RIGHT TO FOOD NOT ARMS: BEEFING TO UPDATE SECOND AMENDMENT INTERPRETATION

Carmen M. Cusack

I. INTRODUCTION

A. Billy Graham and Andrew Johnson

Reverend Billy Graham has a gun in his museum. It is an artifact from his ministry—a nonfunctioning gun crafted by a gang member for self-defense on the streets. He took the gun in honor of the lad’s conversion to his religion. The minister went onto save many souls. The museum is situated next to his and his wife’s final resting place.

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4 Id.

5 Id.

6 Id.
The reverend introduces all visiting souls to the concept of animal rights. When one first enters his museum, his glorious haven for the Lord, one is greeted by animatronics, a lifelike cow and a cute cat, who perches. The message is in stark contrast to the sale of meat within the edifice. Graham was a farmer, and he loved his cows. This is part of the

7 Id.
8 Id.
12 Id.
13 Id.
14 Id.
message of the new Second Amendment interpretation: survive, but harm none.\textsuperscript{15}

Similar to Graham, President Andrew Johnson delivered a compassionate, and yet protective, speech while acting as the Governor of Tennessee.\textsuperscript{16}

Looking at this vast crowd, […] and reflecting through what a storm of persecution and obloquy they are compelled to pass, I am almost induced to wish that, as in the days of old, a Moses might arise who should lead them safely to their promised land of freedom and happiness.\textsuperscript{17}

Americans have suffered through crime waves, but others’ crimes are no excuse for ever-present and lethal threats in the home, wild, or public.\textsuperscript{18} Despite chaos and crime sprees during his era, Johnson aspired for people to defend themselves, yet allow peace and goodwill to predominate.\textsuperscript{19} Present-day Americans may receive instruction from him as they

\begin{flushright}
\textsuperscript{15} Id. \\
\textsuperscript{16} Id. Andrew Johnson, Moses Speech, National Park Service, Available at https://www.nps.gov/anjo/learn/historyculture/moses-speech.htm. \\
\textsuperscript{17} Id. Numbers 27:12. \\
\textsuperscript{18} Johnson, National Park Service. \\
\textsuperscript{19} Id. \\
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hope for harm to be phased-out of society.\textsuperscript{20} Johnson said, “let them defend themselves as all men have a right to do.”\textsuperscript{21} He echoed the Declaration of Independence, which says, “We must, therefore, acquiesce in the necessity,” “and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.”\textsuperscript{22} President Johnson said, “I speak now as one who feels the world his country, and all who love equal rights his friends.”\textsuperscript{23}

The Second Amendment represents a universal truth that all are entitled to survive without violence.\textsuperscript{24} Food, not arms such as guns, is necessary for survival.\textsuperscript{25} Thus, the Second Amendment’s greater purpose may be right to food.\textsuperscript{26} The right to food is a universal right (i.e., human right).\textsuperscript{27} Despite terms relegating rights exclusively to humans or

\textsuperscript{20} Id. Jax Hunter, \textit{The 2nd Amendment}, Revolutionary War and Beyond, Available at www.revolutionary-war-and-beyond.com/2nd-amendment.html.

\textsuperscript{21} Johnson, National Park Service.

\textsuperscript{22} United States Congress, \textit{Declaration of Independence}, July 4, 1776.

\textsuperscript{23} Id.

\textsuperscript{24} \textit{E.g.}, U.S. Const. am. VIII.

\textsuperscript{25} \textit{Infra} Section II.

\textsuperscript{26} U.S. Const. am. II.

\textsuperscript{27} Id.
worlds beyond, the meaning of a right in this sense is that it is unassailable, like an “unalienable right.”

A right to food is innate. The government is obligated and obligates citizens to feed dependent minors. Satisfaction of innate needs through enforcement of rights may deter some crime and reduce threat and resolve to shoot. Without guns,

28 Id. United States Congress, Declaration of Independence, July 4, 1776. President Barack Obama used the term to denounce the murder of multiple elementary school students. Valerie Strauss, Are Our Rights ‘Inalienable’ or ‘Unalienable’?, WASHINGTON POST, July 4, 2015, Available at https://www.washingtonpost.com/news/answer-sheet/wp/2015/07/04/are-our-rights-inalienable-or-unalienable/?utm_term=.e4c580cd3ab2. Larry Buchanan, Josh Keller, Richard A. Oppel Jr., & Daniel Victor, How They Got Their Guns, THE NEW YORK TIMES, February 16, 2018, Available at https://www.nytimes.com/interactive/2015/10/03/us/how-mass-shooters-got-their-guns.html. A mass murder allegedly was perpetrated by Adam Lanza, the son of a gun owner. Id. “His mother, Nancy Lanza, a gun enthusiast, legally obtained and registered a large collection of weapons and would often take her sons to shooting ranges.” Id. Adam allegedly used Nancy’s gun to kill her before committing mass murder. Id.

29 Anne C. Bellows, A Systems-Based Human Rights Approach to a National Food Plan in the USA, RENEWABLE AGRICULTURE & FOOD SYSTEMS, 1 (2019).


31 Infra Section III.
those opposing the use of force and violence, such as against animals (e.g., deer and sows), may equally be protected from demise as those who have failed to be sensitive to violence and those who feel that they have been put to the disastrous and unsustainable task of eliminating competition and aggregating resources by force.32

B. Map

This Article argues that, in the United States, a right to food can be found under the Second Amendment.33 Although humans may have presumed that during dire situations people may take by force what they need to survive, the Second Amendment may be reimagined as the founders’ guarantee to food.34 Guns no longer may be used to

33 *Infra* Section III.
32 *Infra* Section III.

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take or respond to taking. The states and nation are well-defended and government institutions are capable of responding to threat and loss. As uses for weapons become obsolete and correlate with crime, right to food may be interpreted within the Second Amendment instead of distorting its original essence or repealing it altogether. An individual right to bear arms is an exaggerated interpretation of the Second Amendment. The purpose was to

ensure the means to oppose and overcome systemic failure (e.g., tyranny, government treachery, and foreign invasion).\(^{39}\) It was a collective right.\(^{40}\) According to this new interpretation, it may guarantee survival to the people and individuals.\(^{41}\)

Food supply, available through the government or nonprofit organizations, is believed by many people throughout the world to be an innate right guaranteed to all, including non-human life.\(^{42}\) Like any right, it is not unlimited.\(^{43}\) Yet, concerns about the parameters cannot stall the process of uncovering the contemporary and functional purpose of the Second Amendment.\(^{44}\) Furthermore, evidence of self-sustenance\(^{45}\) (i.e., breastmilk) may not satisfy

\(^{39}\) Hunter, *The 2nd Amendment*.

\(^{40}\) *Heller*, 554 U.S. 570.

\(^{41}\) *Infra* Section III.


\(^{44}\) *Contra Heller*, 554 U.S. 570.

\(^{45}\) The Constitution protects the right to eat that which is ejected or loosened from one’s body. Carmen M. Cusack, *TWINS* AND

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the aspirational purpose of the Second Amendment, which is to guarantee food to those without any means for survival. 46 In order to address the need for food and reestablish certainty of survival once guaranteed by the Second Amendment, which is now being used to promote unnecessary ownership of deadly weapons, this Article presents Constitutional jurisprudence and builds a new analysis.47 Section II of this Article revisits the framers’ original concerns about violent systemic failure.48 Rather than dismiss


46 Contra, Winkler, Is the Second Amendment Becoming Irrelevant.

47 Heller, 554 U.S. 570.

48 Infra Section II.
that history, it takes Justice Antonin Scalia’s tack by delving into the Second Amendment’s grammar.\(^49\)

Then, it argues against interpretations extending the Second Amendment to include an individual right publicly to carry an arm or privately possess a gun.\(^50\)

To fortify values undergirding the Second Amendment and modernize its effectiveness, Section II argues in favor of a collective right and an individual right to food.\(^51\)

This section discusses *stare decisis* to persuade the United States Supreme Court to renegotiate its position in *District of Columbia v. Heller*.\(^52\)

Section III discusses the innate right to food, including care of pets and working animals.\(^53\)

It argues the need for plant-based, vegan, and healthy food and fresh drinking water for all creatures as well as appropriate living conditions for plants.\(^54\)

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\(^{49}\) Hunter, *The 2nd Amendment*.

\(^{50}\) *Heller*, 554 U.S. 570.

\(^{51}\) *Contra, Heller*, 554 U.S. 570.


