

## The Heller ruling one year later; antis still in denial

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Has it really been one year since the United States Supreme Court in a disappointingly narrow 5-4 ruling struck down the Washington, D.C. handgun ban and affirmed once and for all that the Second Amendment protects an individual civil right to own a gun that has no connection with militia service?

For some, it appears [the ruling](#) never happened at all. Even now, gun prohibitionists are loathe to acknowledge that they were wrong about the Second Amendment; that their own hostility toward the private ownership of firearms had led them to conclude – largely by misinterpreting and deliberately misrepresenting the high court’s 1939 ruling in [U.S. v. Miller](#) – that the Second Amendment protected only some mythical “collective” right of the states to organize a militia. My colleague, Daniel White, offers an analysis of the ruling [here](#).

**The Second Amendment is not a constitutional obstacle to the regulation of firearms, since the amendment by its own terms deals with the rights of the state militia, not individuals.” - Edward M. Kennedy, June 15, 2009**

As Justice Antonin Scalia so wisely noted in his majority opinion, “*Miller* did not hold that and cannot possibly be read to have held that.”

Yet here’s [Dennis Henigan](#), vice president for Law and Policy at the Brady Center to Prevent Gun Violence holding forth in a July 2008 opinion piece published by the Cato Institute insisting, “My view is that legal historians will regard the Heller decision as a prototypical misuse of judicial power to advance an ideological agenda.”

And just the other day, Senator Edward M. Kennedy sent a letter to a man in Olympia in which the ailing Massachusetts anti-gunner stated, “The Second Amendment is not a constitutional obstacle to the regulation of firearms, since the amendment by its own terms deals with the rights of the state militia, not individuals.”

For many years, gun prohibitionists have been deceptive, disingenuous and downright untruthful about the history of individual gun rights in this country. One need only recall the [intellectual dishonesty](#) of Michael Bellesiles, author of the now totally discredited *Arming America: The Origins of a National Gun Culture* to understand the nature of the beast.

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It seems perhaps ironic that the gun control lobby’s crushing defeat came almost 132 years to the day in 1876 that George Armstrong Custer led his troops into a massacre on the hillsides overlooking the Little Bighorn River in Montana.

As I noted in [Wednesday’s column](#) about the new anti-gun book from Joshua Horwitz and Casey Anderson that vilifies gun owners as a bunch of insurrectionists, gun haters simply cannot get over the fact that their cornerstone argument in support of restrictive gun legislation, up to and including outright bans, had been built around a prevarication, which they had perpetuated.

On this one-year anniversary of the landmark *Heller* ruling, it is sadly clear that gun prohibitionists are as determined as ever to re-write history and live in denial. Of course, what they really want is to deny gun owners their civil rights.

To paraphrase Barack Obama, these gun prohibitionists have become bitter, clinging to their gun control agenda as if it were a religion.

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