

KNIFE RIGHTS UNDER ATTACK

My first savor of forbidden fruit came in high school, when I purchased a Dreaded Switchblade Knife from a classmate.

To that point, the most daring thing I'd ever done was disobey my mother. Unfortunately, I was hampered in my wannabe badness by the fact that I was inherently the very thing my mother always accused me of being: A Sweet Little Girl. Oh, how I longed *not* to be sweet.

And here—finally—was my chance. I slipped a few dollars to the boy across the aisle in Civics class and he slipped me the Evil Switchblade. I'll never forget that knife. It had a dark gray horn handle, the standard wavelike wings on each side.

And of course, it had the one thing that made the difference between good and evil, between virtue and sin, between obedience and all-out, no-holds-barred rebellion—The Button.

I never used that knife for anything. Somehow, the “evil” tool failed to make

me bad. That was my first lesson in what eventually becomes obvious to all sensible people: the person who wields a tool may be good or evil; the tool itself is just a tool.

The Federal Switchblade Act had been passed years earlier, in 1958. Switchblades—or automatic knives, to put it more properly—got caught up in the particular hysteria of that era: The Plague of Juvenile Delinquency. The knives got an evil rep, along with (of all things) comic books. As it is wont to do when the Mothers of This Great Nation are wringing their hands and demanding that “somebody DO SOMETHING about this!” Congress did something. It banned switchblades.

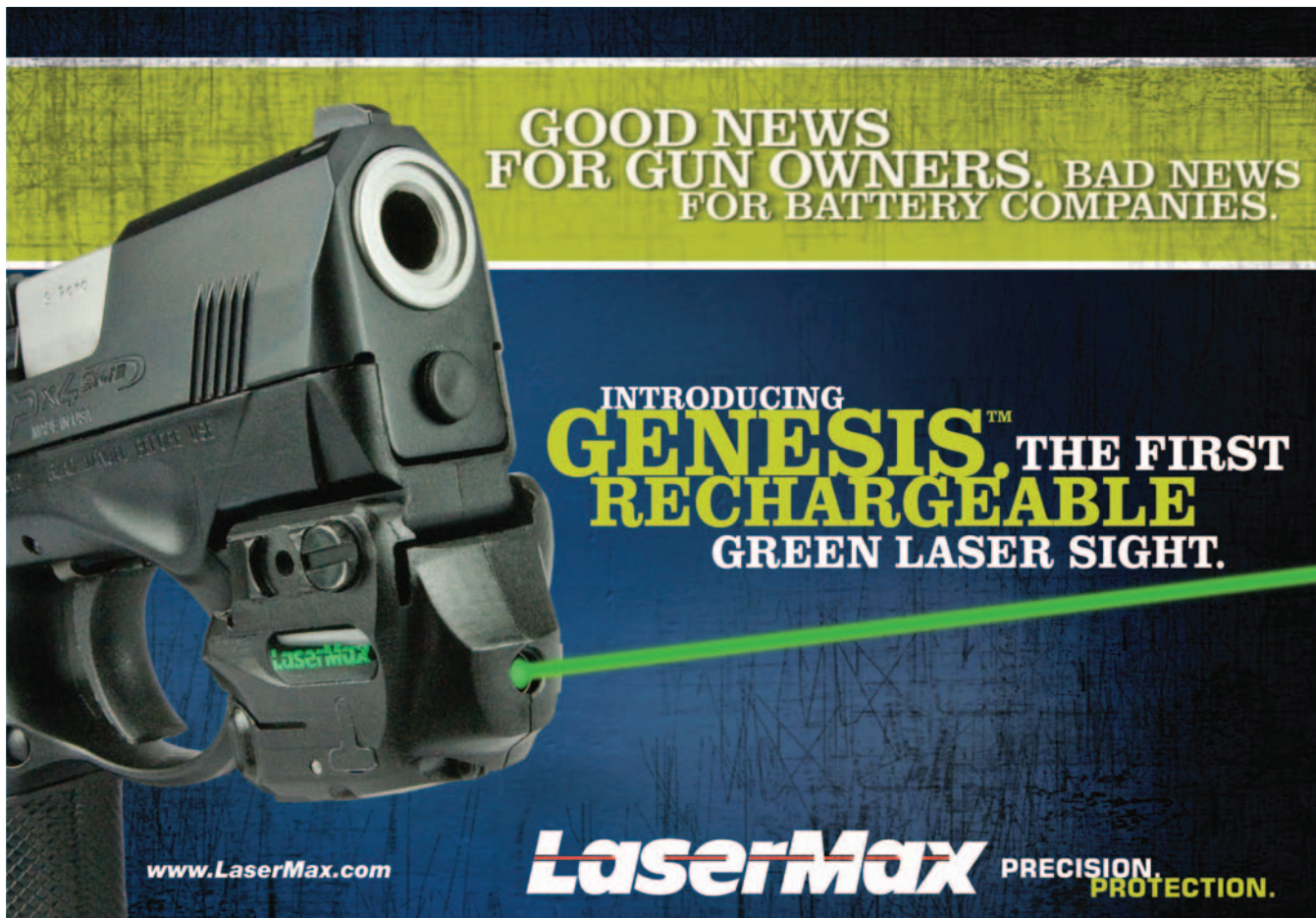
Well, sort of.