\(^{54}\) *Infra* Section III.
economics, and politics regarding cultivation of healthy plants, climate change, accords with humans in other countries and animals, supplemental assistance and pet food, and armed conflict. Section III discusses ethical treatment of animals by grocery stores, owners, and the government. It explains why hunting is not only unprotected by the United States Constitution, it is an indication of mental illness and unconducive to proliferation of rights and stability.\textsuperscript{55}

It offers suggestions to the government about how to generate charitable donations and save money to provide food for needy individuals. Section IV concludes.\textsuperscript{56}


\textsuperscript{56} infra Section IV.
II. SECOND AMENDMENT: HELLER V. DISTRICT OF COLUMBIA\textsuperscript{57}

A. Framers’ Intent

The United States Constitution was amended in 1791 to include the Bill of Rights.\textsuperscript{58} The second of the original ten amendments says, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”\textsuperscript{59} It granted to the people a right to defend states from ominous threats, such as federal tyranny, treachery from within the government, and foreign invasion.\textsuperscript{60}

In \textit{Heller v. District of Columbia}, the United States Supreme Court ruled that a litigating police officer could not be denied a permit to possess a private handgun in his home in the District of Columbia.\textsuperscript{61} Justice Scalia inventively analyzed commas within the Second Amendment and

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\begin{itemize}
\item \textsuperscript{57} \textit{Heller}, 554 U.S. 570.
\item \textsuperscript{58} \textit{Heller}, 554 U.S. 570; Hunter, \textit{The 2nd Amendment}.
\item \textsuperscript{59} U.S. Const. am. II.
\item \textsuperscript{60} \textit{Heller}, 554 U.S. 570; Hunter, \textit{The 2nd Amendment}.
\item \textsuperscript{61} \textit{Heller}, 554 U.S. 570.
\end{itemize}
Cusack hypothesized that two types of clauses were interpretable. He opined that the comma placement suggested that the Second Amendment did not limit a right to bear arms to the defense of a state. He suggested that an individual right was discernable. Instead of following the original framework to find that arms should only be used to defend the state during a dire emergency, he found that the litigant, a police officer, could carry an assembled weapon within his home for personal self-defense. According to this opinion, there is no right to bear an arm inside one’s home for any purpose other than self-defense. Because Justice Scalia took a linguistic tack, grammar may be analyzed to defeat his proposition. The phrase “well regulated” violates a hyphenation convention. The proposition that the Second Amendment is grammatically well-

62 Heller, 554 U.S. 570.
63 Id.
64 Id.
65 Id.
66 Id.
67 Id.
68 U.S. Const. am. II. “What is the Adjective for Regulate?,” Word Hippo, Available at https://www.wordhippo.com/what-is/the-adjective-for/regulate.html.
developed is therefore flawed. Some liberties were taken in its writing; but, the general purpose remains clear. The Second Amendment is not an enigma. This defies the validity of Justice Scalia’s notion that grammatical interpretations could be precisely wielded to unsheathe this mystery.

Self-defense is not the type of defense envisioned by framers when they guaranteed a right to the people. Private gun ownership could be analogized to a right to imply threats inside and outside the home. The presence of guns inherently may threaten and demand submission (i.e., “weapons effect”). Founders did not intend for people to have access to weapons in order to steal, kill, hunt, intimidate, terrorize, threaten, or cause harm.

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69 U.S. Const. am. II. Heller, 554 U.S. 570.
70 Hunter, The 2nd Amendment.
71 Hunter, The 2nd Amendment.
72 Heller, 554 U.S. 570.
73 U.S. Const. am. II.
74 Id.

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Despite claims by the unambitious majority in *Heller*, the Second Amendment was not included to devise a way for guns to be turned on people who enter others’ occupied edifices.77 Combatting crime is a role for law enforcement.78 Yet, even they do not frequently use or unholster weapons.79

Unlike the era during which the framers were uncertain as to whether the young nation would survive, America is presently stable, individuals typically are safe, and homes are secure.80 In spite of lengthy debates, notions about framers’ intent are superfluous because guns are not necessary due to improved security measures, abundance (e.g., iPhones), and peacefulness between states and the federal military.81 In short, this amendment

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79 *Id.*

80 U.S. Const. am. III, U.S. Const. am. IV.

expressed the forebearers’ potential need to defend from violent collapse. 82 Americans presently do not face that grave concern, and possibility of an invasion cannot override safety concerns or more promising implementations of the Second Amendment because the doctrinal foundation continues to bear merit. 83

In addition to framers’ intent, other data sufficiently demonstrates the context in which the Second Amendment originated. 84 Traditionally, the Second Amendment has been limited to military uses for weapons. 85 It discusses the militia (e.g., state guard). 86 American colonists were influenced by British law, which limited and prevented individuals

82 U.S. Const. am. II.
84 Id.
86 U.S. Const. am. II.

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from carrying weapons, such as daggers and firearms, in public.\textsuperscript{87} Any right to bear arms was defined by scenarios involving emergencies, and sometimes, exigent situations on private property.\textsuperscript{88} The government opposed disturbances caused by private ownership of weapons.\textsuperscript{89} For example, charges were brought against citizens appearing in public with firearms to defend their property, such as disputed slaves residing on others’ property.\textsuperscript{90} The United Kingdom strictly controls handguns in response to a massacre that occurred in the 1990s.\textsuperscript{91} It may be deduced that the British opinion of handgun control continues to influence Americans.\textsuperscript{92}

\textsuperscript{87} Frassetto, 43 S. Ill. U. L.J. 61.
\textsuperscript{88} Id.
\textsuperscript{89} Id.
\textsuperscript{92} Id.
B. Handgun Possession and Safety

Prior to Heller’s lawsuit, the city had already permitted the police officer to possess a handgun through his employer. The officer possibly may have been incentivized by his employment status to legalize handgun possession and the carrying of an assembled rifle within the home. Prior to the ruling, private gun ownership could officially be sanctioned by the District of Columbia. Those demanding to possess permitted weapons effectively were precluded from living in the city, which aspired to be gun-free. In reality, the Court concluded that the gun owner could demand that the city tolerate gun warfare. The law preventing the government from supporting gun possession was stricken. The Court failed to describe in its opinion why the officer required a personal handgun unrelated to his

\[93\text{ Id.}\]
\[94\text{ Id. Justice Policy Institute, United States Continuing to Overspend on Police, Despite Decreasing Crime Rates, May 22, 2012, Available at www.justicepolicy.org/research/3906.}\]
\[95\text{ Heller, 554 U.S. 570.}\]
\[96\text{ Id.}\]
\[97\text{ Id.}\]
\[98\text{ Id.}\]
profession in his home.\textsuperscript{99} Any lethal threat may have been met with a response from the officer whether on-duty or off-duty.\textsuperscript{100} Because he could possess a permitted, unassembled or locked rifle in Washington D.C., his claim raises disquieting questions.\textsuperscript{101} Did he believe that he needed an unlocked and assembled weapon for self-defense?\textsuperscript{102} Did he envision a scenario that he could not report to his employer or another appropriate law enforcement agency?\textsuperscript{103} Did his fantasy or fear require him to use a handgun spontaneously to shoot someone inside his home?\textsuperscript{104}

The Court said that a handgun ban was impermissible because Americans prefer to use handguns.\textsuperscript{105} Not only did the Court’s logic bootstrap

\textsuperscript{99} Id.
\textsuperscript{101} Heller, 554 U.S. 570.
\textsuperscript{102} Id.
\textsuperscript{103} Id.
\textsuperscript{104} Id.
\textsuperscript{105} Id.
its conclusion, it bestowed upon the masses legitimacy for having turned against the elected government’s authority.\textsuperscript{106} The Court envisioned an individual right in its response to rebellion.\textsuperscript{107} It surmised that because Americans use handguns and would like to break Washington’s law, then the government must permit them.\textsuperscript{108} The acquiescent Court found a new right to further their alleged collective demand.\textsuperscript{109} However, the \textit{Heller} Court was overreactive.\textsuperscript{110} “Although handguns make up only 34\% of firearms, approximately 80\% of firearm homicides are committed with a handgun.”\textsuperscript{111} The Court’s opinion exaggerated interest in handgun possession and owner responsibility.\textsuperscript{112} It also overestimated their safety when it dismissed the need for trigger locks.\textsuperscript{113} Trigger locks provide a moment

\textsuperscript{106} Id.
\textsuperscript{107} \textit{Heller}, 554 U.S. 570.
\textsuperscript{108} Id.
\textsuperscript{109} Id.
\textsuperscript{110} \textit{Heller}, 554 U.S. 570.
\textsuperscript{112} \textit{Heller}, 554 U.S. 570.
\textsuperscript{113} Id. Julie Pace & Erica Werner, \textit{Joe Biden Meeting With Video Game Industry On Guns}, \textsc{Huffington Post}, January 11, 2013,
to cooldown prior to instantaneous violence, deterrent for children, and safety measure for accidents (e.g., cats). \(^{114}\) “Women face an especially high risk of handgun violence. In 2008, 71% of female homicide victims were killed with a handgun.” \(^{115}\) Many Americans are repelled by the potential consequences of handguns. \(^{116}\)

Handgun owners may desire destructive means to an end. \(^{117}\) The city permitted the plaintiff to own a handgun. \(^{118}\) The plaintiff’s credibility as an officer of the law should not have persuaded the Court of his intentions or allowed it to infer that keeping a gun inside one’s home yielded safety or stability. \(^{119}\) Following a handgun purchase, suicide has been

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Available at https://www.huffpost.com/entry/joe-biden-video-games_n_2454915.


\(^{115}\) Id. CARMEN M. CUSACK, MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

\(^{116}\) Heller, 554 U.S. 570.


\(^{118}\) Heller, 554 U.S. 570.

\(^{119}\) Id.

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found to be the primary cause of death.120 “In the first week after the purchase of a handgun, the firearm suicide rate among the purchasers was 57 times as high as the adjusted rate in the general population.”121 After District of Columbia banned handguns in 1976, firearm homicides declined 25% and firearm suicides decreased by 23% as a result of the ban.122 District of Columbia has been credited for having a lower youth suicide rate than any state in America because of this policy.123 The Second Amendment was never intended to facilitate youth violence, harm, or suicide.124 Gun control measures protect them, adults, and all occupants of the home, including animals, from intended and unintended ramifications.125

120 Id.
122 Id.
123 Id.
124 Id.
125 Id.
C. Aspirational Purpose

In *Heller*, the majority of United States Supreme Court justices appeared to accept the reasoning of a vociferous gun lobby when they discussed a private right to bear handguns inside one’s home in the District of Columbia.\(^{126}\) The Court, namely Justice Scalia, simulated profound interest in grammar.\(^{127}\) He appeared to parse through phrases and punctuation.\(^{128}\) His analyses were loose.\(^{129}\) In spite of his connection to avid gun owners, apparently including the litigant, he opened the door to more intriguing and sturdy possibilities for peace and a

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\(^{126}\) *Id.* National Rifle Association (NRA), About, *Available at https://home.nra.org/about-the-nra/.* The most widely known gun lobby is the National Rifle Association (NRA). *Id.* Its goals are to educate the public about rifle safety. *Id.* It works with state fish and wildlife services (FWS), which have programs in place to control and improve human conduct in nature. *Id.* CUSACK, FISH, JUSTICE, AND SOCIETY. NRA teaches youngsters to avoid contact with weapons. *Id.* Although it is unlikely that children will encounter guns, the NRA teaches them that if they find a gun, then they should adhere to the following procedures: "STOP. DON'T TOUCH. RUN AWAY. TELL A GROWNUP." NRA, *Available at https://home.nra.org/about-the-nra/.* NRA educates police officers about gun safety. *Id.* Their organization was founded so that soldiers safely could practice shooting training. *Id.*

\(^{127}\) *Heller*, 554 U.S. 570.

