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SPEAKERS

Evan Nappen, Speaker 3

Evan Nappen 00:00

Hi, I'm Evan Nappen, and welcome to Gun Lawyer. Of course, Gun Lawyer now has a sponsor. Very proud that the Association of New Jersey Rifle & Pistol Clubs, anjrpc.org, is sponsoring our show. Today I want to talk about reparations for gun owners. You know, you may hear about reparations, and maybe you've heard about reparations. You hear reparations being tossed about as something we should do to address America's past regarding slavery, and descendants of slaves should be paid reparations for what their ancestors went through. Now, without getting into that whole debate whether we should or shouldn't do that, it does raise an interesting question about reparations. Some people claim well, the entire Civil War was reparations paid for that debt.

Evan Nappen 01:27

But putting aside the question of whether reparations should be paid by slavery, I started looking into the idea of reparations, and is this something that has been done before in any other contexts? What is the deal with that? So, I found a very interesting article. It's called "Reparations in the United States", and it's from University Mass. It is written by Allen J. Davis, Ed.D. (<https://guides.library.umass.edu/reparations>) It's "An Historical Timeline of Reparations Payments Made From 1783 through 2022 by the United States Government, States, Cities, Religious Institutions, Universities, Corporations, and Communities." It is quite an extensive list. I never realized before just how much and how many times, reparations throughout history have been paid by governments and entities for all kinds of wrongdoing.

Evan Nappen 02:38

It started out here in this paper by Davis, in 1783 Belinda Sutton, who apparently was sold into slavery in Massachusetts. After 50 years of enslavement, she was made a freedwoman, and she petitioned Massachusetts to get a pension. She was actually paid a pension of 15 pounds, 12 shillings, whatever that meant back then, from her enslaver. This is one of the earliest records of this in terms of it applying to slavery. Then it goes to 1863 when mobs of white New Yorkers terrorized black people by roaming the streets and setting fire to buildings. There were deaths that are estimated 100 to 1000. All the merchants apparently got together, and they raised over three quarters of a million dollars in today's dollars to pay reparations for what had happened.

Evan Nappen 03:57

Of course, there's 1865, the famous William Sherman, and (U.S.) Secretary (of War Edwin) Stanton, where they met with black leaders (in Savannah, Georgia). General Sherman issued Special Field Order No. 15., that Black people would receive an army mule and not more than 40 acres in South Carolina and Georgia. You may have heard about that reparation. In 1866, the (Southern) Homestead Act. In 1878, there are damages paid in Kentucky, and it goes on. Then in 1924, there's Pueblo Lands Act where it's reparations to Native Americans. All through that period from the '20s, '30s, and '40s, different reparations paid by the Government to Native Americans. Even into the '50s that continued. Payment as well to people in Alaska.

Evan Nappen 05:13

It goes on, all the injustice and then in 1970, Richard Nixon restored the Blue Lake and surrounding area in New Mexico (to the Taos Pueblo). Money was paid in '71 about \$1 billion plus 44 million acres of land in the Alaska Native Claims Settlement Act. It goes on and on. You should see list after list of payments and such. In 1988, what do we have? We have President Reagan signing a bill that apologized to 60,000 living Japanese-Americans who had been put in internment camps and paid \$1.2 billion (\$20,000 a person). Additionally, \$12,000 and an apology to the (Unangans) Aleuts for internment (during WWII). It goes on and on.

Evan Nappen 06:12

Here again, more reparations payments. In 1994, where you see the State of Florida approving \$2.1 million for survivors of a 1923 racial pogrom. In 1997, Bill Clinton apologized to survivors of the Tuskegee, Alabama, syphilis tests. Then Governor Keaton in Oklahoma paid reparations (in the form of low-income student scholarships), and it goes on and on. It's really amazing how many times, how many things, all the money, and apologizing for individual's rights, who had been trampled in various ways and various means. In 2019, Senator Booker from New Jersey put forward to study and have a report and look at different proposals for reparations. He said the bill is a way of addressing head on the persistence of racism, white supremacy, implicit racial bias in the country. It'll bring together the best minds to study the issue and propose solutions to begin to right the economic scales of past harms. You see this theme all throughout reparations.

