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Piling it on the Second Amendment by Scott McPherson

Just as this year's historic winter storm piled up snow faster than transportation officials could clear it away, so does D.C. Million Mom March president Ladd Everett aspire to pile on the nonsense regarding the Second Amendment in a February 19 [Letter to the Editor](#) of the *Washington Times* entitled "Guns and D.C."

Despite Mrs. Everett's attempt to portray the National Guard as our modern-day "citizen militia," readers should know that the National Guard is, legally speaking, an extension of the U.S. Army, not a militia as intended by the Founding Fathers.

Further, 10 U.S. Code section 311 (1983), which amends militia-related legislation dating back to 1792, established "all able-bodied males at least 17 years of age and ... under 45" as either (1) members of "the organized militia, which consists of the National Guard," or (2) members of "the unorganized militia, which consists of members of the militia who *are not* members of the National Guard." [Emphasis added.]

The militia was always meant to be made up of the citizenry at large — that's you and me — a fact codified in federal law for more than 200 years.

We are told that, aside from Attorney General John Ashcroft, there are no other "government official[s] in modern history" who "take the position that the Second Amendment protects an individual's right." Really? What about the "Firearm Owners' Protection Act," passed by Congress and signed into law in 1986?

And surely Mrs. Everett is aware of Chief Judge William Garwood's majority opinion for the U.S. Fifth Circuit Court of Appeals, which held less than two years ago that "the history of the Second Amendment reinforces the plain meaning of its text, namely that it protects individual Americans in their right to keep and bear arms."

And while we're on the subject of public officials, what about Jefferson, Madison, Washington, Franklin, Mason, Lee, and others too numerous to list, who played a crucial role in the creation of this country, and whose sympathies on this issue could fairly be summed up by Patrick Henry's hope that "everyone who is able may have a gun"?

On one point Mrs. Everett is correct: she is right to bring up D.C.'s horrendous homicide rate — but that's actually an indictment of the failed, draconian gun laws her organization would like to see extended across the country.

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