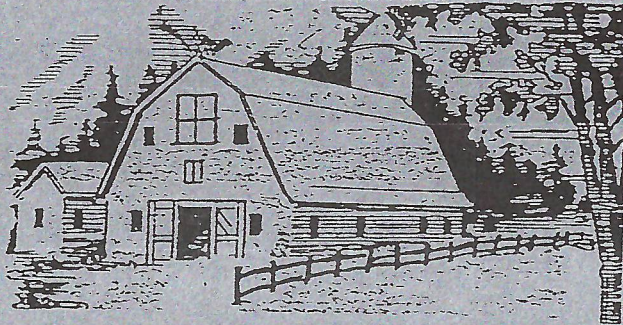


The
Cliches
of
ZONING

by Raymond Buker

"This land is your land?"



"This land is my land???"

CLICHES OF ZONING

by Raymond Buker

I wrote "Cliches of Zoning" and published it in booklet form in 1965. It went through three printings, for a total of 13,000 copies. This little booklet found its way to all sections of the country and I constantly get requests for more copies. With the supply again exhausted, I am now (1970) publishing it in this four-page form.

Promoters of zoning make use of a number of trite statements which they seem to expect people to accept *without questioning*. I present these 18 cliches exactly as first printed. After five more years of study and observation of the whole field of zoning (Ogle County and many other places) I see no reason to change the views I have expressed, unless to present them with even greater emphasis.

The trend now is for greater State and Federal control, tied in with Comprehensive Land Use Planning. At whatever level, zoning and land use planning of private property by the force of government is wrong, **ECONOMICALLY WRONG** and **MORALLY WRONG**. If we would be free individuals, in a free nation, we have no choice but to return to the tried and true principles of **PRIVATE PROPERTY--THE FREE MARKET--LIMITED GOVERNMENT**, by which America became the greatest nation that has ever existed since the beginning of time.

Are we people or are we puppets? Don't be afraid to stand up and be counted.

Statement added at time of November, 1972 reprinting:

In the 7 1/2 years since the first printing of "Cliches of Zoning" in 1965, I have distributed (sold or given away) 63,000 copies, throughout the U.S.A.

The problem is the same everywhere. Those who value the principles which made America the greatest nation on earth (private ownership of property in its fullest meaning and the uninhibited right of the individual to exercise free enterprise) are now engaged in a life and death struggle against the forces of totalitarianism that are enveloping our nation at an ever-increasing rate.

These 18 Cliches are presented exactly as written in 1965. The only change that I might make would be in the first paragraph of Cliche No. 5. It has been pointed out to me that pregnancy means "new life." Zoning is the **OPPOSITE** of "LIFE." A better comparison would be--"CANCER"--which, once it gains sufficient foothold, does not stop until it **DESTROYS** "life."

Now, in 1972, there is hope on the horizon. Thoughtful students of government, including attorneys who are thoroughly familiar with the subject, are taking a definite stand, calling for the **REPEAL OF ZONING LAWS**.

Statement added in 1979:

I, Raymond Buker, have had printed and have distributed 143,000 copies of "Cliches of Zoning." I am thankful that these have been instrumental in keeping

(continued on inside of back cover)

1. "PLANNING IS NECESSARY IN A MODERN SOCIETY"

It certainly is. Planning is necessary in any society. However, this does not mean that we must have planners who have been trained at 1313 East 60th St., Chicago, or similar training schools, to draw up a complicated zoning ordinance for our county and to have their brainstorms enacted into law by our supervisors.

The cave man had to plan his cave home at a location where it would not be flooded at certain seasons. He had to plan his hunting trips to places where game was available so he would have meat to feed his family.

The first settlers in America had to plan to locate their homes near timber for building material and fuel, and near springs for their water supply. As progress was made, different kinds of planning were necessary. Here in Ogle County, John Deere experimented and planned until he developed a plow that would scour in this prairie soil. Then he had to plan how to manufacture his invention.

As pioneers moved into the semi-arid regions of the West they had to plan how to irrigate or whether irrigation was economically feasible. As society becomes more complex there are more facets that require planning. But, in a primitive society or in a modern society, what planner is best qualified to determine proper land usage? It is the owner of the property and not an outside hired planner. This does not rule out the services of an expert planner altogether. There are times when a property owner will seek the advice of such a person and will pay for his services. This is in keeping with our private enterprise system.

Change is necessary to progress. Business and industry expand into sections that were residential. Homes are built in open country and retail stores follow the people. It is the people who determine where the marketplace shall be, not a planner sitting at his drawing board. The farmer will continue to produce an abundance of food if the government will leave him alone.

Farmers of other nations would produce enough food for their people if government would allow them to own property and to operate as free agents. Initiative is where freedom is. Zoning attempts to maintain the status quo, and that is what has been wrong with the countries of the Old World through the centuries.

It isn't a question of planning or no planning, but,--whose planning? Does the owner have freedom of choice in planning the use of his property, or is he forced to accept the dictates of "experts" appointed by politicians?

*"In all that the people can do as well for themselves
the government should not interfere."*

--Abraham Lincoln--

We have courts of law to settle disputes which arise between neighbors. Zoning introduces a different concept, Government by Men. People's courts (as in Iron Curtain countries) are set up. Decisions are based on the whims of appointed officials (minor bureaucrats), with little regard for the ordinance under which they operate.

Neighbors are encouraged, often needled, into testifying, under oath, against each other. Thus, local people are unwittingly used in this "democratic process" to stir up dissension and hatred--just as the Communist masters have PLANNED it. [Ed. Note: *This is also known as Hegelian Dialectics...*]

2. "SOME PEOPLE ARE INCAPABLE OF DETERMINING PROPER LAND USAGE"

True. In any cross-section of people there are bound to be those who are incapable of many things. But there isn't as much to worry about here as may appear at first glance. For the most part, these people are incapable of owning property. To buy property or even to keep property that has been inherited requires a capable person. One must be able to consistently make wise decisions. Just a few unwise decisions and one's property will find itself a new owner. The laws of economics are not to be monkeyed with.

