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In 2008 the U.S. Supreme Court, in the case of *District of Columbia v. Heller* meticulously detailed the history and tradition of the Second Amendment at the time of the Constitutional Convention and proclaimed that the Second Amendment established an individual right for U.S. citizens to possess firearms.

In 2010 the U.S. Supreme Court, in the case of *McDonald v. City of Chicago* the Court, citing the intentions of the framers and ratifiers of the Fourteenth Amendment, held that the Second Amendment applies to the states through the incorporation doctrine.

More recently, the U.S. Supreme Court reinforced its *Heller* ruling in its *Caetano v. Massachusetts* (2016) decision. The Court found that the lower “Massachusetts Supreme Judicial Court was wrong in the three reasons it offered for why the state could ban personal possession or use of a “stun gun” without violating the Second Amendment.”

The Second Amendment to the U.S. Constitution states, “*A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.*” It is important to understand what this very important sentence, that IS “*the law of the land,*” means as intended by the authors.

Infringe: to **encroach** upon in a way that violates law or the rights of another. Merriam-Webster

Encroach: to enter especially **gradually** or **stealthily** into the possessions or rights of another. Merriam-Webster

Within the Articles of confederation and perpetual union Article VI, paragraph 4, which is the original “constitution” of The United States of America and is still one of the four organic law documents (The Declaration of Independence; The Article of Confederation; The Northwest Ordinance; and, The Constitution of the United States.) of this nation as declared by the US congress in Volume 18 of the Revised Statutes of the United States as enacted by the Forty-third

Congress (A.D. 1873-1875) and published by the Government Printing Office in A.D. 1878 states, "...every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of filed pieces and tents, and a proper quantity of arms, ammunition and camp equipage."

"On every question of construction [of the Constitution] let us carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text, or invented against it, conform to the probable one in which it was passed." Thomas Jefferson, letter to William Johnson, June 12, 1823, *The Complete Jefferson*, p. 32

In 1791 when the 2nd amendment was ratified "*the Militia*" meant every able bodied male State Citizen, George Mason, one of the Virginians who refused to sign the Constitution because it lacked a Bill of Rights, said: "Who are the Militia? They consist now of the whole people." Likewise, the Federal Farmer, one of the most important Anti-Federalist opponents of the Constitution, referred to a "militia, when properly formed, [as] in fact the people themselves."

When the Second Amendment was ratified, "*well regulated*" meant, in the context written, well armed and well trained. The following are taken from the Oxford English Dictionary, 1709: "If a liberal Education has formed in us well-regulated Appetites and worthy Inclinations." 1714: "The practice of all well-regulated courts of justice in the world." 1812: "The equation of time ... is the adjustment of the difference of time as shown by a well-regulated clock and a true sun dial." 1848: "A remissness for which I am sure every well-regulated person will blame the Mayor." 1862: "It appeared to her well-regulated mind, like a clandestine proceeding." 1894: "The newspaper, a never wanting adjunct to every well-regulated American embryo city."

Known as "The Father of the Bill of Rights" [James Madison](#) stated, "A well regulated militia, composed of the people, trained to arms, is the best and most natural defense of a free country." 1st Annals of Congress, at 434, June 8th 1789.

[Patrick Henry](#): "The great object is that every man be armed. Everyone who is able might have a gun." 3 Elliot, Debates at 386.

Thomas Paine: “The supposed quietude of a good man allures the ruffian; while on the other hand, arms like laws discourage and keep the invader and plunderer in awe, and preserve order in the world as well as property. The same balance would be preserved were all the world destitute of arms, for all would be alike; but since some will not, others dare not lay them aside... Horrid mischief would ensue were one half the world deprived of the use of them...” I Writings of Thomas Paine at 56 (1894). Doesn't this kind of sound like “if you disarm law abiding Citizens then only criminals will have arms?”

Thomas Jefferson: “And what country can preserve its liberties, if its rulers are not warned from time to time, that this people preserve the spirit of resistance? Let them take arms... The tree of Liberty must be refreshed from time to time, with the blood of patriots and tyrants.”, letter to William S. Smith, 1787, in S. Padover (Ed.), Jefferson, On Democracy.