Evan Nappen 07:52

So, today, I want to talk about the harms, the past harms, and even ongoing harms that are done to gun owners and to our Second Amendment rights. Our Constitutional rights have been trampled upon and disrespected. Particularly in New Jersey, where now, thanks to the Bruen case, making it clear just how unconstitutional it is to require justifiable need. So that individuals for basically 50 years in New Jersey have essentially been denied their right to defend themselves under the constitutional dimensions that we now recognize, officially, as being protected. You may say, well, come on, slavery versus this, slavery, and these other horrible injustices. Well, I want to ask you something. How much do you value your Constitutional right? How much do you value your right to protect your life and to protect those that you love? Isn't there a fundamental right here, that the state of New Jersey has intentionally crushed for over 50 years? By having this justifiable need requirement? That made it so that basically, less than 600 carry licenses were issued to the elites in our society, denying all others this fundamental right to defend themselves? How many lives did that cost? How many people could

have defended themselves? From violence, rapes, from murders, etc, were denied that ability because of New Jersey who took away their rights.

Evan Nappen 10:09

Now with the ability to get licensing, we're talking about hundreds of 1000s of individuals currently applying. And that's just now. Think of how many over 50 years. So, I say it's time for reparations to gun owners, particularly gun owners in states like New Jersey, where the state has systematically denied their rights, our rights for 50 years. I want an apology from New Jersey, the way that governments in the past have apologized for previous prior wrongdoings. It needs to be stated and not only apologized, but financial compensation to any gun owner who wanted to get a carry to protect themselves but didn't because of justifiable need. Even more money to those who wanted to get it and were victims of violent crime and could not protect themselves, because New Jersey stopped them and turn them into victims. Individuals who applied to get a license and were denied because of the unconstitutional justifiable need requirement.

Evan Nappen 11:41

There should be a scale and reparations should be paid and apologies made for New Jersey crushing individual rights to defend themselves and not be victims, and in fact, be able to exercise their Constitutional rights. You think, oh, this is a crazy idea. Well, you know what, it isn't really that crazy. Because real people have been hurt and seriously harmed and even killed because of New Jersey's actions. It's serious, and nothing is impossible. As political tides and things change, keep in mind that reparations need to be made. And look, all these instances in the history of reparations, they didn't just occur overnight. It started with individuals demanding them, asking for them and continuously saying we deserve this. Until finally the right thing gets done. And I say here is that situation. The right thing can be done. New Jersey needs to apologize to gun owners and New Jersey needs to pay reparations for the harms that they've done to gun owners and for the harms they are continuing to do. This has to end, and they need to be held accountable and recognize and admit that this is wrong. It's been done to good law-abiding people causing irreparable harm, and when it comes to carry, this has been done for over 50 years. When we come back, I want to talk to you about gun violence. Oooh, boy wait until you hear about that.

Speaker 3 13:50

For over 30 years Attorney Evan Nappen has seen what rotten laws do to good people. That's why he's dedicated his life to fighting for the rights of America's gun owners. A fearsome courtroom litigator fighting for rights, justice, and freedom. An unrelenting gun rights spokesman tearing away at anti-gun propaganda to expose the truth. Author of six best-selling books on gun rights, including Nappen on Gun Law, a bright orange gun law Bible that sits atop the desk of virtually every lawyer, police chief, firearms dealer and savvy gun owner. That's what made Evan Knapp and America's Gun Lawyer. Gun laws are designed to make you a criminal. Don't become the innocent victim of a vicious anti-gun legal system. This is the guy you want on your side. Keep his name and number in your wallet, and hope you never have to use it. But if you live, work, or travel with a firearm, the deck is already stacked against you. You can find him on the web at EvanNappen.com or follow the link on the Gun Lawyer resource page. Evan Nappen - America's Gun Lawyer.

