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## **Some Reflections on the Second Amendment, Part 1**

**by Richard M. Ebeling**

For millions of Americans the Second Amendment and its guarantee of the right of the individual to bear arms appears irrelevant and practically anachronistic. It seems a throwback to those earlier days of the Wild West, when many men, far from the law and order provided by the town sheriff and circuit judge, had to protect their families and land from cattle rustlers and outlaw bands.

If in our contemporary world the law fails to do its job of seeing that the guilty pay for their crimes, we take solace in the fantasy of extralegal solutions. We imagine that somewhere there is a Clint Eastwood on a metropolitan police force who uses some “magnum force” to see to it that the perpetrator of a crime doesn’t go unpunished. Or we want to think that there is a Charles Bronson occasionally roaming the streets of a large city at night fulfilling the “death wish” of the street criminal whom local law enforcement is not able to punish.

The crime once having been committed, it is some breakdown in the judicial system that prevents justice from being served. If only the law didn’t coddle the criminal or allow his defense attorney to use “loopholes” in the law, no criminal would ever escape his just deserts.

This popular conception of the legal system, law enforcement, and government, however, suffers from two fundamental flaws: first, it focuses on the legal process (and any supposed weaknesses in it) only after a crime has been committed; and second, it ignores completely the fact that it might be the government itself that is the potential perpetrator of crimes against the American citizenry.

Locks, bars on windows, and alarm systems are all useful devices to prevent unwanted intruders from making entrance into our homes and places of work. But what happens if an innocent victim is confronted with an invader who succeeds in entering his home, for example, and the safety of his family and possessions is now threatened? What if the invader confronts these innocent occupants and threatens some form of violence,

including life-threatening force? What are the victims to do? Critics of the Second Amendment and private gun ownership never seem to have any reasonable answer. Silent prayer might be suggested, but if this were to be a formal recommendation by the government it might run the risk of violating the separation of church and state.

Even in an era promoting equality among the sexes, it nonetheless remains a fact that on average an adult man tends to be physically stronger than an adult woman, and most especially if there is more than one man confronting a single woman. Several years ago, economist Morgan Reynolds wrote a book on the economics of crime. The following is from one of the criminal cases he discussed. It seems that four men broke into a house in Washington, D.C., looking for a man named "Slim." When the occupant said that he didn't know where Slim was, they decided to kill him instead. One of the defendants later testified,

"I got a butcher knife out of the kitchen. We tied him up and led him to the bathroom. And we all stabbed him good. Then, as we started to leave, I heard somebody at the door. Lois [the dead man's girlfriend] came in.... We took her back to the bathroom and showed her his body. She started to beg, 'don't kill me, I ain't gonna tell nobody. Just don't kill me.' said we all could have sex with her if we wouldn't kill her. After we finished with her, Jack Bumps told her, 'I ain't takin' no chances. I'm gonna kill you anyway.'t a pillow over her head, and we stabbed her till she stopped wiggling. Then we set fire to the sheets in the bedroom and went out to buy us some liquor."

Would either of these two victims have been saved if the man had had a gun easily reachable by him in the house or if the woman had had a gun in her purse? There is no way of knowing. What is for certain is that neither was any match for the four men who attacked and killed them with a butcher knife. Even Lois's begging and submitting to sexual violation did not save her. How many people might be saved from physical harm, psychological trauma, or death if they had the means to protect themselves with a firearm? Equally important, how many people might never have to be confronted with attack or murder if potential perpetrators were warded off from initiating violence because of the uncertainty that an intended victim might have the means to defend himself from thieves, rapists, and murders? A gun can be a great equalizer for the weak and the defenseless, especially if an intended victim doesn't have to waste precious seconds fumbling with the key to a mandatory trigger lock.

But what is an ordinary man to do when he finds that it is the government that is the perpetrator of violence and aggression against him and his fellow citizens? How do you resist the power of the state? Tens of millions of people were murdered by governments in the 20th century. They were killed because of the language they spoke or the religion they practiced. Or because those in political control classified them as belonging to an "inferior

race” or to a class that marked them as an “enemy of the people.” And the vast, vast majority of these tens of millions of victims were murdered while offering little or no resistance. Fear, terror, and a sense of complete powerlessness surely have been behind the ability of governments to treat their victims as unresisting lambs brought to the slaughter.

But part of the ability of government to commit these cruel and evil acts has been the inability of the victims to resist because they lacked arms for self-defense. And when the intended victims have had even limited access to means of self-defense it has shocked governments and made them pay a price to continue with their brutal work.

This article was originally published on The Future of Freedom Foundation’s website in September 2001.

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