

Title: **Debtors bear arms, creditors bear the cost**
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Second Amendment

Debtors bear arms, creditors bear the cost

BY HANNAH HILL

The Senate voted 35-3 in favor of a bill that would allow individuals filing for bankruptcy to keep up to three guns worth up to \$3,000 total.

In South Carolina, bankruptcy filers are allowed to keep a home, car, tools of a trade, and so on, up to a certain value. While a case can be made for some kinds of exceptions, the purpose of the bankruptcy process is for the debtor to pay whatever reasonably can be paid toward debts that exceed assets, and then start over with the bare necessities.

Sounds good, right? The creditor gets the short end of the stick, but you

can't get blood out of a turnip, and the turnip, to bend a phrase, will have a much harder time starting over without work or shelter.

So why exempt guns? Presumably, it's an attempt at pro-Second Amendment legislation. Except that it's really not. The Second Amendment guarantees your right "to keep and bear arms." It's up to you to get the arms, and it does not secure your right to keep any particular one.

Government can't hinder you from buying a gun in a lawful way, but you aren't entitled to one any more than you're entitled to, say, health care.

Which brings us to the bankruptcy exemptions. I'm going to go out on a

limb here and say that if you owe a debt, you should pay it. If you want to be forgiven all your debts and start over, you should be required to pay as much as you possibly can, from almost all your assets.

Your creditor is losing money that you were legally bound to pay him. He's more entitled to your assets, including your guns, than you are if you can't meet that obligation. That's kind of the point of property rights.

There is no reason to exempt guns from bankruptcy except for the fact that they're, you know, guns. And here's where Second Amendment rights activists often go off the rails: Government may not

stand in the way of the free exercise of a right, but it is under no obligation to ensure that you do exercise that right or that you have the wherewithal to do so. If chronic laryngitis kept you from exercising your First Amendment rights, the government wouldn't be obligated to pay for your treatment.

If you steal a gun, you go to jail. If you don't have the money to pay your debts, your assets should go to cover them. To argue otherwise isn't protecting Second Amendment rights. It's shooting yourself in the foot.

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