\(^{128}\) *Id.*

\(^{129}\) *Id.*
nation without guns.\textsuperscript{130} His jargon is evidence that the Second Amendment was intended to record a duty by the American government.\textsuperscript{131} Their duty was to use the Second Amendment to empower the people.\textsuperscript{132} It may be used in any manner appropriate for the society in which we live.\textsuperscript{133}

Like the Fifth Amendment has been the bedrock of substantive due process, the Second Amendment is a flexible law intended to guide American citizens, not bind them to revolutionary mentalities.\textsuperscript{134} People, who need care in dire circumstances, may seek redress from their government in the form of emergency assistance.\textsuperscript{135} Under a useful interpretation, Americans may rely on their Second Amendment right until permanent care becomes accessible through private means, including

\begin{flushright}
\textsuperscript{130} Id.
\textsuperscript{131} \textit{Heller}, 554 U.S. 570.
\textsuperscript{132} Id.
\textsuperscript{133} Id.
\textsuperscript{135} U.S. Const. am. I.
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charities, such as churches and orphanages.\footnote{Pierce v. Society of the Sisters of the Holy Names of Jesus and Mary, 268 U.S. 510 (1925).} There is no need to contemplate dystopian conundrums in which the populace is forced into criminal conduct to aspire for incarceration in order to receive a handout from the government.\footnote{O. Henry & John Steinbeck, “Charles Laughton & Marilyn Monroe - ‘The Cop and the Anthem’ (‘Full House’),” Available at https://www.youtube.com/watch?v=temSJCZwUlU.} Hunger causes people to experience desperation and could cause them to break the law (e.g., starvation results in revolution); and, satisfying hunger is the government’s duty.\footnote{Nomaan Merchant, Hunger, Fear and Desperation in the Wake of an ICE Raid, Truth Dig, July 9, 2018, Available at https://www.truthdig.com/articles/hunger-fear-desperation-what-came-of-an-ordinary-ice-raid/.}

SPCA, Available at https://www.spcai.org/about-spcai/our-history/.} Therefore, this interpretation must provide for animals, who are in human habitats, but cannot directly access food.\footnote{SPCA, Available at https://www.spcai.org/about-spcai/our-history/.

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nutrition for animal companions, working animals, and others in their care and under their management.\textsuperscript{141} Another example is emergency supplementation for victims and aggressors of domestic violence.\textsuperscript{142} Some housing may welcome pets and provide food for them.\textsuperscript{143} However, domestic violence need not be a requirement in order for pets and animals to receive compassion.\textsuperscript{144}

\textsuperscript{141} Chris Morris, \textit{Online Petition Asks USDA to Allow Food Stamps to Be Used for Pet Food}, \textit{FORTUNE}, January 30, 2018, \textit{Available at} fortune.com/2018/01/30/food-stamp-petition-pet-food/.
\textsuperscript{142} Pet and Women Safety Act of 2017, S. 322 (115th). Amanda Kippert, \textit{PAWS Act Provides Federal Protections for Survivors' Pets}, \textit{Domestic Shelters, Available at} https://www.domesticshelters.org/articles/pets/paws-act-provides-federal-protections-for-survivors-pets. “The PAWS – Pet and Women Safety – Act was signed into law late last year as part of the 2018 Farm Bill, expanding existing federal domestic violence protections to include pets and authorizing $3 million a year in grants for emergency and transitional housing assistance for survivors with pets.” \textit{Id.} “The Act also makes sure vet bills are a part of crime victim compensation on a federal level. But perhaps the most visible change will come in the form of pet-friendly emergency shelters—the PAWS funding will allow either government agencies or private agencies to provide shelter for survivors with pets.” \textit{Id.}
\textsuperscript{143} Purina, Creating Safe Havens for People & Pets, \textit{Available at} https://www.purina.com/about-purina/better-with-pets/pet-welfare/domestic-violence-shelters.
\textsuperscript{144} Doris Lin, “Free Dog Food and Cat Food,” \textit{ThoughtCo.}, September 13, 2018, \textit{Available at} https://www.thoughtco.com/free-dog-and-cat-food-127751. Persistent harassment may subside when those participating in interpersonal instability feel defeated by the temporary loss of a friend (i.e., pet). Pets may not only need shelter because of threats or violence, but also because the person seeking
Survival is a right under the Second Amendment.145

Programs sponsored in whole or in part by the government, including 501(c)(3) status, should recognize this and often abide by it.146 This is the aspirational purpose behind the Second Amendment.147

The Second Amendment does not require Americans to wait inside their homes until violence erupts, including intimate partner violence or invasion by foreign soldiers.148 The Constitution shelter is the pet’s primary or exclusive caregiver. Some aggressors are victims, as well. Stigmas may slow healing.

145 U.S. Const. am. II.
147 U.S. Const. am. II.
148 CARMEN M. CUSACK, HAIR AND JUSTICE (2015). Restrictions may be placed on gun ownership. United States v. Knight, 574 F. Supp. 2d 224 (2008). “Heller certainly does not eliminate the crime of false statements.” Id. at 226. A ban should have applied to gun owners who cohabit with those opposing guns in the home. Gun owners should never have been permitted to keep guns in common areas used by people who are not registered or invite nonresidents into common or private areas of the home in which a gun is stored. “Reducing domestic violence is a compelling government interest.” Id. at 226. B.W. Foster v. Preston Mill Company, 268 P.2d 645 (1954); Hollywood Silver Fox Farm v. Emmett [1936] 2 KB 468. Gun ownership is an inherently dangerous activity. Preston, 268 P.2d 645;

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does not urge people violently to protect what little food they may have inside.\textsuperscript{149} It requires the government to effectuate methods to protect people from starvation, including individual and group tyranny.\textsuperscript{150} Tyrants may no longer benefit from staunch and passive aggressive intentions to deprive, take, or force another to take.\textsuperscript{151} The plaintiff in \textit{Heller} was a gun permit applicant and a police officer wishing to keep a weapon inside his home in the District of Columbia. Police have been linked with higher rates of domestic violence, including

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\textit{Silver Fox}, 2 KB 468. Preston callously discusses why a tree logging operator’s dynamite blasting could not be blamed when a nervous mother killed her young on a mink farm. \textit{Preston}, 268 P.2d 645. In \textit{Silver Fox} an alleged, and yet wicked, animal rights activist fired several gunshots to alarm foxes in a breeding camp. \textit{Silver Fox}, 2 KB 468. The activist intended to coerce the foxes to terminate breeding to save the future of the fox and end that cruelty. \textit{Id}. All four parties to the tort actions acted wrongly, though the courts sided with the logger and the fox farmer, respectively. \textit{Preston}, 268 P.2d 645; \textit{Silver Fox}, 2 KB 468.
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\textsuperscript{149} U.S. Const. am. II.

\textsuperscript{150} \textit{Id}.

\textsuperscript{151} Scott Martelle, \textit{Gun And Self-Defense Statistics That Might Surprise You -- And The NRA}, \textit{L.A. TIMES}, Available at \url{https://www.latimes.com/opinion/opinion-la/la-ol-guns-self-defense-charleston-20150619-story.html}. There are more guns than humans in the United States, yet only a fraction of Americans are registered gunowners. \textit{Id}. More guns are stolen annually than are used in self-defense. \textit{Id}.

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incidents involving guns in the home.¹⁵² Like any other, they too may assault spouses, children, and pets.¹⁵³

It is noble to extend the Court’s dicta beyond conversations about the home and upcoming pushes to entrench within the public revolutionary visions through open-carry legislation.¹⁵⁴ Improbable interpretations resting on fear of the present-day United States military are inaccessible and would be cumbersome.¹⁵⁵ Rather than strike the doctrine, it should be reworked.¹⁵⁶ Furthermore, in opposition to

¹⁵² National Center for Women & Policing, “Feminist Majority Foundation, Police Family Violence Fact Sheet,” Women and Policing, Available at womenandpolicing.com/violenceFS.asp. “Unfortunately, an early analysis of the Domestic Violence Gun Ban on police officers shows that law enforcement officers have been able to circumvent the ban and retain their weapons….Part of the reason for the lack of enforcement is that police officers plead to a charge other than domestic violence.” Id. Officers do not “notify police departments that a court order is in effect against an officer.” Id. The “threat of losing their gun and job can also motivate police officers” to silence victims. Id. “There is evidence that some officers convicted of domestic violence have their records expunged and remain on the department.” Id.


¹⁵⁴ Frassetto, To the Terror of the People: Public Disorder Crimes and the Original Public Understanding of the Second Amendment.

¹⁵⁵ U.S. Const. am. II.

