



Written by [Joe Wolverton, II, J.D.](#) on June 1, 2023

Biden Pushes SCOTUS to Forbid More People From Owning Firearms

As it stands today, federal “law” prohibits nine groups of people from receiving (including purchasing) and possessing firearms. Another way to say that is that the government of the United States has denied to nine groups of people their right to keep and bear arms as given by nature and protected by the Second Amendment to the U.S. Constitution.

Of those nine oppressed groups, felons represent the largest number. Here’s a little [data from Reason](#):



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Felons in possession of firearms have been the leading type of prosecution under the federal Gun Control Act since its enactment in 1968. There were 7,454 such convictions in 2021.

The ban on felon possession is found in 18 U.S.C. § 922(g), which also includes eight other categories of prohibited persons — all of which pale into insignificance compared to the felon ban. One of the more minor categories is a person subject to a domestic restraining order. While the feds aren’t too good at posting current data, in the years 2013 to 2017, there were 26,717 such convictions based on felon status, and only 121 for restraining order status. The proportions can’t be much different today.

It seems, though, that the Biden administration is not content to cap the number of groups denied their right to keep and bear arms at nine. The president, thought his attorney general, is looking to add another class of Americans to the list of those denied the right to own and possess firearms. Again, here’s some of the story taken from the same article by *Reason*:

The Biden Administration is salivating at the prospect of *United States v. Rahimi*, about which I’ve written previously, being the next Second Amendment case to be decided by the Supreme Court. That’s because the defendant in the case appears to be such an odious



character.

Arrested by police following multiple shooting sprees, Rahimi was prohibited from gun possession because he was subject to a prior agreed-upon civil protective order. The Fifth Circuit found the ban to be facially unconstitutional because no historical analogue allowed disarming a person based on a civil protective order rather than a criminal proceeding.

The government didn't bother to file a petition for rehearing *en banc*, and rushed straight to the Supreme Court with a cert petition. There is a reason for the adage that bad facts make bad law, and the Administration is angling to take full advantage of that.

Simply put, the Biden administration wants to make it so that anyone who violates a restraining order will be forever forbidden from owning a gun in the United States. Think of it as sort of a federal red-flag law.

It won't surprise you to learn that California Governor Gavin Newsom supports the White House's position, insisting that "intervention is needed immediately" to keep guns out of the hands of people like Rahimi.

People like Rahimi. Mind you, the president and the attorney general and the governor of California aren't talking about people who commit violent felonies — those people are already denied the right to keep firearms. The type of people the administration and its adherents are talking about are those who have violated a civil protective order. This has never been done before, it is completely in defiance of the Second Amendment, and is a total violation of the president's oath of office wherein he swore to God to "preserve, protect, and defend" the Constitution.

Despite the opinion of Joe Biden, Merrick Garland, and Gavin Newsom, the right to keep and bear arms is not a privilege bestowed upon the people by the government, but rather an inherent, natural right that predates any form of government. It is a fundamental pillar upon which individual liberty stands and a safeguard against tyranny. Our Founding Fathers recognized this timeless principle and enshrined it in the Second Amendment to the U.S. Constitution.

Throughout history — ancient and modern — individuals have recognized the importance of self-defense and the need to protect themselves, their families, and their property from the grasping hands of tyrants and their supporters. The explicit and express right to bear arms finds its roots in English common law, which acknowledged the inherent right of self-defense. This tradition was further reinforced by the English Bill of Rights of 1689, which explicitly protected the right of Protestant subjects to bear arms for self-defense.

The eminent jurist William Blackstone expressed the right in these terms in his *Commentaries on the Laws of England*: "The natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression."

No less than John Locke, the influential English philosopher, argued that individuals have a natural right to protect their lives, liberty, and property. According to Locke, this natural right is unalienable and precedes the formation of any civil society. The ability to bear arms is an essential component of this right, as it empowers individuals to defend themselves and their loved ones from imminent danger; danger which includes attempts by a tyrant to deny a man of his natural rights.

From the days of Solon, the lawgiver of Athens, to the "Shot Heard 'Round the World" fired on



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Lexington Green, the right to bear arms has served as a crucial safeguard against the encroachment of governmental power and the potential abuse of authority. The Founding Fathers, having experienced the tyranny of British rule, understood the importance of an armed citizenry as a deterrent against oppressive regimes. The following quotation, attributed to Thomas Jefferson, adequately and eloquently expresses this sentiment:

The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government.

Finally, there is no authority for the Supreme Court to decide the law. To allow five judges to overturn the will of the people or their elected representatives would convert this union of republics into an oligarchy. This, too, is in direct violation of the Constitution, as Article IV, Section 4 guarantees to each state in the union “a republican form of government.” If a majority of the Supreme Court is now permitted to deprive another group of Americans of their right to keep and bear arms and thereby make new law, a power constitutionally belonging exclusively to Congress, then not only is the Biden administration overseeing — and propelling — the violation of the Second Amendment, but of Articles I, II, III, and IV, as well.

It is the apparent aim of the Biden administration that the *Rahimi* case be the next Second Amendment case taken up by the Supreme Court, which it is expected to do in its next term beginning the first Monday in October.



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