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The Gun-Control Tide Is Turning **by Scott McPherson**

Advocates of the right to keep and bear arms have modest reason to celebrate these days. The state of Alaska recently became the second state, after Vermont, to allow citizens to carry concealed firearms without a permit or any of the restrictive measures, such as fingerprinting or background checks, that often accompany the permit-application process.

And on July 15 the Wisconsin Supreme Court voted 6-1 that “a citizen’s desire to exercise the right to keep and bear arms for purposes of security is at its apex when undertaken to secure one’s home or privately owned business.” The decision came when the court heard the case of a Milwaukee store owner who was arrested for having a loaded gun in his pocket. The police were enforcing the state’s draconian concealed-carry law, which allows only “peace officers” to carry concealed weapons.

The Wisconsin court ruled, however — on the basis of a 1998 amendment to the state’s constitution that states that “people have the right to keep and bear arms for security, defense, hunting, recreation, or any other lawful purpose” — that protecting oneself while at home or one’s place of business is clearly consistent with that “other lawful purpose” standard.

These two events mark small but significant victories for America’s gunowners and all supporters of individual freedom.

Do they signal a sea change in the way most Americans are thinking about guns? Can we now expect widespread support for the repeal of our nation’s many unconstitutional gun-control laws? Unfortunately not.

Still, what does seem to be happening, at the very least, is that more and more Americans are rejecting the absurd, leftist, 20th-century invention of a “collective right” to own a gun (e.g., through a state agency such as the National Guard) in favor of an individualist interpretation of the Second Amendment more consistent with the intentions of the Framers. More important, a few state governments seem to be listening.

When writing the Constitution and Bill of Rights, the Framers wanted to ensure that the citizenry at large would be armed to protect their respective states against foreign aggression or a

tyrannical central government; this was the general militia (as compared with the “select” militia, which they greatly feared) early statesmen were talking about when they wrote the Second Amendment.

The Founders wanted to maintain a *constant* and *large* supply of gunowners who could defend liberty were it ever to be seriously threatened again. Remember, these men had lived through the early days of the American Revolution; they had seen the militia at work on April 19, 1775, when armed farmers swarmed like bees on an invading British army and sent it back to Boston in tatters. Whatever their misgivings about the militia replacing a conventional standing army, they knew first-hand that a countryside full of armed citizens was the greatest first line of defense.

Tench Coxe, a personal friend of James Madison (who with George Mason co-authored the Second Amendment), summed it up best when he wrote, “Their swords, and every other terrible implement of the soldier, are the birth-right of an American.” Such men would be horrified to hear modern Americans claim that gun ownership was a right only of government employees. For these early Americans, one of the citizen’s first duties was to own a gun — if necessary, as a last resort for use against government employees.

At the same time, the right of an individual to own and use a gun to defend his home and property would have been accepted as a given, not even worthy of discussion or debate — which is precisely why it was never discussed, let alone debated, in either the Constitutional Convention or early congresses. People would own guns for the broad purpose of *security*, as the Wisconsin court has acknowledged. If someone wishes to argue that home, state, or national security should be assigned orders of importance, it doesn’t weaken the case for an individual right in the least.

Ever since the 2000 presidential election, many pundits have been warning Democrats that gun control is a losing issue. Many believe that key Democratic states such as Tennessee and Arkansas, which should have been easy pickings for Al Gore, were nonetheless lost because of his anti-gun proposals.

In the same vein, these pro-gun victories in Alaska and Wisconsin suggest that a minor groundswell is taking place in our country. Even if most Americans are still (mistakenly) prepared to support “reasonable” gun control at the federal level, such as background checks, they are also (wisely) signaling that such measures should not be used to erode the general right to own guns.

We may be a long way from abolishing all of our failed, immoral, and unconstitutional gun-control laws, but this year’s actions taken by the Alaska legislature and the Wisconsin Supreme Court indicate that, however slowly, the tide is finally moving in that direction.

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