The incapable person finds himself a renter or tenant because he is not capable of being an owner. It is the owner who determines land usage. A renter or tenant who would institute a land use not in accordance with the wishes of the owner will find himself looking for a different place.

There are, of course, a few people who have inherited property who are wholly incapable of conducting business. The law provides for such cases. When declared incompetent by a court, a conservator is appointed to take charge of their property.

So, we find that almost without exception, property is owned or managed by capable people. To even suggest that the determination of proper land usage should be turned over to planners or appointed bureaucrats is a slur on the good name of the most capable people in the community, the owners of property.

Here in Ogle County, all rural property owners have now been declared incompetent, not by a court, but by our supervisors. The six men appointed as zoning administrator and members of the board of appeals are, to the best of my knowledge, well meaning and fair minded persons, BUT, they are not as capable of determining the proper use of the land of Ogle County as the owners themselves.

It is the function of government to protect each citizen in his right to own property, using the word "own" in its fullest sense. U.S. Supreme Court Justice George Sutherland has expressed it in this manner:

"It is not the right of property which is protected, but the right to property. Property, per se, has no rights; but the individual--the man--has three great rights, equally sacred from arbitrary interference: the right to his life, the right to his liberty, the right to his property...The three rights are bound together as to be essentially one right. To give a man his life but deny him his liberty, is to take from him all that makes life worth living. To give him his liberty but take from him the property which is the fruit and badge of his liberty, is to still leave him a slave."

The right of the individual to be secure in his property is equal to his right to life and to liberty. Zoning is an infringement on this right--by force of government. If we submit to this force we will end up in abject slavery.

Free men will defend their liberty and their property against a foreign aggressor, to the point of laying down their lives if necessary. If driven to it, they will do the same against their own government, as that government becomes an aggressor against their three inalienable rights--the right to life, the right to liberty, the right to property--the fruit of their labor.

Government officials who are prone to regulate the peaceful affairs of their fellow citizens would do well to stand back and take a good hard look.

3. "PLANNING BY EXPERTS PREVENTS MISTAKES IN THE USE OF PROPERTY"

People are human and humans make mistakes. With the proper incentive a person doesn't usually make the same mistake twice. Also, by necessity, he learns not to make too many mistakes the first time.

As I think back I remember many eminently successful men who had little if any formal schooling. They left well-established businesses of good producing farms to their heirs. Were they experts? They wouldn't be considered so in today's specialized society, even though they did expert planning. There is a difference between expert planning, and planning by "experts."

These old-timers had an incentive that today's entrepreneurs cannot have. When they acquired property they had complete ownership. They didn't have to get permits, or go begging to a zoning board for variations or zoning changes, or fill out a multitude of forms in quadruplicate, or turn most of their profits over to government for the "privilege" of doing business.

In today's planned and zoned economy we don't have complete ownership of property. The men we elected to represent us have stolen our property rights from us. An "expert" takes over our right to plan the use of our own property. Planners consider society in general. Their goal may be good or not good, but regardless of their goal, planners do not consider the individual and his rights in the ownership of property.

The owner of property has a taskmaster that no one else has. He has to make the right decisions to the best of his ability. If he makes many wrong decisions the property will no longer be his. The planner or zoning board member has no such taskmaster. No matter how expert he may be, he lacks the incentive of the owner. He is not held responsible for any wrong decisions he makes.

There may be a few instances where an "expert" outside planner will make wiser decisions than the owner. But, even with these instances included, proper land usage is best achieved by the sum of the independent decisions of the many owners involved. Planners deplore this "disorderly confusion." They bring in zoning and the "disorderly confusion" becomes "regimented chaos."

Another factor to bear in mind is that the proper use for any particular piece of property may change from time to time. If the owner is free to make the necessary change, all well and good. If he has to pay a fee for the privilege of begging before a zoning board, that is not well and good.

"That government is best which governs least."

--Thomas Jefferson--

4. "LEADING CITIZENS ENDORSE ZONING"

Whenever promoters come into a community selling any scheme, who is first on their list? It is the "leading citizens," people who are prominent and have influence, and, most important of all, people who are BUSY. These busy people listen to the sales pitch--it sounds good--they don't take the time to investigate further. Also, it is human nature to get a little "puffed up" when one is recognized as a leading citizen and is selected to convince his fellow citizens that a certain project has all of a sudden become an immediate necessity. Promoters work this trait of human nature to the fullest.

These leading citizens often forget that their position in the community carries with it a solemn responsibility. Why they will listen to outside promoters instead of the counsel of their friends and neighbors is hard to understand. Any thoughtful person knows that when a salesman puts on the pressure, that is the time to become a little suspicious. Leading citizens are usually sincere but they are not always well informed about the project to which they give their endorsement.

Leading citizens have endorsed zoning in Ogle County, but who sold it to them, and by what method? There has never been a straightforward answer. Some organizations also endorsed zoning but not with the consent of the rank and file of the members. A few individuals work themselves into a position where they assume authority.

State Senator Barr of Joliet was probably sincere when he sponsored county zoning legislation in the Illinois General Assembly. I wonder what he would think of it now and I wonder if he had ever read *The Communist Manifesto*? One of the goals listed by Karl Marx is the abolition of property in land.

"The zoning commission is composed of high class farmers, bankers and businessmen..." This is a quotation from the chairman of the Ogle County Board of Supervisors. Most of these men had arrived at their station in life. Zoning wouldn't cause them hardship. Why they should want to take rights away from young people that they had enjoyed themselves is hard to understand. I guess they just didn't think it through.

