



## Gun and Other Rights Are Best Protected in the Articles of Confederation

These words from the [Articles of Confederation](#) (America's original constitution which was illegally abandoned) say it all when it comes to why the Articles are so superior to protect the gun rights of the citizenry of the [Anglo-American Patriot](#) States of the USA:

"...every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage..."

In other words, the Articles of Confederation *required* all of the States to keep up their own militia, so the nation as a whole and in its parts would be protected from foreign invasion, domestic faction, or a national government army run amok. Who were these militia? The background for this rested in both English and colonial American tradition. In colonial America all able-bodied Anglo-American men of certain ages were members of the militia, depending on the respective States rule. For example, here is how the 1792 Militia Act defined the militia, and which was also intended in the Articles of Confederation: "...each and every free able-bodied white male citizen of the respective States, resident therein, who is or shall be of age of eighteen years, and under the age of forty-five years (except as is herein after excepted) shall severally and respectively be enrolled in the militia..." ([https://en.wikipedia.org/wiki/Militia\\_\(United\\_States\)](https://en.wikipedia.org/wiki/Militia_(United_States)))

The Articles of Confederation left the supreme power in the States to have an armed Anglo-American patriot citizenry, and the States in the Articles covenanted to maintain such.

In contrast, when the Articles of Confederation were illegally abandoned, as a condition of ratifying the Federal Constitution, the Anti-Federalists got added to this Federal Constitution the Bill of Rights, which included the Second Amendment. [https://mises.org/wire/why-we-cant-ignore-militia-clause-second-amendment?fbclid=IwAR3J0KHdbBqZfLsm0egTshtNgvVU74q5jgkt0vNibmdrdVXxSQ0bFsD\\_b2w](https://mises.org/wire/why-we-cant-ignore-militia-clause-second-amendment?fbclid=IwAR3J0KHdbBqZfLsm0egTshtNgvVU74q5jgkt0vNibmdrdVXxSQ0bFsD_b2w) provides helpful information on the Second Amendment:

"Gun-rights advocates often fixate on the second half of the amendment, claiming that the phrase about a militia is just something that provides a reasoning for the second phrase. Many opponents of gun control even suggest that the only phrase here of key importance is "shall not be infringed." ... Looking at the debates surrounding the Second Amendment and military power at the end of the eighteenth century, however, we find that the authors of the Second Amendment had a more

sophisticated vision of gun ownership than is often assumed. Fearful that a large federal military could be used to destroy the freedoms of the states themselves, Anti-Federalists and other Americans fearful of centralized power in the US government designed the Second Amendment accordingly. It was designed to guarantee that the states would be free to raise and train their own militias as a defense against federal power, and as a means of keeping a defensive military force available to Americans while remaining outside the direct control of the federal government...Patrick Henry mocked the idea that liberties could be preserved by simply "assembling the people." Without locally controlled, military might, Henry noted, federal force could destroy the independence of the state governments. Similarly, George Mason concluded that the "militia ... is our ultimate safety. We can have no security without it."

Whereas civil gun rights in the Federal Constitution rest upon a promise from the supreme centralized Federal government not to infringe on State gun rights, civil gun rights in the Articles of Confederation rest upon structural fact that State citizen militias of States with supreme authority were a bulwark of defense, and the national government had no ability to tax in order to order to create a superior military and ultimately to nationalize and control the state-regulated militias. An armed citizenry with a long heritage of gun rights and no centralized Empire government is fitted to protect gun and other rights. The Articles of Confederation best protect gun rights and other rights because they put structures in place to maintain those rights, whereas the Federal Constitution inadequately protects rights because its governmental structure does not adequately support promises related to rights.

The Anti-Federalists have proved correct in distrusting what the Federal Government would do if the centralized Federal Constitution replaced the Articles: the Federal Government has federalized the State militias, erected a huge Federal standing army with outposts around the world, created a society where many citizens do not own guns, and have systematically been restricting gun ownership. Furthermore, the Federal Empire has been bringing in more and more foreign peoples (often illegally) with no tradition of gun rights or gun ownership, and so little comprehension of the importance of gun rights.

