

THE WEAPON SHOPS OF ISHER

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February 16, 2017

The right to be armed is the right to be free! This call, like the battle cry of the Archangel Michael, *Who is like God?!*, echoes down the ages of Man. If you are not armed, you are always wholly at the mercy of tyrants. Who can argue with such a truism? A lot of people, actually. For the phrase does not, in fact, echo down the ages of Man. It dates only to 1941, when this book, a now obscure science fiction classic, was first published—and the principle itself is not much older. So, rather than making this review the pro-weapons screed my (few) readers doubtless expect, I will explore the principle itself—in particular its limitations within a conservative philosophical framework.

Of course, regardless of how new or valid it is, this principle is a core principle, perhaps the core principle, of the American system. It is the reason for the Second Amendment. Naturally, the arguments for the principle would be the same without any constitutional provision, but the Amendment's existence keeps in our minds something many would rather ignore about the American Founding. And that is that the Second Amendment does not exist so that we can better defend ourselves against burglars, robbers, and mobs, and even less so that we can hunt, but rather so that the agents of the government may be more easily slain and the government overthrown by brute force if it ever becomes necessary. In the philosophy behind the United States Constitution, it is this, ultimately, that is the sole bulwark of our freedom and of our children's freedom.

Some think that this is a contradiction in terms—how can our founding document contain within itself an admission that the government can, in certain circumstances, be violently overthrown, especially when that document itself defines treason as “levying war . . . against the United States”? Left-wing historian Garry Wills is the best-known advocate of this view, which he promulgated originally in 1995, at the beginning of the modern renaissance of the Second Amendment, since then given substantial effect by the Supreme Court. Among other dubious efforts, Wills attempts to void Madison's arguments in Federalist No. 46 as irrelevant to the Second Amendment, and labels the anti-tyranny arguments

for the Second Amendment themselves “absurd.” This despite their obvious origin and applicability—for example, Madison noted that a tyrannical government “would be opposed [by] a militia amounting to near half a million of citizens with arms in their hands.”

But, whatever Wills and his allies would like, the idea that the Second Amendment is designed to effectuate rebellion is not a contradiction at all. The Amendment merely recognizes that a government that becomes tyrannical, and therefore deserving of overthrow, is not going to announce that “tyranny begins today.” It will likely pretend that everything is normal and the Constitution is still the law of the land. Thus, the Second Amendment is meant to structurally make it possible for the necessary to happen, by both preventing a non-tyrannical *present* government from undermining the ability of the citizens to overthrow a *future* tyrannical government, and also by allowing the citizenry to identify that tyranny has arrived, since, like all tyrannies, one of its first acts will be to confiscate or sharply limit the rights of citizens to own weapons, in contravention of the Amendment. (Whether any government that does so is necessarily a tyranny is another question; but it cannot be historically disputed that any new tyranny always quickly confiscates weapons as a threat to itself.) Wills errs by not separating now, which is when the Amendment is needed, from the possible future, when the Amendment itself is not needed, and in fact is irrelevant, but rather what is then needed and relevant is what the Amendment made possible.

This conception of the role of weapons is perhaps the real dividing line in America today, dividing those who recognize the reason for the Second Amendment from those who don't. Between them is fixed a gulf as deep and wide as that dividing Lazarus and the rich man. But, leaving aside the American framework and the Constitution, is it true that “the right to be armed is the right to be free”? Or, phrased another way, is it true that justice, natural law, or political philosophy require that the people be armed against the government?

But first, the story. I read this book as a small child, and perhaps it was formative. I remembered the key phrase wrong—it is actually “The right to buy weapons is the right to be free.” This book, by A. E. van Vogt, takes place around A.D. 9000. For a very long time, the Empire of Man (consisting of Earth and colonized planets) has been ruled by

the hereditary House of Isher, and is now ruled by the young Empress Innelda Isher. The Empire is subject to the usual strains and struggles of any large empire, but is generally regarded favorably by its citizens, even if most prefer to gloss over its less-pleasant aspects.