¹⁵⁶ Id.
those instituting among civilians militaristic attitudes and paramilitary agendas, it shall be noted that most military members are completely unarmed on their bases.\textsuperscript{157} Frequently, they interact with members of the public visiting their bases without the presence of any arms.\textsuperscript{158} Many police officers are also unarmed, for example during enforcement of traffic regulations as a result of alleged infractions and while sitting in classrooms or grocery shopping while wearing a uniform.\textsuperscript{159} Many avoid weapon-use, even during criminal confrontations, which are nonviolent.\textsuperscript{160}


\textsuperscript{158} Id.


\textsuperscript{160} Id.

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D. Reversal

1. Stare Decisis

The Court should reverse *Heller* and put to rest a right to bear arms.\(^{161}\) It ought to devise a new path for ensuring survival. Many lower Courts have already controverted it and future Justices may agree to dispense with it.\(^{162}\) The Court has reversed itself in response to contemporary jurisprudential conundrums.\(^{163}\) For example, Court-discovered substantive due process under the Fifth Amendment was solidified when *Lawrence v. Texas* reversed *Bowers v. Hardwick*.\(^{164}\) The cases indisputably demonstrate that the Court is willing to reach an alternate conclusion despite its prior holding.\(^{165}\) Therefore, the Court could should reverse its

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\(^{162}\) See e.g., Knight, 574 F. Supp. 2d 224.

\(^{163}\) *Infra* note.


plurality and make strides toward the aspirational Second Amendment.166

2. Aspirational Meaning Is Similar to a Penumbra

Amendments’ meanings unfurl over time.167 For example, the Fifth and Fourteenth Amendments were held to encompass substantive due process.168 “In other words, the First Amendment has a penumbra where privacy is protected from governmental intrusion.”169 In Griswold v. Connecticut, a case guaranteeing to married people a right to receive information about contraception from a medical doctor, the Court said that the Bill of Rights is multifaceted.170

170 Griswold, 381 U.S. 479.
The foregoing cases suggest that specific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance. See *Poe v. Ullman*, 367 U.S. 497, 516-522 (dissenting opinion). Various guarantees create zones of privacy. The right of association contained in the penumbra of the First Amendment is one, as we have seen. The Third Amendment in its prohibition against the quartering of soldiers ‘in any house’ in time of peace without the consent of the owner is another facet of that privacy. The Fourth Amendment explicitly affirms the ‘right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.’ The Fifth Amendment in its Self-Incrimination Clause enables the citizen to create a zone of privacy which government may not force him to surrender to his detriment. The Ninth Amendment provides: ‘The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.’

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The Fourth and Fifth Amendments were described in *Boyd v. United States*, 116 U.S. 616, 630, as protection against all governmental invasions ‘of the sanctity of a man’s home and the privacies of life.’ We recently referred in *Mapp v. Ohio*, 367 U.S. 643, 656, to the Fourth Amendment as creating a ‘right to privacy, no less important than any other right carefully and particularly reserved to the people.’\(^{171}\)

Applying that Court’s findings to the issue at bar, under several amendments, including the Second and Ninth Amendments, food is a right.\(^{172}\)

My conclusion that the concept of liberty is not so restricted and that it embraces the right of marital privacy though that right is not mentioned explicitly in the Constitution is supported both by numerous decisions of this Court, referred to in the Court’s opinion, and by the language and history of the Ninth Amendment. In reaching the conclusion that the right of marital privacy is protected, as being within the protected penumbra of specific

\(^{171}\) *Id.* at 484-485.

\(^{172}\) *Id.*

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guarantees of the Bill of Rights, the Court refers to the Ninth Amendment....I add these words to emphasize the relevance of that Amendment to the Court’s holding.\textsuperscript{173}

Within the Second Amendment, as written, Justices may find a right to overpower oppressive circumstances and end desperation—a right to food.\textsuperscript{174}

A right to food exists in the United States under the Contract Clause of the Constitution, yet using the Second Amendment will be key.\textsuperscript{175} Although the right to food has sometimes been pejorated in societal contexts by those utilizing jargon correlating with antipoverty campaigns, the right extends to all people.\textsuperscript{176} The right to provide food to children and the right for children to be fed is evident under the

\begin{itemize}
\item \textsuperscript{173} Id. at 486-487.
\item \textsuperscript{174} See, Natasha Tracy, \textit{The Desperation of Mental Illness and Depression}, May 1, 2012, Available at https://natashatracy.com/bipolar-disorder/desperation-mental-illness-depression/.
\item \textsuperscript{175} U.S. Const. Art. I § 10, clause 1. U.S. Const. am. II.
\item \textsuperscript{176} Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}.
\end{itemize}
Fifth and Fourteenth Amendments. 177 The right to be given equal access to food exists under the Fourteenth Amendment. 178 Religious food is guaranteed under the First Amendment. 179 However, articulation of specialized groups does not subsume the right. 180 It exists in all contexts and is activated by need and application to government programs or

178 U.S. Const. am. XIV.
179 CUSACK, HAIR AND JUSTICE. U.S. Const. am. V. U.S. Const. am. I. Moses led the Israelites. Exodus 16:1-36. When the Israelites migrated across the desert, God promised to give them meat, but did not slaughter. Id. Another phenomenon was described in the New Testament when Jesus multiplied the loaves and fishes. CUSACK, FISH IN THE BIBLE. Jesus did not kill. In Exodus, God also flavored the Israelites’ bread to taste like honey, but did not use bees’ nests. Exodus 16:1-36. No maggots or flies were involved as God kept their food fresh while they slept. Id. God provided water for the Israelites and their animals as they wandered in the desert. Exodus 17:1-7.
180 Griswold, 381 U.S. 479.
nonprofit organizations.\textsuperscript{181} A right ought to be established under the Second Amendment to ensure that government programs can never be closed.\textsuperscript{182} Although many government programs are enduring, the right to food must clearly be articulated in discussions about the Second Amendment.\textsuperscript{183}

In addition to a right to food under the Second Amendment, Americans (e.g., gun lovers) may continue to possess relics under the First Amendment.\textsuperscript{184} The First Amendment may reserve the right symbolically to use guns.\textsuperscript{185} Symbolic gun ownership “explores” “philosophical and moral boundaries,” and therefore will have limited possibilities.\textsuperscript{186} Billy Graham’s Library is an instructive example.\textsuperscript{187} The First Amendment may

\begin{footnotesize}
\begin{enumerate}
\item[\textsuperscript{182}] U.S. Const. am. II.
\item[\textsuperscript{183}] “The History of Food Banking,” Second Harvest Food Bank of Northwest North Carolina, \textit{Available at} www.hungernwnc.org/about-us/history\%20of\%20food\%20banking.html.
\item[\textsuperscript{184}] \textit{Griswold}, 381 U.S. 479.
\item[\textsuperscript{185}] A. M. Wilson, \textit{Witches and Guns: The Intersection between Wicca and the Second Amendment}, 12 J. L. SOC. DEVIANC\textsuperscript{E} 43 (2016).
\item[\textsuperscript{186}] \textit{Id.} at 45.
\item[\textsuperscript{187}] Billy Graham Library, 2018.
\end{enumerate}
\end{footnotesize}
provide citizens with a right to possess guns that are incapable of firing ammunition. The purpose of these guns would strictly be for use in ceremonies, such as salutes and religious rituals. Thus, the Second Amendment is not the only amendment under which the boundaries may be established. Contrary to the Court’s interest in hostile firearm-use inside the home, this implementation would reserve Americans’ rights only for dignified symbolism.

In the case that decisionmakers continue to promote militaristic access to weapons, they may alter the doctrine to respond to originalist and contemporary civilian concerns about totalitarianism. Possible replies to the social conscience include establishment of a public arms locker with a right to receive training for safe emergency-use. The locker would only be

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188 *Id.* U.S. Const. am. I.
189 Wilson, 12 J. L. Soc. Deviance 43.
190 *Supra* Section II.
192 U.S. Const. am. II.
193 *See e.g.*, Waranius, “Armory Move Project: United States Coast Guard.” Base NOLA has an armory and uses a mobile indoor firing range.
accessible to those volunteers, who have trained for a state-declared emergency.\textsuperscript{194} Weapons may be stored there and utilized for practice therein at an indoor shooting range; but, not inside homes or ever outside the arms locker without a state-declared emergency.\textsuperscript{195} This would remedy the Court’s extension of the Second Amendment to states’ citizens, who use guns outside militaristic contexts.\textsuperscript{196}

E. Shifting Focus

Focus on guns will shift following the change.\textsuperscript{197} Americans are exposed to reasoning that allows gun

\begin{footnotesize}
\begin{enumerate}
\item Id.
\item Id.
\item U.S. Const. am. II.
\item Kelly Riddell, \textit{ATF Culture Shift: Agents Focused More On Regulations, Not Violent Crime}, \textit{The Washington Times}, July 23, 2014, \textit{Available at} https://www.washingtontimes.com/news/2014/jul/23/atf-culture-shift-agents-focused-more-on-regulatio/. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has experienced a culture shift. \textit{Id.} “Philosophy has shifted to [‘]guns are the problem, and access to guns are the problem,[’] rather than the criminal being the direct indicator of crime.” \textit{Id.} “The cultural shift began after the gun-fighting agency merged its regulatory division – which mostly was comprised of government bureaucrats focused on gun registries and dealer approvals – with its law-enforcement division, a group of active police officers focused on violent street-crime.” \textit{Id.} Chris
\end{enumerate}
\end{footnotesize}
consumers, criminals, and gun-wielding police to captivate them.\textsuperscript{198} They reap from pushback to gun control, gun warfare, and commerce.\textsuperscript{199} If the Second Amendment is updated, then information about the right to food may be disseminated to help people to understand that it, not gun use, ensures survival during emergencies.\textsuperscript{200} Those, who fear bodily harm,


\textsuperscript{200} Gun Threats and Self-Defense Gun Use, Harvard Injury Control Research Center, \textit{Available at} https://www.hsph.harvard.edu/hicrc/firearms-research/gun-threats-and-self-defense-gun-use-2/. “Victims use guns in less than [one percent] of contact crimes, and women never use guns to protect themselves against sexual assault.” \textit{Id}. “Self-defense gun use is rare and not more effective at preventing injury than other protective
may inquire about whether self-defense may be possible under the Second Amendment using alternate weapons, such as stun guns. 201 Neither forefathers nor forebears envisioned this or explored this option. 202 Like guns, TASER’s communicative purpose (e.g., warding-off) is a law enforcement role. 203 No weapon may be used to cause starvation. 204 This is immoral; and this form of expression is restricted speech. 205 Rights may overlap as Americans focus on a post-crime social

203 CUSACK, CRIMINAL JUSTICE HANDBOOK ON MASCULINITY, MALE AGGRESSION, AND SEXUALITY.
204 See e.g., U.S. Const. am. VIII.
205 Id.
agenda. Because the Second Amendment may communicate a need for and right to food, the aspirational Second Amendment is most useful for effectively reframing food in a post-crime-consumed society.