Justice Joseph Story: “The militia is the natural defence of a free country against sudden foreign invasions, domestic insurrections and domestic usurpations of power by rulers. It is against sound policy for a free people to keep up large military establishments and standing armies in time of peace both from the enormous expenses with which they are attended and the facile means which they afford to ambitious and unprincipled rulers to subvert the government or trample upon the rights of the people. The right of the citizens to keep and bear arms has justly been considered as the palladium of the liberties of a republic since it offers a strong moral check against the usurpation and arbitrary power of rulers and will generally even if these are successful the first instance enable the people to resist and triumph over them...” Joseph Story, Commentaries on the Constitution of the United States. 3 vols. Boston, 1833. And, “One of the ordinary modes, by which tyrants accomplish their purposes without resistance, is, by disarming the people, and making it an offense to keep arms.”

Delegate Tenche Coxe of Pennsylvania: “Who are the militia? Are they not ourselves? Is it feared, then, that we shall turn our arms each man against his own bosom. Congress have no power to disarm the militia. Their swords, and every other terrible implement of the soldier, are the birthright of an American... The unlimited power of the sword is not in the hands of either the federal or state governments, but, where I trust in God it will ever remain, in the hands of the people.” – Tenche Coxe, The Pennsylvania Gazette, Feb. 20, 1788. “...and every other terrible implement of the soldier, are the birthright of an American...”

It is clear by the intent of the men who debated and wrote the Bill of Rights that the arguments stating that the second amendment to the constitution does not protect “weapons of war” are specious and delusive at best and at worst subversive and treasonous.

The Second Amendment was founded on this principle, “Protestants may have arms for their defence suitable to their conditions and as allowed by law;” this is from the Declaration of Right, commonly known as the English Bill of Rights. There was no mention of the militia, but it did guarantee the right of the English people to have “arms for their defence.” Explicit with the “right to have”, is the right to use in your defence, therefore to carry with you if you felt you may be threatened.

Since the right to own and carry firearms was already commonly understood, but the British Governors had elected to deprive them of the means to equip their militia, the Founders saw this as the most likely abuse of power regarding arms, since the right to own and carry arms had been undisputed for 100 years. Another difference to the clause from the Declaration of Right... “and as allowed by law” was specifically addressed by, “shall not be infringed.” While the King could make laws regarding ownership and use of arms, the United States congress can not lawfully do so.

The preamble to the US bill of rights states, “The Conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added:...” One must recognize that the whole of the Bill of Rights is specifically in existence “in order to prevent misconstruction or abuse of its powers.” “It’s powers” refers to the powers of the US constitution which is only wielded by the federal government, by elected officials under Oath. Ask yourself, if the constitution is “the law of the land” and the Bill of Rights (all properly ratified Amendments also) is on equal footing as part of the original constitution then, using law and reason, would the framers intent to be for the federal government (or the State governments) to be the one to decide what arms the people will be allowed to have?

The overriding purpose of the Framers in guaranteeing the right of the people to keep and bear arms was as a check on the standing army, which the Constitution gave the Congress the power to “*raise and support.*”

As Noah Webster put it in a pamphlet urging ratification of the Constitution, *“Before a standing army can rule, the people must be disarmed; as they are in almost every kingdom in Europe.”*

The well regulated militia necessary to the security of a free state was a militia that might someday fight against a standing army raised and supported by a tyrannical national government. The text of the Second Amendment itself, the right to keep and bear arms is expressly retained by *“the people,”* not the federal government or even the several States of the perpetual union.

Recently the U.S. Supreme Court confirmed this view, finding that the right to keep and bear arms was an individual right held by the *“people,”* — a *“term of art employed in select parts of the Constitution,”* specifically the Preamble and the First, Second, Fourth, Ninth and Tenth Amendments. Thus, the term *“well regulated”* ought to be considered in the context of the noun it modifies, the people themselves, the militia(s).

It is also important to note that the Framers’ chose to use the indefinite article “a” to refer to the militia, rather than the definite article “the.” This choice suggests that the Framers were not referring to any particular well regulated militia but, instead, only to the concept that well regulated militias, made up of citizens bearing arms, were necessary to secure a free State.

