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Frivolous Anti-Tax Arguments (Part 2)

In my previous article, I highlighted 2 frivolous arguments against the filing and payment of income taxes. The first two frivolous arguments in my previous article are that firstly, filing and paying of income tax is voluntary and not obligatory and secondly, that wages and salaries are not by definition 'income' and therefore should not be subject to tax.

Today, I will share 2 more of such arguments.

3. "I am not a citizen of the United States"

This flawed argument is held by certain people who contend that they are citizens of the state they live in and not a citizen of the country, the United States and hence are not subject to paying federal income tax. These people further reiterate that only those who live in the District of Columbia and other US territories like Guam and Puerto Rico are the citizens of the United States.

These claims are preposterous and frivolous in the eyes of the IRS. If you hold off paying your income tax because of these flimsy reasons, you will be fined and penalized with back interest charges and a prison term.

4. It is a person's Constitutional right not to pay taxes

Some people argue that various parts of the federal Constitution allow you the liberty to choose not to pay taxes. One school of thought is that the First Amendment of the US Constitution allows you to refuse paying taxes based on religious reasons. Another similar argument is that the Fifth Amendment disallows the taking of property without due process and since payment of income taxes has no due process therefore it is in violation of the Fifth Amendment. The same people who hold to this belief also quote the Fifth Amendment in saying that paying income taxes will violate the ban by the same Amendment on 'self-incrimination'.

All these Constitutional arguments have been argued in court numerous times over the years and each time the judiciary has ruled against them.

So do not, for a moment, be taken in by any of these 4 frivolous arguments against paying your income tax. The best way is to obey the law and file your taxes and pay up on time each year. The Internal Revenue Code has stipulated various ways you can gain exemptions or credits from

your taxes. The best thing to do is to consult an attorney who will advise you of these provisions and see how they apply to you.

Darrin T. Mish is a veteran, nationally recognized tax attorney who has focused on providing IRS help to taxpayers for over a decade. He regularly travels the country training other attorneys, CPAs and enrolled agents on how to handle their toughest cases with the IRS. He is highly ranked among the top attorneys in the country, with an AV rating from Martindale-Hubbell and a perfect 10 on Avvo.com. Martindale-Hubbell has also honored him with a listing in their Bar Register of Preeminent Lawyers. He is a member of the American Society of IRS Problem Solvers and the Tax Freedom Institute. With clients on every continent but Antarctica, he has what it takes to solve your IRS problems no matter where you live in the world. If you would like more information about his practice and how he can help you, please call his office at (813) 229-7100 or toll free at 1-888-GET-MISH.