



“Stand Your Ground” and Self Defense

Imagine that you and your family find yourselves in a potentially deadly situation in which an armed thug has entered your home in the middle of the night with the intent to rob your home and to physically harm, even kill, your loved ones. In a perfect world, you would defend your family by exercising your God-given (and constitutionally-recognized) right to self-defense by brandishing a firearm to scare off the criminal or, if necessary, to fire upon him to neutralize the threat that he poses, exerting the same deadly force he had intended to use upon you.



But, this isn't a perfect world. In the more liberal states the Laws of Nature are minimized by the Laws of Man, and you don't have a right to protect yourself, your family, or property without making some accommodations for the invader. Even though the burglar — whose title could easily escalate to “rapist” or “murderer” in the home invasion — obviously does not have your or your family's best interests in mind, you must afford him a certain level of safety with your state-mandated “duty to retreat.”

Duty to Retreat laws — or standard-setting rulings by the courts — require that you (the victim, not the criminal) forgo immediate acts of survival. The laws demand that you do everything in your power to avoid conflict and/or the use of deadly force. Before assuming the responsibility to protect your loved ones, you must resort to mandated cowardice by seeking retreat. Following that, the situation must escalate to the point that the courts see “reasonable” belief that injury and death could occur (if they haven't already due to the retreat) and then, and only then, can you take up the measures necessary to suppress the attacker. In some states — such as New York — the insanity of the law is taken even further to where you have to verbalize to the perpetrator that you intend to harm him so he knows that either he's on equal ground or you possess the advantage.

{modulepos inner_text_ad}

The fact that the attacked cannot display a weapon until the situation has reached critical mass is truly absurd. The seconds — or even minutes — associated with having to hide from an attacker can be the difference-maker for the physical safety, sexual safety, or life itself of the individuals whose home has been invaded. Dropping your defenses gives the one on offense — the criminal — the supreme advantage.

A law-abiding citizen has no understanding of what's going through the mind of an intruder. Really, he has no obligation to, either. The victim needs only to know that criminals are morally repugnant and that if they can break one law they can surely break another, even committing the sin of murder. But, many state governments see it otherwise. They want you to believe — and wrongly at that — that the individual who was demented enough to commit the initial crime of breaking into your home has no intent to harm you or your children; he only wants your property, so you really shouldn't harm him either.



Written by [Robert Confer](#) on March 26, 2012

It's the lunacy of such unconstitutional and unconscionable Duty to Retreat laws that led Florida and 20 other states to recognize the uninhibited right to self-defense with the Stand Your Ground law, which allows the attacked to utilize deadly force immediately — and without the friendly consideration of Duty to Retreat — as long as there is a reasonable belief of an imminent threat of death or bodily harm. Unlike the similar Castle Doctrine, which allows the same only in one's home (and sometimes, personal vehicle), Stand Your Ground allows the use of force in public. So the victim would be able to protect himself or his loved ones were he up against a break-in in his residence or an attempted robbery on the street.

Stand Your Ground makes perfect legal sense and perfect natural sense: It allows the prey to retaliate against the predator with force commensurate with that potentially levied against him; there's no need to take a wait-and-see approach, which could in most cases result in the injury, rape, or murder of the victim. Notwithstanding gun ownership rules, Stand Your Ground is one of the clearest state-level interpretations of some of the basal tenets behind our Second Amendment.

Under Stand Your Ground, the burden of proof falls upon the criminal who initiated the crime, not the law-abider who retaliated. That is in stark contrast to Duty to Retreat, whereby the criminal has the advantage because the victim is himself painted as a criminal (and is more likely guilty until proven innocent) because he must prove, beyond a reasonable doubt, that he met all the necessary criteria before pulling the trigger.

Because of the more clear-cut and obstacle-free path to self defense afforded by Stand Your Ground, anti-gun zealots, through the obliging talking heads in mainstream media and pop culture, have been using the recent Trayvon Martin shooting in Florida as a reason to call for the suppression of Second Amendment rights. Florida has had a Stand Your Ground law in place since 2005, and the anti-gun crowd wants to paint the shooting of the boy as a tragedy indicative of the supposed flaws in the law, not to mention gun ownership as a whole.

They fail to see that George Zimmerman's questionable use of force by putting himself into a potentially dangerous situation (evidence shows that he pursued the boy, rather than the other way around) is not the norm; it is an outlier and perhaps a perversion of the law. In all other cases, Stand Your Ground has been used according to its intent. According to state records, there were 35 deaths per year from 2005 to 2010 under the Stand Your Ground law. All but one of the dead was armed, and his death was the result of his intimated threat of violence. So, in application, it works, as the courts found every one of those deaths "justified." If force had not be exerted by the survivors, chances are, there still could have been 35, or more, deaths, but those dead would have been the completely innocent citizens, not the criminals. That speaks volumes of the importance of Stand Your Ground.

But, the anti-Second Amendment folks want to look past that, and use the death of an unarmed 17-year-old to preface all debate about guns. They fail to understand that if Stand Your Ground — and all rights to self-defense — were thrown aside, more 17-year-old boys (and girls) will die or be maimed, raped, or mentally scarred because the criminal element will be left to invade homes and attack individuals unchecked, knowing that law-abiding citizens would have no means to protect themselves. Eliminating Stand Your Ground — and further restricting the Second Amendment — would take Duty to Retreat to a whole new level: *Duty to Die*.



Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.

Subscribe