What keeps the Empire of Man stable, however, is the Weapon Shops. For two thousand years, a shadowy group of people have operated a chain of literal Weapon Shops. Found all across the Empire, indestructible, and not open to anyone who serves the Empire, they sell guns to everyone else, of every variety, for extremely low prices (which also shield the wielder against most offensive weapons directed at him). Emblazoned across each shop is the lit, giant banner “Fine Weapons. The Right to Buy Weapons is the Right to Be Free.” The operators of the Weapon Shops are in essence a parallel government that keeps a check and a brake on whatever government Earth has. It is a form of division of powers. (We can ignore, for after all this is allegory, that a real, wholly parallel, government with as much power as the Weapon Shops, who also operate a parallel judicial system, and have superior technology, would actually be a very unstable system.)

“[The idea of the founder of the Weapon Shops] was nothing less than that whatever government was in power should not be overthrown. But that an organization should be set up which would have one principal purpose—to ensure that no government ever again obtained complete power over its people. . . . What counts is that many millions of people have the knowledge that they can go to a weapon shop if they want to protect themselves and their families. And, even more important, the forces that would normally try to enslave them are restrained by the conviction that it is dangerous to press people too far. And so a great balance has been struck between those who govern and those who are governed.” But the Weapon Shops and their organizers are not there to fight for any particular form of government, or for anything at all, themselves. “When a people lose the courage to resist encroachment on their rights, then they can’t be saved by an outside force. Our belief is that people always have the kind of government they want and that individuals must bear the risks of freedom, even to the extent of giving their lives.”

The story itself (actually three short stories linked to each other) revolves around a surprise attack mounted by Empress Innelda against

the Weapon Shops. It involves the accidental appearance of a Weapon Shop in 1951 as a result of the energies released by the attack, and the response of the Weapon Shops to the attack by the Empress. The story examines the constraints upon the Empress, heading a giant and unwieldy organization containing many people working at cross-purposes; the impact of the Weapon Shops on the inhabitants of a small town; and the ultimate restoration of the balance of power. It's not a bad story, actually, though a bit didactic in spots. And, as I say, it's really an allegory, not Shakespeare.

OK, back to the philosophical question. A brief historical survey is in order. The idea of the right to keep and bear arms as a general right of the citizenry originated in political thought not long before the American Revolution. It originated only in England and not in a way that Americans would really recognize—more as a right, around the time of the Glorious Revolution, for law-abiding men to maintain weapons such that public order could be defended, from foreign or domestic enemies, when so commanded by the King or local men with authority. This was not much of a departure from past English law, the structure of which (as many writers have explored) developed as a system in which neither the monarchy nor the nobility was supreme. This split of power implied that no single locus of power was great enough to wholly forbid weapons to the majority of people, with the result that the citizenry tended to hold weapons, which also reduced the need for a standing army, perceived as a desirable end. That's somewhat of an oversimplification, of course, and on the Continent, there was even less of a "right" to own weapons, and none in Asia or the Middle East. But long past the Renaissance, no political thinker, and no political system, suggested that there was an inherent right for men to own weapons to use wholly as they chose, including against the government, or some benefit to the *polis* for them to do so.

That is, no earlier political thinker thought in terms of justice or natural law requiring that men be armed against the government. Certainly, any writer in the Classical Age in the West would have thought that free men were to have arms, but not to defend themselves against the government, rather to be able to place them in service of the state when called. For example, as M. I. Finley pointed out, in ancient Athens, in crisis situations involving organized opposition to the state, given the

total absence of any kind of regular police force, and given that a high percentage of men had military experience, armed men could be summoned as volunteers to enforce the will of the state. Christian writers thought much the same; there is little sanction in the Bible, and not much more in tradition, for armed self-defense of the individual against marauders, and none for defense against the state itself.