Post-crime analysis is important because it moves American consciousness from crime to peacefulness. Focus on domestic violence and public carrying, “intrinsically” related to terror, placates to those who would seek to further the interest. Self-defense (i.e., use of weapons) occurring within the home typically connects to domestic violence. Furthering the power of the Constitution by claiming a positive stake in intimate partner violence would deprive the general public of their

207 Winkler, Is the Second Amendment Becoming Irrelevant, 93 IND. L.J. 253.
209 Frassetto, To the Terror of the People: Public Disorder Crimes and the Original Public Understanding of the Second Amendment, at 65.
capacity to understand their true rights.\textsuperscript{210} A right to bear arms is an antiquated, misguided, and harmful doctrine in light of public reluctance to tolerate any acts of terrorism and opposition to domestic abuse.\textsuperscript{211} Any beneficial interpretation of self-defense in the home solely focuses on a limited number of domestic violence cases in which the victim prevailed by defending herself or himself by using a gun.\textsuperscript{212} Data does not support the lobby’s demand for attention and absorptive excess.\textsuperscript{213} Their theory of crime, and intellectual evasion of real statistics, leads to a waste of penological resources.\textsuperscript{214} Thus, the Second Amendment must be interpreted in light of need-fulfillment, not waste.\textsuperscript{215}

\begin{itemize}
\item \textsuperscript{210} U.S. Const. am. II.
\item \textsuperscript{211} \textit{Heller}, 554 U.S. 570. Mashburn, J. L. \textit{SOC. DEVIANCE} 1 (2015). Frassetto, \textit{To the Terror of the People: Public Disorder Crimes and the Original Public Understanding of the Second Amendment}.
\item \textsuperscript{212} Police Family Violence Fact Sheet, National Center for Women & Policing, \textit{Available at} womenandpolicing.com/violenceFS.asp.
\item \textsuperscript{213} Id.
\item \textsuperscript{214} See id.
\item \textsuperscript{215} Id. U.S. Const. am. II.
\end{itemize}

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III. COME HELLER\textsuperscript{216} HIGH WATER

A. Right to Food

Preventing progress by denying a new interpretation of the Second Amendment is like structural violence.\textsuperscript{217} “Structural violence describes the rules that inhibit basic human needs. These rules are often long-standing, embedded in socially invented institutions—economic, political, legal, religious, and cultural—that promote rules which prevent people from reaching their full potential.”\textsuperscript{218} Instead, cruelty-free (i.e., plant-based), sustainable, and crime-free homeostasis may be achieved.\textsuperscript{219} Food is abundant when plant life carefully is used to sustain the populace.\textsuperscript{220} Gun lobbying that is crime-focused promotes “structural violence that prevents people from reaching their full potential.”\textsuperscript{221} Some

\begin{thebibliography}{99}
\bibitem{Heller} Heller, 554 U.S. 570.
\bibitem{Id} \textit{Id.}
\bibitem{Id} \textit{Id.}
\bibitem{VanPelt} Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon.}
\bibitem{Id} \textit{Id. at 24.}
\end{thebibliography}

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“people are not hungry because of a lack of food in the world, but from a lack of money.” 222 Psychosocially training those people to take rather than to plant their own food, buy food at reasonable prices, and eat well-balanced plant-based diets is wasteful and turbulent. 223 That brand of “[c]apitalism is a socially created form of structural violence, and it is unstable.” 224 An amendment that foresees people taking during crisis, rather than receiving provisions from the government does not foster sustainability. 225 Any economic or political system may benefit from instituting a right to sustainable food. 226

Lack of sustainable resources and processes are becoming crises affecting many markets, such as oil prices and other natural resources contingent on ecofriendly practices, collaboration, and

222 Id.
223 See id.
224 Id. at 24.
225 U.S. Const. am. II.
226 Van Pelt, Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon.
reputation.227 “The crisis is the embedded system of collapses in which emerging from one financial crisis is often like the sun rising, with another financial crisis looming on the horizon. The timing of the next crisis, however, is not as predictable as the rise and fall of the sun. Instead the next collapse lurks in the future ominously.”228

Americans would benefit from reorientation. First, they should anticipate that some people will receive free food and that this will be guaranteed by the Constitution, not at the government’s discretion.229 Those who need food may accept charity from corporations and individuals.230 Second, a consciousness shift could involve the government.231 State and the federal governments may work with individuals to generate proceeds.232

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227 Coast Guard Compass, “Sustainability,” Available at https://coastguard.dodlive.mil/tag/sustainability/.
228 Van Pelt, Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon at 25.
229 Id.
230 Id.
231 U.S. Const. am. VI. U.S. Const. am. XIII § 1.
Sources of income may be derived from the court. Courts often conscript jurors for duty.\textsuperscript{233} This process seems to violate the 13\textsuperscript{th} Amendment of the United States Constitution.\textsuperscript{234} It forces people to work for the government.\textsuperscript{235} Because jury trials are guaranteed, the government may seek volunteers.\textsuperscript{236} A consciousness shift may be necessary to gather a sufficient number of volunteers; although, the Constitution has no requirements about how often a volunteer or juror employed by the government may serve.\textsuperscript{237} Thus, volunteers could repeatedly serve. Selection may be randomized.\textsuperscript{238} Jurors should have the option to donate any per diem paid by the government to the federal or state government to contribute to food assistance, a local charity, or food

\textsuperscript{233} U.S. Const. am. XIII § 1. “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” \textit{Id.}
\textsuperscript{234} \textit{Id.}
\textsuperscript{235} \textit{Id.}
\textsuperscript{236} U.S. Const. am. VI. “Volunteer,” New York State Unified Court System, \textit{Available at} www.nyjuror.gov/juryQandA.shtml.
\textsuperscript{237} U.S. Const. am. VI. “Volunteer,” New York State Unified Court System, \textit{Available at} www.nyjuror.gov/juryQandA.shtml.
\textsuperscript{238} 28 U.S. Code § 1863 (2019).
Service of process is also guaranteed. The system is stark and fails to resolve parties’ and witnesses’ needs. Process server culture may be aggressive and clerks may be numb toward the communities’ needs. Private companies working with the government may seek volunteers to alleviate their load and reduce costs. It would be beneficial if a website could register volunteers to kindly and politely serve known persons, who agree (e.g., online signature) to be served by the volunteer. The sworn volunteer would register with the Court, based on either public records matched according to a logarithm or a search by the volunteer, the volunteer would receive identifying information pertaining to an individual, who is personally known to the server.

A link or printable notice would be generated to be

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240 U.S. Const. am. VI.
241 Infra note.
delivered to the person to be served. The person served would sign and notarize or enclose a copy of a photo identification to affirm that process has been served. Only the individual served could agree to be served in this manner. If the individual does not consent prior to the expiration of a 30 day period, then the court may use traditional means to serve the witness or party. The volunteer may receive a small stipend for serving the person, which can be donated. Third, many Americans already recognize that violence is not a solution.243 Americans should further their interest in antiviolence reasoning and continue to hone their skills to reduce and eliminate violence.244 Harming animals to acquire food is violence.245 Similar to violence manifesting as


244 Id.

245 Id. “Slaughterhouse work has been linked to a variety of disorders, including [post-traumatic stress disorder] PTSD and the lesser-known PITS (perpetration-induced traumatic stress). It has also been connected to an increase in crime rates, including higher incidents of domestic abuse, as well as alcohol and drug abuse.” Id. “PITS can lead to anxiety, panic, depression, drug and alcohol abuse, increased paranoia, a sense of disintegration, dissociation and amnesia. These” "are part of the 'psychological consequences' of killing.” Id.
intimidation and threat when a person possesses a gun in a shared home or in a neighborhood among people who oppose guns, privately using animals for food threatens violence and causes harm.\textsuperscript{246}

The government responds to those who harm animals by arresting them and identifying their potential to become murderers and sexual offenders.\textsuperscript{247} Killing animals is a form of harm consistently recognized as being part of a dark triad and a characteristic shared by some sociopaths and psychopaths.\textsuperscript{248} Similarly, people who hunt and buy meat (e.g., live lobsters) may be sociopathic and


psychopathic.\textsuperscript{249} A society that condones these practices cannot continue to participate in a civilization (e.g., world economy) predicated on peace and structural sustainability.\textsuperscript{250} Taking may be discouraged by society and the government not only because it is violent and cruel, but also because it

\textsuperscript{249} CUSACK, MUTATED SYMBOLS IN LAW AND POP CULTURE. Nagesh, \textit{The Harrowing Psychological Toll of Slaughterhouse Work}. “People who already are criminals tend to gravitate towards this job. You can't have a strong conscience and kill living creatures night after night….You feel isolated from society, not part of it. Alone. You know you are different from most people. They don't have visions of horrible death in their heads.” \textit{Id}. One slaughterhouse worker had repetitive nightmares about chickens haunting him. Then he passed away in in sleep. \textit{Slaughter-House Cases}, 83 US 36 (1873).

