

January 29, 2001

A Bulwark Against Tyranny

**Notable “Madmen” Who Share John Ashcroft’s
View of the Second Amendment**

Does the Second Amendment protect Americans’ ability to defend their rights against encroachment by their own government? During Judiciary Committee hearings on John Ashcroft’s nomination to be Attorney General, Senator Edward Kennedy criticized Ashcroft’s view that one purpose of the Second Amendment was to protect the American people from potential tyranny by its own government, singling out this statement Senator Ashcroft made in a previous congressional hearing:

“Indeed, the Second Amendment – like the First – protects an important individual liberty that in turn promotes good government. A citizenry armed with the right both to possess firearms and to speak freely is less likely to fall victim to a tyrannical central government than a citizenry that is disarmed from criticizing government or defending themselves.” [Constitution, Federalism and Property Rights Subcommittee of the Senate Judiciary Committee, September 23, 1998, Federal Document Clearing House]

Senator Kennedy went on to insinuate only a “madman” could believe such an lay intent behind the ratification of the Second Amendment. Others, such as the anti-self-defense group Handgun Control, Inc., have likened Senator Ashcroft’s views to those of convicted mass-murderer Timothy McVeigh [Handgun Control press release, January 9, 2001].

Yet Senator Ashcroft’s view that the right to keep and bear arms is an essential check against a potentially oppressive central government (see RPC paper “John Ashcroft’s Defense of the Second Amendment,” 1/25/01) is hardly out of the mainstream. In fact, it is shared by many notable figures from American history and contemporaries in the modern Democratic party.

James Madison

The father of our Constitution and author of the Second Amendment, James Madison observed in Federalist No. 46 that “the advantage of being armed, which the Americans possess over the people of almost every other nation,” would enable the people to resist the tyrannical

“enterprises of ambition” that many feared the new federal government would pursue. This was in contrast to the “kingdoms of Europe” where “the governments are afraid to trust the people with arms.”

Alexander Hamilton

“If the representatives of the people betray their constituents, there is then no resource left but in the exertion of that original right of self-defense, which is paramount to all positive forms of government.” Federalist No. 28.

Thomas Jefferson

“I hold it, that a little rebellion, now and then, is a good thing, and as necessary in the political world as storms in the physical.” Letter to James Madison, January 30, 1787.

“ . . . forbid we should ever be twenty years without such a rebellion. . . . And what country can preserve its liberties, if its rulers are not warned from time to time, that this people preserve the spirit of resistance? Let them take arms. . . . The tree of liberty must be refreshed from time to time, with the blood of patriots and tyrants. It is its natural manure.” Letter to William Stephens Smith, Nov. 13, 1787.

“The spirit of resistance to government is so valuable on certain occasions, that I wish it to be always kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere.” Letter to Abigail Adams, 1787.

Noah Webster

“The supreme power in America cannot enforce unjust laws by the sword; because the whole body of the people are armed . . . A military force, at the command of Congress, can execute no laws, but such as the people perceive to be just and constitutional; for they will possess the power.” An Examination of The Leading Principles of the Federal Constitution, Philadelphia, 1787.

Tench Coxe

“As civil rulers, not having their duty to the people, duly before them, may attempt to tyrannize, and as the military forces which shall be occasionally raised to defend our country, might pervert their power to the injury of their fellow-citizens, the people are confirmed by the next article in their right to keep and bear their private arms.” *Remarks on the First Part of the Amendments to the Federal Constitution*, June 18, 1789.

Abraham Lincoln

“This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their ‘constitutional’ right of amending it or their ‘revolutionary’ right to dismember or overthrow it.” First Inaugural Address, March 4, 1861.

Hubert Humphrey

“Certainly one of the chief guarantees of freedom under any government, no matter how popular and respected, is the right of the citizen to keep and bear arms. This is not to say that firearms should not be very carefully used and that definite rules of precaution should not be taught and enforced. But the right of the citizen to bear arms is just one more safeguard against a tyranny which now appears remote in America, but which historically has proved to be always possible.” Taken from “A Liberal Democrat’s Lament,” by Robert Cottrol, American Enterprise Institute. Statement made in 1960.

Senator Russell Feingold

The purposes of the Second Amendment “include self-defense, hunting, sport, and some certainly would say, as would I, the protection of individual rights against a potentially despotic central government.” Statement before the Constitution, Federalism and Property Rights Subcommittee of the Senate Judiciary Committee, September 23, 1998.

RPC staff contact: Michael F. Cannon, 224-2946