



Second Amendment

Patrick J. Charles



Second Amendment:

Living with Guns Craig Whitney, 2012-11-13 A former editor at the New York Times examines the war over gun control in America and the rigid and intolerant ideologies that have informed the debate on both sides for more than 50 years 20 000 first printing

The Second Amendment Michael Waldman, 2014-05-20 The life story of the most controversial volatile and misunderstood provision of the Bill of Rights and a welcome re injection of historical context into the present debate over the rightful role of guns in American culture Chicago Tribune At a time of increasing gun violence in America Waldman's book provoked a wide range of discussion This book looks at history to provide some surprising illuminating answers The Amendment was written to calm public fear that the new national government would crush the state militias made up of all white adult men who were required to own a gun to serve Waldman recounts the raucous public debate that has surrounded the amendment from its inception to the present As the country spread to the Western frontier violence spread too But through it all gun control was abundant In the twentieth century with Prohibition and gangsterism the first federal control laws were passed In all four separate times the Supreme Court ruled against a constitutional right to own a gun The present debate picked up in the 1970s part of a backlash to the liberal 1960s and a resurgence of libertarianism A newly radicalized NRA entered the campaign to oppose gun control and elevate the status of an obscure constitutional provision In 2008 in a case that reached the Court after a focused drive by conservative lawyers the US Supreme Court ruled for the first time that the Constitution protects an individual right to gun ownership Famous for his theory of originalism Justice Antonin Scalia twisted it in this instance to base his argument on contemporary conditions In *The Second Amendment A Biography* Michael Waldman shows that our view of the amendment is set at each stage not by a pristine constitutional text but by the push and pull the rough and tumble of political advocacy and public agitation

The Second Amendment in the 21st Century John J. Fendrock, 2013-04-29 An objective analysis of the relevance of the 2nd Amendment and its impact in the form of gun violence on life in contemporary American society This is followed with a program for closing the door on such violence today and in the future leading to the ideals envisioned by the Founding Fathers Gun violence in America casts a dark shadow over the glowing ideals of America the land of life liberty and the pursuit of happiness

The Positive Second Amendment Joseph Blocher, Darrell A.H. Miller, 2018-09-13 The Second Amendment is among the most recognized provisions of the Constitution It is also perhaps the most misunderstood Common misconceptions about the amendment what it forbids what it permits how it functions as law distort the gun debate and America's constitutional culture In *The Positive Second Amendment* Blocher and Miller provide the first comprehensive post *Heller* account of the history theory and law of the right to keep and bear arms Their aim is not to pick sides in the gun debate but rather to show how a positive account of the constitutional Second Amendment differs from its political cousin Understanding the right to keep and bear arms as constitutional law will challenge many deeply held beliefs But it may also provide a better way to negotiate the seemingly

intractable issues that afflict America's debate over gun rights and regulation

The Second Amendment Freya Ottem Hanson, 1998 This book looks at the people behind the passage of the Second Amendment which established the right to bear arms The author cites historical examples and present day situations involving the arguments over gun control to explain the relevance of this amendment

The Second Amendment Primer Les Adams, 2013-07-01 So much of the debate about the Second Amendment is in scholarly journals and academic papers written by scholars and judges or directed towards other scholars law professors attorneys and judges Trying to wade through the extensive footnotes and references to legal cases and historical precedents known only to the academic elite is more than enough to make anyone feel hopeless With The Second Amendment Primer Les Adams finally provides an accessible discussion of the Second Amendment It is a primer because it is elementary Chronologically arranged it traces the development of the right to keep and bear arms from its birth in ancient Greece to its addition in the U S Constitution Supplemental essays discuss the Second Amendment's interpretation in today's world from the viewpoints of both firearms enthusiasts as well as those who would limit the amendment's purview Although The Second Amendment Primer is aimed at the average reader Adams's facts are detailed and well documented Reference margin notes an extensive bibliography and a comprehensive subject index showcase the author's research and show more curious readers how to continue on their path to understanding exactly what the Second Amendment is saying Using this citizen's guide as a stepping stone anyone can become a successful scholar of the right to bear arms

Gun Control and the Second Amendment Carol Hand, 2016-12-15 Gun Control and the Second Amendment covers the history of gun control and the laws relationships to the Second Amendment the controversies surrounding what types of gun control are legal and effective and what gun control and gun violence look like today in the United States and around the world Aligned to Common Core Standards and correlated to state standards Essential Library is an imprint of Abdo Publishing a division of ABDO

The Second Amendment Patrick J. Charles, 2009-03-23 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 Legal historians analysts judges and commentators have long disagreed about the original scope and intent of these words making up the Second Amendment to the United States Constitution Individual right theorists interpret it as protecting the personal privilege to own and carry firearms while collective right theorists interpret it as only protecting the privilege of a collective society to bear arms in relation to militia service This book examines the contentions of both groups and concludes that the amendment is meant only to protect the right of an individual to keep and bear arms for the purpose of defending the country in a militia force against standing foreign or domestic armies In crafting his argument the author examines the Second Amendment in exacting detail On June 28 2010 the book was cited by Associate Supreme Court Justice Stephen Breyer in a dissenting opinion for the landmark case McDonald v City of Chicago

