

The way we defend ourselves as citizens under law and government is to create legal categories of gun ownership that can be applied against the lawless. The only reason we cannot have laws that apply against the lawless is that the gun rights militants, led by the NRA, work very hard and very successfully to defeat any legislation that would apply against the lawless because the same legislation would apply against "armed citizen guerrillas" and others with insurrectionist fantasies.

The only thing beyond the reach of anything here is that the courts have recklessly and ignorantly created a constitutional mess. The really important political issue is, Who are these judicial flakes, there are many

(<http://www.potowmack.org/silvlock.pdf>,

<http://www.potowmack.org/silvdiss.pdf>

<http://www.potowmack.org/indexII.html>), and

how did they get where they are and where is the political movement that will challenge and defeat their malignant vision of economic, social and political life?

When the malignancy of government has within its "just powers" the power to register guns for "militia service if called up", there is no libertarian privacy right in gun ownership. In the early republic privately owned weapons were a public resource subject to public duty, <http://www.potowmack.org/milinv52.pdf>.

There is not even a meaningful fundamental right. There is a fundamental right to freedom of the press but we would be constitutionally prohibited from registering printing presses to be "called up" for state propaganda purposes.

It is firmly established in constitutional doctrine that a fundamental right cannot be taxed. Guns are taxed, directly and indirectly. Is there a court case somewhere that will detax guns?

When the police show up at a presumed crime scene and see someone holding a gun, they shout, "Police. Drop the gun!". If the gun holder does not drop the gun, the police shoot him/her dead without hesitation. Does the gun holder if he/she is lucky enough to survive or his/her estate if not, then have standing to sue the police for violating the exercise of a civil right?

The judiciary has degenerated this far in their pandering to a malignant constituency. There is no public opposition.

<http://www.cnn.com/2014/01/06/us/chicago-gun-ban/>

Judge rules Chicago gun ban is unconstitutional

By Dana Ford, CNN

updated 12:50 PM EST, Wed February 26, 2014

STORY HIGHLIGHTS

The ordinance goes "too far," writes Judge Edmond Chang

He does not rule out other types of regulation, short of a complete ban

The judge stays his ruling to give the city time to file an appeal

(CNN) -- A federal judge ruled Monday that Chicago's ban on virtually all sales and transfers of firearms is unconstitutional.

"The stark reality facing the City each year is thousands of shooting victims and hundreds of murders committed with a gun. But on the other side of this case is another feature of government: certain fundamental rights are protected by the Constitution, put outside government's reach, including the right to keep and bear arms for self-defense under the Second Amendment," wrote U.S. District Judge Edmond Chang.

"Chicago's ordinance goes too far in outright banning legal buyers and legal dealers from engaging in lawful acquisitions and lawful sales of firearms," he continued.

Chang explicitly did not rule out other types of regulation, short of a complete ban, in order to "minimize the access of criminals to firearms and to track the ownership of firearms.

"But the flat ban on legitimate sales and transfers does not fit closely with those goals," Chang wrote.

'It's got to stop,' grandmother says after 3-year-old injured in Chicago shooting

The judge stayed his ruling to give the city time to file an appeal.

The FBI's latest annual crime report showed Chicago had 500 homicides in 2012, up from 431 in 2011 and more than any other American city.

Still, Chicago does not have the highest homicide rate in the United States.

That unwanted distinction belongs to Flint, Michigan, with one homicide for every 1,613 residents, according to the FBI data. Detroit is close behind, with one killing for every 1,832 residents.