

Basics of the Second Amendment

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What has become known as "The Emerson Case" has been largely overrated and articulated by the left and the right. Defenders of the Second Amendment and radical left-wing gun grabbers have attributed too much to the single case and less to the essence of the core issue and facts.

Last June the U.S. Supreme Court (<http://www.lasvegassun.com/sunbin/stories/nat-gen/2003/jan/24/012406253.html>) declined to hear arguments that Emerson should have been allowed to keep his guns under the Second Amendment right to "keep and bear arms."

Emerson was indicted after a restraining order was issued during his divorce in 1998. He owned several rifles and a handgun at the time. He "should" have fought the restraining order.

Emerson had become a nexus because his case and a similar one the Supreme Court also rejected, the Bush administration told the Supreme Court that the Second Amendment protects an individual as well as the collective right to gun ownership. THAT was and is a big deal. That position reversed government policy on the Second Amendment.

However, the administration did not support Emerson's appeal. It said the Second Amendment right was still subject to "reasonable" restrictions.

Who gets to define "reasonable"? What part of "inalienable," "shall not be infringed," suggests ANY restrictions?

Emerson's attorney has argued his client shouldn't be punished for owning guns that were legal once his divorce was completed. Sounds reasonable ... but reason and the law are often mutually exclusive concepts.

In the wake of a growing litany of mutually exclusive items (from the denunciation of Bellesile's revisionist history to the latest "study" contradicting Dr. John Lott's "More Guns Less Crime" (<http://www.washtimes.com/national/20030123-5349416.htm>)) it seems appropriate to once again reiterate some facts too often ignored or manipulated.

These are axioms:

1. The Second Amendment doesn't GIVE us a bloody thing. It merely acknowledges a GOD-GIVEN inalienable right to keep and bear arms. In fact the entire Bill of Rights is NOT a list of federal gifts but rather recognition of freedoms. No one GAVE us these freedoms and NO ONE can take them away. Government can (by force and abuse of power) restrict or deny freedoms. But that doesn't make it right.

2. The Framers wrote the Second Amendment not to guarantee my right to hunt birds or competition shooters to perforate paper. The Second Amendment was written, and specifically intended, to guarantee that citizens always have access to firearms. Why? So that if or when it were ever to become necessary to rise up and overthrow an abusive and unresponsive government citizens would have the tools to do so.

THAT'S A FACT.

3. Notwithstanding revisionists' attempts to the contrary two facts remain:

- a. Communities in which gun ownership is less controlled by government realize less crime.
- b. Communities in which government impedes gun ownership realize increased violent crime.

I have been accused of being “paranoid” about efforts to destroy the Second Amendment. Paranoia is defined as “delusions of persecution.” EXCUSE ME! The persecution is not delusional. It is very real, palpable, and documented.

http://www.geoffmetcalf.com/paranoid_20000315.html

The founder of Handgun Control, Pete Shields, was quoted in the New Yorker Magazine, June 26, 1976, pg. 53.

'One Step at a Time'

"We'll take one step at a time, and the first is necessarily - given the political realities - very modest. We'll have to start working again to strengthen the law, and then again to strengthen the next law and again and again. Our ultimate goal, total control of handguns, is going to take time. The first problem is to slow down production and sales. Next is to get registration. The final problem is to make possession of all handguns and ammunition (with a few exceptions) totally illegal."

That describes an agenda of incrementalism that has not only been articulated but also legislated.

Sen. Dianne Feinstein told "60 Minutes" the week after the passage of Brady Bill, "if I thought I could get the votes I'd have taken them all." Nothing “delusional” about that.

Charles Krauthammer hit the nail on the head (April 5, 1996 Washington Post) when he wrote, "The Brady Bill's only effect will be to desensitize the public to regulation of weapons in preparation for their ultimate confiscation." “Ultimate confiscation” is the goal and objective.

The renewed efforts to continue the incrementalism of Shields, Feinstein, Schumer, Clinton et al. is frankly counterintuitive. We need more armed and trained American gun owners, not less.

The Japanese in World War II were fearful of invading a country of armed “cowboys.” The Soviets eschewed invasion plans because of ubiquitous American gun ownership. If we are at war with terrorism, don't disarm America. Arm us, train us and let the bad guys come.

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