Constitution? No: A Solution to Intimidation.” ABA Journal, June 1993: 41. Print.

Fenton, Greg. “ Guilt-Free Panhandling.” Alberta Report / Newsmagazine. 20. 25 (1993): 16. Web.

Gomez, Alan. “ Cities crack down on panhandling.” USA Today. 10 January 2009. Web.

Herschkoff, Helen. “ Aggressive Panhandling Laws: Do These Violate the Constitution? Yes: Silencing the Homeless.” ABA Journal, June 1993: 40. Print.

Loew, Tracy. “ Cities Crack Down on Panhandling: Downtown Shopping Areas

More Restrictive." USA Today. 23 January 2008: 3a. Web.

" Panhandling." American City & County. November 2005: 10. Print.

Wilcox, Melynda Dovel. " Time's Expired on Panhandling." Kiplinger's

Personal Finance Magazine. 52. 1 (1998). Web.