

# SCOTUS Affirms Broad 2nd Amendment Protection



By Lex Greene

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For the first time in about 200-years, the U.S. Supreme Court is on a Constitutional roll. In this case, the highest court in the land ruled strictly upon the basis of Constitutional text instead of on the basis of partisan political activism, as has been a practice in the courts ever since Jefferson warned about it repeatedly in the early 1800s.

*"The original error [was in] establishing a judiciary independent of the nation, and which, from the [citadel](#) of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will."* (Jefferson letter to John Wayles Eppes, 1807)

This is essentially the definition of "judicial tyranny." Jefferson witnessed the problem before the ink was even dry on the Constitution. Today, people often refer to it in much kinder terms, "judicial activism." No matter what you call it, the act is "unconstitutional" on its face.

Unfortunately, few modern Americans know anything at all about their foundations of freedom and liberty, codified in the [Charters of Freedom](#). Sadly, even many contemporary "constitutionalists" can't seem to get it quite right, due to relying upon "experts" and "scholars" to tell them what the documents say and mean, rather than studying history themselves.

**But here are the foundational facts related to our Charters of Freedom and Liberty.**

1. [The Declaration of Independence](#) is our first “founding document.” It establishes why we separated from British Rule, formed a new sovereign nation of our own, on what authority, the Laws of Nature and Nature’s God, based upon certain “inalienable Rights” which were “endowed by our Creator.” It further established the most basic Rights and Duties of a free people, including what to do if our government ever became destructive of freedom and liberty.
2. [The U.S. Constitution](#): Contrary to popular misconceptions, there is no such thing as “Constitutional Rights.” This document does not establish or grant any “Rights of the People” or even provide any direct protections for the “Rights of the People,” other than limiting that government to the enumerated powers granted it by the “consent of the governed.” This document pertains only to the Rights, Duties, systems, and limitations of the government it created. It has literally nothing to do with the “Rights of the People.”
3. [The Bill of Rights](#): Again, contrary to misguided popular beliefs today, the Bill of Rights is not an enumeration of the “Rights of the People” either. But this document is an additional enumeration of specific items which the Federal Government is strictly prohibited from touching, at all, ever. The Bill of Rights is the only founding document that specifically protects the most basic natural Rights of the People, against government intrusions and infringements.

Now, the [2<sup>nd</sup> Amendment](#) is one of only ten amendments that make up the Bill of Rights, which would have been better titled as a **“Bill of specific prohibitions of government powers.”**

This particular amendment is very short and very specific, so as to not ever be misconstrued.

*"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 amendment has four distinct sections, all with clear specific purpose.**

**The WHY section:** *"being necessary to the security of a free State;"*

**The WHAT section:** *"to keep and bear Arms;"*

**The WHO section:** *"the right of the people;"*

**The PROHIBITION section:** *"shall not be infringed."*

In proper complete context, the Amendment says and means *"being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."*

Of course, we need to address the *"well-regulated militia"* section at the opening of the Amendment. This terminology was used as a [term of art](#) for the era. As we know from well recorded history, the very first fighting force in what would later become the USA, operated under the command of the Continental Congress, made up of every able bodied man from the thirteen original colonies as established in 1775 for the purpose of the American Revolution.

It wasn't until after the adoption of the U.S. Constitution in 1787 and the formation of the first Federal Government, that the branches we have today were formerly established as a uniformed Military under the command of the United States, for the protection of all member States and the Union of Sovereign States.

In other words, the American Revolution was fought by "We the

People,” as no government or central federal command existed until after the adoption of the U.S. Constitution. It was years later that the USA formalized “uniformed branches of the U.S. Military.” Prior to this, a “militia” of, by and for ordinary people, was all that existed.

Once the USA formed their own government commanded branches of the military, militias have often been considered a thing of the past. However, the only defense the people have even today, against all enemies, foreign and domestic, to include a tyrannical government which turns its courts and military on the people themselves, is an armed citizenry with ultimate authority over all governmental bodies. Even the US Military itself, takes an oath to the Constitution and the People of the USA, not any politician.

Now, at the time of the adoption of the Bill of Rights, the term “[INFRINGE](#)” had the following meaning, and it still has that same meaning today. *“To break, as contracts; to violate, either positively by contravention, or negatively by non-fulfillment or neglect of performance.”*

[Contravention](#) means *“Opposition; obstruction; a defeating of the operation or effect.”* While the 1<sup>st</sup> Amendment is specific to the authority of Congress (shall make no law), the 2<sup>nd</sup> Amendment language applies to the Federal government in totality, “shall not be infringed” or “[contravened](#).”

In closing, the 2<sup>nd</sup> Amendment is not in any way “[ambiguous](#),” and therefore, it is not left up to interpretations or the political whims of time. Therefore, as the Supreme Court just ruled, court opinions, statutes, executive orders, changing political policies, or the mere *“non-fulfillment or neglect of performance”* which “infringe” upon upholding an unregulated Right of the People to keep (*possess*) and bear (*carry*) arms, is a direct violation of the 2<sup>nd</sup> Amendment and every oath of office. **This protected natural Right of the People SHALL NOT**

**BE INFRINGED...THE end!**

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