Government uses many sly methods to promote zoning. For example, it will guarantee mortgages more fully in an area that is zoned. Instead of speaking out for freedom of the individual, our "high class bankers" scamper behind the skirts of government like a frightened puppy.

In local matters "the voice of the people" is usually right. It is true that people often do not express themselves as they should on public matters. This is no excuse for a public official to assume that his people favor an issue when he has made no attempt to inform them about it and to get their reaction to it.

The professed internationalist usually sneers at nationalism, at patriotism, at what we call "Americanism." He bids us forswear our love of country in the name of love of the world at large. We nationalists answer that he has begun at the wrong end; we say that as the world now is, it is only the man who ardently loves his country first who in actual practice can help any other country at all.

--Theodore Roosevelt--

"Resistance to tyrants is obedience to God."

--Thomas Jefferson--

5. "WE NEED A LITTLE ZONING"

Zoning does have some beneficial points, so it can be said that a little zoning might be a good thing. It can also be said that some girls could improve their figure if they were a little bit pregnant. These examples have another point in common, they just don't stay at the beneficial stage.

Zoning will protect you from someone starting a junk yard next to you, the promoters of zoning say. And that is all they do say. They don't go on to say that your land will be restricted so that you can use it only as the planners decide and for no other purpose.

The country supervisors regulate taverns. Taverns are licensed and the number of licenses is limited. Also, taverns must be a certain distance from churches, schools, etc. The supervisors could regulate junk yards and other businesses with a nuisance value in a similar manner. But, of course, they don't want to. They must have the junk yard scare to sell zoning to the people.

A zoning ordinance, no matter how mild it may be when enacted, will be changed as time goes on,--but only in one direction--more restrictive. In some places,

already zoned, time limits are now being placed on non-conforming uses. In Riverside County, California, a poultry ranch that is declared non-conforming must be out of business in three years. Did you ever hear of a police state, where an appointed official is judge, jury and executioner? If not, I suggest you make a thorough study of the zoning ordinance.

The roly-poly former premier of the USSR, who in his gayer moods, played the jolly grandfather, said this:

We cannot expect the Americans to jump from capitalism to Communism, but we can assist their elected leaders in giving Americans small doses of Socialism, until they suddenly awake to find they have Communism.

A little zoning here, a little government control there, and we are on our way. Khrushchev has been replaced by even more dedicated enemies of freedom. There is joy in the Kremlin whenever another county in the U.S. adopts a zoning ordinance.

Senators Borah and La Follette stated that the income tax would never exceed 2%. They were probably sincere in thinking so but look at it now after just five decades.

What this all boils down to is this, there is no such thing as "a little zoning." Zoning is like everything else that is instituted by government. It has a way of growing and growing until, before we realize it, it is out of control. The persons appointed to make decisions in zoning cases find that a monster has developed, way beyond their capabilities to handle. This may be illustrated by the following quotation: "*Bureaucracy is a giant mechanism operated by pygmies.*" --Honore de Balzac--

If you will not fight for the right when you can easily win without bloodshed; if you will not fight when your victory will be sure and not too costly, you may come to the time when you will have to fight with all odds against you and when you have only a precarious chance of survival. There may even be a worse fate; you may have to fight when there is no hope of victory, because it is better to die than to live as slaves.

--Winston Churchill--

6. "ZONING WILL INSURE ORDERLY DEVELOPMENT"

We should have had zoning in Ogle County a hundred and thirty-five years ago. Then Buffalo Grove, Grand Detour, Daysville, White Rock Burg, Paines Point, Lightsville, and several other early day towns wouldn't have been started at places where the railroads wouldn't be built. Or maybe the prophetic planners would have looked further ahead and not built any towns where the railroads did go

through except Oregon, Rochelle and Davis Junction, because they would know that in time those would be the only towns where trains would stop.

In spite of recent Supreme Court rulings the planners and zoners stick to their policy of segregation. Only with them it isn't black vs. white. It is agricultural vs. residential vs. commercial vs. industrial, each segregated from the other. It is mobile home dwellers segregated from non-mobile home dwellers. It is the poorer class segregated from the richer class. These, and many other things, often with a buffer strip in between, operate according to the planners' pipe dreams.

All of this notwithstanding the fact that the cities, towns and rural hamlets of our nation have developed as integrated neighborhoods, where people lived close to the stores or factories where they worked. These have been the thriving, happy communities where people visited at the corner groceries and the village stores. They gathered with their neighbors to enjoy good times together and to help each other out in time of trouble. Also these people did a good job of policing themselves because it wasn't necessary for them and their young people to travel far outside their own neighborhood.

The American people are not law breakers by nature but government intervention in the normal pursuits of citizens will make law breakers out of anyone. The passage of picayunish laws brings about disrespect for public officials and for government in general. Much of our present lawlessness among our young people can be traced to this cause, for if adults do not respect the law how can we expect children to grow up with the proper sense of citizenship? As a personal testimony, I was brought up to have respect for and confidence in all public officials. I lost that respect for and confidence in our Ogle County supervisors on August 18, 1961, when I found out about county zoning.

Times change and economic conditions change. People will adjust themselves to these changes wisely and in the most appropriate way if they have the freedom to do so. When the use of property is restricted by zoning regulations, well, just read the daily papers. You will find that zoning causes more confusion, more conflict, more contention among neighbors than anything else. Orderly development? No. Bureaucracy, red tape, hard feelings? Yes.

The most outstanding figure in Washington, D.C., is the national debt.

One way to get back on your feet is to miss a few car payments.

No two people are alike and both are glad of it.