Thus, the Framers chose not to explicitly define who, or what, would regulate the militias, nor what such regulation would consist of, nor how the regulation was to be accomplished. In every other instance where the term “regulate” is used, or regulations are referred to, the Constitution specifies who is to do the regulating and what is being “regulated.” However, in the Second Amendment, the Framers chose only to use the term “well regulated” to describe a militia and chose not to define who or what would regulate it. Considering that The Bill of Rights intention was to, “...prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution...,” it is a Constitutional violation by the existing government, and perjury of Oath for any elected government official, to support or endorse “regulation” of a Constitutionally protected Right of the People that there is NO CONSTITUTIONAL PROVISION granted them to so “regulate.”

Now “*the militia*” is defined at 10 U.S.C. Section 246 as, “*The militia of the United States*” consists of all able-bodied males at least 17 years of age and, except as provided in section 313 of title 32 [be a citizen of the United States; and be at least 18 years of age and under 64] under 45 years of age who are, or who have made a declaration of intention to become, citizens of the United States and of female citizens of the United States who are members of the National Guard.” 10 U.S.C. Section 246 also defines the two classes of “*Militia*.” The classes of the militia are, the organized militia, which consists of the National Guard and the Naval Militia; and the unorganized militia, which consists of the members of the militia who are not members of the National Guard or the Naval Militia.

So, those of you that are “US persons” (14th amendment citizens) or living in US federal territory 10 U.S.C. Section 246 applies to you and by federal statute makes a large percentage of you members of “*The militia of the United States*.” As stated prior, there is no constitutional provision to allow the federal government to regulate the militias of the several States, therefore the “national guard” is NOT a militia of any of the several States, organized or otherwise, mentioned and protected by the second amendment of the constitution. The ONLY organized “State militias” the federal government [recognizes](#) are called [State defense forces \(USC\)](#).

It is quite clear, then, that there is a citizenship of the United States** and a citizenship of a State, which are distinct from each other and which depend upon different characteristics or circumstances in the individual. Slaughter House Cases, 83 U.S. 36

One may be a citizen of a State and yet not a citizen of the United States. Thomasson v. State, 15 Ind. 449; Cory v. Carter, 48 Ind. 327 (17 Am. R. 738); McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443. McDonel v. State, 90 Ind. 320, 323

The privileges and immunities clause of the Fourteenth Amendment protects very few rights because it neither incorporates any of the Bill of Rights nor protects all rights of individual citizens. See Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873). Instead, this provision protects only those rights peculiar to being a citizen of the federal government; it does not protect those rights which relate to state citizenship. Jones v. Temmer, 829 F.Supp. 1226 (USDC/DCO 1993)

You may wonder how the national guard, the so-called “militia of the United States,” can be deployed to foreign countries as a standing army to fight wars, they simply call it “training.” *Perpich v. Department of Defense*, 496 U.S. 334 (1990), was a case decided by the United States Supreme Court concerning the Militia Clauses of Article I, Section 8, of the United States Constitution in which the court held that the Congress of the United States may authorize members of the National Guard of the United States to be ordered to active federal duty for purposes of training outside the United States without either the consent of a state governor or the declaration of a national emergency.

The national guard is federalized and has been since 1933, The National Defense Act Amendments of 1933, Pub.L. 73–64, 48 Stat. 153, enacted June 15, 1933, provided that the National Guard is considered a component of the Army at all times. Sec 2. “All policies and regulations affecting the organization and distribution of the National Guard of the United States, and all policies and regulations affecting the organization, distribution, and training of the National Guard, shall be prepared by committees of appropriate branches or divisions of the War Department General Staff...” The “national guard” is no more than a reserve force of the US Defense Department, paid by them, organized by them, trained by them and deployed at their will **not** the Governor of any of the several States of the perpetual union.