Ironically, it was State militia that engaged the British army in the first battle of the War of Independence (at Lexington and Concord), and it can well be argued that "the Militia was the driving force behind that victory" in the War, for the following reasons:

"It was the main source of manpower supplied to the Continental army. Although not an organized army in 1775, it did have a long standing military tradition which enabled the colonists to build the army needed to defeat the British in a relatively short period of time. There were tensions between army officers and militia members who refused to join for various reasons. This worked more to the rebel advantage because it enabled unattached militia groups to work within the civilian sector fighting off British sympathy in their individual colonies. And, they provided a reinforcement of soldiers, when needed, with a quickness that the British could not match. A one hundred and fifty-year tradition of citizen soldiers existing in almost every town and hamlet in North America allowed for the quick advancement into a regular army, ultimately to defeat the British, the most well trained army in the world. And, the fact that farmers, themselves a tradition in colonial America, were so influential in the militia movement, they stood to gain the most from extricating the rule of the Crown, by eliminating a perceived unfair tax. This possessed the militia soldier with more passion and incentive to win the war than the common British soldier." (see <http://hartnation.com/the-colonial-militia-during-the-revolutionary-war/>).

William Marina, in his article at <https://www.independent.org/news/article.asp?id=1495>, correctly points out the critical role of the citizens militia in the success of the patriot cause in the War of Independence and its importance even today:

“It was the American militia coming from all over the countryside that insured the encirclement and eventual surrender of the forces in upstate New York under General Burgoyne. Late in the war the Hessian forces ventured out of New York City into New Jersey in quest of that perpetual mirage of British fantasies, the large force of Loyalists somewhere out there in the countryside waiting to be liberated. Instead, they came under the virtually unceasing attack of skirmishing American militia and decided it was the better part of valor to retreat to the city...It was in the South during Lord Cornwallis’s long meandering march up and down that the American militia began to come into its own. The Americans won only one battle of any consequence, Cowpens, but they so bled the British by their constant harassment that the exploits of Sumter, Pickens, Morgan, and Marion are prime examples of guerrilla warfare.

Every people’s revolutionary war is ended by the triumph of their regular forces as the struggle nears its successful conclusion, but that is the *result* and not the *cause* of victory. People’s war is fundamentally political, and it was the militia that gave the Americans virtually the control of the whole country and that insured the legitimacy of the revolutionary government. British foraging parties were under constant harassment, and British units seldom went out after dark in less than battalion strength. As John Shy suggests, it was the militia that was the sand in the gears of the British pacification machine.

The regular American army, as well as segments of a rag-tag militia, accepted the surrender at Yorktown. The existence of that army should never be allowed to obscure the large reason for the British defeat which was that they could never control, let alone win over, a population of armed militia that was the foundation of support for the American government. The British military historian Eric Robson acknowledged: “Restricted to little more than the ground they stood on, the British increasingly found subsistence a matter of considerable difficulty.” That was not the result of Washington’s valiant little army camped at Valley Forge or for so many years across the Hudson from the British in New York City, but rather the American guerrilla militia that from local homes and farms made life in the British Army a living hell. Every small detachment was legitimate prey for the Americans. Historians will never know how many of these small skirmishes there were, but only glimpse them all over the landscape, realizing that they form the real reason for the low British morale and eventual defeat.

Thus we see that the experiences of the Revolutionary War confirmed in the minds of the Founders the teachings of the Whigs: An armed citizenry was both a check on domestic tyranny and the most desirable form of national defense. It was for the security of a free state from these perils that the Founders sought the protection of a well-regulated militia.”

The states and localities of the USA need to return to the Articles of Confederation, starting at the grass roots local level, so that citizens’ militias, regulated by state and local governments, form the bulwark of our national defense, and not some centralized military run by global imperialists.