A welfare state is one run for the benefit of everyone but the taxpayer.

7. "ZONING WILL PROVIDE FOR ALL KINDS OF LAND USE BUT EACH IN ITS PROPER PLACE"

The question is, who are the men of wisdom who know where the proper place is? Of course you don't want a junk yard next to your place, but, does the fellow on the other side of the county want the junk yard next to his place? Don't worry, the omniscient planners will decide where the junk yard shall be, and everyone will be happy. Or, if someone isn't happy he can pay twenty-five dollars for the privilege of begging the zoning board to hear his side of the case. It may just be throwing twenty-five bucks down the drain but, at least, it will make the little gods on the zoning board feel important that they are asked to make a decision.

Because a few people do not co-operate in making a wise and proper use of their property zoning restricts all of us. Instead of the criminal it is the good law abiding citizens who have their liberty restricted. What is liberty anyway? According to the socialistic minded do-gooders, the opponents of zoning make a big issue about losing their precious liberties. Let me tell you, liberty is precious. Now for a definition:

Liberty is that condition wherein every person's right to exclusive ownership and control of his own life and property, but of no one else's, is respected and protected. (Life Line Program No. 58. 2-27-65)

Your life and your property are indeed precious. Any person who develops and uses his own life and property to their fullest extent has all he can do, without sticking his nose in his neighbor's business. The function of government is to protect the property rights of the individual, not to change and restrict those rights to conform to the mores of society. The individual who OWNS property has incentive to produce, the worker on a collective farm does not. In between these two is the man whose land is zoned. Because his rights of ownership have been restricted his incentive is reduced to mediocrity.

Some people who live in town aren't interested in county zoning because it applies only outside corporation limits. Remember, people in town will be paying more taxes, the same as rural residents. Also, you may want to move to the country some day. Will you have the freedom to build or buy the kind of place you want? How about your children? If we don't get rid of zoning now they will be stuck with it too.

A proper place? Would a planner in the year 1818, when Illinois became a state, have chosen a swamp along the lower reaches of Lake Michigan as the site for a great city? Yet when steam engines were developed and railroads pushed their way westward the Land of the Skunk Cabbage became the greatest railroad center in the world. If airplanes had been developed before railroads Chicago, undoubtedly, would be somewhere else. Could planners foresee these things? No. Neither can they foresee other developments which they claim to.

No man will accept appointment to any commission, board, or office which is set up to restrict the use of private property unless he has within himself a compelling desire to regulate the affairs of his fellow men.

8. "WE MUST HAVE PROTECTION AGAINST UNDESIRABLE USES OF PROPERTY"

Here we run into a question: What is desirable and what is undesirable? Ask a dozen people and you will probably get a dozen answers. People, being what they are, have vastly different ideas, likes and dislikes. Along comes government and tries to pour all of them into the same mold of conformity. Even in Russia, where it is not healthy to criticize the government, they are finding that they cannot force individuals into conformity.

I know of a man who built a \$30,000 home [Ed. Note: *Keep in mind, this was written in 1965.*] right beside a sheep feeding yard, even though he had plenty of land just as suitable for a house away from the feeding yard. I have heard of people whose bedroom window is next to an elevated railway track. They go to the country and they can't sleep because it is too quiet. And still the planners tell us that certain land uses are undesirable.

"You wouldn't want a junk yard next to your place, would you?" That's the standard question put forth by the promoters of zoning. Shall we do away with junk yards altogether? "Oh no," the planners hasten to reply, "they are vital to our economy. We'll put them somewhere else." Smith has a nice home here so we'll ban junk yards here. A few miles down the road Jones lives. He doesn't have such a nice home so we'll allow junk yards there. Of course, the fact that Smith is an executive with a salary in the five figure bracket and Jones is a laborer striving to raise a large family doesn't enter into the picture. Or, does it?

The state is approaching the junk yard problem in a more sensible manner than the zoning method. The Ogle County Zoning Ordinance restricts junk yards to districts zoned "Heavy Industrial" and it provides VERY FEW such land use districts. The state recognizes the right of a property owner to have a junk yard where he wants it and pending legislation would provide only that a junk yard within a certain distance of a state highway must be appropriately screened from view. Our county supervisors could enact similar legislation pertaining to property along other roads. In fact, a citizens' committee recommended such a plan to our supervisors a few years ago, but they completely ignored it.

What is an undesirable use? Does a certain use of a property endanger the life or health of people in the area? Then government already has the power to take whatever measures are necessary. And it is NOT necessary to zone every acre in the county into land use districts to accomplish this purpose. To zone into land use districts creates an evil that far outweighs the good it does.

People being what they are and government being what it is, the planners would really have to be little gods to work out a solution to suit everyone. There is a solution. Let's leave it to the people. Through the years they have exercised good judgment, without the meddling of those who are so determined to "protect" us.

9. "ZONING PROTECTS THE FARMER"

In the midst of the Civil War President Lincoln took time out from his pressing war time duties to sign into law a bill providing for the creation of land grant colleges. From this came our state universities. Likewise, from the practice of congressmen sending "free" seeds to their farmer constituents the United States Department of Agriculture has developed. Many government agencies to "help" the farmer have been added through the years, especially during the New Deal era.

Production has kept pace with increasing knowledge gained through research and experimentation. Two blades of grass now grow where one grew before. A constantly decreasing number of farmers produce a constantly increasing amount of food and fiber. But like everything else touched by the magic wand of government, a vast, sprawling bureaucracy has developed. In the jargon of skid-talk we could say, *"If Abraham Lincoln were alive today, he'd turn over in his grave."*

Nowhere in the world was the specter of starvation eliminated until America was settled and the profit system instituted. There have been poor people in America but no one in America ever died of starvation. Our greatest health hazards come from over-eating. The American farmer has produced like one possessed--in such great abundance that the government planners can't figure out how to get rid of the surpluses. The solution is simple--let the farmers go on vacation and the planners take their place. Soon we would all be starving.