\textsuperscript{250} Nagesh, \textit{The Harrowing Psychological Toll of Slaughterhouse Work}. America's personality may have changed as a result of unsustainable and violent food industry practices. So someone becomes very depressed, one can usually distinguish between a period when they might have been very outgoing and gregarious, and then they become very withdrawn. There's that change in their personality both subjectively in how they would describe it, and also for people close to them who have known them for a long period of time, objectively there's also a change—so it may come across as irritability, distrust, anger directed both towards themselves and other people. So there's a change in the personality that's sometimes difficult to fully articulate. But there's an understanding that something has shifted. \textit{Id}. Her "personality" "morbidly" may be viewed. \textit{Id}. Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}. 

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damages capitalism. Damaged capitalism equates with tyranny.

“Any food security, health, or other strategy to meet basic needs that involves privatization” of violence rather than “building up” a sustainable response, will stall “the economy” and fail “to alleviate poverty.” This “is sowing the seeds for crisis. This is not just another economic crisis, but a crisis at the individual level, where people will feel the violence of the” damaged “capitalist free market system.” “If the economic structure causes hunger and malnutrition, in a world that has more than enough food to feed everyone, then the economic structure is violent. In a world with abundant food this is morally unjust.” If the government continues to spend money on defending guns rather than law enforcement and sustainable food industries

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251 Coast Guard Compass, “Sustainability.”
254 Id.
255 Id.
(e.g., farming best practices), including with trade/sharing partners, then detriments will accumulate.\textsuperscript{256}

B. Global Thinking

Global issues inform Americans about how to change the Second Amendment.\textsuperscript{257} For example, climate change correlates with unsustainability.\textsuperscript{258} Inability appropriately to allocate resources correlates with climate change and is partially “responsible for why” “people are food insecure.”\textsuperscript{259} Many are “surrounded by abundant food,” but splurge on crime (e.g., guns and vices) and non-law enforcement responses to perceived causes and effects of crime.\textsuperscript{260} Crime all too often correlates with gun use to acquire misappropriated resources; it spreads disease; and harms those within occupied

\textsuperscript{256} Id.
\textsuperscript{257} U.S. Const. am. II.
\textsuperscript{258} Coast Guard Compass, “Sustainability.”
\textsuperscript{259} Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}, at 42.
\textsuperscript{260} Id. Guns also spread disease. \textit{Supra} note 1.
dwelling places.\textsuperscript{261} When this occurs, “[f]ood security, in the face of climate change, is an economic privilege most often reserved for the rich.”\textsuperscript{262} This is one essential reason for changing the Second Amendment.\textsuperscript{263} The government should improve its control of food distribution, quality, and access.\textsuperscript{264} Former concerns about tyranny from foreign invaders are practically irrelevant; and yet, global resource management partners allege that the


\textsuperscript{262} VanPelt, Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon at 43.

\textsuperscript{263} U.S. Const. am. II.

\textsuperscript{264} Carmen M. Cusack, Death Revolution: Eating the Dead to Save Our World, 4 J. ANIMAL & ENVTL. L. 37 (2012).
United States has invested in imperialistic or tyrannical strategies to resolve conflict.\textsuperscript{265} Domestically, a serious threat to the people is food control without the foundation of a guarantee.\textsuperscript{266} The Second Amendment may be treated as something bigger than a means for assisting the government.\textsuperscript{267} Aspirational Second Amendment values are part of a paradigm for resolving crises within the nation and abroad.\textsuperscript{268} Americans may produce a mutually assistive reputation by acting as global-minded citizens of the world.\textsuperscript{269} The world may be relieved that some Americans have shifted consciousness from believing that guns may be used to take and demand inside the home, on the street, in public places, and in foreign nations; and are willing to

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\small\textsuperscript{265} Carmen M. Cusack, \textit{In Opposition of Cultural Institutionalization of Speech Following U.S. Intervention into Foreign Governments}, 19 BARRY L. REV. 297 (2014). \textsuperscript{266} See id. \textsuperscript{267} U.S. Const. am II. \textsuperscript{268} Id. \textsuperscript{269} See, Carmen M. Cusack, \textit{“Cuba Nos Une”: Ending The Cuban Adjustment Act}, 11 J. L. & SOC. DEVIANCE 1 (2016). \\

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acknowledge others’ crises—some of which correlate with American history and economics.\textsuperscript{270} 

Food is abundant.\textsuperscript{271} Thus, reinterpretation of the Second Amendment should not be seen as an economic conquest or diminishment of nature for further resource development to the detriment of the land.\textsuperscript{272} Reinvention of American “self-image covers the predatory nature of” Americans’ “actions: ripping off the land and destroying a sacred connection with nature.”\textsuperscript{273} The aspiration of the Second Amendment is about “stopping the spread of the Evil,” “maintaining our hegemony” to yield American and global stability, and “expanding American access to” food and drinking water.\textsuperscript{274} Access to fresh water has not directly been


\textsuperscript{271} Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}.

\textsuperscript{272} U.S. Const. am II.


\textsuperscript{274} Id. Drinking water, including water used to prepare food, may differ from water used for irrigation and sanitation. The U.S. Constitution may generally protect a right to have access to water for various uses. This Article primarily focuses on drinking water.
guaranteed under the Constitution. Some advocates argue that access to fresh water is all but guaranteed to every American except the poorest. Government utilities demonstrate governmental commitment to participating in water distribution. Thus, articulation of a clear right furthers their purpose and assures the weakest members of society that they are equal. The Second Amendment could be instrumental in reducing crime and pessimistic outlooks associated with fear of crime relating to a lack of drinking water, resources, and food.

Climate change is a pressing conversation that should overshadow transnational and national attention to guns. The importance of clean water and access to food may be experienced through greater conversations about the world’s natural resources. Although the First, Fifth, Ninth, and

276 *Id.*
277 *See e.g.*, Emerald Coast Utilities Authority, *Available at* https://ecua.fl.gov/.
278 Meshel, *Environmental Justice in the United States*.
279 Cusack, *Irish in the Criminal Justice System*.
280 *Griswold*, 381 U.S. 479.

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Fourteenth Amendments may guarantee access to fresh water and food, the Second Amendment’s articulation of authority may guarantee vital resources. The United States’ domestic need for laws declaring guarantees is imminent because it has been reluctant to declare rights at international conventions and has failed to use federal laws and state powers to enforce clean water access treaty provisions declaring human rights.

The USA has taken an ‘exceptionalism’ approach to human rights. The country participates in the development of human rights instruments from legally binding conventions, to aspirational declarations, to frameworks that support the progressive realization of human rights. But while we in the USA are quick to identify human rights failings in other countries, we tend to avoid ratifying human rights

282 CUSACK, FISH, JUSTICE, AND SOCIETY.
treaty commitments in the USA and to reject monitoring by external bodies. 284

“Moreover, while water has cultural, spiritual, and social values that extend beyond economic interests (for instance, water features prominently in some indigenous cultural traditions), these values have few legal or political protections, particularly with regard to water rights.” 285

To keep in step with the rest of the world, the American government must experience a shift in consciousness and policies regarding guns and the right to food. 286 Weapons and armament have been cited by international organizations, such as the United Nations, for their role in food insecurity. 287 Although the United States has agreed that armed

284 Bellows, A Systems-Based Human Rights Approach to a National Food Plan in the USA.
286 See infra note.

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conflict directly correlates with and causes starvation, it has refused to become a party to agreements declaring that food is a human right.\textsuperscript{288} America is unwilling to enforce a right to food abroad; and therefore, is unwilling to assert a right to food within in its borders.\textsuperscript{289} The United States explained its vote against a right to food at the Human Rights Council in Geneva. “We…do not accept any reading of this resolution or related documents that would suggest that States have particular extraterritorial obligations arising from any concept of a right to food.”\textsuperscript{290} The United States said that it acknowledges a pervasive right to quality of life.\textsuperscript{291} It has maintained this tradition since the Declaration of Independence was memorialized on July 4, 1776.\textsuperscript{292}

When in the Course of human events it becomes necessary for one people to dissolve the political bands which

\textsuperscript{288} Id.
\textsuperscript{289} Id.
\textsuperscript{290} Id.
\textsuperscript{291} Id.
\textsuperscript{292} United States Congress, \textit{Declaration of Independence}, July 4, 1776.
have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all...[creatures] are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.²⁹³

²⁹³ Id.

