MISC II - NRA

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SFChronicle NOV 10 1975

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Himself

The Big Gun Control Lie

IF YOU DON'T happen to like people murdering other people with guns of one kind or another, you are not likely to be pleased that 90 representatives and senators of the Congress of this great country have joined a newly-formed something called Citizens Committee for the Right to Keep and Bear Arms.

This presumably means that these Solons, most of whom are lawyers as well as gun nuts, well and truly believe they have a right as citizens to bear weapons, and that this right has been guaranteed by the U. S. Constitution in the Second Amendment of the Bill of Rights.

Two other people who have recently expressed belief in this so-called right are retired Army General Maxwell Rich, who runs the National Rifle Association and Los Angeles Police Chief Edward M. Davis.

Said Rich: "We believe in the Second Amendment — that a law-abiding citizen has the right to bear arms, so long as he does not interfere with the rights of others."

Said Davis: "I oppose federal handgun control, or any federal gun control of rifles, shotguns or pistols because of its unconstitutionality."

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IF THESE two men are right, and there is a constitutional right for individuals to bear arms, the U.S. Supreme Court sure hasn't heard about it. The justices have been asked often enough, Lord knows. And have *always* denied that such a right exists.

Since the early '60s, when I wrote a column about sports, I have been harping away on the big lie that the National Rifle Association exists on: That its members have any inherent or constitutional right to use guns. The NRA is a body of gunsellers, and their friends. This lobby was recently characterized by the U.S. Conference of Mayors as being an "appendage" of the gun industry. It is this lobby that has prevented any effective congressional gun control, despite the fact that 73 per cent of Americans favor some form of gun registration.

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THE LANGUAGE of the Second Amendment is plain as hell: "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."

This is the sole section of the Bill of Rights which does not mean "individual" in the same way as the other sections. Read carefully, as the courts have read it, the section applies only to the maintenance of a well-regulated state militia instead of a standing army.

A San Francisco gun registration law was challenged in 1969 before the California Supreme Court on the Second Amendment ground. The claim was summarily rejected.

"The claim that legislation regulating weapons violates the Second Amendment has been rejected by every court which has ruled on the question," the court said in a unanimous judgment. A long list of cases was cited.

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AMONG THEM was the landmark case of U.S. vs. Miller, when the U.S. Supreme Court in 1939 upheld the constitutionality of the National Firearms Act. The case involved carrying an unregistered sawed-off shotgun over state lines.

The high court said then it could not recognize that possession of a sawed-off shotgun "has today any reasonable relation to the preservation of efficiency of a well-regulated militia." When the Second Amendment was adoped, the court said, "The sentiment of the times strongly disfavored standing armies. The common view was the adequate defense of country and laws could be secured through the militia—civilians primarily, soldiers on occasion."

Yet the gun lobby will continue to persist in their Big Lie and millions will continue to believe it.