A Well-Regulated Militia Saul Cornell, 2006-08-01 Americans are deeply divided over the Second Amendment Some passionately assert that the Amendment protects an

individual's right to own guns. Others that it does no more than protect the right of states to maintain militias. Now in the first and only comprehensive history of this bitter controversy, Saul Cornell proves conclusively that both sides are wrong. Cornell, a leading constitutional historian, shows that the Founders understood the right to bear arms as neither an individual nor a collective right but as a civic right, an obligation citizens owed to the state to arm themselves so that they could participate in a well-regulated militia. He shows how the modern collective right view of the Second Amendment, the one federal courts have accepted for over a hundred years, owes more to the Anti-Federalists than the Founders. Likewise, the modern individual right view emerged only in the nineteenth century. The modern debate, Cornell reveals, has its roots in the nineteenth century during America's first and now largely forgotten gun violence crisis, when the earliest gun control laws were passed and the first cases on the right to bear arms came before the courts. Equally important, he describes how the gun control battle took on a new urgency during Reconstruction when Republicans and Democrats clashed over the meaning of the right to bear arms and its connection to the Fourteenth Amendment. When the Democrats defeated the Republicans, it elevated the collective rights theory to preeminence and set the terms for constitutional debate over this issue for the next century. A Well-Regulated Militia not only restores the lost meaning of the original Second Amendment but it provides a clear historical road map that charts how we have arrived at our current impasse over guns. For anyone interested in understanding the great American gun debate, this is a must-read. Winner of the Langum Prize in American Legal History. Legal Biography. The Positive Second Amendment. Joseph Blocher, Darrell A.H. Miller, 2018-09-13. Provides the first comprehensive post-Heller account of the Second Amendment as constitutional law, dispelling many myths along the way. **The Second Amendment and Gun Control Laws as a Subject of Debate**. Lisa Schreinemacher, 2019-08-26. Seminar paper from the year 2019 in the subject American Studies, Culture and Applied Geography, grade 1.7. University of Bonn, language English, abstract. This study is concerned with the historical development of the Second Amendment and how it is interpreted today. In doing so, John Vile's *A Companion to the United States Constitution and its Amendments* and Adam Winkler's *Gun Fight* have been consulted to provide background information on the history of the Second Amendment. Due to the fact that this term paper also deals with current statistics on gun control laws, it also relied on online research and online publications. Firstly, there will be a chapter that deals with the original intent of the founding fathers who framed the Second Amendment to the United States Constitution. It will provide an historical overview of the creation of the Second Amendment and what led to its inclusion into the Bill of Rights. It further tries to explain the founder's interpretation of the Second Amendment with regards to the militia. The third chapter will focus on the question of how the National Rifle Association was able to rewrite the Second Amendment in order to gain more profit and get support for gun rights. The chapter will present the approach taken by the NRA that resulted in a new interpretation of the Second Amendment and established the perception of an individual right to possess firearms within American society. It will take into account the Supreme Court cases of *United States v. Miller* of 1939 and

District of Columbia v Heller of 2008 that ultimately guaranteed an individual's right to own firearms without any connection to a militia. Another chapter will focus on gun control laws and provide a comparison between the United States and other developed countries. Furthermore, this chapter will give an insight into the perception of the Second Amendment within American society and discusses current gun control policies. Finally, the last paragraph of this term paper will be a conclusion which sums up the results achieved and gives an outlook for future research on the Second Amendment and gun control laws.

The Right to Bear Arms Hallie Murray, 2017-07-15. A hot button issue that is in the news daily, the right to bear arms is one of Americans' most provincial and cherished rights. There are more guns per capita in the United States than anywhere else in the world. Through engaging and enlightening text, the Second Amendment, the right to bear arms, is studied in depth. Analyzing the varying views on the amendment, students will get the opportunity to learn about the different interpretations of the amendment. The history of the amendment as well as its creators, supporters, and detractors are studied thoroughly. Primary source documents allow readers to examine the amendments themselves and come up with their own conclusions. Full color and black and white photos help students better understand the Bill of Rights and its creation. Further reading and sidebars encourage students to explore the amendments further, and a glossary helps students master new vocabulary.

The Mythic Meanings of the Second Amendment David C. Williams, 2003-01-01. David Williams offers a new reading of the Second Amendment, suggesting that it guarantees to individuals a right to arms only insofar as they are part of a united consensual people so that their uprising can be a unified revolution rather than a civil war.

Repeal the Second Amendment Allan J. Lichtman, 2020-01-28. A radical case for the repeal of the 2nd Amendment as the only way to control gun violence in America. There's an average of one mass shooting per day in the United States. Given the ineffectiveness of the gun control lobby, it's time for a strategy with spine. In *Repeal the Second Amendment*, Allan J. Lichtman has written the first book that uses history, legal theory, and up-to-the-minute data to make a compelling case for the amendment's repeal in order to create a clear road to sensible gun control in the US. *Repeal the Second Amendment* explores both the true history and current interpretation of the Second Amendment to expose the NRA's blatant historical manipulations and irresponsible fake news releases. Lichtman looks at the history of firearms and gun regulations from colonial times to the present to explain how a historically forgotten sentence in the Constitution has become a flash point of recent politics that benefits only the gun industry, their lobbyists, and the politicians on their payroll. He probes court decisions and the effective lobbying and public relations strategies of the gun lobby as well as the ineffectiveness of the gun control movement for lessons in doing better. What emerges is a clear and cogent plan: repeal and replace the Second Amendment without taking guns away from anyone who has them now to make the US a safer place. It's time to Repeal the Second Amendment, and Allan Lichtman is the man to bring this radical plan to America.

