

Real World Graduation: Question 52: Your Rights

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Question 52

A certain man was a successful politician for many years. He gradually rose through the ranks from a city council member to state Representative to state Senator to federal Congressman to federal Senator. In all those years, he was a consistent advocate for gun control, including various proposals to ban all guns and ammunition held by private persons. He himself always lived in places with strict gun control, but he also was always in violation of the existing gun laws: he owned many guns that were banned, he failed to register guns he owned, and he bought and sold guns without the legal reporting requirements. He was called upon to serve as an under-Secretary of a cabinet-level department by the new presidential administration. As part of the vetting process, he was asked if he had ever violated any gun laws. He lied about his guns, and the administration believed him, since he had a "perfect" voting record promoting and enacting gun control. But once he was confirmed by the Senate, it came to light that he had in fact owned many guns, some of them illegally, and had committed numerous violations of the existing gun laws (some of which he had helped to pass at the state and federal level). What will happen next?

- a) He will be fired by the President.
- b) He will resign in disgrace.
- c) He will be investigated by the federal authorities.
- d) He will be indicted by state and local authorities.
- e) Either a) or b), followed by either c) or d).

Answer to Question 52

This is a trick question. None of the suggested answers will occur.

Examine the facts of the scenario carefully. He voted for laws that were unconstitutional and immoral (as all gun control is), yet he continued to own, possess, buy, and sell guns despite the law. These facts prove that in his view:

- 1) Gun control laws take away the rights of regular people, but their rights do not matter;
- 2) That no law required him to give up his rights; and
- 3) Violating an unconstitutional law is irrelevant because an unconstitutional law is irrelevant.

Fact 1) is typical of politicians: if your rights mattered, most of the laws on the books would never have been passed. It simply shows that politicians are hypocrites; so what else is new? They were hypocrites when George Washington was President, they were hypocrites when Caesar ruled, and they will always be hypocrites.

Facts 2) and 3) prove that this man is a patriot in his private life, although a hypocrite in his public life. There are many laws that require you to give up your rights; but none of them are legitimate. The fact that he violated laws that he knew were unconstitutional proves that he was in fact, a good citizen. This is a simple example of politicians and bureaucrats believing they are better than you, and the laws restricting your freedom do not apply to them.

But none of the suggested answers can occur. The President will not fire someone for exercising his rights and behaving as if he were above the law. There is no reason to resign in disgrace. He is not going to be investigated or indicted for violating the unconstitutional laws because those who would prosecute him are probably also violating them. Besides, he is a protected member of the political elite and has spent his entire professional life increasing the power of the government. No government official will be prosecuted for that.

Most likely the next series of events will go something like this. First, he will endure a week or two of embarrassment for being a hypocrite, but it will be relegated to page 79G in the mainstream press (immediately following the weather report from Zimbabwe). Second, his Party propaganda machine will make as many excuses as necessary to make his violations and hypocrisy all seem innocent and well-meaning. Then he will be promoted to Special Advisor to the President with authority over the Bureau of Alcohol, Tobacco, and Firearms, where he can violate your Second Amendment rights full-time (while he retains his rights).

Here is how the "rights" scam works. You, as a citizen have "rights" guaranteed by the Constitution. For the first 150 years or so (until the 1920's), the federal government did not interfere too often with the rights of citizens. It was around that time that the "progressive" movement began to acquire power. Since then, government officials have come to believe that legislatures can pass any law they want, executives can issue any decree they want, and judges can issue any ruling they want, and these can contradict or abolish your rights as they see fit. The only way the citizens can regain their rights is to sue the government in the government's courts, but only if the government allows the lawsuit to proceed. The citizen has to defeat the government at every stage up to and including the U. S. Supreme Court, at his expense. Even if he wins, the Supreme Court will issue the narrowest of narrow rulings to reinstate the citizens' rights. This is true of all the rights in the Bill of Rights, although this example used the Second Amendment as an example.

There is a great distinction between Constitutional rights and legal rights. A Constitutional right is one possessed by a citizen, which the government is prohibited from tampering with. These are the ones mentioned in the main body of the Constitution (such as habeas corpus) and in the first ten Amendments (known as the Bill of Rights). A legal right is just the opposite: it is created by a government entity, and can be changed as desired. Examples would include abortion and social welfare (i.e., Roe v. Wade, Social Security, and Medicaid). The rise of governmental power in America is based on equating these two categories of rights. The method is simple: pass laws, issue executive orders, and issue rulings which serve to reduce Constitutional rights to legal rights (i.e., granted by the government), then narrow the confines under which said legal rights can be exercised until they are practically non-existent. This constant dilution of the rights of the citizens via criminal violations of their oaths of office by government officials will eventually cause America to descend to an authoritarian dictatorship. The only peaceful solution to this problem is to vote against any political candidate who believes that the government has too little power; and vote against any candidate who does not adequately control the natural impulses of bureaucrats and judges to expand their powers. Politicians, bureaucrats, and judges must be disciplined and constrained at every turn, otherwise the people will lose their liberties.