Some of you may believe that you are protected by the [The Posse Comitatus Act of 1878](#) which forbids the standing army of the United States from being deployed on American soil for law enforcement without an insurrection or rebellion going on however, your so-called representatives have written their way around that prohibition by amending the requirement of the [insurrection act](#) to include “natural disaster, epidemic, or other serious public health emergency, terrorist attack or incident.” What constitutes a “public health emergency, a “terrorist ‘incident,’” what constitutes “serious?” Don’t worry, this will be decided by the government not you, the people. Therefore, the danger of a tyrannical federal government marching it’s standing army into one of the several States of the perpetual union has not diminished over time and become a relic of a time past, given the course the federal government has taken it has become nearly inevitable.

Some of you may believe you have a mobile phone and 911 so you see no need to have the tools to protect yourself and those around you. However, the US supreme court case [Castle Rock v. Gonzales](#), 545 U.S. 748 (2005) states, “Although the statute spoke of “protected person[s]” such as respondent, it did so in connection with matters other than a right to enforcement.” “Colorado law

has not created a personal entitlement to enforcement of restraining orders. It does not appear that state law truly made such enforcement *mandatory*. A well-established tradition of police discretion has long coexisted with apparently mandatory arrest statutes.” There is also a ruling in [Warren v. District of Columbia](#) (444 A.2d. 1, D.C. Ct. of Ap. 1981 which states, “the duty to provide public services is owed to the public at large, and, absent a special relationship between the police and an individual, no specific legal duty exists.” You do remember the shooting at the Marjory Stoneman Douglas High School where the Sheriff deputies refused to enter the buildings to protect the children and instead used their “discretion” to hide protecting only themselves while seventeen children were killed. Now you know why none of them will ever be held accountable, law enforcers have NO DUTY to protect you, your property or your children. Understand whenever you see the word “public” mentioned in context of government statutes it means “of or relating to a government” according to Merriam-Webster dictionary.

BIRDS OF A FEATHER

[Adolf Hitler](#): “The state must declare the child to be the most precious treasure of the people. As long as the government is perceived as working for the benefit of the children, the people will happily endure almost any curtailment of liberty and almost any deprivation.”

[Janet Reno](#): “The most effective means of fighting crime in the United States is to outlaw the possession of any type of firearm by the civilian populace.”

[Adolf Hitler](#): “The most foolish mistake we could possibly make would be to permit the conquered Eastern peoples to have arms. History teaches that all conquerors who have allowed their subject races to carry arms have prepared their own downfall by doing so.”

[Charles Schumer](#): “The only people who use them [so-called assault weapons] are mass murderers.”

[Adolf Hitler](#): “To conquer a nation, first disarm its citizens.”

Nazi Germany established gun control in 1938 and from 1939 to 1945, 13 million Jews and others who were unable to defend themselves were rounded up and exterminated.

[Al Gore](#): “I think that we should ban so-called junk guns. I think we should ban assault weapons like the weapons used here [in Fort Worth], yes. I think that the kinds of weapons that have no legitimate use for hunting or the kind of weapon that a homeowner would use, I think they should be banned, yes, those kind of weapons.”

[Benito Mussolini](#): “The measures adopted to restore public order are: First of all, the elimination of the so-called subversive elements. ... They were elements of disorder and subversion. On the morrow of each conflict I gave the categorical order to confiscate the largest possible number of weapons of every sort and kind. This confiscation, which continues with the utmost energy, has given satisfactory results.”

[Bernie Sanders](#): “I happen to believe that certain types of assault weapons, which are manufactured and designed for military purposes to kill people very quickly should not be used in civilian society.”

[Mao Zedong](#): “All political power comes from the barrel of a gun. The communist party must command all the guns, that way, no guns can ever be used to command the party.”

China established gun control in 1935. From 1948 to 1952 10,076,000 political dissidents, unable to defend themselves, were rounded up and exterminated in Kuomintang China, and by 1987 another 35,236,000 exterminations were carried out under the Communists.

[Mitt Romney](#): “Deadly assault weapons have no place in Massachusetts.”

[Joseph Stalin](#): “If the opposition disarms, well and good. If it refuses to disarm, we shall disarm it ourselves.”

In 1929, the Soviet Union established gun control. From 1929 to 1953, about 20 million dissidents, unable to defend themselves, were rounded up and exterminated. By 1987 that figure had risen to 61,911,000.

