



Written by [Robert Confer](#) on July 27, 2009

Right to Self-defense Should Know No Borders

On July 23, the U.S. Senate voted to defeat one of the most promising gun rights bills to come to the Senate floor in recent memory. The provision was introduced by Senator John Thune as an amendment to the annual defense authorization bill. It would have granted national reciprocity for concealed-carry permits, requiring all states that allow concealed firearms to honor those permits of other states.



A majority of the senators — 58 in total — voted in favor of the amendment. Another 39 did not and the bill saw defeat as this tally put the measure 2 votes short of the 60 required for passage by Senate rules.

It was those 39 senators and their supporters — which included 450 of the nation's mayors — who brought about the amendment's demise through intense fear-mongering and misguided applications of constitutionality.

The aforementioned mayors had joined together in an organization called [the Mayors Against Illegal Guns Coalition](#), which, prior to the Senate vote, took out a full-page advertisement in the July 21 edition of *USA Today*. [The ad was an open letter](#) to Senate Majority Leader Harry Reid attacking the amendment. Its central claim was this: "Doing so (recognizing concealed-carry permits) would threaten the safety of our police officers, by making it far more difficult for them to separate law-abiding gun owners from common criminals."

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That statement, in one form or another, is a talking point commonly used by gun-control advocates, one that a good number of Americans tend to believe without any further analysis of the situation. They fail to see that it makes note only of a distinct minority of our population (the police) who are, in the gun-control lobby's eyes, granted special privilege to carry guns over the average citizen. That selectivity begs the following question: why should their safety be any more important than that of every one of us; shouldn't the average citizen also be empowered (armed) to deal with the threat of the common criminal? Unfortunately, in many states, we are not. Taking away our guns has, ironically, granted a special privilege to lawbreakers as well: the predators have the distinct advantage of being armed while their prey is not.

Thune's amendment addressed this disconnect. Its supporters knew the best way to protect one's self and those he loves from criminal threats is through the same means by which he would be able to do so in his home state, the same means that the police officer would be allowed to use. That is, allowing him to carry a weapon that at least equalizes his chances against a thug.

Granting pistol-permit reciprocity could easily be deemed a necessity because, unfortunately, evil can be found everywhere in our country, and we are a very mobile people who, not of our own deliberate doing, have the potential to find ourselves in some unpleasant situations during our travels for business or pleasure. Typically, the vacationer, the truck driver, and the businessman are all unfamiliar with the



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far-flung cities to which they travel. One wrong turn or innocent stroll into a crime-ridden locale could easily put them into harm's way. Under such circumstances, Thune's amendment would have given these travelers much-needed peace of mind while enhancing their ability (one that has been greatly restricted by laws) to exercise their natural, God-given right to self-defense.

Our Founding Fathers, even back in the 1700s, knew that tempering of this right could occur, even though they understood that man has certain unalienable rights, so they added the Bill of Rights to the Constitution, ensuring that the loss of certain rights would never occur. Among them was the Second Amendment, which says: "The right of the people to keep and bear arms shall not be infringed."

Legally, the states were not originally bound to the Bill of Rights; it was a list of limitations for the federal government. Philosophically, though, it was a set of rules that should be applied to all governments within the United States because those rights are universal to the pursuit of liberty and life as a free individual.

Some of the senators who voted against the Thune amendment cited the former, saying that it broke yet another of the rights, specifically the Tenth Amendment, which noted that powers not delegated to the United States belong to the states themselves. One-time gun rights proponent [Senator Kirsten Gillibrand issued a statement](#) along those lines that read: "It is wrong for the federal government to overrule a state's ability to enact reasonable, constitutional gun laws designed to prevent criminals and other violent and dangerous persons from carrying guns in city streets."

It was quite the turning of tables, because those who evoked the Tenth Amendment — such as Gillibrand's fellow New York Senator, Charles Schumer — are typically the officials who defy that amendment through the continued, unabated expansion of the federal government.

While mentioning the Tenth Amendment, the anti-gun crowd failed to look further into the Constitution. The 14th Amendment says, "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." In application, the 14th Amendment has required that the states recognize the Bill of Rights within their realm of governance, meaning that the Thune Amendment would have legs because it negates the overbearing rule of any state that has a concealed-carry permitting process because such a process infringes on one's Second Amendment rights.

Despite the 14th Amendment's passage in 1868, the Second Amendment has yet to be incorporated into the 14th Amendment because the Supreme Court has declined to hear any cases that would do so. The Thune Amendment's passage would have finally forced the court's hand in this matter and, based on past rulings, the right to carry would have to be recognized as a universal right.

But, alas, it never got far enough. It was a scant two votes shy of passage.

Those who believe in the God-given right to protect ourselves and our families know can only hope for the future. A bill that was this close to fruition deserves another look in 2010. Maybe then will we be able to claim the right to freely — *and safely* — move about the United States of America.



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