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For Immediate Release
June 27, 2008

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217 Years Later, Americans Finally Get Their Second Amendment Rights by Senator Larry Craig

Two hundred and seventeen years is a long time to wait, but a long-awaited victory is all the more precious.

On June 26, the U.S. Supreme Court delivered such a victory to freedom-loving American citizens, by reaffirming the fundamental, individual right to keep and bear arms that is protected by the Second Amendment to the Constitution. Justice Antonin Scalia's majority opinion in the 5-4 decision is the clearest statement on this issue since the ratification of the Second Amendment as part of the Bill of Rights in 1791.

In the Heller decision striking down the Washington, D.C. handgun ban as unconstitutional, the Court settled a lot of questions that have been hotly debated for years, ruling: that the right to keep and bear arms is an individual right; that the right exists regardless of a person's participation in a state militia; that the right is not granted by, but pre-exists, the Constitution; that it encompasses the right to use firearms for lawful purposes including the defense of home and family.

Justice Scalia's opinion also addressed restrictions on this right. He pointed out that the Second Amendment is "not unlimited," and gave examples of limits that were not touched by this decision, including prohibitions on gun possession by certain groups of individuals like felons, prohibitions on carrying firearms in certain places like schools and government buildings, and conditions on commercial gun sales. And while handguns were specifically mentioned as deserving protection because they are the firearm of choice for a majority of law-abiding Americans, the opinion did not offer that same kind of protection for "dangerous and unusual weapons."

Even so, the decision should come as a relief to Washington, D.C. residents, who have daily proof that the toughest gun ban in the nation does nothing to reduce criminal gun violence and only increases their potential victimhood.

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It should also encourage law-abiding citizens everywhere who want to take responsibility for their personal safety. It should please constitutionalists concerned about reining in bureaucratic overreaching. It should hearten any patriot outraged by the persistent undermining of individual liberty at the hands of judicial activists.

Having fought against bitter opposition for a generation in the front lines of the federal legislative battles over the right to keep and bear arms, and having signed on to the Congressional amicus curiae brief that supported the individual rights argument in this case, I have to admit that the Supreme Court's ruling was a particularly joyous one for me.

I have always believed that if the Second Amendment to our Constitution means anything, it means that individual Americans have a right to gun ownership – not just the militia, not only the National Guard and not just certain favored classes who can afford bodyguards and security personnel. It means that law-abiding Americans have a right – I would say, a God-given right – to defend themselves, their homes, and their families. That is true on the farms of Idaho and in the barrios of Los Angeles, in the multiple-million-dollar condos of Manhattan and in the inner city neighborhoods of Detroit.

Those who cherish our freedoms must remain vigilant in following developments and safeguarding these critical interests because nobody should imagine this decision puts an end to all controversies over the Second Amendment. We know there will be lawsuits aimed at testing the lines drawn by the Supreme Court.

But for now, let's celebrate the victory. We've waited long enough.