Yes, self-defense against individuals, or groups of individuals, was always recognized as a natural right in classical and often recognized in Christian thinking (although with limitations in the Christian context, given the admonition to turn the other cheek). But that is conceptually wholly a different thing than defense against the government, meaning armed resistance to the government's wishes. In all earlier Western thinking, defense against tyranny generally consisted of seeking a just state or convincing the rulers of the state to act justly, not overturning the state or acting otherwise contrary to law. Socrates did not dig his AR-15 out of his floor, summon his followers and overthrow the government of Athens. Those who overturned the state did so for their own reasons, sometimes personal, sometimes claiming larger justice. But if they succeeded, they did not distribute weapons to the citizenry to make it easier next time. And one state might attack another claiming the abstract dictates of justice, such as in the Crusades. Nobody advocated that citizens should, by right, attack the government if it acted unjustly enough.

After the Renaissance, modern political thinkers would have denied the right to own personal weapons as contrary to the posited social contract, whereby individuals gave power to Leviathan in order that they be protected from harm from others (Hobbes), or delegated their rights of self-defense to the government (Locke). Certainly, the right to individual self-defense against robbers and cutthroats was recognized by Hobbes, Locke, Burke, and others, but crucially, not generally against the state, and to the extent a right to rebellion was recognized, it was not to be effectuated by an ongoing right to own weapons. And, of course, outside the West, where the rule of law was nearly always non-existent, there was no thought whatsoever of any right to be armed. The idea that a Chinese free peasant or a Persian merchant could demand that the state allow him weapons such that he could rebel against the state would have earned, if expressed, both peasant and merchant a swift death.

So the idea that all free men should own weapons, in order to maintain freedom, was mostly an American idea, formed immediately prior to the Revolution. It found its expression in the Second Amendment (and similar provisions in state constitutions), with its call for a “A well regulated Militia, being necessary to the security of a free State.” At the time, of course, “regulated” meant “well-equipped and trained,” not regulated in the modern sense of “subject to government dictates,” which would have been entirely contrary to the Amendment. Similarly, the “militia,” as under British law, was all free men—but in America, they were to come together on their own initiative when necessary, or at the initiative of local authorities, not under the direction of the federal government (as Madison noted in *Federalist No. 46*).

We can conclude that the right to own weapons is relatively new, or relatively recently recognized. This makes it difficult for conservatives who recognize natural rights to claim that it is based in natural law—that is, it is something that we can conclude, through reason, is a basic moral principle. This is because the idea of a newly discovered natural right is nearly a contradiction in terms. Even to the extent that natural law can be combined with Lockean liberalism, as C. S. Lewis held, neither Locke nor natural law seem to suggest an absolute right to own weapons.

You can certainly argue that there is a natural law right to own weapons and to use them against the government. One possible argument is that if there is a natural law right to self-defense against individuals, there is necessarily one against the state. While plausible on the surface, this is contrary to all, or almost all, traditional natural law theory, which, following Aristotle and others, treats the state as wholly different from the individual. Here, again, the classic example is Socrates and his response to unjust treatment by the state.

Another possible argument is that the natural law right has only become evident through reason in modern times, for it is only in recent times that we have seen tyrannies with the power and scope of modern governments, which can dominate and interfere with all aspects of life to a degree impossible to comprehend to earlier generations (both totalitarian governments, and our own current government, although the latter is not a tyranny). Their existence could be taken to imply a right to resist, of self-defense, that does not exist with milder, less powerful forms

of government. Moreover, and buttressing this, it is only in relatively modern times that weapons can be widely distributed enough to make coherent rebellion with a decent chance of success possible—although, perhaps, it is a question of balance, not just the quality of the arms. (It is frequently argued that modern high-end military capabilities make rebellion impossible. That is, of course, silly. The point of having small arms in civilian hands is not just to shoot the agents of the government; it is also to enable the seizure of heavier weapons—once cannon, now rockets, but it is all the same in the end.) Thus, perhaps, the right to own weapons is now a clearer natural right, one that always existed but was in shadow.

