

Racist Origins Of Gun Control Laws

Hyung Jin Moon

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Rod of Iron Kingdom book chapter selection! "The Racist Origins of Gun Control Laws"



Rev. Hyung Jin "Sean" Moon - Photos by Bryan Anselm - The Washington Post Magazine

Chapter 9: Racist Origins of Gun Control Laws

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. Amendment II

The right to bear arms did not start with the 2nd Amendment. On April 19, 1775, before the United States even existed, local militia composed of well-armed colonists confronted and defeated British soldiers at Concord and Lexington. These colonists considered their rights to be sacred as many of them lost their lives.

English Common Law protected and even mandated the ownership of arms, which were understood to be "weapons for offense or armor for defense," not just tools for hunting. In the Assize of Arms of 1181, King Henry II proclaimed the obligation of all freemen of England to possess and bear arms in defense of the Kingdom and forbade a lord from "alienating (i.e. taking) them from his men."

Of course this right was not given to slaves in America, and often not even to free blacks. Gun control laws were used to keep firearms out of the hands of African Americans from the earliest colonial days. In the New World, the earliest gun control laws were enacted during the 1500's in what is now Mexico, to maintain Spanish colonial rule. "Similarly, in the sixteenth century the colony of New Spain, terrified of black slave revolts, prohibited all blacks, free and slave, from carrying arms." In Louisiana, the French colonists outlawed weapons possession among blacks.

The earliest American gun control laws were enacted just a few decades after the first English colonies were founded. In 1640, the very first gun control law ever enacted on these shores was passed in Virginia. It forbade blacks, even freemen, from owning guns.

Firearms became readily available in the years after the Civil War and could be afforded by newly emancipated blacks and poor whites. In addition, blacks who had fought in the Civil War in the Union Army were allowed to keep their guns. White supremacists saw this as a threat and passed laws to disarm blacks, but laws alone were not enough. In order to carry out the disarming of blacks, the Ku Klux Klan was formed in 1866. They created gangs all over the South, travelling at night in large groups to terrorize black families and take their guns away. Black citizens without firearms couldn't fight back.

Several states, including Tennessee and Arkansas, banned the sale of inexpensive handguns, the only ones that could be afforded by most black residents. Alabama and Texas imposed heavy taxes on handgun

sales for the same reason.

In the early 1900's, other states such as Florida and South Carolina banned the carrying and ownership of handguns and repeating rifles, except for sheriffs and their "special deputies," meaning "company goons and the KKK."

Such gun control laws were not limited to the South. The 1911 Sullivan Law required would-be gun owners in New York to obtain permits from the police. For disfavored groups, such as southern and eastern European immigrants, Catholics, Jews, and blacks, this was an impossibility.

In the wake of the "ghetto riots of 1967 and 1968" Congress was so "panicked" that it passed the Gun Control Act of 1968 to:

shut off weapons access to blacks, and since they associated cheap guns with ghetto blacks and thought cheapness was peculiarly the characteristic of imported military surplus and the mail-order traffic, they decided to cut off these sources while leaving over-the-counter purchases open to the affluent.

Defensive Use of Firearms by African-Americans

As pointed out by the American Civil Rights Union in its report, "The Truth about Gun Control, Racism and Genocide," there is a strong history of gun ownership by African Americans for self-defense:

In contrast to gun restrictions, the freedom to bear arms has repeatedly enabled black communities in America to defend themselves both before and after the Civil War. Private gun ownership proved instrumental in the defense of black communities in Northern cities during the 1800's. City militias suppressed white mobs attacking blacks in Providence (1831), New York (1834), Pittsburgh (1839), Boston (1843), and Philadelphia (1849).

While blacks were typically excluded from official state militias, in several cities black communities raised their own militias. Black militias repelled white mob attacks on black neighborhoods in Philadelphia (1835) and Cincinnati (1841).

In Memphis in 1891, a black militia group protected one hundred men who were fearful of being lynched for three nights. The night the militia went home, a white mob rushed the jail and lynched three of the black men.

Following a series of Ku Klux Klan beatings and murders of civil rights activists in the early 1960s, armed blacks began to escort activists and guard their homes. In 1964 - 1965 the Deacons for Defense and Justice formed in Louisiana, Mississippi and Alabama to protect black people and civil rights activists.

It is well known that many urban areas with strict gun control laws have high rates of crime. As noted in the American Civil Rights Union report:

Washington, D.C., a majority black city formerly known as the murder capital of the U.S., has enjoyed plummeting crime rates following the Supreme Court's 2008 Heller decision, which found that the Second Amendment establishes an individual right to keep and bear arms exclusive of participation in a militia. Heller ruled unconstitutional the District of Columbia's extremely restrictive gun laws, which made it a felony to load a long gun in one's home, effectively banning the use of guns for self-defense.

This ruling was denounced by former Supreme Court Justice John Paul Stevens in a March 27, 2018 Op-ed in the New York Times. He also called for repealing the Second Amendment.

The ACRU report continues:

According to gun control expert Dr. John Lott, more than 72,000 adults owned long guns in D.C. when Heller was passed. Lott observes, "After the decision, almost a quarter of the adult population were suddenly able to legally use those guns for self-defense." Crime rates in the District dropped precipitously in the five years following the Heller decision. Crimes using guns dropped especially sharply. Robberies using guns dropped 11.3 percent; assaults using guns dropped 30.9 percent; and the homicide rate fell an astonishing 52.3 percent.

