



Name _____

The Second Amendment Today

The Second Amendment today is surrounded by controversy. This controversy is centered mainly on the two words *militia* and *people*. The group that supports gun control does not want the word *people* to have any meaning in the amendment. The gun rights group would not like the word *militia* to mean anything. The interpretation of this amendment takes on a different meaning when these two groups define those two words.

The best way to look at the true meaning of this amendment is to look at what the courts have said about it. Generally, the Constitution is considered to be a living document, which means that the interpretation changes to meet the needs of the times. The judges and courts of each generation provide the interpretation of the document.

The courts have consistently determined that the Second Amendment does not ensure each individual the right to bear arms. Instead, the amendment provides the right for the states to arm a militia such as the National Guard. The courts have never found a law regulating the private ownership of weapons unconstitutional. The courts have also said that the Second Amendment is not incorporated against the states. This means that the rights of this amendment are not extended to the individual citizens of the states. So a person has no right to complain about a Second Amendment violation by state laws. According to the courts, the Second Amendment only provides the right of a state to keep an armed National Guard.

I. Reviewing the Facts

1. The disagreement over the meaning of the Second Amendment centers on the two words _____ and _____.
2. The Constitution is considered to be a living document which means that _____.
3. The amendment provides the right of the states to arm a militia such as the _____.
4. The courts have ruled that the Second Amendment is not _____ against the states, which means that the rights of this amendment are not extended to the citizens of the state.

II. Thinking About the Story

This amendment is the center of a disagreement between gun control groups and gun rights groups. Should individuals in the United States have their right to own guns protected by the Constitution? Write a brief paper explaining your views in this argument.

