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TAXES | 12/22/2013

Duck Dynasty's Cracker Barrel PR? Talk Taxes

Set in real Louisiana bayou country, A&E's popular reality series [Duck Dynasty](#) follows a brood of real-life brothers who manufacture duck calls and love to go bird hunting. But Phil Robertson of the cast gave [an interview with GQ](#) that must be read in full. The interview's gay slurs caused A&E to suspend Phil Robertson from the show. There's a backlash of criticism and support, some defending his free speech rights and others decrying his hurtful comments and fiery views.



From a business viewpoint it does seem like a no-win situation. After the remarks inflamed the public and caused advertisers to squirm, [Cracker Barrel Chain Pulled Duck Dynasty Items Amid Gay Slur Scandal](#). Then after a backlash, the 625-outlet comfort food chain changed its mind as reported here: [Cracker Barrel: Oops! We're Putting Duck Dynasty Products Back On Our Shelves!](#)

What a mess. There was a time when the biggest flap with the famously bearded brothers was when they were not recognized in New York doing a guest spot on [LIVE with Kelly and Michael](#). Star Jase Robertson was escorted out of his hotel when he asked where to find the bathroom. Now, its a mess that threatens the brand.

Does this compare in any way to the IRS mess of the last year? Well, the IRS targeting scandal got the IRS Chief fired, lawsuits filed, and vitriolic Congressional hearings. It sparked debates over politics, the Fifth Amendment, and the meaning of government service. The debates sparked by Mr. Robertson's remarks may be more personal but will likely will end much sooner.

What won't end soon is the income tax. Just about everyone hates it in one way or another. That's what could make taxes a safe topic for Duck Dynasty or anyone else. Tax advice dispensed with homespun charm might play well. It would be good if it wasn't tax protester advice (say about the income tax being unconstitutional). But most any tax advice would do.

And there's an odd serendipity, since ducks have historically played a part in selling the income tax. Income taxes have plagued Americans since 1913. Yet few Americans actually had to pay it until the crushing financial burden of World War II. In 1939, only 5% of Americans, mostly rich, paid income tax. But then, in 1942, Congress started reshaping the tax laws, and they haven't stopped since.

With the war, the Revenue Act of 1942—also called the [Victory Tax](#)—ramped up the income tax to make a whopping 75% of Americans “eligible”—and that means you—to pay federal income tax. Sure, tax forms were easy then compared to the huge complexity we face today. It's complexity that makes even Congress unable to do their own taxes.

But in 1942, millions of people had never filled out a tax form or dealt with taxes were about to start. To ease that transition, where do you begin? There was significant concern that regular old ordinary Americans might not know how to pay their taxes, and in any case needed some goosing. And who better than a household duck?

Secretary of the Treasury Henry Morgenthau, Jr., wanted to educate people how to pay. He also hoped to lessen the significant public resentment for the income tax. Let's sell this fowl tax, he thought. So he turned to Walt Disney. Disney cast the popular Donald Duck as the star of his animated 1943 film, [The New Spirit](#).

After the IRS scandals and the IRS involvement in Obamacare, the IRS could use some help from Hollywood to sell the current income tax. Yes, [Pay Your Income Tax: 1943 Disney Propaganda](#).

You can reach me at Wood@WoodLLP.com. This discussion is not intended as legal advice, and cannot be relied upon for any purpose without the services of a qualified professional.