

## **The Right to Keep and Bear Arms**

*"The whole of the Bill (of Rights) is a declaration of the right of the people at large or considered as individuals.... It establishes some rights of the individual as unalienable and which consequently, no majority has a right to deprive them of."* Albert Gallatin of the New York Historical Society, October 7, 1789

Our fight to preserve our Constitutional Republic will continue in 2023. The enemies of American freedom and liberty will never stop. We have an administration that is filled by anti-Second Amendment zealots, including the man at the top, Joe Biden.

We have a Democrat controlled Senate with almost every Democrat lock-step with the anti-Second Amendment sentiments of the administration. And then we have the Senate Republicans where they mouth the words "I'm a staunch Second Amendment supporter" while they are running for election, but when the winds ginned up by the media after some criminal kills a bunch of Americans demand "we must do something," they cave. A prime example was when 18 Republicans joined the Democrats and passed the unconstitutional "Red Flag" Law.

We have a House where the Republicans have a slim majority. I'm more confident that this group will stand strong against encroachment of the Second Amendment, but they will have to have strong backbones.

Biden has said *"We passed the most anti-rational gun policy in 30 years, but we didn't ban assault weapons. I'm going to ban assault weapons, I'm going to try like the devil"* and *"The way we still allow semi-automatic weapons to be purchased is sick. It is just sick."*

So you can bet that there will be a huge effort to pass another "assault weapons ban." Since 2018 House Democrats twice passed this bill but it has thus far failed.

Another legislative priority is Universal Gun Registration. The anti-gun left wants every gun owner in a registry with every gun serial number recorded. They want the federal government to control every gun transaction. Further they want mandatory storage requirements and locking requirements. Still more – they want million dollar insurance policies by every gun owner as well as new taxes for the privilege to own a firearm.

Are you energized yet? What can we do? We must be in close contact with our state legislators and get them to make TN a Second Amendment sanctuary state. Later in this piece is more that we need these legislators to work on this year. We also have to contact our two Senators and our Representative to encourage them to stand firm against these coming attacks on our freedom and liberty.

*"Government is not reason. It is not eloquence. It is a force, like fire: a dangerous servant and a terrible master."* - George Washington

## **To Whom Does The Country Belong: The People Or The Government?**

Ammoland Inc. Posted on December 16, 2022 by Roger Katz

“Power is in tearing human minds to pieces and putting them together again in new shapes of your own choosing.” ~ “1984,” by George Orwell, Part 3, Chapter 3.

Does the Country belong to the people? One wonders.

Trivially, one answers “yes.” That’s what the Founders intended, and that’s what they sought to achieve in fashioning the Nation’s Constitution: their Blueprint for a free Constitutional Republic.

But, has a fervent wish and hope of the Founders degenerated into nostalgic sentiment, bespeaking a fleeting, misty bygone reality, dead now and buried?

Well, not as long as the Bill of Rights remains intact. It is still with us—barely!

What’s required? It is the persistence of Americans’ natural law rights, in particular: free speech and an armed citizenry. These are necessary conditions to keep a free Constitutional Republic alive and keep tyranny at bay.

These two Rights subsume all the others and are inextricably tied to each other. Both are integral to the functioning of and preservation of the Nation as a free Constitutional Republic.

### The Right To Free Speech

The natural law right of free speech entails the right to dissent. This right is essential to the sanctity and inviolability of one’s Soul, and it is one of two fundamental natural law rights necessary to keep the tyranny of Government in check. Through the exercise of it, a person expresses his individuality. But erase it, and a person becomes like unto a Zombie, or, in archaic Judaic folklore, a “Golem.”

A Zombie or Golem is a creature not of God but created by man—a thing of mud and dirt, unfinished—with the makings of a man, and seeming to be a man in rough form, but lacking the Divine Spark, the animating breath of life and Being and Spirit, and Soul, bequeathed to man by the Divine Creator. The Divine Spark comes only from the Divine Creator alone—the source of free will, moral conscience, creative energy, drive, motivation, aesthetic sense, and self-awareness—thus, the idea of Man in the Image of God.

A Zombie/Golem is not of God, and, therefore, but a forlorn creature, lacking will, conscience, motivating impulse, aesthetic sense, and self-awareness, not a man.

That is what the Biden Administration would wish to make of all of us—a thing that doesn’t think but only reacts to the gospel the Biden Administration preaches, as echoed by the Administration’s vast propaganda organs—a formless mob that does not engage in conscious thought and reflection, and that is incapable of engaging in creative thought or exchange, but simply does as it is told.

