



Written by [Selwyn Duke](#) on June 25, 2024

## Bump-stock Bunkum: Chicken Little Media’s “Sky Is Falling” Narrative

“Clarence Thomas has a bump-stock death wish for Americans,” reads a *Raw Story* title.

“Clarence Thomas’ signature will be on death certificates,” goes an overwrought quotation from an MSNBC *Reidout* [segment](#).

“The Supreme Court’s Bump Stock Decision Will Prove Fatal,” *The New York Times* [chimes in](#).

This seems like an awfully frenzied response over a device that’s hardly ever used in crime. In fact, given that illegal aliens pose a [greater threat](#) to Americans than people with bump stocks do, you might think the bump-stock batty should be laser focused on the “death wish” that is our open border.



AP Images

Nope.

Instead, we get the [following](#), from *Raw Story*’s Sabrina Haake, a trial attorney and “climate/animal advocate” who probably only knows guns from the movies. “Last week, Justice Clarence Thomas, writing for the radicalized 6-3 majority on the Supreme Court, overturned the ban [on bump stocks], claiming that, ‘a semiautomatic rifle equipped with a bump stock is not a machine gun,’ given that ‘it cannot fire more than one shot by a single function of the trigger,’” she laments.

“Thomas substituted the specialized expertise of the federal agency [the ATF] with his own personal opinion,” Haake continues.

For the record, a bump stock is a device that is affixed to a rifle’s rear end and which uses the firearm’s recoil to facilitate rapid and repeated depression of the trigger. When used properly, it does enable an increased rate of fire. (The video [here](#) provides more information).

Bump stocks entered the public consciousness after the tragic 2017 Las Vegas shooting, in which a 64-year-old millionaire murdered 60 music festival attendees and injured hundreds of others from his 32nd-floor hotel suites, using semi-automatic rifles fitted with the devices. The next year, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) issued a rule stating that a bump-stock equipped firearm constitutes a “machine gun” and is thus illegal under the National Firearms Act of 1934.

This was, again, overturned recently (June 14), in the case of [Garland v. Cargill](#). But here’s what’s important to note:

The ruling was not based on the Second Amendment. It also was not a judgment on whether or not bump stocks should be legal.

It concerned the *separation of powers*.

The Court ruled, correctly, that the ATF exceeded its statutory authority in re-categorizing bump stocks.



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“Re-categorizing” is the word, too. This brings us to Haake’s claim about the ATF’s “specialized expertise.”

When the ATF evaluated the first bump-stock-like device in 2002, the Akins Accelerator, it judged it to not be a machine gun; it then re-categorized it as one in 2006. Its “expertise” had changed, apparently.

In fact, “Prior to the 2017 mass shooting in Las Vegas, ATF had maintained that bump stocks that did not use internal springs, such as the device used in the Las Vegas shooting, were not machine guns for purposes of federal law. 83 Fed. Reg. at 66,516,” [related](#) legal-information site Justia, citing text from the *Cargill* case. “However, after the Las Vegas shooting, ATF decided to reconsider that position.”

Clearly, the ATF’s “expertise” had changed again. Was it just a coincidence that this happened right in the Las Vegas shooting’s wake?

The ATF is hardly alone among bureaucracies in altering definitions based situational expertise. In 2021, the CDC [changed the definitions](#) of “vaccine” and “vaccination” — just when, coincidentally, the Covid shots could not meet the long-standing definitions. Why, a cynic could get the idea this is all political.

As for the other shots, not into arms but from firearms, fully automatic (machine-gun operation) *always* described a function whereby a trigger only had to be depressed once and, as long as it remained so, bullets would continuously be fired until the ammunition was expended. This is not the situation with bump stocks; rather, each trigger depression releases *only one round*.

The SCOTUS’ *Cargill* opinion was not only correct, but reflects a principle necessary to preserve a government of, by, and for the people. No matter the issue or validity of a cause, we cannot have *unelected* bureaucrats essentially altering statutes created by the people’s *elected* representatives. Would you really want a norm whereby the individuals you elect make a law and then bureaucrats can, merely by playing with word definitions therein, make property or an action you hold dear illegal? Do you want to become a criminal by bureaucratic fiat?

It’s understandable, though lamentable, why bureaucrats respond to political pressure, whether the issue is “vaccines,” bump stocks, or something else. Unlike judges, they’re not a separate governmental branch, but answer to their executive-branch bosses. This is why the judiciary is a co-equal branch and why justices have lifetime appointments: to insulate them from the political pressures encouraging constitutional trespass for convenience.

No, judges don’t always uphold constitutionalism. But they did their job in the *Cargill* case. If banning bump stocks really is a good idea (and constitutional), it’s Congress’ job to do it.

And what if it doesn’t? In truth, this is much ado about nothing. Removing every single bump stock from America would not alter our murder rate one iota. How can we know?

Because, FBI statistics inform, more people are killed every year with “personal weapons” (“hands, fists, and feet”) than with rifles of *any and every kind* — with or without bump stocks.

In reality, you’re probably more likely to be struck by lightning than killed with a bump-stock-fitted rifle. So, really, don’t we have bigger things to worry about?



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