

Gun Laws We Need, Part II and How Freedom Is Affected

By Alan Korwin

Sure, you're really upset your rights are infringed. Even with your carry permit there are countless places you can't go – and that's within your home state. Cross the invisible line to the state next door, and you can't guess what the rules and make-believe gun-free zones are. You know if you violate one, you'll be in as much trouble as an unlicensed schoolteacher with a pocket pistol. Lord knows if you're forced to use your gun in legitimate self-defense, you'll face a world of hurt – ruinously expensive with media assault dogs probably attached.

This is why our laws have to change. Leftist radicals have been screaming we need to change our gun laws, make them stronger and better. Let's agree! It's time to join their chorus – and take the offensive. We need to fix, upgrade and change our gun laws, so Americans are safer, our rights are restored, and the chances that good people are caught between rocks and hard places, and the days of defenseless, gunless or facing deadly enemies without our safety tools come to an end. Move the culture itself to a more common sense, rational place, reflected by our laws. The media – who may not change in the short term – will face rational legislation and proposals that will be hard to ignore.

First, some perspective. Even the vaunted Cato Institute, steeped in a tradition of libertarian freedom, but constantly dunned with left-wing anti-rights hype about firearms, unfortunately misses the mark with its Freedom Index. When ranking states for gun freedom Cato mainly tallies for gun-control laws, assigning tiny percentages as part of their massive legal overview:

Local gun bans, initial permit cost, firearms licensing index, waiting period for purchases, initial permit term, stricter minimum age, assault weapons ban, open carry index, no duty to retreat, any other weapon, dealer licensing, built-in locking devices, restrictions on multiple purchases, background checks for private sales, registration of firearms, design safety standards, machine guns, ammo microstamping, large capacity magazine bans, sound suppressor, short-barreled shotguns, short-barreled rifles, .50 caliber ban.

This provides some measure of the lack of freedom a state has with respect to its gun policy. Imagine how different the result if a state were measured for its defense or support of gun freedom laws by tallying:

Permit recognition and reciprocity; protection for and actual gun education in public, private, and higher education schools; shooting-range protection; Constitutional Carry; self-defense-law strength; possession protection; prohibited place limits; statewide sponsored competitions; Olympic sponsorship; tax credits available for gun safes, classes, sales days, accessories and ammo; guns at State Fairs; periodic range days; sponsored public safety classes and educational seminars; rights enhancing laws in play, model legislation enacted, awards and recognition; civilian self-defense review boards; presumption of innocence statutes; RICO protection laws; gun-destruction ban; requirement-to-reveal protection; frivolous lawsuit protection; range-use protection for foreign tourism; local gun rights v. gun-control media assessment; corporate and retail gun-rights discrimination; civil-rights denial under color of law; due-process protection from “red-flag” abuse; and let's pause here.

Wrap your mind around this idea: Laws and society must embrace firearms and gun law as an asset to civility. Crime control is a completely different subject. And neither one is so-called gun control, a euphemism for “disarm the public.” America and gun owners do not need “gun control” at this point. The media's constant drumbeat is pure Pravda. More “gun control” and laws reducing your freedom will not accomplish the false-flag purpose constantly bleated.

Crime rises, criminals are empowered and your ability to resist is reduced as “gun control” grows. Crime control is good, but missing from the narrative. Good gun laws are needed. OK, with the stage properly set, let’s get on with it.

Frivolous Lawsuit Protection

You cannot fairly be put in legal jeopardy when you legitimately use a firearm, or anything, to harm a person committing a felony, in an honest effort to stop the person(s), defend yourself or other innocent people, or prevent a serious crime. This is basic law, reason, common sense, and has been so since Biblical times. Objecting to this is irrational, indefensible and dangerous.

Socialists and left-wing reformers would have you be the criminal, or at least share blame in such scenarios and that must unequivocally end, by statute. No crime attaches to you if you did nothing to create the situation, and only acted while the crime was taking place. The bad guy, or the person’s kin, can’t come after you even with civil charges (a lawsuit), if you’re innocent and the criminal was doing or attempting to do wrong. Yes, it can be difficult to establish the facts. You’re on the hook while that takes place. But your state must ban lawsuits by real criminals and their kin against you. Use Arizona’s language as a model (Art. 18, Sec. 6, State Constitution). If legislators, lawyers or pundits object they are evil, support crime and don’t be afraid to say so.

Repeal Impediments to Arming Teachers

Here is a novel approach to beating the resistance to freedom America faces from internal domestic adversaries. Instead of enacting a law with loud voices arrayed against it – repeal some bad ones. Remove any laws (basically unconstitutional anyway) that prevent or limit the right and ability of law-abiding schoolteachers from exercising their rights to arms while working.

When did this entire class of people lose their Second Amendment rights anyway? Lawyers note: a huge aggrieved class, many with specific articulable harms, potential litigants in class action lawsuits, you think? The state and local statutes preventing these good people from keeping and bearing arms are as intolerable acts as a ban on having Bibles or dictionaries would be. These specific civil-rights bans cannot stand, have been ignored far too long.

Drop, or at least add to “Arm the teachers!” efforts, parallel efforts to “Stop School Teacher Discrimination!” Increase the size and color of your tool kit.

Next edition you’ll see more principles behind positive gun legislating, and specific bills the legal community can start adopting and pressing forward. The narrative must shift away from stopping rights denial, in favor of rights enhancement.

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