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The same document denounced arms.294 The founders complained that the government had turned weapons against the people.295 It “has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.”296 They abhorred the imposition of tyranny effected by “quartering large bodies of armed troops among us.”297

In 2017, America explained, “The United States supports the right of everyone to an adequate standard of living, including food, as recognized in the Universal Declaration of Human Rights.”298 Its conservative position seems to reserve compulsory food distribution by the United States only for Americans.299

294 Id.
295 Id.
296 Id. “Hands” is emphatically capitalized as it correlates with physical harm, like armament and being “taken captive.” Id. One female officer at the Broward Sheriff’s Office, a self-described “Jack Russel,” relays the command “Hands!” to ask arrestees to surrender. Cusack, Does Size Matter In The Field? Female Police Bodies In Online Television.
297 Id.
299 Id.
Domestically, the United States pursues policies that promote access to food, and it is our objective to achieve a world where everyone has adequate access to food, but we do not treat the right to food as an enforceable obligation. The United States does not recognize any change in the current state of conventional or customary international law regarding rights related to food. The United States is not a party to the International Covenant on Economic, Social and Cultural Rights.300

Another reason for failing to declare that food is a human right is that the United States was reluctant to agree with other nations that pesticides are harmful, and thus, food should be healthy.301 Yet, various pesticides continuously have been blamed for destroying and harming waterways, land, animal and bug populations, farms, villages, and human lives.302 Many pesticides damage foods, including seeds and

300 United States Congress, Declaration of Independence, July 4, 1776.
301 Id.
302 CUSACK, FISH, JUSTICE, AND SOCIETY.

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nourishes.\(^\text{303}\) One example is poppy seeds in California.\(^\text{304}\) Poppies are not only harmed during food production, but similarly, toxins enter ecosystems through the drug trade and other entry points.\(^\text{305}\) Drug crops and surrounding environments are exposed by the United States and other governments to herbicides, which allegedly eradicate crops used to produce drugs.\(^\text{306}\) In addition to eradication, cultivation harms poppies.\(^\text{307}\) As a food, a drug plant, and nature, it should receive greater attention to its needs from the world.\(^\text{308}\) Many

\(^\text{303}\) *Id. Infra* note.


\(^\text{305}\) *Id. CUSACK, FISH, JUSTICE, AND SOCIETY.*


\(^\text{307}\) *Coca and Colombian Environment (COLCOCA Case)*, Schaffer Library of Drug Policy, Available at http://druglibrary.org/schaffer/cocaine/cocaenv.htm.

poppies have been abused for trade in drug wars. They may experience landslides and premature death as a result of farming and trade. “To make access more difficult, the...[farmers] plant their crops on freshly cleared hillsides aiding heavy soil erosion from wind and rain.” These and other poppies are abused and an unaccounted casualty. They are deprived of many vital resources and quality of life. They share space with dissimilar types of plants, are crowded, and need requisite space to spread their leaves. Thus, crops require special care; and the United States must position itself in favor of healthy plant life. Its processes should reflect and incorporate its experiences with the War on Drugs. Global-minded thinking is essential for

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309 Coca and Colombian Environment (COLCOCA Case), Schaffer Library of Drug Policy, Available at http://druglibrary.org/schaffer/cocaine/cocaenv.htm.
310 Id.
311 Id.
312 Id.
313 Id.
315 Id.
promoting a right to food under the Second Amendment.\footnote{U.S. Const. am. II.}

C. Food Fight: Healthy Food for All

Healthy food must be guaranteed by the Second Amendment to continue to promote ethical values in America.\footnote{Frank L. Hoffman, “Hunting and Violence: Its Connection to Domestic Violence,” All-Creatures.org, Available at https://www.all-creatures.org/sof/hunt.html. People who kill animals suffer from character erosion. One example is that they “apparently” may “not differentiate between” hunting “and acting out of such aggression in the domestic arena.” \textit{Id}.} A revised interpretation of the Second Amendment will bar leaders and the public from claiming that hunting may be tolerable in limited cases of starvation.\footnote{\textit{Id}. U.S. Const. am. II.} Food insecurity is the cause of this errant line of reasoning, which leaves open the possibility that society will rely on this premise to regulate other situations.\footnote{Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}.} If people were to believe that gun violence is ever excusable, then they may wish to expand the list of exceptions.\footnote{Hoffman, “Hunting and Violence: Its Connection to Domestic Violence.”}

\begin{thebibliography}{9}
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\item \footcite{U.S. Const. am. II.}
\item \footcite{Frank L. Hoffman, “Hunting and Violence: Its Connection to Domestic Violence,” All-Creatures.org, Available at https://www.all-creatures.org/sof/hunt.html. People who kill animals suffer from character erosion. One example is that they “apparently” may “not differentiate between” hunting “and acting out of such aggression in the domestic arena.” \textit{Id}.}
\item \footcite{\textit{Id}. U.S. Const. am. II.}
\item \footcite{Van Pelt, \textit{Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon}.}
\item \footcite{Hoffman, “Hunting and Violence: Its Connection to Domestic Violence.”}
\end{thebibliography}
availability of healthy food is a bottom line to end violent reasoning. Attitudes and reasoning that concede to any potential necessity for hunting in contemporary or prehistoric eras, give way to violence against humans and animals, including bugs. They presume and imagine counterproductive historical premises, which possibly permit corroded analytical frameworks and damaged perspectives dimming, though not totally deteriorating, the greatest potential for rights under the Second Amendment. A perception that hunting could sustain life is fallacious, limiting, and dangerous. It negates humans’ needs for natural foods and fails to comprehend adequate processes for acquiring healthy food.

Along with human need to end gun violence, acquire healthy food, and bolster human-human and

322 Id.
324 Id. U.S. Const. am. II.
325 Infra note.
326 Id. U.S. Const. am. II. Van Pelt, Food Values and the Human Right to Food: A Sociological Analysis of Food Insecurity in Oregon.
human-animal relationships as they relate to food, humans must recognize the insufficiency of detrimentally utilizing animals’ parts (e.g., cells), time, lives, emotions, housing, accommodations, provisions, status, and byproducts.327

The hunter often portrays himself as providing for his family through a successful kill and ‘harvest.’ This posture seeks to ritually reestablish a stereotypical masculine provider role less available now than may once have been. In reality hunting today is typically not a source of provision but actually drains family resources. Deer hunters, for example, spend on average twenty dollars per pound of venison, once all the costs of equipment, licenses, transportation, unsuccessful hunts, and so forth are calculated.328

328 Ashley Capps, Hunting for Wildlife Population Control and Ethical Eating?, Free from Harm, Available at https://freefromharm.org/common-justifications-for-eating-animals/hunting-wildlife-population-control-ethical-eating/.

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Humans should accept the inadequacy of killing and misappropriating animals.\textsuperscript{329}

There is no Constitutionally guaranteed right to hunt.\textsuperscript{330} Any contrary doctrines are perversions.\textsuperscript{331} A right to food under the Second Amendment must be predicated on a solid understanding that humans are not required or entitled to hunt; and the government cannot and ought not govern wild animals.\textsuperscript{332} Yet, it may be of aid to different communities, such as those who are rebounding in a post-crime, unchaotic, unentitled, and gun-free environment to establish protective and mutually beneficial accords fulfilled through policies and law.\textsuperscript{333} Within Americans’ right

\textsuperscript{329} PETA, \textit{Available at https://www.peta.org/issues/}.
\textsuperscript{331} \textit{Heller}, 554 U.S. 570.
\textsuperscript{332} PETA, \textit{Available at https://www.peta.org/issues/animals-in-entertainment/cruel-sports/hunting/}.
\textsuperscript{333} Christian Cotroneo, “Monks Buy Hundreds Of Lobsters And Put Them Back In The Ocean,” The Dodo, July 11, 2016, \textit{Available at https://www.thedodo.com/monks-lobster-rescue-release-canada-1915798305.html}. Lobsters were purchased from grocery stores by monks and then released into the ocean. \textit{Id}. "It doesn't have to be lobsters, it can be worms, flies, any animals; drive slower so we don't run over little critters on the street." \textit{Id}. An accord is exemplified by a road sign. A road in a park leads to a trail head. On it, a road sign
to receive food from the government, there may possibly be no social contract with wild animals; yet, human obligation to sustainability must consider their needs and not deprive them of their position as workers. By way of comparison, when choosing to domicile with a pet, each American has a duty to a pet to conserve, protect, and peacefully cohabit, and avoid incompatible animals.

A mental groundwork must be laid prior to the right to food so that recipients understand that they are only to receive healthy plant-based food, not take animals. First, any interpretation yielding a right to possess an arm in a home does not confer a right to slaughter. Second, there is no Second Amendment

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right to possess arms in public outside the home.\textsuperscript{336} Thus, in addition to other jurisprudential underpinnings and limitations, this is one reason why hunting is not guaranteed under or contemplated as a right by the Constitution. No state would like for its citizens or residents to wander about while carrying arms (e.g., guns). States participate in nudging to move people inside; remove guns from the streets; and prevent people from shooting, having access to guns, or becoming affectionately attracted to weapons.\textsuperscript{337}

A state’s willingness to discuss a right to be armed demonstrates aversion to desperation.\textsuperscript{338} Preemptive belief that self-defense could be necessary demonstrates such an aversion.\textsuperscript{339} Some jurisdictions may hope that federal Courts will find that recent legal conclusions articulating a right to self-defense are not unlimited and can be severed.

\textsuperscript{336} Winkler, \textit{Is the Second Amendment Becoming Irrelevant}, 93 Ind. L.J. 253.
\textsuperscript{337} \textit{Id.} Buchanan, Keller, Oppel, & Victor, \textit{How They Got Their Guns}.
\textsuperscript{338} \textit{See e.g.}, Fla. Stat. § 776.013 (2019).
\textsuperscript{339} \textit{Id.} McDonald v. Chicago, 561 US 742 (2010).
from any notion of gun possession. Rather than threaten the Second Amendment with repeal, progress will refocus constructions of society from adversarial and confrontive to collaborative and harmonious.

Procurement of healthy food will help Americans to avoid a sensation of desperation. Health benefits of vegan food are widely known and documented. They include stress and anxiety reduction. The justice system already relies on findings to provide sensible and plant-based meals. One study analyzed comportment following inmates’ transitions to vegan food. Members of California’s government feared that “500 inmates residing at Victor Valley would

340 Id.
341 Id. U.S. Const. am. II.
343 Id.
345 Id.
346 Id.
probably ‘burn the place down before they became vegetarians,’” however, “85% of the inmates agreed to rooming on the ‘vegan’ side of the complex.”