The Second Amendment Kirsten W. Larson, 2017-08. Examines the causes, writing, and effects of the Second Amendment of the Bill of Rights, which guarantees American citizens the right to bear arms. Includes

critical thinking questions photographs a glossary and further resources

The Second Amendment and Gun Control Kevin Yuill, Joe Street, 2017-09-14 The Second Amendment by far the most controversial amendment to the US Constitution will soon celebrate its 225th anniversary Yet despite the amount of ink spilled over this controversy the debate continues on into the 21st century Initially written with a view towards protecting the nascent nation from more powerful enemies and preventing the tyranny experienced during the final years of British rule the Second Amendment has since become central to discussions about the balance between security and freedom It features in election contests and informs cultural discussions about race and gender This book seeks to broaden the discussion It situates discussion about gun controls within contemporary debates about citizenship culture philosophy and foreign policy as well as in the more familiar terrain of politics and history It features experts on the Constitution as well as chapters discussing the symbolic importance of Annie Oakley the role of firearms in race and filmic representations of armed Hispanic girl gangs It asks about the morality of gun controls and of not imposing them The collection presents a balanced view between those who favour more gun controls and those who would prefer fewer of them It is infused with the belief that through honest and open debate the often bitter cultural divide on the Second Amendment can be overcome and real progress made It contains a diverse range of perspectives including uniquely a European perspective on this most American of issues

The Second Amendment in Law and History Michael A. Bellesiles, 2000 A guide to the complex debates surrounding the constitutional right to bear arms discusses the significance of the gun lobby in the legislation of firearms and the historical and constitutional arguments for restricting gun ownership

A People Armed and Free Reynolds J. D. Jack, Jack Reynolds, 2003 In 1999 39% of American households had guns Approximately 28 million households In 2001 the Fifth Circuit held that the Second Amendment protects an individual's right to keep and bear arms But in 2002 the Ninth Circuit ruled contrary that there is no individual right there is only a collective right of the states to arm the National Guard Who is right What does the Second Amendment do 28 million households want to know A People Armed and Free The Truth About the Second Amendment using plain common language easy to understand goes through six factors that the courts consider in determining the meaning of constitutional provisions The text itself the history of the Amendment the structure of the government previous court decisions public policy and the ethos of the American people The applicability of the Fourteenth Amendment to restrict the states efforts to regulate gun ownership the current status of federal gun regulation and current proposals for more regulations and their possible constitutionality are also discussed Unlike most books this book looks at all arguments from all sides and makes a decision as an appellate judge would do after reviewing briefs and hearing arguments only cutting through the legalese

The Hidden History of Guns and the Second Amendment Thom Hartmann, 2019-06-04 The New York Times bestselling author explores the real history of guns in America and how to limit both their lethal impact and the gun lobby's power Taking his typically in depth historically informed view Thom Hartmann the most popular progressive radio

host in America examines the brutal role guns have played in American history from the genocide of the Native Americans to the enforcement of slavery Slave Patrols are in fact the Second Amendment's well regulated militias and the racist post Civil War social order He shows how the NRA and conservative Supreme Court justices used specious logic to invent a virtually unlimited individual right to own guns which has enabled the ever growing number of mass shootings in the United States But Hartmann also identifies a handful of powerful commonsense solutions that would break the power of the gun lobby and restore the understanding of the Second Amendment that the Framers of the Constitution intended This is the kind of brief brilliant analysis for which Hartmann is justly renowned Praise for The Hidden History of Guns and the Second Amendment In this precise primer on firearms practices and policies progressive talk show host Hartmann examines the history of routine gun usage and extreme gun violence and assesses the influence of gun ownership on contemporary political economic and social norms A brief but powerful analysis of a searing national crisis Booklist 34 000 REASONS TO READ THIS BOOK That's the number of gun related deaths annually in America Norman Lear When Thom Hartmann talks I listen What Thom Hartmann writes I read This book about the history of guns in America and most importantly what should be the future of guns in America is important mind opening and profoundly helpful Marianne Williamson

The Founders' Second Amendment Stephen P. Halbrook, 2019-01-15 Stephen P Halbrook's The Founders Second Amendment is the first book length account of the origins of the Second Amendment based on the Founders own statements as found in newspapers correspondence debates and resolutions Mr Halbrook investigates the period from 1768 to 1826 from the last years of British rule and the American Revolution through to the adoption of the Constitution and the Bill of Rights and the passing of the Founders generation His book offers the most comprehensive analysis of the arguments behind the drafting and adoption of the Second Amendment and the intentions of the men who created it

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