Those on the public payroll have a penchant for planning and regulating the lives of their fellow beings. If for no other reason, they are looking for ways to perpetuate their jobs. So, it is not surprising when the extension service and other government agricultural agencies lead the way in advocating unsound economic plans. Probably the most heinous of all such schemes to "protect the farmer" is the planner's dream known as zoning.

"Zoning doesn't affect agriculture." Have the planners ever gone into a county to sell zoning without playing this statement up big? I think not. And yet, it is a mis-statement. Zoning affects farmers more than anyone else. In any zoning district, except the commercial recreation district, agriculture is permitted, along with whatever other uses are allowed. But in a district zoned agricultural only agriculture is permitted, with a few public or semi-public uses (such as cemeteries) thrown in. As long as the farmer is content to stay on his acres and raise crops and livestock he will not be affected by zoning, except by a few harassing restrictions such as set-back lines. But let him get any ideas about doing something

else, or selling land for another use, and the zoning board will forcefully remind him that he is a "serf on the land."

At the Concord bridge "the embattled farmers stood and fired the shot heard 'round the world." They were fighting for liberty against a government far away. It is time for embattled farmers to fight for their liberty once again, this time against encroaching government closer to home.

10. "LAND VALUES WILL BE PROTECTED AND A BROADER TAX BASE SECURED"

The theory that the land in any prescribed district will have a higher value because it is restricted to a certain use remains just that, a theory. In practice this artificial restriction is more likely to have the opposite effect.

The laws of economics are natural laws. In a free society they will work to the benefit of all men who will accept the challenge and meet the responsibilities inherent in liberty. A person or persons cannot shirk their responsibilities and remain free. When government enacts restrictions to benefit a certain segment of the population, then that segment and also the whole population have given up some of their liberty. It is unlikely that that liberty will ever be regained, short of revolution.

Suppose the planners say a certain area in a city is to be residential. They claim a high property value will be maintained because the people will be protected against non-residential uses. Eventually an offer will be made to the owner of a residential property, an offer much higher than its worth as a residence because the land is wanted for a commercial purpose. It is zoned residential and the owner can't sell for a commercial use. The offers will persist and finally an owner with more influence than the others will get his property rezoned for business and sell for a good profit. He has obtained an advantage over his neighbors who were refused rezoning because they didn't have the necessary influence. The residential district is broken up, but with unfair treatment to some of the owners.

The same thing may happen in a district zoned agricultural. An industrialist comes along and wants to buy several acres of land to build a factory. The farmer can't get his land rezoned, so he can't sell. The industrialist is forced to go to another farmer who, for reasons that have never come to light, has industrial zoning. In fact, this farmer has been awarded a monopoly. Perhaps he knew the right people. This site isn't as suitable to the industrialist but he must bow to the dictates of an interfering government, and also pay more for the land.

The phrase "broader tax base" is misleading. It should be "higher tax rate." If you live in town don't get the idea that county zoning won't affect you. It will hit you where it hurts the most, in the pocketbook. The Ogle County supervisors spent about forty thousand dollars of our tax money on zoning even before they adopted zoning. The claim that zoning will be self-supporting is poppycock. Every taxpayer in Ogle County is paying his share of the cost of administering and enforcing

zoning. It might be of interest to you to attend a meeting of the Board of Supervisors and listen as zoning expense bills are read and allowed.

The poorest man may in his cottage bid defiance to all the forces of the crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter, the rain may enter, but the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement.

--William Pitt--

11. "THE GENERAL WELFARE OF THE PEOPLE IS PROTECTED BY ZONING"

The general welfare--it sounds nice. But whenever the general welfare becomes the first consideration, we are flirting with the infamous declaration, "*From each according to his ability, to each according to his need.*" It doesn't work. Down through the centuries large numbers of people have died of starvation and even today in parts of the world people still die of starvation. Even though these people lived in the midst of an abundance of natural resources there was something missing. The individual didn't count, there was no incentive to do better, the profit system wasn't in existence.

In no other nation on earth has the production of all goods been so great as it has in the United States of America--under the free enterprise system--with profit as the motive. Nowhere else on earth have ALL people enjoyed the abundance of goods that we have. In no other place has advertising played such an important role. The American businessman has found that advertising pays. It creates such a demand for goods that high production is necessary. This results in a lower cost per unit and brings necessities AND luxuries within range of the purchasing power of practically all people.

Along come the planners and zoners with the claim that signs and billboards are offensive to the aesthetic tastes of mankind. Friends, do not be misled. Remember, planning has its roots beyond our shores. Its real objective is to stifle our free enterprise system and to bring all business under government control. By choking off advertising, which is the life blood of our nation, they are deliberately working to bring to an ignominious end the only system in the whole history of mankind that has ever been able to provide for the needs of its people. Think twice before you condemn the "ugliness" of billboards.

People soon become used to their environment and take many privileges for granted. In spite of the great strides Americans have made without government interference we find some who would rather sponge off the government than to bear their share of the responsibilities of freedom. We are following the path of least resistance and in doing so we are reverting to the Old World ways. Entangling ourselves with all kinds of restrictions, zoning is an example, we are abandoning the freedoms which meant so much to our fathers. Many local elective offices are being abolished and government turned over to appointed officials. Once an appointed official becomes entrenched in office he is not easily removed. This is

all part of a gigantic master plan, but our supervisors don't seem to realize what is going on.

There is no more fitting definition of general welfare than *"that which permits and encourages a people to expand or advance in their own environment."* Zoning prohibits this.

