

“Shall Not Be Questioned” Means Exactly What It Says!

The “right to keep and bear arms” has always been a God-given, inherent and inalienable right of each individual in Pennsylvania. The State cannot lawfully question this right.

The 1776 CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA states the following with respect to “the right to bear arms” in Section XIII of its “DECLARATION of the RIGHTS of the Inhabitants of the State of Pennsylvania”:

“That the people have a right to bear arms for the defense of themselves and the state; and as standing armies in the time of peace are dangerous to liberty, they ought not to be kept up; And that the military should be kept under strict subordination to, and governed by, the civil power.”

The current Constitution of Pennsylvania states the following in the Declaration of Rights, Section 21, about the “right to bear arms”:

“The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.”

The people in the conventions of the original States that ratified the Constitution for the United States of America demanded that a “Bill of Rights” be added as a condition for their ratification of the original Constitution. The last ten of the twelve Amendments proposed in 1789 were added to the federal Constitution on December 15, 1791 as the “Bill of Rights”. The Second of these Amendments states:

“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.”

The first phrase in this Amendment makes a statement about the reason for an organized militia in each State of the Union. The second phrase emphatically confirms the individual’s right to bear arms.

According to Noah Webster’s 1828 American Dictionary of the English Language, the word “infringe” means: “To break; to violate; to transgress; to neglect to fulfill or obey; as to *infringe* a law.” **The Constitutions mean today what they meant when they were written!**

The “right to bear arms” provision was added to both the State and federal Constitutions to secure, guarantee and protect this God-given right to guard against usurpations of power by a tyrannical government. They were not placed in the Constitutions because the framers were concerned about hunting and/or target shooting. The primary arms of that day were swords, knives, muskets, pistols, long rifles and cannons, with their respective ammunition and accessories. Every individual could own and lawfully use any weapon available to those in the government. This is still the case. It would be absurd to believe that the framers would suggest otherwise. The framers didn’t care if their pistol was outside of their coat or under it.

“The strongest reason for people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government.” - Thomas Jefferson

“Firearms stand next in importance to the Constitution itself. They are the American people’s liberty teeth and keystone under independence . . . From the hour the Pilgrims landed, to the present day, events, occurrences, and tendencies prove that to insure peace, security and happiness, the rifle and pistol are equally indispensable . . . the very atmosphere of firearms everywhere restrains evil interference – they deserve a place of honor with all that is good.”

- George Washington

“One of the ordinary modes, by which tyrants accomplish their purposes without resistance, is, by disarming the people, and making it an offence to keep arms” ...

-- Constitutional scholar Joseph Story, 1840

“That the said Constitution shall never be construed to authorize Congress to infringe the just liberty of the press or the rights of conscience; or to prevent the people of the united States who are peaceable citizens from keeping their own arms.”

-- Samuel Adams, in "Phila. Independent Gazetteer", August 20, 1789

“The right of the citizens to keep and bear arms has justly been considered as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.”

-- Supreme Court Justice Joseph Story of the John Marshall Court

Arms are property, and thus “the right to keep and bear arms” is also a property right. Article I, Section 1, of the current Constitution of Pennsylvania states:

“All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.”

The meanings of the words “acquiring” and “protecting” are obvious. The meaning of the word “possessing”, according to Noah Webster’s 1828 American Dictionary is: **“Having or holding by absolute right or title; occupying; enjoying.”** This inherent and indefeasible right of property insures that an individual may use and dispose of their property as they alone see fit. Guns, ammunition and accessories owned by Citizens are private property. Those in government have absolutely no authority to restrain the lawful use and/or possession of private property.

There is also no lawful authority for those in government, any government, in Pennsylvania, the other States of the Union or the United States of America to collect information about private Citizens and/or the property they lawfully possess/own. **No matter what the alleged pretense, history proves that the registration of guns always leads to their confiscation.**

The U.S. Supreme Court stated the following in **Hale v. Henkel**, 201 U.S. 43, 74 & 75 (1906):

.... “we are of the opinion that there is a clear distinction in this particular between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the State. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no such duty to the State, since he receives nothing there from, beyond the protection of his life and property. His rights are such as existed by law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.”

"Today, we need a nation of Minutemen, citizens who are not only prepared to take up arms, but citizens who regard the preservation of freedom as the basic purpose of their daily life and who are willing to consciously work and sacrifice for that freedom."

-- John F. Kennedy