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ANN COULTER  
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## All the news we heard from a guy at Handgun Control, Inc.

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By Ann Coulter

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Having been cheerfully assured by "Handgun Control, Inc." (aka the Brady Campaign) that the Constitution protects only kiddie porn and says absolutely nothing about guns, the New York Times has been viciously denouncing Attorney General John Ashcroft for having the temerity to suggest that the Second Amendment protects the "right of the people to keep and bear arms." (In an eerie coincidence, the Second Amendment actually says, "the right of the people to keep and bear arms, shall not be infringed.")

This, the Times proclaims, is "radical," "ominous" and a "betrayal of [Ashcroft's] public duty."

In its inimitable Stalinist style, the Times claims Ashcroft's position is "contrary to longstanding and bipartisan interpretation of the Second Amendment." This is how liberals always engage in obvious jabberwocky: They smugly announce a "broad consensus" among "respected academics" – meaning one of their interns went to the trouble of calling "Handgun Control,

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Inc."

First of all, any journalist who is completely unaware that there is debate about the Second Amendment ought to be fired. But more preposterously, though a "bipartisan consensus" has begun to develop, it has gone heavily against the Times.

For over a decade now, liberal law professors keep setting their minds to disproving the "pro-gun extremists" – as the Times calls people who disagree with the Times. Gleefully intending to establish that the Second Amendment refers only to the right of state militias to have guns, the professors invariably conclude, with great lugubriousness, that the gun nuts are right.

By now, the growing roster of law professors who support the "radical," "ominous" Ashcroft position includes Larry Tribe of Harvard, Akhil Amar of Yale and Sanford Levinson of the University of Texas. (In happier circumstances, these professors are known as "respected" at the Times.)

Among sitting Supreme Court justices, five have raised the Second Amendment in opinions just since 1990. The Second Amendment even made a cameo appearance in the very definition of constitutional law at the Times: *Roe vs. Wade*. Every single one of those citations assumes that the right belongs to the people.

Indeed, the one guy the Times dredged out of the left-wing toilet willing to provide tepid endorsement to their bunkum was Stanford history professor Jack Rakove. Even Rakove – the only academic still defending Michael Bellesiles' fraudulent anti-gun book "Arming America" – wouldn't stoop to supporting the Times' preposterous claims.

Far from asserting a "bipartisan consensus" for the Times' view, Rakove said it is "no secret" that controversy over the Second Amendment "has escalated in recent years." (Except at the Times, where it remains a *huge* secret.) Moreover, Rakove's big rebuke to Ashcroft consisted of his meek observation that "it is far from clear that the Justice Department's new position would prevail."

For taking a position that an anti-gun zealot says might not prevail, the Times says Ashcroft is betraying "his public duty."

But for bald-faced lies, nothing beats the Times' preposterous characterization of Supreme Court precedent. The most recent case directly raising the Second Amendment was *United States vs. Miller*, decided in 1939. (Any conservative who demanded deference to a case from 1939 would be accused of trying to lynch blacks and brutalize women.)

The Miller case simply defined the types of guns protected by the Second Amendment. Reviewing the case of two bootleggers charged with failing to pay federal taxes on a sawed-off shotgun, the court concluded that the "instrument" was not covered by the Second Amendment. Since the Times lies about the relevant language, I will quote it in full:

In the absence of any evidence tending to show that possession or use of a "shotgun having a barrel of less than 18 inches in length" at this time has some reasonable relationship to the preservation or efficiency of a well-regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense.

The vigilant observer will note that the court did not find that since the defendants were bootleggers – and not members of a militia – they had no Second Amendment rights. Rather, the court's conclusion turned solely on the fact that a sawed-off shotgun was not "ordinary military equipment." As Professor Levinson (card-carrying member of the ACLU) said of the decision: "Ironically, *Miller* can be read to support some of the most extreme anti-gun control arguments, e.g., that the individual citizen has a right to keep and bear bazookas, rocket launchers and ... assault weapons."

Now observe how the Times mischaracterizes the Miller decision. In a ham-handed deception, the Times substitutes the word "rights" for "guns," and claims that the court found that "the Second Amendment protects only those *rights* that have 'some reasonable relationship to the preservation of efficiency of a well-regulated militia.'"

If the Times is going to dismiss the views of Harvard and Yale law professors, Supreme Court justices, and constitutional scholars Joseph Story and Thomas Cooley in deference to the press releases of a fanatical anti-gun lobbying

group, they might want to find one with smarter lawyers than "Handgun Control, Inc."

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*Ann Coulter, well-known for her television appearances as a political analyst, is an attorney and author of "High Crimes and Misdemeanors." Dubbed "one of the 20 most fascinating women in politics" by George magazine, Coulter has appeared on ABC's "This Week," "Good Morning America," NBC's "Today," "Politically Incorrect with Bill Maher," CNN's "Larry King Live" and CNBC's "Rivera Live."*