

Missing the Point – “No way!”

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She's doing what she can. So should we. (Shutterstock)

Several weeks ago, I wrote [an op/ed](#) entitled “Who do the strict constructionists think they’re fooling?” Its simple point was that there is nothing about the language of the Second Amendment to prevent the outlawing of military-style weapons for personal use. Zero. Of course, that’s just my opinion, a layman’s common sense reading of words on a page written a long time ago, without historical or legal context. I’m not a lawyer and I’m certainly no constitutional authority.

Okay. How about the Supreme Court? According to [the official syllabus](#) for the Court’s 2008 five to four decision in District of Columbia v. Heller...

1. *The Second Amendment protects an individual right to possess a firearm **unconnected** with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.*

I disagree with that first element of the Court’s decision, but then what do I know? More to the point I’m trying to make, *this same decision* says the following...

2. *Like most rights, the Second Amendment right is not unlimited. **It is not a right to keep and carry any weapon whatsoever and for whatever purpose.***

Items 1 and 2 above are quoted directly from the Court's syllabus. The italics and bolding are my doing.

So, according to the Supreme Court, while the Second Amendment guarantees people their right to own a gun, **it does not permit people to own whatever gun they want.** Period. The devil, as they say, is in the details.

I do not think people – not just people known or suspected of having mental illness – but people in general should have the right to own a military-style assault rifle, namely an AR-15 or similar weapon, for personal use. To be clear, I'm talking about the rifles that have become the weapons of choice for many of the people committing mass murders in our country.

As guns go, the AR-15 and other assault weapons like it have become wildly popular. According to a recent survey-based [article in the Washington Post](#), *"About 1 in 20 U.S. adults – or about 16 million people – own at least one AR-15..."* Because some people own more than one, the actual number of these weapons out there is much higher.

[Survey data](#) indicate that a third own their assault rifles primarily for self-defense, thirty percent for target shooting and other recreational purposes and twelve percent for hunting. Another twelve percent cited the Second Amendment as reason enough, in effect, "It's my right, therefore I will." I don't know what to make of these reasons. All I know is that it's hard to get images of the carnage these weapons have made possible out of my head – and that's just from watching the news.

To be clear, I'm not arguing that these 16 million people are either irresponsible or dangerous. Of course not. No question about it, the dangerous ones are only a very few among us, but they are clearly a few too many. The question is, can't we find a better, safer hobby or means of assuring our personal safety, rather than risk these weapons falling into the hands of those who would kill us, our children and grandchildren?

We have all agreed to wear seatbelts and drive cars with airbags, even though, thank goodness, almost none of us will ever have need to use them.

More to the point of this op/ed, what are our representatives in Congress doing about getting assault weapons off the market and out of the hands of people for personal use?

As you've no doubt heard by now, Maryland's long-serving U.S. Senator Ben Cardin has decided not to run for re-election in 2024. So far, four people have announced that they are running in the Democratic Primary to replace him. They are Angela Alsobrooks who is currently the County Executive for Prince George's County, David Trone who represents Maryland's 6th Congressional District, Will Jawando who is a Montgomery County Councilman and Jerome Segal, who is President of an

organization called the Jewish Peace Society. Jamie Raskin, Congressman for Maryland's 8th District, is thinking about running and will make up his mind soon.

David Trone has already started running television commercials for his Senate campaign. His timing is more about his personal wealth than it is about a meaningful campaign strategy this far out from the primary which, on April 23, 2024, is almost a year from now. Mostly, he's advertising to create name recognition outside of his base in western Maryland.

As far as I can tell and while it's still early and candidates have not published their platforms and position papers yet, not one of the four candidates has so much as mentioned assault weapons. It's like these mass shootings are happening "somewhere else," so who cares?

Fine. Here's what I'm going to do and what I am asking you to do as well. To each Maryland candidate running for the Senate or House in the district where I live, I'm going to go their website and sending them the following message...

No way!

I have children, grandchildren and other loved ones, friends and neighbors – and countrymen and women I don't know but care about. There's **no way** I'm contributing money or voting for you if you don't commit to taking assault weapons off the market and out of people's hands for personal use.

Do the same. Please. And sign your name. In all capital letters, symbolic of the way John Hancock signed the Declaration of Independence, way back in the beginning before the Constitution and Second Amendment were written.

Here's what you need to know... Email County Executive Alsobrooks, Congressman Trone and Congressman Raskin who might run. Email all three of them. The other two candidates for Cardin's Senate seat have no chance of winning or influencing anyone. [Click here](#) to email Angela Alsobrooks. [Click here](#) to email David Trone. [Click here](#) and scroll down to use Jaime Raskin's website form to send him an email.

If you'd like to email Maryland's other Members of Congress and Governor Moore, do it. If you need help finding their email addresses, [email me](#) or leave me a comment below and I'll ask the Baltimore Post-Examiner to publish links you can use.

Needless to say, encourage like-minded family and friends to send these same officials the same text, which you can cut and paste if you like, or a related message of your own.

Why would you do this? Because it's time – too late for those who have already died, but not too late for everyone else. Because it's the very least we can do to make sure our representatives in the House and Senate are paying attention and do their job to protect the safety of their constituents. Like *your* family, friends and countrymen and women.

If the candidates ask – which I doubt they will, but just in case they do – tell them about the Supreme Court ruling in *District of Columbia v. Heller*. Tell them they're out of excuses. That we need to deal with issues related to mental illness and social conditions that may be the ultimate cause of violence, but that, in the meantime, we need to start with stopping the proliferation of assault rifles. They're military weapons. Ordinary people don't need AR-15s, the common market existence of which has no legitimate rationale and is killing us. Tell these candidates that they either need to show up or you'll find and support someone else who will.

-Les Cohen

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