



Written by [Steve Byas](#) on December 29, 2015

Obama Poised to Use Executive Orders to Attack Gun Rights

The Obama administration is giving every signal that the president is poised to make use once again of an executive order to require all persons “in the business” of selling any firearm to perform a background check.



While no one disputes the constitutional authority of a president to issue an executive order to direct members of the executive branch to enforce a law passed by Congress, the Constitution says nothing about a president — the executive branch — making law by himself. Article I of the U.S. Constitution is explicit: *“All legislative powers herein granted shall be vested in Congress of the United States, which shall consist of a Senate and House of Representatives.”* (Emphasis added.)

Yet, that is exactly what Obama is proposing to do, regardless of how vehemently he may deny it. He no doubt will argue he has every right to issue an executive order to restrict Americans’ Second Amendment rights. White House Press Secretary Josh Earnest has said that lawyers have been “scrubbing through the law” to find ways to enact stricter federal gun control measures. The president met earlier in December with well-known anti-gunner Michael Bloomberg to discuss ways to implement more restrictions of gun ownership and possession — without Congress.

Present law requires federally licensed dealers to conduct a background check on each person who wishes to purchase a firearm. However, the Harvard School of Public Health claims that 40 percent of all gun sales and other transfers (such as gifts) happen with no such check. Proponents of the “universal” background check argue that those who purchase firearms at gun shows, for instance — where there are no such checks — may include criminals and those with mental disorders.

This is the so-called “gun show loophole,” whereby individuals who are not actually gun retailers sell firearms at weekend shows. Additionally, these gun owners also conduct private sales. It should be noted that many federally licensed dealers would like to see all gun sellers forced to conduct background checks, because they resent the competition from unlicensed dealers.

Obama has long held in contempt both the Second Amendment and gun owners. In 2008, when running against Senator Hillary Clinton for the Democratic Party presidential nomination, Obama told a sympathetic audience, “You go into these small towns in Pennsylvania and, like a lot of small towns in the Midwest, the jobs have been gone now for 25 years. ... And it is not surprising then they get bitter, they cling to guns or religion or antipathy to people who aren’t like them”

The National Rifle Association (NRA) and others oppose Obama’s proposal to “close the gun show



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loophole,” contending that it is simply the next step toward gun confiscation and making private gun ownership illegal in the United States.

Senator Rand Paul (R-Ky.) introduced a bill on December 21 to block any attempt by Obama to use executive action to add even more gun control laws to the federal statutes.

Obama and other gun-control advocates contend that they are not in favor of outright confiscation of privately owned guns, but rather just “common sense” laws to stop mass shootings and other acts of “gun violence.” But as a glaring example that gun laws don’t stop criminals, despite California having some of the strictest gun control laws in the country — already mandating universal background checks for all gun purchases — Syed Farook and wife Tashfeen Malik were able to legally obtain firearms and kill 14 people in San Bernardino on December 2.

In short, closing the so-called gun show loophole would not have prevented the shooting spree in San Bernardino, yet that is what Obama called for in reaction to the massacre.

Speaking recently at Umpqua Community College in Oregon — scene of another mass shooting Oct. 1 — Obama indirectly told us what his real intentions are:

We know that other countries, in response to one mass shooting, have been able to craft laws that almost eliminate mass shootings. Friends of ours, allies of ours — Great Britain, Australia, countries like ours. So we know there are ways to prevent it.

But Great Britain and Australia’s laws were not the closing of a gun show “loophole,” but rather outright confiscation of firearms. Twelve days after a man murdered 35 people in 1996 with a semi-automatic rifle in the Tasmanian city of Port Arthur, the Australian Parliament acted to outlaw most private ownership of guns. Such a move in the United States would be unconstitutional, clearly abrogating the Second Amendment.

The Australian model, which President Obama cites as a way one of our “friends” has moved to prevent “mass shootings,” began with a gun buyback program of 650,000 “assault” weapons in 1996. Before anyone could legally possess a weapon, they first had to obtain a license. Licensees were required to demonstrate a “genuine need” for the gun they wished to purchase and to take a firearm safety course. Simply wishing to defend oneself from a possible home invasion was insufficient cause to obtain a license.

The globalist Council on Foreign Relations (CFR) has praised the Australian gun-control policy and stated that it could “serve as a model for the United States.”

But would legislation similar to the Australian gun law reduce mass shootings in America?

Two researchers at the University of Melbourne in Australia, Wang-Sheng Lee and Sandy Suardi, do not believe the Australian law has been of much use. They stated,

There is little evidence to suggest that [the law] had any significant effects on firearm homicides.

The evidence so far suggests that in the Australian context, the high expenditure incurred to fund the 1996 gun buyback has not translated into any tangible reductions in terms of firearm deaths.

Other studies have reached the same conclusion.

In 2008, when she was an opponent of Obama for the Democratic nomination, Hillary Clinton criticized Obama for his condescending remarks about rural Pennsylvanians “clinging to their guns and their religion.” She told a campaign audience that her grandfather had taught her to shoot when she was a



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little girl. “People enjoy hunting and shooting because it’s an important part of who they are. Not because they are bitter,” she insisted.

Now Clinton touts her support of the “Australian model.” During a town hall meeting last fall in New Hampshire, an audience member cited the Australian model and asked her if such an anti-gun law could be enacted here. She told him that his idea was “worth looking at.”

According to *America’s 1st Freedom*, a publication of the National Rifle Association, Clinton recently told a group of donors that the Supreme Court “got it wrong” on the Second Amendment in the *Heller* and *McDonald* cases. In those two cases, the Supreme Court declared that the Second Amendment did indeed establish the constitutional right of an individual to keep and bear arms.

So, a President Hillary Clinton would almost certainly be as hostile to the right of individual Americans to keep and bear arms as Barack Obama has been. She would no doubt appoint federal judges of her ilk, and certainly use her own pen and phone to craft executive orders to further chip away at the Second Amendment, as well as many other liberties now enjoyed by Americans.

Photo of President Obama: AP Images

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