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## ***A Decades Long Deception***

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One wall of the National Rifle Association's headquarters bears a quote in brassy cursive letters: "...the right of the people to keep and bear arms, shall not be infringed." [1] But this fragment from the Second Amendment contains a deliberate omission, warping the original meaning; the modern gun rights movement is predicated on this lie. When Justice Warren Burger called the treatment of the Second Amendment a monumental "fraud," he was expressing frustration with how it has been distorted by special interest groups to push a dangerous agenda.

The Second Amendment is syntactically confusing. But historical documents, including Thomas Jefferson's suggested grammatical revisions, make it clear that the second half of the phrase hinges on the first ("A well regulated Militia, being necessary to the security of a free State"), clarifying that the amendment relates to the use of guns in a military sense. [2] Gun ownership for self-defense was not discussed at the Constitutional Convention, and every law review article on the Second Amendment from 1888 to 1959 concluded that it does not guarantee an individual right to a gun. The Tennessee Supreme Court wrote in 1940 that a hunter "might carry his rifle every day for forty years" yet had never "borne arms," denying the amendment's applicability to private citizens. [3]

In 2008, though, a narrow 5-4 majority of the Supreme Court endorsed the same interpretation of the Second Amendment that the late Chief Justice Burger had called "one of the greatest pieces of fraud" on the American public by special interest groups that he had ever seen in his lifetime. In the case of *District of Columbia v. Heller*, the five member majority reversed over two centuries of legal precedent, including four prior Supreme Court decisions, by not only overturning the District of Columbia's partial handgun ban and safe firearm storage

laws, but by ruling more generally that "The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia...."[4]

The Heller decision came after years of work by the gun lobby, which falsely claims that the Second Amendment is a matter of self-defense and personal freedom. The NRA's rhetoric has been carefully crafted to manipulate the public. It establishes the Second Amendment as the basis for all other freedoms and therefore desperately in need of protection. It peddles the image of a hypermasculine, law-abiding American patriot who only through gun ownership can protect himself and his family against violent criminals and anti-freedom socialists trying to take his guns.[5] And it recklessly claims that the right to gun ownership trumps the interest of public safety.

The gun lobby clings to deception because facts do not support its position. States with stricter gun laws see fewer gun deaths, and gun ownership increases the risks of homicide, suicide, and accidental shootings.[6] The U.S. has seen 133 mass shootings since 2013 and experiences tens of thousands of gun violence-related deaths each year, yet the gun lobby's outrageous appropriation and abuse of the Second Amendment prevents substantive action.[7] Think back to the half-quote in the NRA building: The gun lobby has to omit historical evidence and misconstrue the Constitution—because without this manipulation, the gun rights argument falls apart. The NRA's influence is built on a lie, perpetuated by lies, and is indeed a great piece of fraud.

## References

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[2] Bodenner, Chris. "The Most Consequential Comma in U.S. History?" The Atlantic, 25 Jan. 2016, [www.theatlantic.com/national/archive/2016/01/most-consequential-comma/625192/](http://www.theatlantic.com/national/archive/2016/01/most-consequential-comma/625192/).

[3] Ibid.

[4] District of Columbia v. Heller, 554 US (Supreme Court 2008).

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[7] "Gun Violence Archive 2022." Gun Violence Archive, [www.gunviolencearchive.org](http://www.gunviolencearchive.org).Page