



Written by [Joe Wolverton, II, J.D.](#) on March 27, 2013

Senators Cruz, Lee, and Paul Promise to Protect the Second Amendment

While the globalists at the United Nations [confer on how best to disarm Americans](#), Senators Ted Cruz (R-Texas, shown, left), Mike Lee (R-Utah, shown, center), and Rand Paul (R-Ky., shown, right) are standing up for the Second Amendment.

The trio sent a letter on March 22 to Senate Majority Leader Harry Reid (D-Nev.), informing him that they would oppose any legislation infringing on the constitutionally-protected right of Americans to keep and bear arms as set out in the Second Amendment.



The Senators say they “intend to refuse consent to adopt the motion to proceed and will decide if further action is necessary....” Although the word isn’t used in the letter, in legislative parlance “further action” signals their determination to mount another marathon filibuster should the Second Amendment be threatened by a gun control bill.

[On his website](#), Senator Paul published the text of the letter to Reid:

Dear Senate Majority Leader Harry Reid,

We, the undersigned, intend to oppose any legislation that would oppose on the American people’s constitutional right to bear arms, or on their ability to exercise this right without being subjected to government surveillance.

The Second Amendment to the Constitution protects citizens’ right to self-defense. It speaks to history’s lesson that government cannot be in all places at all times, and history’s warning about the oppression of a government that tries.

We will oppose the motion to proceed to any legislation that will serve as a vehicle for any additional gun restrictions.

Cruz posted a message on his website laying out his commitment to the cause of checking attacks on the Second Amendment.

Rather than restricting the rights of law-abiding Americans, we should be focusing on violent criminals. Unfortunately, the Obama Administration has not made it a priority to stop violent criminals from acquiring firearms; for example, in 2010, out of more than 15,700 fugitives and felons who tried to illegally purchase a firearm, the Obama Justice Department prosecuted only 44.

As the Senate prepares to consider guns legislation, I remain committed to ensuring that Americans’ right to keep and bear arms is defended and upheld. Congress should not create new legislation restricting the rights of law-abiding Americans. The Democrats’ proposed legislation would require universal background checks for private sales between law-abiding citizens, which according to DOJ would be effective only if accompanied by a national gun registry. This raises



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serious constitutional issues, and would divert resources from prosecuting felons and fugitives who try to illegally purchase guns.

I am prepared to use any procedural means necessary to ensure that Congress does not pass any laws infringing on the Second Amendment, and look forward to working alongside Sens. Lee and Paul, and hopefully others, to protect our constitutional rights.

For his part, after Easter break, Reid plans to introduce a gun control bill calling for more thorough background checks and imposing stricter regulations on the sale, trade, and transfer of weapons across state lines.

Beyond those additional reductions of their Second Amendment rights, Americans are wary that introduction of such a bill will attract scores of amendments further infringing on those rights. That's where the real damage could be done.

For example, Reid has announced that he will allow amendments to the gun control bill outlawing the sale of clips and magazines above a certain round capacity. And, although Senator Dianne Feinstein's "assault weapons" bill died in committee, some form of the measure could still find its way into the larger legislation should it come to the floor.

Reid admits, however, that an "assault weapons" ban would cause gun control legislation to be stillborn in the Senate, as the votes won't add up.

It's doubtful Reid can convince enough of his colleagues to coalesce in numbers big enough to foil the Paul/Lee/Cruz filibuster. [According to Senate rules](#), 60 votes are required to break up a filibuster.

Politico reports that Reid hopes for bipartisan support of the universal background checks bill being put forward by Senator Chuck Schumer (D-N.Y.) despite the lack of Republican support for the measure in the Senate Judiciary Committee. The bill ultimately passed out of committee on a party-line vote.

Undaunted, Reid insists that any bill given the green light must include more intrusive background checks. As [quoted by Politico](#), Reid said:

But I want to be clear: In order to be effective, any bill that passes the Senate must include background checks. The bill I advance tonight will serve as the basis for opening debate. Once debate begins, I will ensure that a ban on assault weapons, limits to high-capacity magazines, and mental health provisions receive votes, along with other amendments. In his State of the Union address, President Obama called for all of these provisions to receive votes, and I will ensure that they do.

While such an attitude likely pleases the president, he has demonstrated that he will not be bound by constitutional restrictions on his authority and he will issue edicts in the absence of congressional action.

President Obama has allies in the Senate willing to use legislation to repeal the Second Amendment.

During an appearance on Wolf Blitzer's "Situation Room," Senator Chris Murphy (D-Conn.) said he supports the "real second amendment."

"A lot of these senators believe that the second amendment is absolute," Murphy said. "It's not. I support the second amendment. I just support the real second amendment, and the real second amendment allows Congress and allows our community to put reasonable restrictions on the kind of guns that are available to people."



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Perhaps Murphy has a different copy of the Constitution. The plain language of the Constitution provides for no such congressional restrictions on the “kind of guns that are available to people. The [Second Amendment reads](#):

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”

The final four words of that amendment declare clearly that the federal government — whose powers are defined by the Constitution — shall not deprive the people of their right to defend themselves.

Despite the clarity of this guarantee, there is a tendency, even among conservatives, to assume that Congress can make some “reasonable restrictions” on the right to keep and bear arms.

While such restrictions may be within the police powers of state governments, the Constitution specifically forbids the federal government from making any movement in that direction. With that in mind, Americans must refuse to allow Congress, the president, or the courts to decrease the scope of this most fundamental right.

Perhaps the words of some imminent men of the past will help illuminate the true purpose of protecting the right of the people to keep and bear arms.

In commenting on the Constitution in 1833, [Joseph Story wrote](#):

The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.

In his own commentary on the works of the influential jurist Blackstone, [Founding-era legal scholar St. George Tucker wrote](#):

This may be considered as the true palladium of liberty.... The right of self defence is the first law of nature: in most governments it has been the study of rulers to confine this right within the narrowest limits possible. Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any colour or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction.

Finally, the words of Alexander Hamilton [in *The Federalist*, No. 28](#):

If the representatives of the people betray their constituents, there is then no resource left but in the exertion of that original right of self-defense which is paramount to all positive forms of government, and which against the usurpations of the national rulers, may be exerted with infinitely better prospect of success than against those of the rulers of an individual state.

April is looking to be an important month for gun rights. The massive gun grabbing bill is scheduled to be brought to the Senate floor sometime early that month, about the same time the United Nations Arms Trade Treaty would be presented to the Senate for ratification.

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