



Written by [Joe Wolverton, II, J.D.](#) on March 28, 2014

Georgia Legislature Passes Powerful Second Amendment Protection

Georgia is joining the ranks of states standing up for the right of the people to keep and bear arms as protected by the Second Amendment.

On March 26, after agreeing to a compromise version of a “sweeping gun rights bill” sent to it by the state Senate, the Georgia State House of Representatives quickly sent HB 60 to the desk of Governor Nathan Deal where it awaits his signature.



The measure, officially styled the “Safe Carry Protection Act,” has been dubbed by detractors the “guns everywhere bill.” Specifically, the act permits citizens of the Peach State to lawfully carry firearms “in every location in this state,” not included within the listed exceptions (jails, courthouses, and government buildings, among others).

That’s right. In Georgia, lawmakers are enforcing the Second Amendment as written: “shall not infringe.” While the bill does permit these few exceptions, it is still a praiseworthy step toward thwarting the federal government’s constant assault on this most fundamental right.

Predictably, the establishment media is apoplectic, invoking the specter of the Sandy Hook massacre in an effort to foment fear. The *New York Times* writes:

More than a year after the massacre at Sandy Hook Elementary School in Connecticut elicited a burst of gun-control legislation, the Georgia bill shows just how far the counterreaction has spread as lawmakers, mainly in Republican-controlled states in the South and West, pass laws allowing weapons in all corners of society while strengthening so-called Stand Your Ground laws.

Bloomberg’s *Businessweek* keeps pace with the *Times*’ propaganda, reporting:

Perverse as it may sound, the horrific mass shooting in December 2012 at Sandy Hook Elementary produced a burst of state-level gun control bills around the country and then triggered a much stronger pro-gun backlash. The counter-reaction has now reached its apogee in Georgia. In the past year alone, 21 states have enacted laws expanding gun rights, according to the Law Center to Prevent Gun Violence. Several states added piecemeal provisions allowing firearms on college campuses or in bars or churches. Georgia’s politicians, egged on by the National Rifle Association, have gone for broke.

Former Arizona congresswoman Gabrielle Giffords hyperbolically and hysterically called Georgia’s legislation “the most extreme gun bill in America.”

How sad that unrepentant defense of the right to keep and bear arms is considered an extreme position. In defiance of such disparagement, supporters of the Georgia bill and similar efforts in other states should proudly proclaim that indeed they do expect not to be restricted in the exercise of their unalienable right to bear arms “in all corners of society.”



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The National Rifle Association weighed in on the Georgia legislature's successful shepherding of this bill, calling it a "historic victory for the Second Amendment." The bill's primary sponsor agrees, as reported by Reuters: "For the past two years we've worked hard to improve the Second Amendment rights of Georgians," said Republican Representative Rick Jasperse, the House lead sponsor. "It has been a long and winding road."

Although some on the Left who advocate for complete civilian disarmament would portray it otherwise, the bill allows for the owners of private property to "exclude or eject" anyone carrying a weapon, provided they do so in accordance with the act's procedure.

"This is a private property issue," said Jasperse, as quoted in the *New York Times*. "We're not going to decide what goes on inside a bar. Let the bar owner decide."

How revolutionary! How extreme! Jasperse and the majority of his colleagues in the Georgia state legislature believe that the Second Amendment should be enforced, that the states have the right to guarantee its enforcement, and that property owners should be allowed to decide what happens on their property without the agents of the nanny state dictating what's best for them.

Fortunately, advocacy of the shoring up of the protections of the Second Amendment is gaining ground around the country. [As reported by The New American](#), Arizona and Missouri are currently considering legislation that is even more "extreme" than the Georgia bill. Another state — Idaho — has enacted its version of a Second Amendment protection, with the Gem State's governor [calling the threat to gun rights an "emergency."](#)

Although the Georgia measure would make it easier to obtain a so-called concealed carry permit, it is a shame that Americans for generations have been convinced that obtaining such a permit is a victory for gun rights. The fact is that such a requirement is nothing less than the conversion of a God-given right into a privilege that is given and revoked at the will of the government.

The authority and obligation of states to check the federal encroachment on liberty is unquestionable.

There is no constitutional authority given to the federal government to restrict purchase of firearms, ammunition, or component parts. In fact, the Second Amendment explicitly proscribes any attempt by the federal government to infringe on the people's right to keep and bear arms.

Besides, reasonable people understand that the ready availability of guns is no more responsible for any armed massacre than an all-you-can-eat buffet is responsible for obesity.

Temperate appeals to right reason will instruct the thoughtful person that a propensity for such an act is not born of opportunity, but of instability.

In spite of self-serving and supercilious attempts by the mouthpieces of the establishment to turn tragedy into theater, let us not dishonor the memory of those killed and of the massacre of children (or any person) by allowing any agent of the federal government to take away the right that protects enjoyment of all the other rights.

In learned defense of this right, we should turn to the words of our founding generation who universally looked upon the right to be armed as the best check against tyranny.

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



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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.

Writing in *The Federalist*, Alexander Hamilton explained:

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.

Governor Deal's office has had no comment, but the *New York Times* article reports that he is "expected to sign the bill." Georgians and all Americans should encourage him to do so, while keeping the pressure on all state lawmakers to propose and promote legislation erecting impenetrable barriers around this and all other rights that are our common inheritance.

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