

Legally Speaking



The 19th

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The soldiers assembled in the dead of night. Professionals all, they had the best equipment and the best training. Their objective was to seize a hidden insurgent arms cache. The soldiers would move quickly. With any luck, they would surprise the motley militia guarding the weapons, destroy the guns and explosives, and be back to their base camp before the insurgents knew what had hit them. The soldiers had supreme confidence in themselves. Their enemy not only had the poorest equipment, but did not even know how to use what they had. This should be a cakewalk.

The night was cool. Fields ready for spring plowing stretched into the darkness on both sides of the dirt road as the soldiers marched

into the night. Thank goodness for the stone walls. Without them it would have been difficult to keep to the road in the dark. It was a narrow road made darker by overhanging trees. There was not much to see except the occasional dark, silent outline of a farm house. Be quiet. Let the locals sleep.

The only sounds the soldiers heard were the tramping of booted feet, the muffled clanking of equipment, and the occasional bark of a farm dog. There, for a moment, in the far distance, it almost sounded like a church bell. It was the wind of course. The wind could make strange sounds at night when all else was quiet. Your imagination can play tricks on you. Who would go to church at one in the morning?

The villagers heard the alarm of their church bell clearly. Messengers had brought news that the army was on the march with orders to arrest the area's head men. The government said they were disloyal. The army was coming to disarm the villagers.

The villagers were simple people. They wished to be left alone to determine their own good in their own way. But government had become increasingly arrogant and unresponsive to their wishes. It intruded into their lives. It treated them as subjects whose place in life was only to pay taxes and obey. The villagers were free men who believed they had certain basic rights that the government should respect. They were every bit as intelligent and worthy as those in government. The villagers would

demonstrate this to the soldiers by forming their militia company on the green as a "statement" of political beliefs. They had no intent to be violent.

It was raw and cold as the men waited in the darkness. Were the soldiers really coming? Was it a false alarm? Dampness penetrated shoes and numbed fingers. Men shuffled their feet to keep warm. It was dark. The stars had set. No one said much, but all felt the tension. In the east, was it getting lighter? Was that the sun starting to rise? It had to be about 5 AM. Sunrise was not far off. In the distance, what was that, that sound? The sound grew and became more distinct. It was a drum. The soldiers were coming. The villagers stood in nervous formation as the first soldiers appeared out of the gloom on the far side of the field. Now the voices of the officers could be heard in the distance. In smart formation, the soldiers deployed.

The soldiers looked across the town green. Who did those country bumpkins think they were standing there in ragged formation? They would have been humorous if it had not been for the guns they carried. They had no right to stand up to government troops. The villagers were told to lay down their arms. They did not do as they had been told. A brief exchange of fire took place. It was an easy action for the soldiers. The villagers ran like rabbits. Some were killed, but they were of no importance. The soldiers cheered their easy victory as the

sun spread its first rays on the village green, now red with the blood of simple farmers.

The elation of the soldiers did not last long. Their return to their base camp in Boston would not be so easy. Those stone walls . . . those d—d stone walls, became their biggest enemy.

What happened next was something that the British Army had never dealt with before. An unorganized army of angry citizens gathered around them. At first the simple farmers stood at a distance not sure of what to do. They argued among themselves. Some said it was foolish to oppose the army. Then, as smoke began to rise above the tree line from the direction of Concord, one man exclaimed, "Will you let them burn the town down?"

It was a defining moment in history. Those untrained farmers came to the conclusion that even if they could not defeat the best professional army in the world, they could not stand by and do nothing. That is, they could and would do something. By the end of the day, the best army in the world was besieged and outnumbered by thousands of angry armed citizens who had come to the same conclusion. The commander of the British troops that had marched on Concord later said the return to Boston was so hard fought, that he would have surrendered, but there was no one in charge of the farmers to surrender to. It took almost eight years, but America won its independence and established a government based upon the principal that government is established by the people, it derives its powers from the people, and exists to protect the rights of the people.

In January of 2010, Massachusetts, a liberal Democratic stronghold, held a special election to fill

the seat left vacant by the death of Senator Ted Kennedy. Massachusetts had not had a Republican US Senator since 1967. Indeed, Massachusetts had not had a single Republican in its entire Congressional Delegation for years. To the press, and the Democratic Party, it was Ted Kennedy's seat and the Democrats would fill it with one of their own. The Democratic politicians battled in the primary for the honor to fill Kennedy's seat. No one paid much attention to the Republican who ran. Although the final election would be January 19th, those in charge of the Democratic party thought the election was over after the primary. Like those British soldiers so many years ago, they discounted the common people who had a very uncommon Republican candidate, Scott Brown, to act as their standard bearer.