Lott also notes that after the Supreme Court struck down Chicago's handgun restrictions in 2010, "murder and gun crime rates didn't rise after the bans were eliminated - they plummeted. They have fallen much more than the national crime rate."

The report concludes:

Gun control has proven to be a useful tool for oppressing blacks politically and culturally in the United

States, while at the same time rendering them vulnerable to criminals. Guns in the hands of law-abiding citizens, in contrast, have repeatedly protected ethnic minorities while also driving down crime rates in the most dangerous inner cities.

Gun Control and Nazi Germany

As pointed out by Stephen Halbrook in his book, *Gun Control in the Third Reich: Disarming the Jews and "Enemies of the State,"* our current gun-control debate is nothing new. The same arguments for and against were made in the 1920's in the chaotic times of the German Weimar Republic, which enacted gun registration of all firearms in 1931.

As described by Halbrook:

In 1933, the Nazis, led by Adolf Hitler, seized power and used the [gun registration] records to identify, disarm, and attack political opponents and Jews. Constitutional rights were suspended and mass searches for and seizures of guns and dissident publications ensued. Police revoked gun licenses of Social Democrats and others who were not "politically reliable." The Gestapo banned independent gun clubs and arrested their leaders. Gestapo counsel Werner Best issued a directive to the police forbidding issuance of firearm permits to Jews.

In 1938, German Jews were ordered to surrender all their weapons, and the police had the records on all who had registered them. Even those who gave up their weapons voluntarily were turned over to the Gestapo.

Hitler directed propaganda minister Josef Goebbels to orchestrate the Night of the Broken Glass. This massive operation, allegedly conducted as a search for weapons, entailed the ransacking of homes and businesses, and the arson of synagogues.

SS chief Heinrich Himmler decreed that 20 years be served in a concentration camp by any Jew possessing a firearm. Rusty revolvers and bayonets from the Great War were confiscated from Jewish veterans who had served with distinction. Twenty thousand Jewish men were thrown into concentration camps, and had to pay ransoms to get released.

When France fell to Nazi invasion in 1940, the *New York Times* reported that the French were deprived of rights such as free speech and firearm possession just as the Germans had been. Frenchmen who failed to surrender their firearms within 24 hours were subject to the death penalty.

Most readers know what happened next to the disarmed Jews and "politically unreliable" during the reign of the Nazis. Well-meaning people in Weimar Germany, like today, advocated severe restrictions on gun ownership, such as bans of certain weapons and registration. They could not foresee how the road to a hellish future was being paved by what they believed were reasonable laws.

As pointed out in chapter 3, in the other major democides of the last century - in Islamist Turkey, the Soviet Union, Communist China, Communist Cambodia, Guatemala and Uganda, gun registration and confiscation preceded the mass killings in each and every one of these nations.

In their wisdom, the Founding Fathers of our country clearly stated in the Bill of Rights that every American citizen had inalienable rights, which come from our Judeo-Christian God including the right to bear arms. This wasn't for the purpose of hunting or sport shooting, but for self-defense. I believe what they believed: that this is a God-given right that no man or worldly authority has the right to revoke. This is not just an American right. The ability to defend one's self and one's family is the human right of all people on the face of the earth.

[1] For more discussion about the historical background of the right, and duty, for the means to self-defense, see David T. Hardy, "Armed Citizens, Citizen Armies: Towards a Jurisprudence of the Second Amendment," *Harvard Journal of Law and Public Policy* 1986.

[1] Michael C. Meyer and William L. Sherman, *The Course of Mexican History*, 4th ed., (New York, Oxford University Press: 1991), p. 216.

[1] "The Truth about Gun Control, Racism and Genocide 2015. American Civil Rights Union, 3213 Duke St., #625, Alexandria, VA 22314.

[1] *Ibid.*

[1] Adam Winkler, "Is Gun Control Racist?," www.thedailybeast.com/articles/2011/10/09/adam-winkler-gun-fight-author-on-gun-control-s-racism.html

[1] William R. Tonso, "Gun Control: White Man's Law," Reason Magazine, December 1985, www.guncite.com/journals/gun_control_wtr8512.html

[1] For more discussion about discrimination in the application of gun laws, see J. Baxter Stegall, "The Curse of Ham: Disarmament through Discrimination- the Necessity of Applying Strict Scrutiny to Second Amendment Issues in Order to Prevent Racial Discrimination by States and Localities through Gun Control Laws." Liberty University Law Review, Volume 11, Issue 1, Article 10.

[1] Opcit., "The Truth about Gun Control, Racism and Genocide,"

[1] Ibid.

[1] Robert J. Cottrol and Raymond T. Diamond, The Second Amendment: Toward an Afro-Americanist Reconsideration, www.guncite.com/journals/cd-recon.html#h5

[1] Ibid.

[1] Ibid.

[1] John Paul Stevens, "Repeal the Second Amendment," New York Times, March 27, 2018.

[1] Dr. John Lott, "Updating the changes in DC's crime rates following Heller," johnrlott.blogspot.com/2012/11/updating-changes-in-dcs-crime-rates.html

[1] Stephen Halbrook, "How the Nazis Used Gun Control," National Review, December 2, 2013, www.nationalreview.com/2013/12/how-nazis-used-gun-control-stephen-p-halbrook/