

THE ELOQUENCE OF GOVERNMENT

3/10/17
FDC

"Government is not reason; it is not eloquent; it is force. Like fire, it is a dangerous servant and a fearful master."

- George Washington

I've been here now fifteen months preparing to go to trial for making my own gun and in my research in the law library of caselaw, I have come across a few Supreme Court cases on First Amendment issues. I have found the Court to hold the First Amendment rights in high regard. I'll give you an example from *Schneider v. Irvington*, 308 US 147, 84 LED 155,(1939):

"The freedom of speech and of the press secured by the First Amendment against abridgment by the United States is similarly secured to all persons by the Fourteenth Amendment against abridgment by a state."

"This Court has characterized the freedom of speech and that of the press AS FUNDAMENTAL PERSONAL RIGHTS AND LIBERTIES. The phrase is not an empty one and was not used lightly. It reflects the BELIEF OF THE FRAMERS OF THE CONSTITUTION THAT EXERCISE OF THE RIGHTS LIES AT THE FOUNDATION OF FREE GOVERNMENT BY FREE MEN. It stresses, as do many opinions of this court, the importance of enjoyment of these liberties."

"In every case, therefore, where legislative abridgment of rights is asserted, the courts should be astute to examine the effect of the challenged legislation. Mere legislative preferences of beliefs respecting matters of public convenience may well support regulation directed at other personal activities to justify such as diminishes the EXERCISE OF RIGHTS SO VITAL TO THE MAINTENANCE OF DEMOCRATIC INSTITUTIONS."

Holy smokes! I wish the Supreme Court talked about the Second Amendment that way. Let's see what that would sound like: "... keeping and bearing private arms are fundamental personal rights and liberties.... exercising those rights are vital to the maintenance of a republican form of government..." That does sound good, but wait, we're a democracy now I guess, where rights and liberties can be voted away by the majority. As long as there are those critical words "important/compelling/substantial governmental interest" to satisfy the "public convenience," the courts will always uphold "legislative abridgment" because firearms are so dangerous and the government needs to protect the public from those mean evil guns. I have something else to quote - William & Mary Bill Of Rights Journal, Vol. 7:2, page 398:

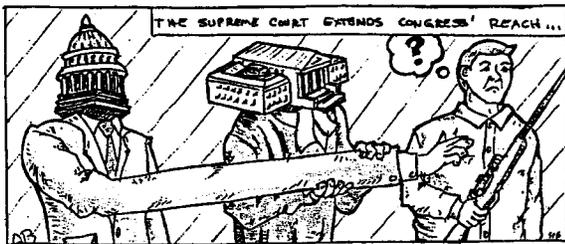
"Coxe's writings show the error in the cafeteria approach to the Second Amendment: the right to hunt is integral to the right to own private arms; the right to private arms is an essential part of both 'self defense' and of the 'public militia power.' To be deprived of arms is, in the long run, to be deprived of a meaningful role **IN THE GOVERNANCE OF THE REPUBLIC.**" (emphasis added)

Note: The gun I made was private arms. I didn't buy one out of a commercial source. My creation is my private property yet the Federal government thinks they have some kind of delegated power to prohibit me from making my own gun or to impose a direct tax on my arms and require me to register my private property. Who are these people? Who do they think they are? I am a private citizen and I was exercising both of my Second Amendment rights - keeping and bearing my private arms and participating in the public militia power.

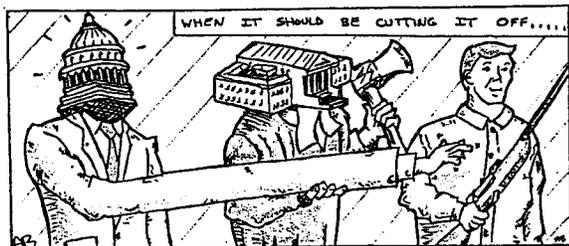
What is the "public militia power" - a check and balance on Federal and State power. "governance of the republic" - requires the governed to participate by exercising the special rights enumerated in that precious Bill Of Rights, all of which check and balance the governments. Even though the three branches of Federal and State governments have checks and balances for each other, someone has to keep them all in check from the outside and that's We The People.

The "cafeteria approach" is exactly how the Supreme Court has been dishing out its rulings on Second Amendment issues. Picking out one "dish" saying it's protected and another not. Saying one activity is protected and one is not. In these places, it's protected, in these places it's not. During this time and not that time. The courts are whittling down the Second Amendment and soon there will only be bread and water served in the cafeteria. The Second Amendment uses the all-inclusive term "arms" and it shall not be infringed, no matter what "public convenience" or compelling slash substantial governmental interest.

Freedom of speech and press are not the only fundamental personal rights that "lies at the foundation of free government by free men." Keeping and Bearing arms, and participating in the



public militia is too, at least I thought so. I thought I was a free man exercising my fundamental personal rights when I made my own gun. Then I found myself locked up and learning that the Supreme Court has unlawfully extended the reach of Congress' Interstate Commerce Power all the way into my home to latch onto my private property. I have learned we are not free men in a free government or a free country. America is not a free country if you can't even make your own gun.



They (Supreme Court Justices) have ruled that the Second Amendment does not protect the type of gun I machined

and built myself - it's just an AR-15 with selct-fire and a swappable short barrel - because it's "dangerous and unusual" and because it's not ypically used by "law-abiding citizens for lawful purposes." I was a law-abiding citizen. I used my rifle for lawful purposes like target shooting and personal protection. I never used it to cause harm to anybody, nor did I ever intend to. I never got the oppurtunity to hunt with it but absolutely could have - it's just an AR-15 style rifle. And how often do you hear of people using such "dangerous and unusual" weapons in shooting crimes anyways? compared to other things like knives, baseball bats, and other objects. There's approximately 186,000 leagally owned machineguns out there and none of those people are shooting places up. Does the mere fact of merely being registered suddenly make such a dangerous thing no longer dangerous? The government might say - well we are able to control who gets to have those kind of weapons and who doesn't. I don't see that delegated power-listed in the Constitution to any Executive agencies. But I do see an amendment that says SHALL NOT BE INFRINGED.

They're taking my rights and liberty away for doing nothing dangerous and unusual, but I will tell you what's just as dangerous as the firearms power - the power of the pen. They say the pen is mightier than the sword, so why then, don't the courts rule away our pens instead of the sword? I used to believe in the sword as superior, but during my confinement, I've learned to embrace the pen since my sword has been taken away. I won't be surprised if the government takes away my pen too as much as I've been writing, but I'm learneing to love it and I thank the good Lord for the lessons I'm learning.

I kneel down and mourn for what we had,

The Winter Soldier