I've read the Switchblade Act of 1958, and even though it's not one of today's 4,000-page unreadable monster laws, I still can't tell whether my black-market blade of so long ago was actually illegal. It would possibly have been legal if I were a

one-armed man. But on the other hand, it might have been illegal if I had both arms but was merely missing a hand. (You think I'm making this up? Read the law for yourself: www.kniferights.org/FSA-2009.pdf.)

That first switchblade was the beginning of my great admiration for knives and knifemakers. While I'd never call myself an aficionado or a serious collector, I eventually acquired a dozen or so beautiful blades—all legal, as far as anyone can tell. But there my involvement ends.

By the time I acquired my other knives, the Switchblade Act of 1958 was a long-done deal. There was no national outcry against “knife violence,” no mass marches of hand-wringing “Moms” wanting other knives banned. Knives were just an everyday tool with thousands of uses. Everybody understood that. Like the majority of knife owners, I never again considered that any of my blades would be made illegal.



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Oh sure, there was the occasional bad news: an import ban on beautiful balisongs; politicians in some overgoverned place like Boston making anti-knife noises; and of course the eventual ban on carrying anything sharper than a spoonful of Jell-O (safely locked in a one-quart ziplock bag, of course) onto an airplane.

But when most of us knife owners weren't looking, major threats were developing against our handy tools. It probably began with the recent development of cool tools like the spring-assisted pocketknife, or many other super-engineered knives like those advertised and reviewed in the pages of *S.W.A.T.*

To hoplophobes, such knives look *scary*. As gun banners began to lose ground in the mid 1990s, some of them looked at the sleek new knives and saw the edged equivalent of the Evil Black Rifle. It's also true that knife laws are even less consistent from state to state than gun laws. For instance, in some states, the above-mentioned balisong is categorized as a "gravity knife," or switchblade. In New York, on the other hand, the balisong has

explicitly been found *not* to be a gravity knife. Municipal laws complicate the picture further.

True, there's been no grand nationwide scheme to steal knife rights. As activist Doug Ritter puts it, "It's been a death of a thousand cuts. One municipality or another will enact a restriction. It might be a restriction on length. Or on locking blades. These restrictions were starting to build. But they've come a little bit at a time."

Most haven't even been statewide, let alone national. "In the gun rights movement, if some municipality started to do something like that, the phones would be ringing off the hook at the NRA, because the firearms community is sensitized and alert to these things. The knife community hasn't been."

An industry group, the American Knife and Tool Institute (AKTI), was founded in 1998 to educate people about knives and knife law, and to work toward more consistent, knife-friendly legislation. It has an excellent online primer to help knife owners understand the laws that

may affect us (www.akti.org/legislation/guide-understanding-knife-laws-america). AKTI calls itself "the reasonable and responsible voice of the knife community."

But sometimes, both reasonable and more radical voices are needed. Sometimes the slow, deliberate acts of an industry association get the job done. Other times, you need the rowdy, rapid response of the grassroots. Until recently, there simply was no grassroots knife-rights movement.

In 2006, the *Wall Street Journal* published an alarmist, error-laden article titled "Deadly pocketknives become a \$1 billion business." When no one in the industry spoke up quickly enough to refute the article, Doug Ritter decided it was time for a true grassroots movement. He founded Knife Rights and the Knife Rights Foundation.

"If AKTI is the knife-rights equivalent of the National Shooting Sports Foundation," he says, "we're more like the NRA. Or the Second Amendment Foundation/Committee for the Right to Keep and Bear

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Arms. We're willing to be aggressive, say the things that need saying, fight the fight that needs to be fought. But we've done it for pennies compared to the big organizations. We don't have a paid staff. We have one paid lobbyist who focuses on our legislative agenda. I've never gotten a penny. Right now our biggest aim is to draw a line in the sand to stop the insanity and alert people to the fact that there's a problem—to get them to make a commitment to another cause that's got its hand out."

Another distinction of Knife Rights is that it puts only part of its emphasis on knives as everyday tools that mankind has used forever. It's also explicitly a *Second Amendment* group. "The second front in defense of the Second Amendment," Ritter calls it. "That's the message we take to those who've been fighting the gun-rights battle for so long.

"Pro-Second Amendment groups have been really successful, so people who are against weapons are looking for another means of attack. If they can restrict the kinds of knives we can buy, that's a back door to gun control. This is the same fight. And remember, both the *Heller* and *McDonald* [Supreme Court Second Amendment] decisions explicitly mention knives."

Although Knife Rights has fewer than 1,000 paid members and 5,000 on its email alert list, it recently joined with other knife and gun groups in a major success—beating back the first serious national challenge against knives since the anti-switchblade hysteria of the 1950s.

In May 2009, the Department of Homeland Security's Bureau of Customs and Border Protection abruptly decided to reverse four of its previous rulings and decree that all one-handed and assisted-opening pocketknives were "switchblades." They gave the public just six weeks to comment on their proposed fiat. If successful, the ruling would have, in effect, banned millions of knives, both domestically made and imported.