When taunted about running for Teddy Kennedy's seat, Brown reminded the press that the seat did not belong to the Democrats, it did not belong to Kennedy, it belonged to the people.

That hit a nerve with a lot of folks who were tired of being dictated to by government.

Our system of government was not designed with political parties in mind. It was thought that men (we now include women) would be elected with the goal of voting for what was best for their districts or the nation at large. That still works to a limited point when neither party controls both houses and the presidency. The parties have to work with each other to get anything done. That is good for the people because more consideration is given to legislation. Elected officials cannot go too far astray from the interests of their constituents for fear of losing the next election.

Congressional rules, however,

give those in leadership too much power over the members. When one party controls both houses of Congress and the office of President, that party no longer needs the consensus of the minority party to pass legislation. An arrogance of power sets in. Legislation is pushed forward, not by discussion or reason, but by strong arm methods. Frequently such legislation is flawed because it is not based upon truth, or logic, or even the public good. It is simply an exercise of power by the leaders of the dominant party.

President Obama's health care proposal was such an exercise of power. He was determined to push through something called "health care reform" by a specific date without consideration of the fears or wishes of the public. The President thought he could do that because his party had carried both houses of Congress and the Presidency. All glory, however, is fleeting. Sometime a candidate wins an office, not because the public embraces all of the candidate's ideas, but because it rejects the ideas of his or her predecessor.

One of the more interesting facts about the American system of government is that we have institutionalized revolution. It is peaceful, but it is still revolution. Although most changes in our government are slow, from time to time we have bloodless revolutions carried to success through the ballot box.

That happened in Massachusetts on January 19th, 2010, when, to the total shock of the Democratic leadership, Massachusetts elected Scott Brown, Conservative Republican, to fill the unexpired term of the late Senator Edward Kennedy, Liberal Democrat. At the beginning of January, the Democratic candidate had a comfortable 9 point

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lead over Brown. By the 12th, the gap was closing. The Democrats, to use a country expression, acted like so many deer caught in some truck's headlights at night. Every arrogant, elitist rock they threw at Brown came back to hit them like a boomerang. The Brown campaign exploded. Even the Democratic heavy hitters, even the President, could not stop the movement of voters to Brown.

Brown ran an exceptional campaign. But it was clear that he had tapped into a voter revolution. When he ran out of signs or bumper stickers, homemade ones appeared on lawns and cars. It was hard to walk through a crowd with Brown bumper stickers without being approached by people who wanted them. They were the hottest item in the state.

The network of friends telling friends had a life of its own. Like some pyramid scheme, those who sent out e-mails to their friends early in the campaign were soon getting letters back from other friends telling them to support Brown. People would, out of nowhere, appear on street corners holding signs for Brown. Often they found themselves spontaneously joined by strangers.

If asked who sent them there, they would say, no one. If asked why they were there, they would say, "I had to do something. I could not stand by and do nothing." There was a sense of urgency. There was a sense of needing to send a message to Washington. Like that army of ordinary citizens that arose from nowhere on April 19, 1775 to begin the American Revolution,

An army of ordinary citizens arose from all over Massachusetts to say that government does not belong to the political parties, it belongs to the people.

Whether or not Scott Brown

will be a good Senator is yet to be seen. Those of us in Massachusetts, however, have high hopes.

The lesson learned is that the power of the government does reside with the people. No matter how popular a President might think he is, he is answerable to the people. President Obama has now lost three special races in which he put his prestige behind a losing candidate. That fact has sunk in. As soon as Brown was elected, the Democrats in Washington shifted their rhetoric. If the Brown election achieves nothing else, it has slowed down the President's agenda. It also must have sent a chilling message to many Democratic office holders as they think about the approaching mid-term elections.

The message sent, however, is not just for Democrats. It is for Republicans also. The most important message, however, is to the people themselves. The government belongs to the people. It is not designed to rule them, it is there to serve them and be answerable to them.

With mid-term elections on the horizon, it is important for those who want good government to get involved. Support those elected officials who have done a good job. Get rid of those who have not. Remember, no matter how unlikely a longshot a challenger may seem, power does reside with the people. A candidate can win if that candidate is a good person, works hard, understands the process, and is supported by good people. Never think that because you are only one person, you do not count or cannot change things. Get involved. You may not be able to do great things, but you can do something. If enough people feel that way, collectively, they can do great things.

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