



Written by [Joe Wolverton, II, J.D.](#) on December 12, 2018

N.J. State Police Refuse to Rule Out Door-to-Door Disarmament

Breitbart News reports that the New Jersey State Police have “refused to rule out house-to-house enforcement of the state’s ‘high capacity’ magazine ban,” in correspondence from the Garden State’s law-enforcement agency to the news organization.

As of December 11, it is a fourth-degree felony in New Jersey to possess a “large capacity ammunition magazine,” which is defined as “a box, drum, tube or other container which is capable of holding more than 10 rounds of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm.”



Governor Phil Murphy signed a slate of gun-control measures into law in June, including the so-called large capacity ammunition magazine ban.

A story in *Freebeacon* reported that the new statute “gave New Jersey gun owners who currently possess the magazines in question 180 days to either surrender them, permanently modify them to only accept up to 10 rounds, or transfer them to somebody who is allowed to legally own them.” The grace period expired yesterday, December 10.

In what can only be interpreted as an omen of impending and expanding infringement of the right to keep and bear arms, the Third Circuit Court of Appeals handed down an opinion last week declaring the New Jersey ban to be “constitutional.”

In the majority opinion, Judge Patty Shwartz wrote: “New Jersey’s law reasonably fits the State’s interest in public safety and does not unconstitutionally burden the Second Amendment’s right to self-defense in the home.”

Since when was the Second Amendment’s protection confined to “self-defense in the home?”

Never!

For evidence that this limitation never entered the mind of the Founding Generation, let’s look at the Militia Act of 1792.

Prior to the enactment of that law, President George Washington spoke to the House of Representatives, saying that “a free people ought not only to be armed, but disciplined.” In response to this exhortation and as an indication of their own legislative will, Congress adopted the Militia Act of 1792, which required every “free able bodied white male citizen” between the ages of 18 and 45 “to provide himself with a good musket or firelock,” and the “requisite type and amount of ammunition.”

Henry Knox, Washington’s secretary of war, was the sponsor of this bill, and during deliberation on the matter he echoed his boss’s point of view, saying that “all men of legal military age should be armed,”



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claiming that such a force of citizen soldiers is the “capital security of a free Republic.”

And to put a cap on the concept, during congressional consideration of the proposal, Thomas Fitzsimmons of Pennsylvania said, “As far as the whole body of the people are necessary to the general defense, they ought to be armed.”

So much for Judge Schwartz’s opinion that the Second Amendment was written to scare off burglars. Anyone convicted of violating the magazine ban faces 18 months in prison, a \$10,000 fine, or both.

Breitbart News reached out to New Jersey state law-enforcement officials “to ask how they planned to enforce the newly enacted ban. We asked whether they would enforce it on a traffic-stop basis — checking magazines in firearms when they pulled over drivers for speeding, reckless driving, etc. — or whether they would enforce it by going to house-to-house to check magazine capacity in the firearms New Jersey residents kept in their homes.”

The reply is, sadly, not surprising and not at all direct.

“We do not discuss enforcement strategies,” was all the New Jersey State Police would say.

While that’s not a “yes,” it’s not a “no” either.

Breitbart explained that they enquired about the enforcement plan because “Americans always fear Second Amendment prohibitions will lead to knocks on their doors.”

As well they should.

Americans have had to suffer attempts by law enforcement to seize their ammunition and firearms for a couple of centuries. In fact, it was the British plan to disarm Bostonians that flamed the fire of separation that the king and Parliament had kindled years earlier.

Our Founding Fathers knew, and Americans should remember, that the “shot heard ‘round the world” on Lexington Green on April 19, 1775 was fired because King George sent British troops to seize the patriots’ ammunition stockpile stored outside of that small Massachusetts village.

They knew that in the days following that battle, British general Thomas Gage ordered soldiers to go house to house in Boston, confiscating all weapons from civilians.

Beyond and before their personal experience with disarmament as a tool of tyranny, our Founding Fathers learned the history of Rome and Greece, and from their childhood they were well aware of this tactic popular with those who sought to rule over the formerly free people of the past.

Our Founding Fathers very well intended that every American be armed, believing that such was the only way to avoid being enslaved by tyrants. They knew from their study of history that a tyrant’s first move was always to disarm the people, and generally to claim it was for the people’s safety, and to establish a standing army so as to convince the people that they didn’t need arms to protect themselves, for the tyrant and his professional soldiers would do it for them.

In ancient Greece, Aristotle reported that the tyrant Pisistratus, after winning the battle of Pallenis, “seized the government and disarmed the people.” Then, when the people were finally fed up with the taxes and the tyranny, they had to turn to Sparta for relief, for their own weapons were long ago surrendered to a despot promising to be “kindly and mild.”

The record is clear. Our Founding Fathers knew from sad experience and from their study of history that one of the telltale signs of a tyrant is the disarmament of anybody who might oppose him. It was



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true in Athens circa 490 B.C., and it is true in New Jersey in 2018.

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