Modern man is one who drives a mortgaged car
over a bond-financed highway on credit card gas.

12. "WELL REGULATED ZONING WILL ATTRACT A HIGHER CLASS OF PEOPLE TO OUR COUNTY"

In the Old World class was very important. The few who belonged to the higher class were really at the top of the stack. It was a hereditary proposition. Those few top families inter-married and maintained their position, generation after generation. The lower class, who were the vast majority, stayed lower class. There was no hope of them breaking the barrier into the higher class.

When the new land of America was opened for settlement, who crossed the ocean to seek a new home? Not the higher class. They had it too good in the old country to leave home and face life in a wilderness. It was the lower class, the serfs on the land, the bounden workers, who saved and sacrificed to get away from a class system that they could not rise above. With their brain and their brawn they built America. As the east was settled they moved west, all their belongings in their covered wagons. They built a cabin and cleared the land and gradually they made our country what it is today. Some prospered more than others and in their minds a few thought of themselves as higher class. But in America class is only a figment of the mind. It is the individual that counts, be he wealthy or poor.

The modern counterpart of those who built their cabins by their own labor now find it necessary to live in a trailer, or a basement, or a garage until they can get a start in life. These are the people that zoning discriminates against. These are the people that the planners and the zoners would keep out,--and thus deprive our county of its life blood of the future.

Some people who regard themselves as "higher class," but are shallow thinkers, do look for a community that is zoned in which to locate a factory, a business, or a home, under the false impression that they will be protected against whatever it is they want to be protected from. People with this type of thinking have gotten so far away from our American concept of government that they cannot be regarded as a desirable type to come into the community.

We would do better to seek immigrants from across the sea, as referred to in the inscription on the Statue of Liberty:

*Give me your tired, your poor,
Your huddled masses yearning to breathe free,*

*The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tossed, to me:
I lift my lamp beside the golden door.*

Regard of the law for private property is so great that it will not authorize the least violation of it, not even for the general good of the whole community; for it would be dangerous to allow any private man, or even any public tribunal, to be judge of this common good.

--William Blackstone--

13. "WE MUST BE ZONED BECAUSE NEIGHBORING COUNTIES ARE"

The weakest argument of all. What are we, a nation of sheep? I admit that large numbers of people fall into this category. If the neighbors get a new car or a color TV they can't rest until they follow suit, afford it or not. And, it seems that divisions of government are very much like people.

Conformity is the thing. Metropolitan areas have had zoning for some time and it keeps pushing out from there. Those people have given up the freedom of using their property according to their own best judgment. All they can do is meekly follow the dictates of the zoning officials. If they have enough influence, financial or political, they may be granted a variation. But freedom has passed out of the picture.

There might still be some reason for zoning because neighboring counties are zoned if it had proven beneficial to them. But it has not. Look at the slum area of Chicago. In an attempt to correct past mistakes of zoning they bring in Urban Renewal. Who pays for that? Benevolent Uncle Sam buys the property. The people move somewhere else to create new slums there. The dispossessed businessmen usually are not able to start up again. The bulldozers move in and when their work is done the land is sold to someone else, if they can find a buyer. The government conducts the financial transactions the only way it knows how,--at a loss.

In other places where Urban Renewal has not yet come in they hire a planning commission to correct past zoning mistakes by tightening the restrictions. Uncle Sucker usually picks up most of the tab for this. In fact, the Federal government stands ready and willing (I didn't say "able") to hand out money wherever they can get anyone to take it. Whose money?

It is argued that undesirable uses will spill over from a county that is zoned into one that isn't zoned. It would be well for people using this argument to consider carefully their thinking on undesirable uses and UNDESIRABLE PEOPLE. Essentially, zoning isn't property control, it is PEOPLE CONTROL. Just because a man is a junk dealer he isn't automatically the scum of the earth. Most human beings will react as human beings if treated as such. To seek the co-operation of one's fellow man is more fruitful and satisfying than to sick the police dogs on him.

Wherever there is zoning there is contention and discord. Just read the newspapers. You will find it starting up now in Ogle County. Why should we follow the example of those who have made a botch of it? Let us get rid of zoning. It takes more effort to be free than to conform but it is worth it. If you don't care about yourself think of those coming after us. Must we hang this dead weight on the necks of those yet unborn?

Zoning and owning are incompatible. Since the former is an interference with ownership, zoning at best is a 'respectable' mid-twentieth century form of theft of an owner's right to own. Whenever the right to own is removed, restricted, or eroded in any manner, society declines toward a lower level of spiritual and moral values. --from *Zoned or Owned* by John C. Sparks--

14. "COUNTIES THAT ARE ZONED WISH THEY HAD HAD ZONING YEARS BEFORE THEY DID"

To begin with we must recognize that there is a fallacy here. Counties cannot wish. Individuals can wish, and think, but not governmental units. So, we must assume that a person making this statement is quoting an individual or individuals within the county referred to.

We can then question who that individual or individuals might have been. If it was a public official, especially a mite hungry for power over his fellow man, we can readily understand his statement. If it was a boiled frog type of person we can still believe that he might have made the statement. If it was a person who is a student of American government in the tradition of our founding fathers, we can be certain that he did not make the statement,

For many years America was known as the "melting pot." People from many countries, seeking freedom, came to these shores and in a surprisingly short time became "Americans." You may be mainly of German, or Swedish, or English ancestry, or of any of dozens of other nationalities, but do you know from what countries ALL of your ancestors came? Most Americans don't know, or care.

In recent years our "melting pot" has been largely replaced by a "frog boiling pot." To boil a frog alive don't try to do it all at once, for if you drop froggy into a pot of boiling water, naturally he'll jump right out. Instead, place him in a pot of lukewarm water. He will complacently relax, probably take a nap. Then gradually, increase the heat slightly. Eventually you will have a boiled frog and he will have slept through it all. Have any of you Americans noticed the temperature of the water rising lately?