### The Right Of The People To Keep And Bear Arms

The right to keep and bear arms entails the right to self-defense in the broadest sense. The natural law right to armed self-defense is essential to the maintaining a person’s security and

physical well-being, keeping predatory man, predatory animal, and predatory Government at bay. Through the exercise of the right to own and possess firearms, the citizen keeps his sovereignty and dominion over the Government in check, lest it degenerates into worst tyranny.

### The Right To Dissent And The Right To Bear Arms Are Both Necessary For The Preservation Of A Free State

These two basic rights, Free Speech and the Bearing of Arms are essential fixtures of a free Constitutional Republic, inseparably linked and fused as one.

**If Man has the right to dissent from the encroachment of tyranny but lacks access to firearms, he may have the will to resist, but he lacks the means to do so.**

**If Man has access to firearms but lacks independence of thought, Man's mind is adrift. He lacks the will to preserve "the security of a free State." And, his firearms come to naught.**

The government thus binds a free man to its dictates, suppresses man's creative impulses and drives, and insinuates itself into every aspect of man's life. And in making man's life miserable, the Government at once makes certain that man cannot fight back against that Government. Its actions become more incessant and more aggressive.

Nothing remains private or sacred; nothing remains beyond Government's all-seeing eye, and nothing remains beyond the power of Government to poison and destroy all good things—all to promote the "Good Society," i.e., the well-ordered society, the well-behaved society, the conformist society.

The government even deadens a person's instinct for self-preservation: there is no "Self" left to preserve. A person thus comes to view himself as merely an insignificant, lifeless cog, in a lifeless, cold, remorseless machine.

Arbalest Quarrel has previously pointed out that the natural law right of speech, i.e., independence of thoughts, and the natural law right of self-defense, which logically entails armed self-defense, are inextricably linked. See our article, titled, "The Right To Dissent And The Right To Bear Arms Are A Bulwark Against Tyranny," posted on this website.

In the pertinent part, we wrote,

*“. . . if one is prevented from exercising one's freedom of speech—the freedom to dissent, the freedom to exercise independence of thought—one's mind, spirit, and soul is damaged.*

*And, if one is prevented from exercising his freedom to bear arms—one's right of defense against a predatory beast, predatory man, or predatory government—then the safety and well-being of one's physical Self are imperiled.*

*The two most basic rights—the right of self-protection and independence of thought—go together. To lose the one is to lose the other.”*

Autonomy of Selfhood is impossible where the individual is helpless—physically, psychically, mentally, intellectually, and spiritually. In the absence of strength of will, through the expression of one's individuality, and in the absence of the force of arms, the tyranny of Government is not only possible, but it is also inevitable.

Make no mistake: The government, this Federal Government, is coming after Americans' weaponry, doing so incrementally in dribs and drabs.

Any setback leads immediately to another effort. The Biden Administration and Democrats in Congress won't stop until they have de facto erased the right of the people to keep and bear arms, codified in the Second Amendment, and have confiscated millions of firearms from the civilian citizenry. The campaign of confiscation will continue indefinitely under the dictatorship that this Country is moving toward by leaps and bounds.

The Government claims this is necessary, and it creates the myth that it is the armed American citizen who induces fear in all other Americans and that public safety and order demand that Americans relinquish their firearms. It is all nonsense, of course. The criminal element will not be affected nor deterred by this.

Note that the Biden Administration and anti-Second Amendment groups' efforts are always directed at creating laws targeting the average American citizen, with little to no mention, ever, of the criminal element.

This should give discerning Americans pause, as it undercuts the Biden Administration's contention that its arms control policies to end Gun Violence—their present go-to catchall phrase—are directed at promoting public safety and public order for the benefit of Americans.

Given the lack of any coherent Government policy to tackle rampant violent crime, whether criminals use firearms or any other implement at their disposal, the inference to draw is that the Biden Administration and the captive, seditious Press, and Anti-Second Amendment groups, such as the Brady antigun group, and Everytown for Gun Safety, aren't interested in dealing effectively with violent crime, but simply intend to go after gun manufacturers, retail gun dealers, and the armed citizenry.

The Government, presenting itself as a Guardian of public safety and order, incongruously claims a need to protect the unarmed John Q. Public—not from the criminal element or the homicidal maniac—but from the armed John Q. Public citizen. The Government posits that the armed John Q. Public is, because of his desire to exercise his natural law right of armed self-defense, an inherent danger to public order and harmony and of societal norms.

What is really going on here is Government Tyranny imposing its will on those who will not accept the imposition of Tyranny upon the Country but taking pains to hide that fact.

As this Federal Government, this Biden Administration dismantles our Free Constitutional Republic, some Americans accept this. Some even laud it. But many others realize the danger this Government poses to the well-being of the Republic and to the sanctity and inviolability of their individual Being. And they will have no part of it.