Speaker 3 15:04

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Evan Nappen 15:10

Hey, welcome back to Gun Lawyer. I'm Evan Nappen, and, of course, I'm extremely proud and happy to have a great sponsor of our show, the Association of New Jersey Rifle & Pistol Clubs, anjrpc.org. Let me tell you, that is a fantastic group, and it is a group that you must belong to. And I'm not just saying that because they're a sponsor. I really never had a sponsor on this show. I've never been about that. But it's something I believe in. I believe in with all my heart, the Association of New Jersey Rifle & Pistol Clubs. The organization that is there defending your rights, and litigating these issues and having a full time paid lobbyists in Trenton fighting for our gun rights, and having a great dedicated Board of Directors and top officers, including President Kathy Chatterton and our Executive Director, Scott Bach, and all the great folks there that worked so hard, protecting our Second Amendment rights. And they really do.

Evan Nappen 15:19

By being a member, you get tremendous benefits. Because you're part of this main body of dedicated individuals that are fighting for our rights, and you will be part of it. You will be able to get the email alerts, the action alerts, so that you know what's going on and steps you can easily take to let your voice be heard. You will know about things you can do to protect yourself, legally, to know what's coming and what you can do so that you don't become a victim of New Jersey gun laws. A tremendous newsletter that is sent out. Really top notch, and it's an excellent resource. But most importantly, it's unity of gun owners that can impact directly on legislative actions. Remember, we're in the toughest state with the toughest fight. And it is just great to have an organization like the Association of New Jersey Rifle & Pistol Clubs. They're on our side to fight this battle, where the odds are so stacked against us, and the incredible work that's being done. And let me say there's a lot of great gun groups all throughout the country and other groups in New Jersey. And none of this means that you should not participate or belong to any of those other groups. But one thing is certain, you have to belong to the Association. That's primary. It's critical. So, please, if you're not a member, join the state association. Go to anjrpc.org.

Evan Nappen 18:17

So, I assume you've heard the term gun violence. It's often bothered me when I hear gun violence being bandied about and recently, a fantastic great article came in AmmoLand. AmmoLand is a newsfeed of pro-gun articles and news, and it's excellent. One of my favorite writers at AmmoLand is Dean Weingarten. Anything Dean Weingarten writes is always just first rate, and I always learn something, and I really admire his work. But this particular article really caught my attention, and I want to share it with you and talk about the concept here, because it's really critical. The title of the article is "How the Orwellian Term "Gun Violence" is used to Push Citizen Disarmament.

<https://www.ammoland.com/2022/11/how-the-orwellian-term-gun-violence-is-used-to-push-citizen-disarmament/#axzz7mKqc0o3l>

Evan Nappen 19:21

It really is an excellent point about this. Dean says, "The term 'gun violence' has been deliberately inculcated into the public debate over the last 20 years." It is a common term now in news articles, etc. And it's true. You see it in the lamestream media all the time and even in amicus briefs to the courts. He goes on to explain how gun violence is, in his opinion, an Orwellian term. And what he means by that is that it is designed to structure and limit debate to predetermined solutions. It's designed to hamper the ability to think about reality in certain ways and that's the purpose. It is Orwellian structured. Because the term "gun violence" is a loaded term, no pun intended. It truly is loaded. It truly is Orwellian. Think about this. As Dean points out in the article, guns themselves, guns can be used for legitimate purposes. Defense, hunting, etc. And guns can be used for illegitimate purposes. Specifically, what? Crime. So, guns can be used for both good things and bad things. The same thing is true for violence. Violence can be legitimately used or illegitimately used.

Evan Nappen 21:06

Let me tell you, folks, if somebody is threatening my life or my loved ones' lives with a weapon, I can assure you that I will be legally justified to use deadly force, and I will do so. And what am I doing? I am using violence to defend myself. That's right. Violence for the good guys is good violence. So, violence can be used legitimately. You use violence when you hunt and use violence to take and harvest your game. You use violence, it's a violent act, when you use deadly force to defend yourself. But it's not illegitimate violence. It's legitimate violence. Then, of course, there's illegitimate violence, and illegitimate violence is criminal, essentially. So, what should the term really be? It really should be criminal violence. What we need to talk about is not gun violence. We need to talk about criminal violence.