But let's assume that the natural law argument is rejected. We can more easily and accurately place the right to own weapons within a post-Enlightenment, liberty-focused framework. That fits into the Second Amendment and the political philosophies that formed America. For conservatives, though, this creates a dilemma. Increasingly in today's America, as the conservative movement fragments, there are two main bodies of conservative thought. One, roughly describable as classical liberals, wants to return America to that Founding post-Enlightenment, liberty-focused framework, believing it destroyed by left-liberals. There is no dilemma about weapons for these thinkers, and they merely complement Peter Thiel's techno-libertarian paradise.

The other body of thinkers, newly rising to prominence, believes that it is the unbridled autonomy and individualism, at the core of that liberty-focused framework, which itself necessarily ultimately brings us to the same place to which left-liberals want us to arrive, of untrammelled vice backed by government force. They believe that ever-expanding liberty necessarily becomes defined as unrestrained appetite, rather than Aristotle's measured liberty and self-governance. Moreover, they believe that acquiring such liberty then dictates an ever-expanding and ever-more powerful state to effectuate that liberty, and to remove the limitations that human nature, society, and even reality place upon humans. And, ultimately, this is no different than the vision of the progressive Left, and is a form of tyranny, in which the only enemy is any who would deny autonomy or hold to objective moral principles.

Perhaps such unbridled autonomy is thus the necessary consequence of the principles of America's Founding. Yes, our society held strong

for a few centuries—but when the moral fiber and cohesion of the populace decays, along with the intermediary institutions that made coherent national life aside from the state possible, society itself decays. (Of course, this is when tyranny looms, whether the soft tyranny of Tocqueville and Huxley, or the hard tyrannies exemplified by the twentieth century, but with better and more intrusive technology). In this view, Peter Thiel's techno-libertarian paradise is a pernicious fantasy.

How can a conservative who believes this, that is, not a classical liberal but rather something from before the age of Locke, harmonize limited autonomy with weapons whose rationale is to maximize, or at least ensure, autonomy? This strikes me as a real problem for that increasing number of conservatives who identify an excessive focus on unbridled liberty and individual autonomy as the original sin of the modern world. Maybe for those conservatives the exemplar should be Socrates, or Jesus in the Garden of Gethsemane, not the Minutemen.

One possible response, it seems to me, is that such conservatives can recognize that there should generally be limits on autonomy, but they should not be originated by the state, or to benefit the state. Instead, they should be organic, arising from society and benefitting society, maybe largely originating from local associations that used to make up society, but have been destroyed as sources of power and virtue in the modern world. These include churches, labor unions, bowling leagues, and many, many more. A virtuous society has to be self-limiting; a society that relies on the state to limit us has already arrived at tyranny. In such a world, weapons would not be an aspect of unbridled autonomy, but rather, similar to a limited form of the Enlightenment vision, a form of protection. Perhaps, in fact, local associations could weave weapons training into their regular routine, thus making weapons less of an individual activity and focus, and more of a binder for society, while at the same time serving the function of a hedge against tyranny.

However, this is not an argument that needs to be answered to determine if we should further expand individual ownership of weapons. For myself, I have sympathy with the idea that unbridled liberty is a curse upon the land, and some form of limitation from within society, not imposed from above, must be found to restore society. But society is not restored yet, and in *this* time, in *this* place, the right to own weapons is our ultimate shield and sword against a government, like ours,

that is nearly wholly illegitimate. It is nearly wholly illegitimate now in its claimed scope and many of its actions, and it would likely have become wholly illegitimate in short order had Hillary Clinton won the Presidency (not least by its certain efforts to confiscate weapons). Therefore, here, now, it is essential that every man and woman own weapons, such that in the hour of need they can be used. Whether in some future time we may lay them down, confident once again in the benevolence and humility of our government, and whether at that point there can be any confidence that the need will not rise again, is a question for another, brighter, day.