The theme presented by the Government's propagandists is——

**New Age Remodelers of America, “the Sensible Americans,” vs. Old Age Preservers of the Republic, “the Irrational Americans.”**

Drilled down to its basics, what the perspicacious observer sees is the age-old battle now come back to haunt us, Americans:

**Tyranny versus Liberty.**

It is really that simple. And with each passing day, the dynamic playing out throughout the Land is ever clearer. Which shall it be? The “vote” is out on this.

<https://www.ammoland.com/2022/12/whom-does-country-belong-people-or-government/>

**January 10, 2023**

**The Tennessee 113th General Assembly commences "the peoples' work".**

On January 10, 2023, those elected to the General Assembly, and those senators who are mid-term, commenced duties as the 113th General Assembly. It was an organizational meeting and very little of specific substance occurred other than electing the leadership and related functions. It was a great celebration, particularly for those who are starting their first term of office.

For those interested in constitutional and particularly 2nd and 10th Amendment issues, the 113th General Assembly presents opportunities. Opportunities to fix problems that prior General Assemblies created, allowed to persist or neglected. Consider:

1) The entire state of Tennessee is a "gun free zone". That is because Tennessee law makes it a crime to carry any firearm (or club) "with the intent to go armed". See, Tenn. Code Ann. § 39-17-1307(a)(1). Some might disagree, but when you consider that Tennessee law makes it an affirmative defense that you had the firearm in your own home, in your own business, on your own property, or even that you had a permit, it is an inescapable fact that the very existence of these defenses mean that you could be charged with a crime for having a gun in these locations and it is your burden to prove to a jury (or in a bench trial to a judge) that you are entitled to rely on the statutory defense. See, See, Tenn. Code Ann. § 39-17-1308.

2) In Tennessee, it is a crime to carry a gun in a public park, on a greenway or in any other recreational area unless you have a permit. See, Tenn. Code Ann. § 39-17-1311. These are not and never have been even remotely "sensitive places" but they are and remain "gun free zones". Indeed, even if you have the permit, it is still a crime to be armed in these areas and the permit operates only as an affirmative defense to that charge with respect to handguns.

3) In Tennessee, it is a crime to carry a longarm with the intent to go armed- anywhere, anytime. See, Tenn. Code Ann. § 39-17-1307(a)(1). Permits are no defense. There is a defense under the vehicle transport statute but, again, its a defense. See, Tenn. Code Ann. § 39-17-1307(e).

Tennesseans want and need their elected officials to honor the Constitution. That includes abiding by the "shall not be infringed" mandate contained in the Second Amendment.

But, many of those elected officials will not do so unless they think you are watching and wanting it done. Why do we say that? Because many of them have been there year after year - some for decades and so far they have failed to pass REAL constitutional carry or to eliminate these gun free zones.

Jan 4, 2023

In part:

As we look forward to 2023, will there be transparency from the Legislature on who specifically does and does not support real constitutional carry (assuming it even gets filed)? Will there be transparency regarding which legislators will or will not support eliminating gun free zones in non-sensitive places as Justice Thomas explained is prohibited by the 2nd Amendment in the United States Supreme Court's June 2022 decision in the case of *New York State Rifle and Pistol Association, Inc. v. Bruen*? Will there be transparency concerning possible legislation to protect those forced to use self-defense force from abusive prosecutions by law enforcement and district attorneys such as was suffered by Kyle Rittenhouse? We can make a judgment based on past levels of transparency as an indicator of future expectations.

One area to be watching in 2023 and beyond is the potential that Second Amendment legislation may move successfully through one house, perhaps the House of Representatives, but be stalled, derailed, defeated or otherwise trampled by the other house, perhaps the Senate. I have heard legislators say, and in fact some in leadership say, things to the effect of "we can pass it in the House but we don't control what happens in the Senate" or vice-versa. But is that entirely accurate?

The Legislature is a two part body. To do anything material, both houses have to agree and the agreement must match exactly. Two things the Legislature must do each year is a) pass a budget and b) adjourn. One house cannot do either conclusively without the other house's concurrence. So, what would happen if, for example, the House were to pass real constitutional carry in 2023 but the Senate was giving indicators that it would not? Clearly, the House could delay or defer passing a budget. It might also delay or defer adjourning. It could also delay or defer passing any number of the expected 1000 or so bills that will be introduced in the Legislature in 2023, including some which presumably at least a majority of the Senators would want to see enacted into law. Both houses have political power that can be flexed when directed at the other.

A fundamental constitutional right – which Tennessee law currently tramples into nothing more than a highly regulated privilege – might be a topic on which political power should be flexed. But, of course, the fact that such an option exists does not mean that it would be used because, to do so, might indicate that someone is not a "team player".

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