Subject: The Second Amendment
Posted by elektratig on Wed, 14 Jun 2006 08:37:26 GMT
View Forum Message <> Reply to Message

Putting the statistics aside for a moment, there is a compelling case that the Second Amendment provides an individual right to bear arms.The argument that the Second Amendment conveyed an individual right when it was originally ratified is fairly strong. Where it becomes compelling is after the Civil War, when Congress passed the Fourteenth Amendment, which applied the Bill of Rights against the states. The legislative history makes clear that, in so doing, the Radical Republicans controlling Congress were particularly outraged by terror campaigns in the South directed against Repubican sympathizers and former slaves by the Klu Klux Klan and similar organizations. Laws in southern states prohibited former slaves and others from owning weapons with which to defend themselves, and the Radical Republicans made clear that they viewed this as a violation of the Constitution. Congress had specifically in mind (among other things) the goal of giving individuals the right to keep and bear arms so they could deter and if necessary defend themselves against these threats.The issue is, of course, politically charged -- as your posts demonstrate. But the history is a no-brainer.