Maranatha Private Corrections provided services because of “high” “crime rates and returning inmates.” “At the time” “California had a recidivism rate of 95%. During the seven years” Maranatha Private Corrections “had the inmates at Victor Valley on a vegetarian diet the recidivism rate at the prison went down to under [two percent].”

Thus, to reduce crime and chaos; prevent

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347 Providing any food ingredient, which causes an animal to suffer or be killed is unacceptable under the Second Amendment. Harriet Williamson, *PETA Isn't Backing The Vegan Burger That 'Bleeds,'* METRO, July 29, 2018, Available at https://metro.co.uk/2018/07/29/peta-isnt-backing-the-vegan-burger-that-bleeds-7770845/.


Jessica Lindsay, *McDonald’s Germany Is Launching A New Vegan Burger,* METRO, April 26, 2019, Available at https://metro.co.uk/2019/04/26/mcdonalds-germany-launching-new-vegan-burger-9320152/.

348 *Id.*

misappropriation of criminal justice and corrections resources; and improve environmental justice, the government should reinterpret the Second Amendment to benefit the populace rather than terrorize it or fear some members of it.\textsuperscript{350}

To allow the Second Amendment to survive, the government should openly recognize the aspirational interpretation of the Second Amendment.\textsuperscript{351} This includes access to vegan and vegetarian, organic, and wholesome foods for all needy people, bugs, and animals relying on humans and living with them.\textsuperscript{352} The aspirational Second Amendment is the notion that all amendments can live-up-to the framers’ intent as well as develop in light of conversations and ethos reflecting best practices in intellectual and legal arenas.\textsuperscript{353} An aspiration is informed by power and desire to be good.\textsuperscript{354} Thus, the Second Amendment should be reinterpreted to benefit the populace rather than terrorize it or fear some members of it.

\begin{footnotesize}
\begin{itemize}
\item\textsuperscript{350} Id.
\item\textsuperscript{351} Sam Bloch, \textit{In California Hospitals and Prisons, Vegan Food Is Now a Right, Not a Privilege}, The New Food Economy, September 24, 2018, Available at https://newfoodeconomy.org/california-vegan-plant-based-prisons-hospitals/.
\item\textsuperscript{352} Bloch, \textit{In California Hospitals and Prisons, Vegan Food Is Now a Right, Not a Privilege}.
\item\textsuperscript{353} See, Exodus 16:1-34; Exodus 20:4.
\item\textsuperscript{354} See, \textit{Id}.
\end{itemize}
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Amendment may survive in coming years if it performs according to its purpose, not recent Court dicta.355

The government has already switched focus.356 After California dispossessed people of the idea that they could idly burn tobacco plants in public (i.e., smoke), the state required healthcare providers and corrections facilities to provide plant-based and cruelty-free food.357 The California Health and Safety Code requires in § 1265.10 all health facilities to provide “wholesome” and “healthy” vegan food, and the California Penal Code requires all correctional facilities to provide “entire” “plant-based” “meals that contain no animal products or byproducts, including meat, poultry, fish, dairy, or eggs.”358

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355 U.S. Const. am. II.
A human right to food is not enough. 359 The Second Amendment must cover all species (e.g., agricultural working animals). 360 Grants and emergency resources are available to some species and groups, such as farm animals. 361 Plans should be guaranteed to stimulate the economy and help all creatures to survive without cruel conditions during hardship or when resources diminish. 362 Animals under human control are required by law to be fed. 363 This implies a right to be fed or a right for humans to have food to give to bugs and animals. 364 Although humans are not required to care for non-human companions, those who do, are required to feed them. 365 Impoverished individuals are not discriminated against by laws requiring the poor and needy to rehome or surrender companions. 366 Like children, pets and other animals may be

359 See supra, Section III.
360 U.S. Const. am. II.
362 Id.
363 Id.
364 Id.
365 Id.
366 Id.
The United States government provides nutritious supplementation during hardship and on long-term bases for those who lack parents. Similarly pets and those relying on humans must receive guarantees. Any person relying on the government for food may ask the government to supply food in the interim before food can be permanently acquired to feed beloved, dependent, and hardworking creatures. Food may be supplied to non-humans by humans, who require the government’s assistance.

After receiving food through Supplemental Nutrition Assistance Program (SNAP) (i.e., food stamps), humans undoubtedly share food with animals. Yet, the government bars animals from

367 CUSACK, ANIMALS AND CRIMINAL JUSTICE.
369 Id. CUSACK, ANIMALS AND CRIMINAL JUSTICE.
370 CUSACK, LAWS RELATING TO SEX, PREGNANCY, AND INFANCY. CUSACK, ANIMALS AND CRIMINAL JUSTICE.
372 Morris, “Online Petition Asks USDA to Allow Food Stamps to Be Used for Pet Food.”
qualifying to receive SNAP benefits. Therefore, humans may not disclose to the government that animals eat food purchased through SNAP. To ask impoverished people suffering hardship to lie or hide from the government is mean spirited. To assist poor people and people in need to abide by the law and assist those willing to provide for animals in need is an American spirit. The government should allot a portion of free and low-cost healthy food to animals; for example, to feed pet spiders or other creatures. Healthy food for animals may include vegan and non-vegan food. SNAP currently permits people to buy meat, which may be fed to animals. This should not change if animals require

374 Id.
375 Id.
378 Id. Animals may indicate that they prefer primarily vegan, vegetarian, omnivorous, or carnivorous diets. Humans ought to be sensitive enough to provide food to suit their needs. In contrast,
meat, yet meatless pet food is available.\textsuperscript{379} However, the governments’ allowance should no longer be used to torture animals (e.g., expensive and unnecessarily cruel live lobster tanks). Although living animals, including shellfish, may currently be purchased using SNAP money, a consciousness shift can eliminate and then reutilize this funding.\textsuperscript{380}

humans should not believe that their comprehension of animals’ enjoyment equates with knowledge or awareness of an animal’s sexual acquiescence. The State of Florida has protected animals against the occurrence of this phenomenon. Florida law presumes that speechless animals will not verbally assent to sexual conduct or contact because, generally, they do not talk like humans. Therefore, any inferences drawn about their alleged interest in animal-human sexual conduct or contact will be unacceptable under the law. Fla. Stat. § 828.27(1)(a) (2019); Fla. Stat. § 828.126 (2019). Cruelty laws apply to all animals and bugs. Fla. Stat. § 828.126 (2019). Carmen M. Cusack, ANIMALS, DEVIANCE, AND SEX (2015).


\textsuperscript{380} CUSACK, FISH IN THE BIBLE (2017). Stores that cause humans to suffer by exposing them to living animals suffering should not be allowed to receive SNAP. "End the sale of live lobsters in Publix Supermarkets," Pensacola Vegan Association (2018), Available at https://www.change.org/p/publix-super-markets-end-the-sale-of-live-lobsters-in-publix-supermarket-stores. Over the years, the Author of this Article has discussed elimination of lobster tanks with personnel at Publix Super Markets. One reason is harm caused to customers by the infliction of torture on lobsters. Publix should advance its claim that it sympathizes with humans and animals living there by desisting from all cruelty. Publix should maintain suitable habits and lifestyles for retired lobsters. The Author liberated Chartreuse, a lobster from Publix, recently. Associations between cruelty to sea life
IV. CONCLUSION

The Second Amendment is not a doctrinal expression reflecting factions’ beliefs about war, domestic violence, or harm to those outside one’s home.\(^{381}\) It is a piece of legislation intending to help Americans to survive. Its premise is not mythologically to create an American archetype of toughness. It ensures survival.

It is time to take a sober look at our myths and change the Second Amendment—but to do so as part of a comprehensive examination of our society and our human relationship with the land. The inevitable consequences of climate change will force all humans in all countries to realize that our species is ultimately part of nature, and everything and everyone is interconnected. We must start now to

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\(^{381}\) U.S. Const. am. II.

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significantly change course and divert resources from guns, conflicts, and wars to helping each other and living an eco-centric life. We cannot shoot our way out of this one.\textsuperscript{382}

Incentives for donating to the government and charities (e.g., surplus crops) are the next horizon that must be envisioned. To do this, a culture shift is first necessary, and then greater shifts in consciousness will abound.\textsuperscript{383}

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\textsuperscript{382} Merritt, \textit{Guns and the American Psyche}, at 172.
\textsuperscript{383} Jeff Cox, \textit{Job Layoffs Surge 35\% To Highest Level To Start A Year In A Decade}, CNBC, April 4, 2019, \textit{Available at} https://www.cnbc.com/2019/04/04/job-layoffs-surge-35percent-to-highest-level-to-start-a-year-in-a-decade.html. “NYS Politicians Who Voted for Gun Control: You're Fired,” October 9, 2018, \textit{Available at} https://m.facebook.com/ToNysPoliticiansWhoVotedForGunControlYou'reFired/. Damage correlating with Donald Trump’s reality television catchphrase, “You’re fired,” ought not to be dismissed. The acerbic tome to totalitarianism and petty tyranny may have affected the nation, which experienced a surge in unemployment throughout the show’s 11-year presence on television. It also joked about the severity of gun use. Since he lost his job on television, unemployment rates and mass shootings incidents have decreased. Carmen M. Cusack, \textit{Campus Gun Violence: Causes and Effects}, School of Criminal Justice, Nova Southeastern University (2018). In 2018, the majority of gun violence on campuses related to domestic violence and random violence, not mass murder. This data analyzed both the number of incidents and victims.
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