Evan Nappen 22:32

Don't let them take the debate. Don't let them control the playing field by using that Orwellian term of gun violence. Guns themselves are not good or bad. Violence itself is not good or bad. But criminal violence is bad. If you want to talk about stopping criminal violence, I'm with you on that, but the use of the term "gun violence" is plainly Orwellian. Positioning and trying to structure and limit your thought, so that you're not addressing crime anymore. You're addressing guns, and guns are not crime. Okay, crime is different. Crime is bad. Guns are neutral. They can be used for good. They can be used for bad. The crime is plainly bad. This is how you have to break free of this mind control, this media manipulation. This is done intentionally. Believe me, the anti-gun think tanks put this together, purposely using this terminology.

Evan Nappen 23:57

Then they twist it on the other side. And the other side of that is the gun laws, oh they're "gun safety laws". Gun safety laws. And to what extent is there the safest gun law? Well, the safest gun safety law is a gun ban. So, now we're banning guns and that's gun safety law, you see. So, you can't fall into their trap. Don't use the term "gun violence". Use the term "criminal violence". If somebody uses the term "gun violence", call them out on it. Tell him it's an Orwellian term. That it is a loaded term. That it is a propaganda term. Want to talk about criminal violence? We can talk about that. But not gun violence.

Evan Nappen 24:46

Now, I did get an interesting letter from Ask Evan, and this is from James. James says, Hi, Mr. Nappen. My Bergen County Application was dropped off to the Superior Court in September. I'm starting to believe the court is purposely allowing the clock to run out, not signing any applications in the hope of the new Murphy gun bill. Then they will reject my current application, even though it presently complies with the issuance of the permit requirements at the present time. Should they allow the clock to run out purposely to make me go through this whole process again? Do I have any recourse? It seems politically driven the length of time that these applications just sit.

Evan Nappen 25:36

Let me tell you something. I think there's a lot of truth in what is being said here by James. And that's because the court is overwhelmed with applications. This new law is apparently going to be heard in committee in the Senate on Monday (5 Dec 2022). It's already passed the House. Even though we're fighting it the best we can, I'm sure there will be litigation very quickly. If it does get signed, I think the odds of it becoming law are very strong. Because the politics are so solidly against us. Because of the anti-rights folks having the control. New Jersey doesn't want to accept the situation where law-abiding citizens can be defenders instead of victims. I mean, they've blatantly gone out, we've talked about commentary, they said. This bill isn't about crime. It is about controlling citizens, you, from having guns, even though you are legal, licensed, trained, all that. They admit that's what it's about. Crushing our rights. They have no shame. So, I think we're going to see this in some version, and pretty similar to what's already out there. It's going to pass.

Evan Nappen 27:07

One of the things it does right away is it removes judges from the process. It imposes other requirements right away. You have to get more references, four references. You're going to have to have insurance that apparently is not even available to be had. You're going to have other training requirements that have to be met. Even those that have licenses already, you're going to have to retroactively comply. So, if your application is pending and this law passes, judges are out of the game, and therefore it's going back. Since you don't meet the requirements of the new law, now, I think you're going to see a situation where exactly what James is concerned about is going to happen. Many, many applications are going to be sent back, and the process is going to have to start again. And it's going to be a mess.

Evan Nappen 28:08

It is going to require now, instead of \$50, it's going to be \$200 for the application, and the whole slew of new requirements are all going to be in place. The courts will no longer have to be burdened with these applications that they themselves could have not handled over 50 years ago, when the court even questioned why they were being licensed authorities. But decided to do it so they could define "justifiable need" as a way to stop us from getting carry licenses. Look at the court history, and you see that. So, now that game's over, and they don't want any part of it. I think we're going to see, when this law passes, because remember things are going to take effect very quickly on it. The judges provision takes effect immediately on passage. That is the amended bill. No more judges, and then it's all going back. And it's going to cause a lot of grief and a lot of problems. But I think this is fair speculation here. So, prepare yourselves. If you actually have applications pending, this is a very strong possibility.

Evan Nappen 29:34

I want to thank again our sponsor, anjrpc.org That's the Association of New Jersey Rifle & Pistol Clubs. This is Evan Nappen, reminding you that gun laws don't protect honest citizens from criminals. They protect criminals from honest citizens. And boy, do we see that over and over again.

Speaker 3 30:03

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