

These Decisions from the US Supreme Court are very interesting.

Sometimes the law has fickle & ironic twists of which few of us are aware. Please think about ramifications of the following case studies in light of today's high profile, Executive Branch agenda...

Two Supreme Court Decisions That Affect Our 2nd Amendment Rights:

There are two Supreme Court rulings that directly relate to the current anti-Assault Weapon issue everyone needs to be reminded of.

The first is **United States v. Miller 1939**. Miller possessed a sawed-off shotgun banned under the National Firearms Act. He argued that he had a right to bear the weapon under the Second Amendment, but the Supreme Court ruled against him. Why? At the time, sawed-off shotguns were not being used in a military application, and the Supremes ruled that since it didn't, it was not protected. Even though Miller lost that argument, **the Miller case set the precedent** that protected firearms have a military, and thus a legitimate and protected Militia use. The military now uses shotguns regularly, but not very short, sawed-off shotguns, but the AR-15 and the AK-47 type weapons are currently in use by the military, therefore it is a protected weapon for the Unorganized Militia, which includes just about every American citizen now that both age and sex discrimination are illegal. (The original Militia included men of age 17-45) Therefore any firearm that is applicable to military use is clearly protected under Article II, and that includes all those nasty-looking semi-automatic black rifles, including full 30 round magazines.

The second important case is that of **John Bad Elk v. United States from 1900**. In that case, an attempt was made to arrest Mr. Bad Elk without probable cause, and Mr. Bad Elk killed a policeman who was attempting the false arrest. Bad Elk had been found guilty and sentenced to death. However, the Supreme Court ruled that Bad Elk had the right to use any force, including lethal force, to prevent his false arrest, even if the policeman was only trying to arrest him and not kill him. Basically, the Supremes of the day ruled that as a citizen, you have the right to defend against your civil rights being violated using ANY force necessary to prevent the violation, even if the offending party isn't trying to kill you.

Both of these cases are standing law to this day.

The Miller decision clearly includes AR-15/AK-47 type weapons as having a military application. The Bad Elk decision means that if the government tries to confiscate your AR-15/AK-47, or arrest you for having one, you can kill the offenders on the spot, even if they are not trying to kill you.

Now, consider this about gun registration:

Why Convicted Felon's Don't / Won't Have to Register Their [Illegal] Firearms

Hmmm?

U.S. Supreme Court's 1968 Haynes v. U.S. decision:

Haynes, a convicted felon, was convicted of unlawful possession of an unregistered short-barreled shotgun. He argued that for a convicted felon to register a gun was effectively an announcement to the government that he was breaking the law and that registration violated his Fifth Amendment protection against self-incrimination. The court, by an 8 - 1 margin, agreed, concluding:

"We hold that a proper claim of the constitutional privilege against self-incrimination provides a full defense to prosecutions either for failure to register a firearm...or for possession of an unregistered firearm."

(Summary from American Rifleman, March 2000, page 20)

So, when these gun registration schemes are announced, be aware that only lawful gun-owners are required to register their firearms. Unlawful owners are exempted from registration laws due to their constitutional protection against self-incrimination.

Amazing but all true!