I have a cousin who lives on a farm in a county that has been zoned for several years. She told me her mother-in-law, who lived quite a distance away, was getting to the age and condition where they wanted her close by so they could look in on her more often. My cousin and her husband decided to put a house trailer in their yard and have his mother move into it. Then they learned the county zoning

ordinance would not permit that. I said, "Well, didn't you try to do anything about it?" She said, "Why, no."

We are boiled frogs, or in the process of becoming so. But, thank goodness, there are still a few people who believe in the American concept of liberty. Such people still use their gray matter instead of blindly following the line laid down by the politicians. You will never find THEM guilty of saying they wish their county had been zoned years ago.

They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

--Benjamin Franklin--

15. "WE MUST PRESERVE THE BEAUTY OF OUR COUNTRYSIDE"

Magical powers are ascribed to zoning by its promoters. Just how they expect zoning to preserve the beauty of our countryside they don't explain. Beauty is a relative thing and all people do not have the same aesthetic tastes.

We all have memories of moments of beauty in the past. I have traveled in 48 states, Canada and Mexico and have seen many beautiful places. Few surpass the scene from the plant where I work. As dawn breaks in the east, signaling that the graveyard shift will soon be over, one looks across the yard where big semi-trucks are at the loading docks and railroad cars on the tracks. Just beyond is a farmstead, with fields of grain stretching to the horizon. Across the street from the plant homes of the employees and business places. Adjoining on one side is a golf course. Not natural beauty but private enterprise,--industry, commerce, agriculture, homes, recreation. America. Zoning with its policy of segregation would destroy this unity.

No one will dispute that the Rock River Valley is a place of beauty. In fact, it is more beautiful in Ogle County where we have not been plagued with zoning than it is in other counties that have had zoning for some time. Just whom will zoning benefit in getting choice home sites? Placing a minimum acreage requirement does just one thing. It restricts that district to the richer class of people. The man with moderate means who might be able to buy a smaller acreage and build a home would find himself shut out from that district. Needless to say, this is discrimination. The odd part is that this restriction is not necessary for the richer man. Zoning or no zoning, the man with money can buy whatever he wants.

Many people have homes that cost a lot more than ours, but for a place to live I would not trade with any of them. We have a modern mobile home on an acre of land in the country. We did our own landscaping. To me, it is a place of beauty. We expect this to be our home until we are taken to a nursing home or to the cemetery. But we are now second class citizens, trailer trash. "Government" has decreed that trailers shall not be permitted in a setting such as ours. We are

non-conforming, but proud of it. We called our home "Freedom Acre" until our supervisors took our freedom from us. We will call it "Freedom Acre" again, when they repeal the zoning ordinance.

Laws do not create beauty nor guarantee its preservation. The human angle enters in. Some people will keep a place neat and tidy, and some won't. Zoning will not change this. Economic factors enter in also. This is true in the appearance of farm buildings which, in general, are rapidly deteriorating, especially buildings on a place that is no longer farmed as a separate unit. In our economic situation the farmer, particularly the small farmer, is low man on the totem pole. It is wistful thinking to believe that zoning will help this situation.

16. "ZONING IS ADMINISTERED BY LOCAL PEOPLE SO WE HAVE NOTHING TO FEAR"

Not all of the people who have a strong inclination to mind other people's business live outside Ogle County. We have some here. Very likely there are a few in every county. We hear a lot about the Federal government getting to big and powerful and truer words were never spoken. However, some people forget that government is government, regardless of the level, and that planners and snoopers can be just as obnoxious on the county level as on the state or national level.

If we HAD to have government control of our property it might even be preferable to have Federal controllers rather than local ones. In the eyes of the Feds you and I are equal and we would have some assurance of equal treatment. With local administration this will not be. Familiarity breeds contempt. There are likes and dislikes and they will show up in zoning decisions. The best of intentions will not prevent this.

But, thank God, we do not have to have property control from either source, if we will stand up on our hind legs and assert our God-given rights,--the right to life, the right to our liberty, and the right to our property, the fruit of our labor. These are rights we receive from a Supreme Being. It is the duty of government to protect us in these rights, not to take them from us.

It is the Old World concept that all rights are vested in government and that government may grant to the people only such rights as its officials see fit. This is the basis of the present Russian (Soviet) Constitution. Our forefathers fought a long hard war to free us from this form of tyranny. Now, land use planning and zoning by government officials take us back to that Old World concept.

Those now in charge of enforcing zoning in Ogle County are asking the people to be calm. What they are saying may be likened to the quotation from the book of Isaiah, "*Come now, and let us reason together...*" But I would ask you to read the two verses following this quotation, "*If ye be willing and obedient, ye shall eat the good of the land; but if ye refuse and rebel, YE SHALL BE DEVoured WITH THE SWORD.*" When a man is sentenced to die is it any consolation to him to know that his executioner is a kindly man? When a man cannot use his own

property as he wishes is it any consolation to him that it is his neighbor who may levy a fine on him as high as \$200.00 a day?

The author of the Declaration of Independence listed numerous injustices suffered at the hands of King George III. One was, *"He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance."* Our Ogle County supervisors are following the lead of King George. No matter how fair minded and well meaning our zoning enforcers may be, it is not possible for them to make impartial decisions, as they go about their appointed tasks of forcing citizens into compliance with the complicated provisions of the zoning ordinance.

