

Don't Blame the Left for the Student Anti-gun Movement; Blame the NRA

The Second Amendment references the necessity of guns for use by the Militia to secure a "free state," yet the NRA virtually ignores this crucial aspect, leaving room for gun control.



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by Joel Goodman

The Left blames the AR-15 and the National Rifle Association (NRA) for mass shootings, with media stoking the anti-gun flames. The Right blames the Left for distorting the truth and wanting to disarm Americans.

But of greater political consequence, blame should be laid on the gun lobby for the anti-assault weapon mania. By suppressing an honest argument about why citizens should own military-style guns, the NRA has left most citizens, especially impressionable youths, uninformed about citizenship and the Militia.

In its defense of guns and gun rights, the gun lobby never references the Citi-

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zen Militia, and the weapons necessary to equip it. The only reference to the Militia on the NRA's lobbying ILA (Institute for Legislative Action) website is in the following title: "Virginia's House Sub-Committee Anti-Militia Taskforce."

The NRA's lack of editorial copy about the Militia is striking, since the Second Amendment reads, "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."

The Militia is front and center in the Second Amendment, yet the NRA refuses to advocate for the stated purpose of the amendment: protection of the Militia.

In defending the right to keep and bear arms, the gun lobby ignores the Militia and the military-style weapons necessary to fulfill the Militia's intended purpose.

The NRA's avoidance of the Militia and the military-style weapons it requires is ironic, considering the NRA was founded

NRA nearsightedness: The NRA has long defended the Second Amendment, but it often takes positions, such as not defending other constitutional amendments or ignoring the necessity of arming the Militia, that leave the Second Amendment vulnerable to gun haters.

to advance citizen marksmanship with military weapons.

It is embarrassing when the NRA defends the AR-15 as a hunting rifle. Of course, it can be used to hunt, but there are many less-militarily capable guns that could be used to hunt, so this argument is weak.

The NRA continues to portray all semi-automatic weapons as being the same, and paints the AR-15 as just another sporting rifle, instead of calling it exactly what it and others like it are, well-designed combat-styled firearms — something that might be used by the Militia.

Even after Justice Antonin Scalia's commentary in *District of Columbia v. Heller*, which detailed the pre-governmental right to bear arms, the gun lobby refused to faithfully support the Second Amendment, possibly afraid that the rarity of organized Militias in America might obviate the Second Amendment's reason for being.

But the lack of state-organized Militias was never a factor in the rationale for the continuing existence of the Militia or individual gun ownership in the early United States. In 1792, a year after the Second Amendment was passed, in a House debate on "a bill more effectively to provide for national defence, by establishing an uniform Militia throughout the United States" (Militia Bill), Representative Jeremiah Wadsworth of Connecticut said, "The Militia of the several states

exist at the present moment more by the consent of the persons forming them in the several states, than in consequence of any laws of the particular states.”

A motion was made to provide the poor and the young with military guns so that they would be better armed when called to the organized Militia. It was defeated because it was feared that the guns provided by the government might later be confiscated by that same government “who would wish to see so large a portion of the community ... armed by the United States, and liable to be disarmed by them.”

The author of the template for what eventually became the Bill of Rights, George Mason, described the Militia as “the whole people” — the individual American citizen. The citizens are the Militia. The Militia is the citizens. They are one and the same.

The gun lobby speaks of Second Amendment rights. Factually, we have no “Second Amendment rights.” The Bill of Rights does not give us Second Amendment rights. It shields from central government intrusion the right that we already had prior to the creation of the U.S. government. Some of our rights were considered so essential that it was demanded that they be enumerated in the Constitution before the Constitution was ratified.

The Supreme Court decision *Presser v. Illinois*, which was re-affirmed by the *Heller* decision more than a century later, made it quite clear that even if a state had no organized Militia, it could not disarm its citizens because those citizens constitute the unorganized (reserve) Militia, which exists de facto, without governmental benefit.

The Constitution gives the U.S. president the authority to call the Militia into federal service, and whether or not a state has organized the Militia, the state may do nothing to diminish the Militia’s capability, so that if and when it is called into federal service, it could become an effective part of the federal Militia.

Even if the Second Amendment were repealed, American citizens would still maintain their pre-governmental right to arms because they constitute the Militia. In other words, you can’t take guns away from Americans. As said decisively in *Presser*:

It is undoubtedly true that all citizens capable of bearing arms constitute the reserved military force or reserve militia of the United States as well as of the States; and, in view of the prerogative of the General Government, as well as of its general powers, the States cannot ... prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful resource for maintaining the public security, and disable the people from performing their duty to the General Government.

The NRA has consistently refused to promote the Militia in spite of anti-gun forces incessantly railing against “assault weapons,” even challenging the idea that a well-armed citizenry is the most natural defense of liberty.

It is beyond a doubt that the NRA is failing in its pledge to safeguard the rights protected by the Second Amendment, despite the fact that the Second Amendment could rightly be said to undergird and protect all other American rights from always-grasping and opportunistic government.

Few protesting students fully comprehend that *disarmed* Jews were shot by Nazis, or that it was *unarmed* middle-class Cubans who were shot by Fidel Castro’s regime.

There is large-scale resistance to AR-15 style rifles because much of the public sees no connection between the individual citizen and the protection of liberty and the protection of the public calm. Today, public-safety situations are responded to by paid professionals. We are led to believe that there is no need for a well-organized and well-armed Citizen Militia, in contradiction to the underlying philosophy of the American government wherein the existence of the Militia is necessary to protect liberty from government, which was stated thusly by Elbridge Gerry (House member from Massachusetts) during the debate on the Second Amendment:

What, Sir, is the use of a Militia?

It is to prevent the establishment of a standing army, the bane of liberty.... Whenever Governments mean to invade the rights and liberties of the people, they always attempt to destroy the Militia, in order to raise an army upon their ruins.

The availability or restriction of the AR-15 will determine whether we remain a participatory democratic republic, or continue becoming something more centralized, more tyrannical, less demanding of the individual citizen’s participation — and ultimately less uniquely American and less safe. ■



The Militia’s usefulness: Maryland State Militia’s heroic covering action at the Battle of Long Island, which allowed many of Washington’s regulars to retreat, has been called “an hour more precious to liberty than any other in history.”