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WORLDNETDAILY EXCLUSIVE

WEAPONS OF CHOICE

Supreme Court says you can 'keep and bear arms'

Striking Chicago handgun ban clears way to challenge long list of restrictions, rules

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By Bob Unruh
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The Supreme Court ruling in a Chicago gun ban case that found individuals across the nation do, under the Constitution, have a right to bear arms has opened the door for a long list of legal challenges to city, county and other rules and regulations that now may infringe of the 2nd Amendment, according to several civil rights organizations.



"This kind of flips the burden onto the government and legislatures to show why they need to restrict

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what the court has already said is an individual right," John Velleco, the director of federal affairs for [Gun Owners of America](#), told WND today after the high court's decision was released.

In the Supreme Court's second major ruling on gun rights in just a few years, the justices used the 14th Amendment to extend the federally protected right to "keep and bear arms" from the U.S. Constitution to residents of all 50 states.

In the 2008 Heller case, the court ruled that the 2nd Amendment's right to be armed was an individual right, but that case pertained only to the District of Columbia. With today's decision in the case brought by Otis McDonald of Chicago, the high court applied that definition to all the states as well.

"The right to keep and bear arms must be regarded as a substantive guarantee, not a prohibition that could be ignored so long as the States legislated in an evenhanded manner," Justice Samuel Alito wrote for the majority.

"This is a tremendous victory for the 2nd Amendment," Velleco said. "It opens the door of the courtroom for us to look at laws in many other jurisdictions where there are highly restrictive gun laws."

He noted it once was accepted as an individual right to bear arms - in all states. But the "social climate" of the 1960s with the assassinations of two Kennedy brothers as well as Martin Luther King Jr. launched "gun control activists" on their way.

The 1970s followed with "a lot of hype about a total ban on handguns with the media on board," he said. Assault weapon bans came up shortly later.

"Through the constant barrage of media, ... a whole generation grew up thinking guns were bad," he said. "Now that's completely turned around. Maybe the ideological 22-year-old college students, 10-15 years later, have a family, have something to protect, and they realize if I'm ever attacked, police cannot be there immediately."

He said the decision aligns with the sentiment in the country where more and more people are rejecting the concept of a total big government

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control over or responsibility for individuals' lives.

"We've seen that throughout this election cycle," he said. "That's why voters are turning out in record numbers and throwing out of office ... incumbents.

"[These are] people who are fed up with this Congress and this president shoving things down our throats."

According to Alan Gottlieb, executive vice president for the [Second Amendment Foundation](#), his organization views the decision now as a "call to action."

"This morning's high court ruling clearly shows that the right of the individual citizen to have a gun is constitutionally protected in every corner of the United States," Gottlieb said. "We are already preparing to challenge other highly restrictive anti-gun laws across the country. Our objective is to win back our firearms freedoms one lawsuit at a time."

"Thanks to the Supreme Court," Gottlieb observed, "average Chicago residents like Mr. McDonald will now enjoy the same right of self-defense as a squad of bodyguards provides to Mayor Richard Daley. Now we can work to lower the deplorable violent crime rate in Chicago, something that the anti-gun mayor's policies have been unable to accomplish."

U.S. House Minority Leader John Boehner, R-Ohio, said it was just a matter of common sense.

"It would remind us that the job of the Supreme Court is enforcing and protecting our rights and the clear meaning of our Constitution - not inventing new ways to advance liberal public policy goals by legislating from the bench and straining to discern previously undiscovered partisan advantage in the 'penumbras' of our laws," he said.

He cited the hearings in the Senate, which also began today, on strict anti-military activist Elena Kagan, who has been nominated by President Obama for the U.S. Supreme Court.

"The American people deserve an advocate for the Constitution on the highest court in the land - not an advocate for liberal ideology or the

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Democrat Party," he said.

The sentiment also is being reflected by what is going on at the state level. [Already, eight states have adopted laws that specifically exempts guns made, sold and kept inside the states from any federal gun regulations.](#)

A court case already has developed over that effort in Montana - the first state to take the step of ordering federal regulators to stay out of the state's business of regulating its own citizenry's weapons.

In one state, Wyoming, lawmakers even adopted a \$2,000 penalty for federal agents trying to enforce federal regulations against an exempted weapon.

[WND columnist John Stossel](#) also noted just days ago how "more guns means - hold onto your seat - *less crime.*"

"How can that be, when guns kill almost 30,000 Americans a year? Because while we hear about the murders and accidents, we don't often hear about the crimes *stopped* because would-be victims showed a gun and scared criminals away. Those thwarted crimes and lives saved usually aren't reported to police (sometimes for fear the gun will be confiscated), and when they are reported, the media tend to ignore them. No bang, no news," he said.

"If guns save lives, it logically follows that gun laws cost lives," he continued.

"Suzanna Hupp and her parents were having lunch at Luby's cafeteria in Killeen, Texas, when a man began shooting diners with his handgun, even stopping to reload. Suzanna's parents were two of the 23 people killed. (Twenty more were wounded.) Suzanna owned a handgun, but because Texas law at the time did not permit her to carry it with her, she left it in her car. She's confident that she could have stopped the shooting spree if she had her gun. (Texas has since changed its law.)"

The McDonald case was brought by Illinois State Rifle Association and the Second Amendment Foundation.

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The case, McDonald v. Chicago, challenged a 7th Circuit court ruling that said the 2nd Amendment applies only to federal regulation of an individual's right to guns and not in cases of restrictions by states and municipalities like Chicago and Oak Park, Ill.

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."

Furthermore, Section 1 of the 14th Amendment, or the Privileges or Immunities Clause, states:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The plaintiffs argued "the right of the people to keep and bear arms" in the Second Amendment is "incorporated" into the 14th Amendment and applies to both states and localities.

[As WND reported](#), even the historically liberal 9th U.S. Circuit Court of Appeals in California has ruled the 2nd Amendment right to keep and bear arms is "deeply rooted in this nation's history and tradition" and long has been regarded as the "true palladium of liberty," so it therefore must be applied against state and local government weapon restrictions as well as federal gun limits.

[*Here's everything you need to know about firearms and ammunition*](#)

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