

#3563

AMENDMENT 2: RIGHT TO BEAR ARMS

Grade Levels: 10-13+

5 minutes

CAMBRIDGE EDUCATIONAL 1998

DESCRIPTION

Takes a brief look at the Second Amendment to the Constitution: "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." Provides history of the Amendment and focuses on the gun control issue. Cites court cases that support both sides of the controversy.

ACADEMIC STANDARDS

Subject Area: Civics

- ◆ Standard: Understands the central ideas of American constitutional government and how this form of government has shaped the character of American society
 - Benchmark: Knows opposing positions on current issues involving constitutional protection of individual rights such as limits on speech (e.g., hate speech, advertising), separation of church and state (e.g., school vouchers, prayer in public schools), cruel and unusual punishment (e.g., death penalty), search and seizure (e.g., warrantless searches), and privacy (e.g., national identification cards, wiretapping) (See Instructional Goals #2, #3, #4)
- ◆ Standard: Understands issues regarding personal, political, and economic rights
 - Benchmark: Knows what constitutes personal rights (e.g., freedom of conscience, freedom to marry whom one chooses, to have children, to associate with whomever one pleases, to live where one chooses, to travel freely, to emigrate) and the major documentary sources of personal rights (e.g., Declaration of Independence, United States Constitution including the Bill of Rights, state constitutions) (See Instructional Goals #2, #3)

INSTRUCTIONAL GOALS

1. To review the history of the Second Amendment as it relates to the colonial militia.
2. To introduce the controversy surrounding the Second Amendment.
3. To stimulate discussion of gun control in the United States.
4. To examine Supreme Court decisions involving the Second Amendment.

VOCABULARY

1. infringed
2. ratified
3. militias
4. National Rifle Association (NRA)
5. Brady Bill
6. right to bear arms



BEFORE SHOWING

1. Review the basics of the history of the American Constitution:
 - a. Articles of the Confederation
 - b. Constitutional Convention
 - c. Articles of the Constitution
 - d. The Bill of Rights
2. Solicit opinions as to whether U.S. citizens should own guns.

AFTER SHOWING

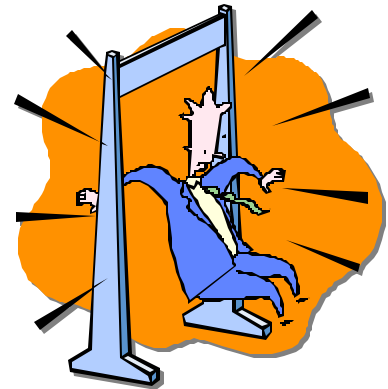
Discussion Items and Questions

1. What was the reasoning behind the establishment of the amendments?
2. Why are the first ten amendments called the Bill of Rights?
3. What was the main motivation behind the ratification of the Second Amendment?
4. Track the evolution of the militia in the United States.
 - a. What was the original purpose of the militia?
 - b. What two stages did the militia go through before it became part of the United States military?
 - c. What is the term militia used for today?
5. At the heart of the argument in the Second Amendment is the right of the state versus the right of the individual.
 - a. What does each side believe?
 - b. What "proof" do they use to support their beliefs?
 - c. Defend which view is more acceptable.
6. How has the Supreme Court ruled in regards to the Second Amendment?
7. Explain the Brady Bill and how it affects gun purchasers.
8. How has the recent gun-related violence in schools affected the debate for gun control?
9. Debate what types of arms, if any, should be restricted for purchase and/or ownership.
10. Discuss the statement, "All citizens capable of bearing arms constitutes the reserve militia of the United States."



Applications and Activities

1. Research the Brady Bill.
 - a. How has this bill affected the rates of gun violence?
 - b. How well is it enforced?
 - c. What kinds of problems have arisen that might be attributed to this bill? What kinds of problems has it solved?
2. Look in the newspaper for articles dealing with guns, gun control and gun violence.
 - a. Summarize the article.
 - b. Explain whether the article supports the argument of the "right of the state" or the "right of the individual."
3. Examine both the positives and the negatives associated with gun control.
4. Structure debates on the following issues:
 - a. Gun control
 - b. Ways to combat gun violence in schools
 - c. Lawsuits against gun manufacturers
 - d. Safety locks on handguns
 - e. "Smart" guns
5. Conduct a survey of school or neighborhood views related to the issues listed in #4 above. Construct charts and graphs to represent the data and post them in well-trafficked areas.
6. Examine Supreme Court decisions that relate to the Second Amendment.
 - a. Presser vs. Illinois, 1886
 - b. United States vs. Miller, 1939
 - c. Use the Internet to locate others
7. Find out more information on the NRA, its mission, when it was established, how many members it has, and other information.
8. Using the Second Amendment wording, prepare a defense and a counterdefense for the idea that the individual has the right to bear arms.
9. Conduct research on militias in the United States today.
 - a. Why are they formed?
 - b. What are their common beliefs?
 - c. What impact do they have on society?
 - d. How are they the same and different from the early militias of the colonial period?
10. Examine federal, state and local laws relating to gun control. (See RELATED RESOURCES.)
11. Devise a plan to reduce gun violence in schools.
 - a. Include laws that would be necessary.
 - b. Describe policies that the school would need to adopt.
 - c. Recommend educational programs that could be established.





RELATED RESOURCES

Captioned Media Program

- Amendment 1: Freedom of Religion, Speech, Press, Assembly & Petition #3562V
- Bill of Rights #3438V
- The Bill of Rights Today: The 4th Amendment #3010V
- Bullets Have No Names on Them #3015V
- Firearm Safety Begins at Home #1970V
- Kids Saving Kids #3486V

World Wide Web



The following Web sites complement the contents of this guide; they were selected by professionals who have experience in teaching deaf and hard of hearing students. Every effort was made to select accurate, educationally relevant, and "kid-safe" sites. However, teachers should preview them before use. The U.S. Department of Education, the National Association of the Deaf, and the Captioned Media Program do not endorse the sites and are not responsible for their content.

- **AMERICAN BAR ASSOCIATION COORDINATING COMMITTEE ON GUN VIOLENCE**

www.abanet.org/gunviol/home.html

Facts and selected Supreme Court cases about gun violence and other Second Amendment issues.

- **ABC NEWS—WHAT'S THE SECOND AMENDMENT MEAN ANYWAY?**

www.abcnews.go.com/sections/us/DailyNews/guns_amendment.html

An ABC News series on the Second Amendment. Some good articles to spur debate.

- **STATE GUN LAWS**

www.cnn.com/SPECIALS/1998/schools/gun.control

A state-by-state look at gun laws. Also a very good report on suits against gun manufacturers.

- **GUN CONTROL VS. GUN RIGHTS**

www.opensecrets.org/news/guns/index.htm

A nonbiased look at both sides of the gun control issue. Includes monetary contributions of various groups towards both sides.

- **INDEPENDENCE INSTITUTE**

<http://i2i.org/CrimJust.htm>

Some very good articles concerning the Second Amendment. A pro-gun lobby that presents a variety of articles of interest.

