



Written by [Joe Wolverton, II, J.D.](#) on June 2, 2023

## Hunter Biden: Defender of the Second Amendment?

“I have often seen honest Tories foolishly defending knavish Tories; and untainted Whigs protecting corrupt Whigs, even in instances where they acted against the principles of all Whigs; and by that means depreciated Whiggism itself, and gave the stupid herd occasion to believe that they had no principles at all, but were only a factious combination for preferment and power.” — Cato’s Letter No. 16 (February 11, 1721)

As unlikely as it may seem, Hunter Biden may become the next great defender of the Second Amendment. Yep. You read that right. Here’s [a little backstory](#) as published in the Washington Free Beacon:



AP Images  
Hunter Biden

The first son faces a probe by the Justice Department over a handgun he purchased in 2018, a time when he has admitted he was often using crack cocaine. Drug users are federally prohibited from owning guns.

Lawyers for Biden told the Justice Department they will use the Second Amendment as defense for his purchase if he is charged, arguing that the prohibition on gun purchases for drug users is unconstitutional, a source told Politico.

Hunter wrote in his memoir that he “was smoking crack every 15 minutes” at the time, but he marked on the gun purchase form that he was not an active drug user.

Per the Bureau of Alcohol, Tobacco, and Firearms ([ATF website](#)), anyone who is “an unlawful user of or addicted to any controlled substance ... cannot legally receive or possess firearms and/or ammunition.”

Well, it would seem that Hunter Biden, the son of the man frenetically moving toward total civilian disarmament, is going to force his father to either 1) defend his son and his son’s right to own a weapon and the unconstitutionality of the ATF’s regulation against such people owning firearms; or 2) Stick to his guns and not only allow, but to insist, that his son be punished for having violated a regulation so dear to the president’s platform. Should Hunter lose his Second Amendment challenge (assuming his lawyers carry out their projected plan), then the regulation calls for a sentence of “up to 15 years in prison.”

So, President Biden is in the unenviable position of deciding which he cares for more: his power or his progeny.

The remarkable part of the story is that Joe Biden is only in this position because of his commitment to carry on violating his oath of office — an oath he voluntarily swore to God — and usurping powers not granted to him by the states in the Constitution, the document that is the source of all the president’s power.



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You see, if Joe Biden took seriously oaths he swore to God or the concept of republican government or the concept of separation of powers or the concept of natural law or the concept of the Constitution at all, he would not be faced with this difficult dilemma.

The Second Amendment to the U.S. Constitution does not grant to anyone the right to do anything. The right to keep and bear arms and the prohibition on the infringement of that right by government is protected by the Second Amendment, but is granted by God.

The right to protect one's life, liberty, and property is born with man and is not granted by any charter or constitution.

In the United States, that right is expressly protected by the law (the Second Amendment), but it isn't necessary that there be an express protection provided in the Constitution for that right to exist and to exist independent of government or grant whatsoever.

The issue of whether Hunter Biden should own a weapon or not is not up to the president or to the ATF or to you or to me. Owning a weapon is a natural right.

Now, if one were to use that weapon in the commission of a crime — particularly a crime harming or endangering the life, liberty, and property of another person — then after having been convicted of committing that crime by a jury of his peers, that person's rights may be temporarily suspended as punishment for violating the law.

*The law*, not a regulation written by a bureaucrat employed (unconstitutionally) by the Executive Branch of the federal government.

In the United States, for a law to be valid in the union, it must be passed by Congress as set forth in Article I. In fact, the first sentence of the Constitution (excluding the preamble) is "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." Simple. No room for confusion. Laws for the union of republics known as the United States of America come from Congress, not from the president.

Regulations are not laws, therefore, Hunter Biden, at least in his ownership of a firearm while apparently addicted to crack, did not break the law. He violated a violation — a usurpation — of the law.

I'll leave the last word to forgotten Founding Father St. George Tucker, who explained, "A law limited to such objects as may be authorized by the constitution, would, under the true construction of this clause, be the supreme law of the land; but a law not limited to those objects, or not made pursuant to the constitution, would not be the supreme law of the land, but an act of usurpation, and consequently void."



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