5 Mar. 2012 Posted by Mr. Curmudgeon in Mr. Curmudgeon [1]

There Goes That Constitution Again! [2]

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Despite the best efforts of Progressives, the United States Constitution keeps rearing its ugly head. On Monday, U.S. District Judge Benson Everett Legg declared Maryland's draconian handgun permitting process unconstitutional. Under Maryland law, a "permit to carry" requires the applicant to prove he or she has "good and substantial reason" for carrying said firearm and that its possession is "necessary as a reasonable precaution against apprehended danger." Needless to say, the law's final arbiter of "necessary," "reasonable" and the all-important "apprehended danger" falls to the Secretary of State Police Handgun Permit Review Board.

Back in 2002, Raymond Woollard of Hampstead, Maryland, felt it necessary and quite reasonable that the Handgun Permit Review Board allow him to pack heat after a physical altercation with an intruder in his home. But the board failed to see potential threats to Woollard "occurring beyond his residence" and denied him a permit. "People have a right to carry a gun for self-defense and don't have to prove that there's a special reason for them to seek the permit," Alan Gura, Woollard's attorney, told the *Annapolis Daily Record*, "We're not against the idea of a permit process, but the licensing system has to acknowledge that there's a right to bear arms."

Judge Legg agreed, "A citizen may not be required to offer a 'good and substantial reason' why he should be permitted to exercise his rights," wrote Legg in his ruling, "The right's existence is all the reason he needs." With that, Legg fired a high-powered volley into a central premise of the Progressive left: that appointed bureaucratic commissars decide what is and isn't a Constitutional right. Similarly, Federal health-care commissars now insist the First Amendment's free exercise clause does not apply when the needs of promiscuous Georgetown coeds must be met – with cash and the trampled conscience of the Catholic Church.

Maryland Representative Roscoe Bartlett said it best, "The burden should be on the government to prove that an American is unfit to exercise this Constitutional right." That, however, requires an impartial judge and a jury of our peers. Progressive commissars believe they are above such restrictive requirements. Besides, they've already ruled on the matter.

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