[Dianne Feinstein](#): “Assault weapons pose a grave threat to all Americans, but most especially to law enforcement officers on our city streets.” “If I could have gotten 51 votes in the Senate of the United States for an outright ban, picking up every one of them... ‘Mr. and Mrs. America, turn ‘em all in,’ I would have done it.” “Banning guns addresses a fundamental right of all Americans to feel

safe.”

Pol Pot: “I did not join the resistance movement to kill people, to kill the nation. Look at me now. Am I a savage person? My conscience is clear.”

Cambodia established gun control in 1956. Between 1975 and 1979, 2,035,000 “educated” people, unable to defend themselves, were rounded up and exterminated. During the short four years of its rule in Cambodia, Pol Pot’s Khmer Rouge government murdered over 31 percent of the entire Cambodian population.

Barack Obama: “Weapons of war have no place on our streets.”

Fidel Castro: “Armas para que? (“Guns, for what?”)”

A response to Cuban citizens who said the people might need to keep their guns, after Castro announced strict gun control in Cuba.

Barack Obama: “I don’t believe people should be able to own guns.” “Assault weapons ban reintroduced.”

Vladimir Lenin: “Cause the registration of all firearms on some pretext, with the view of confiscating them and leaving the population defenseless.”

Janet Reno: “Waiting periods are only a step. Registration is only a step. The prohibition of private firearms is the goal.”

Vladimir Lenin: “You must act with all energy. Mass searches. Execution for concealing arms.”

Ronald Reagan: “Well, I think there has to be some (gun) control.” “Certain forms of ammunition have no legitimate sporting, recreational, or self-defense use and thus should be prohibited.”

In 2012 Hugo Chavez, Venezuela’s communist dictator introduced a law that banned the commercial sale of firearms and ammunition. Until then, anyone with a gun permit could buy arms from a private company, but now only the

army, police and certain groups like security companies will be able to buy arms from the state-owned weapons manufacturer and importer. At the time, Chavez's government said that "the ultimate aim is to disarm all civilians" in an attempt to "improve security and cut crime."

[Sarah Brady](#): "I don't believe gun owners have rights." "We must get rid of all the guns."

[Joseph Biden](#): "Banning guns is an idea whose time has come."

[William J. Clinton](#): "When personal freedom's being abused, you have to move to limit it." "We can't be so fixated on our desire to preserve the rights of ordinary Americans." "Only the police should have handguns."

[George H. W. Bush](#): "If the people were to ever find out what we have done, we would be chased down the streets and lynched."

[The Coalition to Stop Gun Violence](#): "It is our aim to ban the manufacture and sale of handguns to private individuals." "We will never fully solve our nation's horrific problem of gun violence unless we ban the manufacture and sale of handguns and semiautomatic assault weapons."

American Civil Liberties Union (ACLU): "We urge passage of federal legislation ... to prohibit ... the private ownership and possession of handguns."

[Alexander Hamilton](#)'s observation, in *The Federalist*, No. 29, regarding the people's militias ability to be a match for a standing army: ". . . *but if circumstances should at any time oblige the government to form an army of any magnitude, that army can never be formidable to the liberties of the people, while there is a large body of citizens, little if at all inferior to them in discipline and use of arms, who stand ready to defend their rights*"

Finally, from the [preamble to the Bill of Rights](#): "*The Conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further*

declaratory and restrictive clauses should be added:...

So much for the argument against “*weapons of war*” having no lawful purpose under the second amendment. The Law of the Land states that ALL the articles within The Bill of Rights “*lawful purpose*” is to “*prevent misconstruction or abuse*” of the federal government’s powers and in the case of the second amendment the means of preventing misconstruction or abuse by the federal government is by the force of arms, “*little if at all inferior*” to the federal standing army’s, in the hands of The People. So much for the argument that no one needs to be armed because the police will protect us.

Understand this, anyone in a position of authority or privilege that calls for more reasonable, common sense, for the children gun control while promising they don’t want to confiscate your guns is a liar and most probably have ulterior motives just like it has always been. You had better get yourself, your family and as many around you as prepared as you can and while food, water, first aid material, etc. is very important without the confidence in your knowledge of what to do in an emergency situation things will be more difficult for you than it needs to be. Make hay while the sun shines because once the storm hits it will be too late.