



The Second Amendment of The United States Constitution

The Second Amendment to the US Constitution was a historical amendment relating to the rights and responsibilities of the US citizens in bearing arms. The amendment was enacted as part of the Bill of Rights in the context of the first Ten Commandments in the Bill. With the support of the Virginia state legislature, the ratification of the amendment took place in December 1791. As per the provisions of the United States Supreme Court, the rights to hold and bear arms belong to the individuals. Also, the Supreme Court ruling stated that the rights were limited and did not prohibit regulation of firearms and similar devices. The Federal government, in infringing the firearms rights as per the Bill of Rights Incorporation, enjoys the same rights as the state and local governments.

The second amendment, swayed by the 1869 English-based Bill of Rights, was based on the partial right to bear and keep firearms as it was provided by the English Common law. According to English Judge, Sir William Blackstone, the rights to hold and bear firearms by US citizens were an auxiliary right for all. In this case, the weapons were meant for the fundamental right of personal defense, civic duty to act in defending the state and the resistance to oppression from the oppressors. Numerous cases have been determining in the Supreme Court over the years concerning the validity of states in banning of bearing and keeping the shotguns by the American citizens. This paper will dig deeper into that.

Text of the second amendment

The second amendment, which was passed by the Senate and House, was clear that the militia which was well-regulated was crucial to ensure the security of America was the basis of offering the rights to possess and bear firearms (Van Alstyne, pg. 1236-1255). The original language used to scribe the second amendment has created considerable debate on the intended scope that was aimed at the House and the Senate.

On the other hand, some legal experts are of the view that the 'the right of the people to bear and keep firearms' phrase was meant to give individual rights to the US citizens on holding and keeping firearms. As per the provisions of the 'individual rights theory', the legislative bodies in the USA are prohibited from restricting the possession of firearms. Further, the theory argues that any amendments that prohibit and restrictively regulate the right to hold and bear firearms by the US citizens are unconstitutional.

Second Amendment To The Constitution Essay Contest

**United States. Congress. Senate.
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The Right to Bear Arms Robert J. Spitzer, 2001-11-28 An objective examination of the Second Amendment focusing on the intentions of its authors its evolution from America s beginnings to the present and the views expressed by the courts In The Right to Bear Arms Rights and Liberties under the Law the first volume in ABC CLIO s America s Freedoms series political scientist Robert J Spitzer combats hysteria and rhetoric with simple facts He takes no position on whether more or fewer gun control laws are needed or whether guns are good or bad Instead he traces the roots of the Second Amendment analyzes the opinions and intentions of its authors follows its application and evolution from its beginnings and explores the views expressed by the courts He then carefully compares the intended and the implied meaning of this amendment with the views expressed by the entire spectrum of groups involved in the gun control issue Armed with the facts readers can decide for themselves

Anti-crime Program United States. Congress. House. Committee on the Judiciary, United States. Congress. House. Committee on the Judiciary. Subcommittee No. 5, 1967 *The Cult of the Constitution* Mary Anne Franks, 2023-05-25 A powerful challenge to the prevailing constitutional orthodoxy of the right and the left A deeply troubling and absolutely vital book Mark Joseph Stern Slate In this provocative book Mary Anne Franks examines the thin line between constitutional fidelity and constitutional fundamentalism *The Cult of the Constitution* reveals how deep fundamentalist strains in both conservative and liberal American thought keep the Constitution in the service of white male supremacy Franks demonstrates how constitutional fundamentalists read the Constitution selectively and self servingly thus undermining the integrity of the document as a whole She goes on to argue that economic and civil libertarianism have merged to produce a deregulatory free market approach to constitutional rights that achieves fullest expression in the idealization of the Internet The fetishization of the first and second amendments has blurred the boundaries between conduct and speech and between veneration and violence But the Constitution itself contains the antidote to fundamentalism *The Cult of the Constitution* lays bare the dark antidemocratic consequences of constitutional fundamentalism and urges readers to take the Constitution seriously not selectively Hearings, 89th Congress, 1965-66, V. 12 United States. Congress. Senate, 1965 Dual

Distribution United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Antitrust and Monopoly, 1966

INSCOM Journal, 1992 **Federal Firearms Act** United States. Congress. Senate. Committee on the Judiciary. Subcommittee to Investigate Juvenile Delinquency, 1965 *Hearings* United States. Congress. House. Committee on Ways and Means, 1965 **Hearings** United States. Congress. House, 1967 Proceedings of the ... Meeting and ... Annual Meeting of the West Virginia Bar Association West Virginia Bar Association, 1887

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Table of Contents Second Amendment To The Constitution Essay Contest

1. Understanding the eBook Second Amendment To The Constitution Essay Contest
 - The Rise of Digital Reading Second Amendment To The Constitution Essay Contest
 - Advantages of eBooks Over Traditional Books
2. Identifying Second Amendment To The Constitution Essay Contest
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Second Amendment To The Constitution Essay Contest
 - User-Friendly Interface
4. Exploring eBook Recommendations from Second Amendment To The Constitution Essay Contest
 - Personalized Recommendations
 - Second Amendment To The Constitution Essay Contest User Reviews and Ratings

- Second Amendment To The Constitution Essay Contest and Bestseller Lists
- 5. Accessing Second Amendment To The Constitution Essay Contest Free and Paid eBooks
 - Second Amendment To The Constitution Essay Contest Public Domain eBooks
 - Second Amendment To The Constitution Essay Contest eBook Subscription Services
 - Second Amendment To The Constitution Essay Contest Budget-Friendly Options
- 6. Navigating Second Amendment To The Constitution Essay Contest eBook Formats
 - ePub, PDF, MOBI, and More
 - Second Amendment To The Constitution Essay Contest Compatibility with Devices
 - Second Amendment To The Constitution Essay Contest Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Second Amendment To The Constitution Essay Contest
 - Highlighting and Note-Taking Second Amendment To The Constitution Essay Contest
 - Interactive Elements Second Amendment To The Constitution Essay Contest
- 8. Staying Engaged with Second Amendment To The Constitution Essay Contest
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Second Amendment To The Constitution Essay Contest
- 9. Balancing eBooks and Physical Books Second Amendment To The Constitution Essay Contest
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Second Amendment To The Constitution Essay Contest
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Second Amendment To The Constitution Essay Contest
 - Setting Reading Goals Second Amendment To The Constitution Essay Contest
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Second Amendment To The Constitution Essay Contest
 - Fact-Checking eBook Content of Second Amendment To The Constitution Essay Contest
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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