

Monday, April 14, 2008

Revitalizing the Militia of the Several States - the Spirit of 1775



OK, now it is time to get back to some serious topics. Below is an excerpt from a most excellent and thought provoking article on the Militia by Dr. Edwin Vieira, who is a graduate of Harvard Law School, among other things. I urge you to read it in its entirety and to give it the serious contemplation it deserves. I then urge you to not just think, but to act, and to do your part, and take your place, in revitalizing the militia of the several states, which, as Dr. Vieira reminds us, is "necessary to the security of a free state." I have been thinking about this vital topic for years now, and am very pleased to see I am not alone. I will share some of my thoughts on this subject over the next couple of days, but for now, please read this:

19 APRIL 1775 vs. THE D.C. GUN CASE

By Dr. Edwin Vieira, Jr., Ph.D., J.D.
April 14, 2008
NewsWithViews.com

From what I have heard, the oral argument in the Supreme Court on the District of Columbia gun case suggested that a majority of the Justices just might discover an "individual right" "to keep and bear Arms" in the Second Amendment, and on that basis might declare the District's draconian "gun-control" laws to some degree unconstitutional. Such a decision might lead to further victories against "gun-control" statutes and ordinances in other jurisdictions. Yet it might prove instead to be a Trojan Horse, because it could come down larded with so much judicial mumbo jumbo about "reasonable regulation" and "compelling governmental interests" as grounds for "gun control" that the Second Amendment would be left guaranteeing less of a "right" than of an occasion for endless legislation and litigation. Well, one can only hope for the best—but at the same time one ought to prepare for something less.

My concern is what happens if the Justices somehow do rule favorably on the “individual-right theory.” I suspect that such a victory—after the champagne runs out—will have the perverse result of putting all the *pro*-Second Amendment people and organizations to sleep. With their personal “gun rights” apparently secure (at least for the time being), they will not be worried about how *correctly* to construe the Amendment, and how *really* to enforce it, even though this country needs that construction and enforcement now more than ever before.

The inescapable fact is that whatever “individual right” “to keep and bear Arms” emerges from the D.C. gun case will *not* provide “the security of a free State” at which the Second Amendment aims. True, tens and tens of millions of Americans possess firearms and ammunition; and perhaps large numbers of these firearms are suitable for Militia service. But the armed individual, simply as an individual, is not enough.

All too many individual gun owners are not even aware of each other. Although some are members of firearms ranges or gun clubs, hardly any if they are organized for anything akin to Militia purposes. They are not members of specific units. They have no designated leaders. They lack systems for communications within or among units, or among individuals for that matter. (Where, for example, is the gun-owners’ equivalent of a “Neighborhood Watch” against local usurpation and tyranny?) Even within their own neighborhoods, among families and friends, they make no attempts to insure uniformity or completeness of equipment. They lack sufficient, and often necessary, education and training. They have prepared no plans to deal with various contingencies, let alone have assigned tasks to be carried out in anticipated emergencies. More crucially, they do not understand their constitutional status, purpose, and especially authority. Many, if not most, of them have no idea what they would be defending with their “individual rights” “to keep and bear Arms”—other than, perhaps, simply maintaining possession of their own firearms for purposes of possible self-defense. So, absent direct attacks on their own persons, how many gun owners today, anywhere, no matter how serious the crisis confronting the rest of society around them, would exercise their “individual rights”? Or could effectively do so? And to what end?

Oh, common Americans may be individually insulted, even outraged, by “the insolence of office” that increasingly characterizes rogue public officials at every level of government today. They may rightly resent, even intensely, the contempt with which such obnoxious officialdom treats them. They may correctly see their and their families’ present financial positions and future economic security being destroyed by the debt-currency schemes, speculative bubbles, and bailouts engineered by the Federal Reserve System and its clients among the low life of high finance. They may be subject to endless harassment by the tax Gestapo or the mentally jack-booted thugs in other governmental agencies. They may even have been the bloodied victims of paramilitary police brutality. But so what? Now what? They do not know what to do, or how to do it—or perhaps why.

Even if some of these isolated and ignorant individuals could somehow come together here and there in the midst of a crisis that sufficiently rocks society’s foundations to wake and shake them up, they would constitute only armed mobs, not even “militia” in the generic sense, and certainly not “Militia” in the specifically constitutional sense. Moreover, the very few who are already organized, and who do train, as “private militia” lack constitutional authority—and often, if not usually, envision themselves as outside of and antagonistic to “the government” (rather than as the ultimate embodiment of “government”). If these few individuals stood up with their “individual rights” against the trained and ruthless enforcers deployed against them by a police state, they would be branded outlaws or “terrorists”, demonized by the big media, deserted by their fellow citizens, and quickly picked off and packed off to morgues or detention centers.


Such a scenario, of course, is the exact opposite of the true Militia model, and of actual Militia experience in American history. When thousands of Militiamen appeared outside of Boston, Massachusetts, on 19 April 1775, were they acting solely in pursuance of an “individual right”? Did “the embattled farmers” fight only as individuals? Were they just a lawless mob? Was their victory at the Battle of Lexington and Concord the lucky result of martial anarchy? Of course not.

Very few “civilians” (in the purest sense of that term) were involved on that fateful day. Most of the men who mustered were members of Militia companies that had been training assiduously for some time theretofore. (And the ones who were not, because they were too old to be required to serve, but who fought anyway, had been members of the Militia when young.) Had not that been the case, the Militia would never have been able to assemble so many men, on such short notice, from beyond Concord all along the road back to Boston.

Neither did “the embattled farmers” fight merely as individuals. They may have employed the tactics of irregulars—neither maneuvering in parade-ground formations nor presenting a concentrated target to their enemies—but they always operated in set units, typically Militia companies, which averaged about 50 men apiece when at full complement. The Militiamen’s success was based upon *organization*—being called out in a systematic fashion by riders, bells, or the firing of shots; *equipment*—being

adequately armed and accoutred; *training*—knowing what to do, under their designated officers; *morale*—being psychologically ready and confident; and especially *authority*—knowing that they had the legal right, power, and duty to take action, because British General Thomas Gage, and the Ministerial Government behind him, were the usurpers and law-breakers.

Read the rest [here](#)

Posted by Stewart Rhodes at 10:45 AM 

Labels: 1775, April 19, collective right, D.C. gun case, Edwin Vieira, Heller, individual right, militia, militia movement, revitalizing the militia, Second Amendment

[Newer Post](#)

[Home](#)

[Older Post](#)

Subscribe to: [Post Comments \(Atom\)](#)