

# 2nd Amendment: The Intention



US Constitution, Bill of Rights  
(the *supreme law* of the land)



“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.”

The guarantee of the right is, in part, intended for fighting and preventing a tyrannical government through the presence and actions of militias, which can form spontaneously given the rights guaranteed in the 1<sup>st</sup> amendment. Militias serve this purpose through the potential for widespread guerrilla warfare and unified action against oppressive government.

The founders had just fought a war against a tyrannical government, and they feared the federal government could eventually become such a tyranny. So, they designed these guarantees of rights, the Bill of Rights, to prevent the emergence of tyranny in the US.

## At the time the amendment was written:

1. Arms included cannons, bomb shooting cannons, and vessels that had such cannons
2. There existed weapons which might be deemed un-useful to militias (flails, brass knuckles)
3. Concealment of weapons was also possible

And yet, none of these were provided as exceptions to the right to bear arms.

In other words, the 2nd amendment guarantees the right to bear arms *without* exception to **type** or **manner**.

The intent of the 2<sup>nd</sup> amendment was to empower the people against bad government. The intent was not to give one person the right to terrorize a community by owning a nuke. But, the intent was to give any preformed or spontaneously forming militia the weaponry necessary to fight, in a non futile manner, a tyrannical government.

It should also be mentioned that the 2<sup>nd</sup> amendment did not give the right to bear arms; it guaranteed it. The right itself comes from Natural Law, from the right of self preservation.

What does it mean that the 2<sup>nd</sup> amendment guarantees the right? The Constitution and Bill of Rights is a contract between the states and it is the legitimacy of the existence of the Federal Government. It is the supreme law of the land. The 2<sup>nd</sup> amendment is binding on both the Federal Government and State Governments. Although the people themselves are not party to the Constitution, the US Constitution and Bill of Rights serve as the basis of the social contract, which is completed in each state by their individual constitutions. In intentionally violating the 2<sup>nd</sup> amendment, government is breaching the contract that establishes its legitimacy. And, consequently, you have the moral right, and natural imperative to throw them out if they do not correct the breach.