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What Is The Second Amendment And How Is It Defined

“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.”

In just twenty-seven words, the Second Amendment solidifies one of America’s most fundamental freedoms — the right to keep and bear arms. But what is the Second Amendment? And how does it protect you as an American? Here are the facts.

What is the Second Amendment?

In short, the Second Amendment states that as an American citizen, you have the individual right to arm yourself. The amendment also firmly establishes that the government cannot infringe on that right.

The Second Amendment was ratified on December 15, 1791, as one of the first ten amendments to the Constitution, known as the Bill of Rights. The Bill of Rights expanded upon the Constitution by establishing clear individual rights, limiting the government’s power, and further laying the foundation of American freedom.

Today, the Second Amendment remains fundamental to protecting the rights of law-abiding gun owners.

What the Second Amendment Means

It was no small task for the Founding Fathers to put the building blocks of American freedom into writing. There was much debate amongst them about the amendments’ proposed contents. However, they did widely agree on the Second Amendment’s intended meaning. [1]

Let’s take a look at the meaning a bit more in-depth by breaking down all twenty-seven words line by line.

“A well regulated Militia, ...”

The term “militia” mentioned in the Second Amendment’s opening line refers to the American people. As George Mason described it:

“I ask, sir, what is the militia? It is the whole people, except for few public officials.” [2]

The Supreme Court has established that the right to keep and bear arms is an individual right unrelated to one's status in a militia. [3]

"...being necessary to the security of a free State..."

The Founding Fathers felt that citizens should be able to protect themselves against the government and any other threat to their wellbeing or personal freedom. The Second Amendment granted citizens that right — giving them the ability to defend themselves and their property.

Though times have changed dramatically, the need for defenses afforded by the Second Amendment has remained much the same.

"...the right of the people to keep and bear Arms, shall not be infringed."

The final line states that citizens have the individual right to own firearms for lawful purposes and that the government may not interfere with that right.

The Fourth Amendment, which protects another fundamental individual right, uses similar language. The Fourth Amendment states:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated..."

This similarity is notable because it affirms that the Founding Fathers intended the Second Amendment to protect an individual right. *District of Columbia v. Heller*, a landmark Supreme Court case for the Second Amendment, references this comparison.

Second Amendment Court Cases

Several court cases have legally set precedent for how the Second Amendment is interpreted since it was ratified in 1791. The following two are the most relevant to gun owners today.

District of Columbia v. Heller (2008)

On June 26, 2008, the Supreme Court affirmed that the Second Amendment guarantees the individual right to keep and bear arms for lawful uses.

The court decision was a breakthrough for Second Amendment rights. It meant that the Founding Fathers' intention to grant that individual right could not be misinterpreted by those seeking to pass unconstitutional gun control legislation.

Credit to <https://www.nraila.org/what-is-the-second-amendment-and-how-is-it-defined/>