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## **The Second Amendment: More Important than Ever**

**by Scott McPherson**

The day after the November 4 election, Gun Owners of America (GOA), based in Springfield, Virginia, sent an email alert to supporters. With the subject heading “Gun Rights in Peril,” the message began, “Based on his voting record in the Illinois state senate and the U.S. Senate, President-elect Obama will be the most anti-Second Amendment president in the history of America.”

That’s a scary statement. Many of us remember eight years of Bill Clinton, a president who never missed an opportunity to demonize guns, demagogue a tragic event to further his gun-control agenda or support a piece of gun-control legislation.

President Clinton never met a gun-control law he didn’t like. He signed the Brady Bill in 1993. He signed the so-called Assault Weapons Ban into law in 1994, and the Lautenberg Law in 1996. In 1998 he used an executive order to arbitrarily and permanently ban the importation of 50 more types of firearms. His Justice Department bullied gun manufacturers such as Smith & Wesson, forcing a huge “settlement” that amounted to back-door gun control, in his last year in office.

These actions, along with the federal government’s heavy-handed and highly-publicized attacks on the Weaver family in Idaho and the Branch Davidians in Texas, were profoundly instrumental in giving rise to the “militia movement” in the 1990s — private citizens who banded together to train in the use of firearms and resist further government encroachment on the right to keep and bear arms.

The GOA email continued, “Obama ran a campaign high on rhetoric and short on specifics. The President-elect claims he will govern from the middle, but the question for gun owners is which Obama will show up at the White House — the ‘centrist’ from the campaign trail, or the radical anti-Second Amendment extremist who supports gun bans, waiting periods for firearm purchases, one gun a month restrictions, and more?”

According to CNN.com (November 11, 2008), “Weapons dealers in much of the United States are reporting sharply higher sales since Barack Obama won the presidency a week ago” —

some say as much as 50 percent to 75 percent higher. Some ammunition suppliers actually suspended further orders because of unprecedented demand.

Many Americans may be tempted to dismiss fears of an anti-gun president in the wake of the recent *Heller* decision. Didn't the Supreme Court affirm, once and for all, that the Second Amendment protects an individual right to own guns? Yes, it did. But as many commentators have pointed out, the Court left some wiggle room. Writing for the majority, Justice Scalia claimed, "Like most rights, the right secured by the Second Amendment is not unlimited." I won't belabor the point — others have covered it sufficiently — but it is worth remembering that any right so considered is not secure.

And, as GOA rightly states, an anti-gun president — possibly *the most* anti-gun president in our history — backed by an anti-gun Congress, will quite possibly push the envelope on gun rights. Maybe even to the point where the right becomes meaningless.

The English Declaration of Rights (1688) imperfectly recognized the right to keep and bear arms, and gradual, steady encroachments meant that in 1997 — the year handguns were completely banned, and *even further* restrictions placed on the ownership of shotguns and rifles — only 1 in 60 Britons owned handguns which were stored at local gun clubs.

Today, in England, unless you're a farmer who has jumped over numerous bureaucratic hurdles and succumbed to yearly "inspections" of your home by the police, you don't legally own any kind of gun at all. Considering both the alarming rise in crime in the United Kingdom and the alarming growth of government power there, it seems that thugs in and out of government are well aware of the consequences of this policy.

Don't bet your life, or your children's or grandchildren's freedom, that 50 or a 100 years from now a sufficiently reconstituted and "progressive" Court won't consider it a "reasonable restriction" of your "not unlimited" right to make firearms so difficult to obtain that armed self-defense becomes a thing of the past.

Government will become more arbitrary, restrained only by good sense and decency — virtues not commonly found in those holding great power. At that point, the American citizen becomes a subject — one step removed from a serf — then a slave. Whatever verbal calisthenics or contortions legislators or judges may employ to convince you otherwise, that was the greatest fear of the Founding Fathers, and the very reason early American statesmen demanded that the right to keep and bear arms "shall not be infringed" — period, end of discussion.

Writing almost a century before the American Revolution, the Scottish philosopher Andrew Fletcher considered arms "the only true badges of liberty" (*A Discourse of Government with relation to Militias*, 1698). A few years later, addressing the Scottish Parliament in Edinburgh, he said, "The possession of arms is the distinction of a free man from a slave."

He who has nothing, and belongs to another, must be defended by him, and needs no arms: but he who thinks he is his own master, and has anything he may call his own, ought to have arms to defend himself and what he possesses, or else he lives precariously and at discretion. And though for a while those who have the sword in their power abstain from doing him injuries; yet by degrees he will be awed into submission to every arbitrary command.

Like John Locke's 10 years before, these ideas were influential and helped shape the views of those who founded this republic. Many Americans feared the powers vested in the new federal government and sought constitutional assurances that their liberties would be safe.

### **Reasons for gun ownership**

Freedom of speech, of the press, of the right to peacefully assemble, to petition for redress of grievances, to trial by jury, and to be secure from unreasonable search and seizure, and even a statement protecting rights not listed — all are found in the first 10 amendments to the Constitution, the Bill of Rights. Even if there were no Second Amendment, the right to keep and bear arms would fall under the Ninth Amendment's protection of unenumerated rights, but gun ownership was considered so important that it too was mentioned specifically.

The reason for this is clear: individual citizens had to be armed, *at least* as well as a soldier, in order to discourage tyrannical acts of government and, if necessary, to overthrow a government that had become destructive to its legitimate ends. This was what the British army faced from 1775 to the end of the American Revolution; it is among the reasons that historian William Marina, in his essay "The Dutch-American Guerrillas of the American Revolution," writes that "the British were never anywhere near 'victory' in the American Revolution."

Tench Coxe, while a staunch Federalist and opponent of a bill of rights, nonetheless understood the value of an armed citizenry. "Their swords, and every other terrible implement of the soldier, are the birthright of an American," he wrote in 1788, during the ratification debate. At the same time, his friend James Madison — who, just three years later, would write and introduce in Congress what became the Second Amendment — wrote in Federalist No. 46 that a standing army marching against the people "would be opposed [by] a militia ... with arms in their hands." Americans of the founding generation were highly suspicious of government and wanted a nation of armed citizens who could prevent a slide into dictatorship.

The value of an armed populace is no less relevant in a modern context. During the 20th century, armed peasants fought off the awesome power of the U.S. government for more than a decade in Vietnam. The Irish Republican Army fought the British to a stalemate over the course of 30 years, and American blacks defended their neighborhoods and communities during the chaos

of the Civil Rights era. (See “[Should Americans Support IRA Disarmament?](#)”) Despite five and a half years of occupation, the U.S. military has yet to pacify Iraq’s armed insurgents.

In an essay published by The Future of Freedom Foundation in November 2008, writer [Christine Smith asked](#),

Where are the patriots? Where are men who truly love freedom and will fight to ensure that the liberties we hold so dear are not taken from us? What has happened ... when we have a government that has assumed an essentially dictatorial rule ... a president exercising unprecedented power and a meek and submissive Congress that rubber-stamps it all?

Add to this the election of a man who may be the most anti-gun president in history, and we have even more reason to be concerned for our freedoms.

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