But in short order, the groups rallying against the bureaucrats' ban generated 5,000 responses to the DHS from angry knife owners and Second Amendment supporters. They also managed to get the ear of several influential federal legislators. (Sen. Ron Wyden, D-OR, isn't generally known as a Second Amendment

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stalwart, but with major players of the U.S. knife industry like Benchmade, Gerber, and Kershaw based in his state, he got hopping.) The result: A technical amendment to the Switchblade Act ensuring that modern spring-assisted knives are *not* defined as switchblades. By fall, the battle was over.

As Doug Ritter put it, “Customs crawled back into the hole they’d crawled out of. But anybody who says that was simple or that we weren’t lucky doesn’t know what they’re talking about. This is a small industry, not a billion-dollar industry. It’s mostly Mom and Pop with a few larger corporate interests. We were fortunate we could get everybody moving in the same direction at the same time. This was a bi-partisan effort. It gave more credibility to people who’ve been saying we have a problem. We felt proud of ourselves.

“But even now, if you said that very few knife owners are aware that their tools are under attack, you’d be overstating the level of awareness by 50 percent.”

Now another challenge has arisen. It’s on the municipal level once again. But it’s the biggest of cities, with big players who are making their illegitimate knife grab statewide—and beyond. In Manhattan, District Attorney Cyrus Vance, Jr. and his deputies (including Dan M. Rather, son of the newsman) are engaged in what you could bluntly call a shakedown.

As the DHS did, they’re going after

one-handed locking knives, calling them “illegal gravity knives” in apparent disregard of state law. They’ve seized stores’ entire stock of such knives and then, according to New York City news site the *SoHo Journal*:

District Attorney Vance’s investigation led many of the sellers, including Home Depot, Eastern Mountain Sports, Paragon Sports, and four others, to enter into deferred prosecution agreements. The agreements require the companies to turn over all profits from the sale of such knives during the past four-year period, totaling nearly \$1.9 million to date, and to finance a campaign to educate the public about illegal knives.

At Paragon Sports, at least, they apparently confiscated only the low-priced production models; they left the pricey custom knives for the richer customers. Shades of the old attack on “cheap Saturday-night specials.” *Your knife is evil.* The knives purchased by their country-club buddies are okay.

The Vance steamroller’s attack on Ace Hardware prompted that company to send a memo to all of its co-op members and independent dealers in New York state (far beyond the borders of Vance’s authority), telling them to remove all one-handed opening knives from their shelves and informing them that no more would be shipped to them.

The next stage of Vance’s campaign: Attacking out-of-state vendors who sell knives to New York residents. So once

again, as with the DHS, we potentially have a national issue.

And the \$1.9 million extorted by Vance and his minions? Ten percent goes to the state of New York, 51 percent to the city government, and the rest—nearly three-quarters of a million dollars—will go to other DA’s offices that agree to persecute other knife sellers in similar fashion.

The knife industry is small. From your point of view or mine, companies like Ace Hardware and Home Depot sell large numbers of knives. But knives are actually a tiny item on their balance sheets. (“Knife sales amount to no more than a rounding error on their bookkeeping,” says Ritter.) They’re not going to fight this battle. Individual knife makers and dealers don’t have the means to do it.

It’s going to be done once again by knife industry groups, Second Amendment organizations, and the grassroots. Attorney Alan Gura—who successfully carried both *Heller* and *McDonald* through the Supreme Court—is on the case. But this time there’s not going to be a quick victory, as there was against the DHS. This time it’s likely to be a long, grinding battle through the justice system.

As of this writing, Knife Rights has raised about a quarter of a million dollars—around 40 percent of what’s needed.

Now they need people like you and me to step up and join them: www.kniferights.org. ●

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In addition, many people using iron sights experience a lateral drift or expansion of their groups when forced to shoot with both eyes open. In short, if you’ve developed an optical system that works for you as an individual, don’t fix something that ain’t broke.

Once you’ve progressed into the realm of “Look Cool Tactics,” you’re taught the Exorcist Technique: swivel your head at a rapid rate after firing, like a demon-possessed lunatic—supposedly to make up for lack of peripheral vision (I thought we’d just covered

that subject), and to “check your six.”

Here’s the bad news:

Since your brain’s visual cortex is attempting to disseminate the 72 gigabytes-per-second of information that the two million retinal ganglion cells in your eyes are transmitting, exactly how much do you think you’re going to perceive in a dark, trash-strewn alley in the middle of a gunfight?

Yes, you need to check your surroundings after dumping your adversaries, but in battle you’d better slow down your physical gyration and antics to the

pace where your cognitive processes can keep track of what your panic-stricken eyeballs are photographing.

There’s plenty more, but the above will suffice to get the point across.

You have the choice. You can be either a pampered racehorse with a full belly, or just another thirsty jackass. ●

[Louis Awerbuck is Director of the internationally acclaimed Yavapai Firearms Academy. Course information and schedules are available at their website at www.yfainc.com.]