17. "TO PROMOTE THE PUBLIC HEALTH, SAFETY, MORALS, COMFORT AND GENERAL WELFARE"

Hurray, Utopia is here. Only there won't be anything to look forward to in Heaven. Seriously though, how can planners accept the taxpayers' money and come up with such asinine claims for zoning? They must think people outside the city limits really are simple yokels to expect them to fall for such a line.

Public Health--We don't want to be sick, and wouldn't it be wonderful if zoning could bring all of us health? Have you drilled a well or installed a septic tank recently? State laws take care of health hazards very well. Zoning would improve public health about as much as snake oil but without the entertainment furnished by the carnival barker.

Safety--Fine. But just what zoning would do about it isn't clear. Highway officials have the responsibility to do away with traffic hazards, such as blind corners.

Morals--Now isn't it thoughtful of the planners to look after our morals? What will they do, restrict houses of ill fame to the commercial district? Or does that come under recreation?

Comfort--I'm all for it. A hammock under a shade tree, a glass of Milwaukee's favorite, and the postman bringing a government check. You can't beat it. But, seriously, we have much to think about besides comfort, even if zoning could fulfill this intent.

General Welfare--Previously covered.

Dr. Mario A. Pei left his native Italy in 1908 to come to America. He relates that Italy was then in the tentacles of a vast bureaucracy. Everywhere you looked there were government officials in uniform. Everybody hated the government. They blamed it for everything, even unfavorable weather. They would say, "It's raining--thief of a government!" Here, in America, he learned a new meaning of the word "Liberty"--freedom from government. There were very few men in uniform. Government was conspicuous by its absence.

Now, sorry to say, we have caught up with European countries in the matter of bureaucracy. The reason we don't see more uniforms is because most of our

bureaucrats are plainclothesmen,--including the zoning officials. We could now say, "It's raining--thief of a government!"

* Intent and Purpose as stated in Zoning Ordinance.

** Condensed from an article by Dr. Pei in the *Saturday Evening Post*, May 31, 1952.

There are those who say the fight is over and that freedom is lost. I say the fight has just begun. There is no earlier hour than NOW to join the battle. I urge each and every citizen to JOIN WITH ME. --Bob Pope, Champaign, Illinois City Councilman--

18. "GREATER POPULATION AND A MORE COMPLEX SOCIETY REQUIRES ZONING"

Zoning is an infringement on the rights of property owners. Even the promoters of zoning admit this. They claim that zoning is necessary to protect you against what your neighbors may do, and to protect your neighbors against what you may do, but they do not deny that zoning is an infringement upon the rights of the individual property owner. We have lived all these years without zoning. If zoning is now necessary because of greater population and a more complex society, it means just one thing. Increase in population will be accompanied by a corresponding loss of freedom. When population reaches a certain density, all of our freedom will be gone.

Fortunately, this need not be so. We can have density of population without zoning, and the results are surprisingly good. Houston, Texas, is a case in point. One of our largest and fastest growing cities, Houston has no zoning whatever. Decisions of the many property owners, all within the framework of the unrestricted workings of the laws of economics, have resulted in better conditions in Houston than in corresponding cities that are zoned. Also, property values are higher there than in nearby zoned areas. These good results exist without the theft of property rights by an interfering government.

We may as well come to grips with this question of zoning right here and now. Zoning is dishonest. Either you own property or you don't own it. If you own property you, as owner, decide the use of that property. If the property is zoned, its use is determined by government officials. Therefore, you own it in name only. Your property rights have been stolen from you. That it is the government that does the stealing does not make it right. So, besides being economically wrong, zoning is morally wrong. Our government, which we should be able to respect as the upholder of law and order, is a thief. The mealy mouthed utterances of bureaucrats cannot change that. If government is to be honest, it cannot interfere with the property rights of individuals.

What can we do about this legalized plunder? Frederic Bastiat gave the answer years ago in his book, The Law^{*}. I quote:

Then abolish this law without delay, for it is not only an evil itself, but also it is a fertile source for further evils because it invites reprisals. If such a law—which may be an isolated case—is not abolished immediately, it will spread, multiply, and develop into a system.

For what avail
The plow or sail,
Or land or life,
If Freedom fail?

--Ralph Waldo Emerson--

* * * * *

(from inside front cover)

many places across the length and breadth of our great country free from this insidious form of land use control.

The demand for these Cliches continues and I am now turning this project over to the Ogle County Taxpayers Association, publisher of PRIVATE PROPERTY--FREE ENTERPRISE. The modest profit from the sale of Cliches of Zoning will help with the tremendous expense of printing and mailing PR-FE. Because of ever-rising costs, it is necessary to make a slight increase in the price I have charged since 1970.

--Raymond Buker--

Government is by nature compulsory, but as long as persons, organized as government and backed by force, are limited to the defensive function, their work is wholly desirable. But when this same agency of men intervenes to modify the productive or creative affairs of peaceful persons, the authority becomes aggressive.

--Leonard E. Read--

FREE ENTERPRISE

Free Enterprise has nothing to do with party politics, wealth, business or class. It's a way of life in which we as individuals, are important. It's OUR WAY OF LIFE. Think what we would lose if we ever surrender it.

Free Enterprise is the right to open a gas station, or a grocery store, move out in the country or change jobs if you so desire.

Free Enterprise is the right to lock your door at night.

Free Enterprise is the right to say what you think.

Free Enterprise is the right to own your own home, plant a garden and cultivate vegetables or flowers as YOU prefer.

Free Enterprise is public officials to serve the people, not to master them.

Free Enterprise is rich and poor alike, not class favoritism.

Free Enterprise is the right to attend to your own business without having to yield to a dictator.

Free Enterprise is what your ancestors came to this country for in the first place. Retaining Free Enterprise is everybody's business and that, my friends: Is YOU and YOU and YOU.

--E.T. Hughes--

IF THE FRONTIERSMEN HAD MET

