
An Analysis of the Main Cause of Debate in the Second Amendment to the United States Constitution in the Bill of Rights

Since the Second Amendment was made to the US Constitution in the Bill of Rights, there has been increasing debate about its interpretation. However, regardless of the original meaning intended by the authors of the Bill of Rights, it is indisputable that gun violence has made today's American society a threat to itself. It is important to understand the stark contrast between the context of society and technology in 18th Century America and that of 21st Century America. The statistics show quite clearly that America now faces one of the worst gun control problems in the world, and certainly requires stricter regulations if those numbers are to drop. While many still believe in the right of every citizen to bear arms, the majority of Americans still demands tougher restrictions in order to prevent the misuse of the Second Amendment. There is no doubt that persistent, well-planned, and thoroughly enforced regulations would heavily reduce firearm fatalities, while still remaining true to natural and Constitutional Rights.

The main cause of debate about this Amendment is the manipulation of its ambiguous wording: "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 unfortunate truth is that it is not all that ambiguous, and has simply been misused and misinterpreted to suit changing political agendas. History shows that at the time this Amendment was made, the United States were under both domestic and international pressure, and required some form of security. In its fight to extricate itself from the power of the British monarchy, America had to take into account the possibility of foreign invasion, as well as the paranoia among states that distrusted each other and the idea of big government. At the time, these were reasonable fears, and perhaps the worst fear was the idea that Americans would have to face a tyrannical government like the monarchical rule of their ancestral homeland. The Second Amendment's true benevolent purpose was to protect people's rights to life and liberty in the face of oppression, should it arise. It pertained to the security of the state as a whole, not to the right of any citizen to collect as many guns as they choose. As the decades that followed revealed, the 'militia' referred to in the Amendment proved to be both unregulated and ineffective, such as in the War of 1812, where America suffered severe losses, including the sacking of Washington D.C., and the burning of the White House.

To further put the Amendment into perspective, it must be noted that when the founding fathers were considering the need to guarantee citizen armament, the kind of weaponry that was commonly available was not technologically advanced, and was not only quite costly, but also

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inefficient, especially when compared to the weapon technology that is commonly available today. There is no way that 18th Century leaders could have foreseen the mass destructive weaponry that would come to be called 'common' under law in the 21st Century, when they wrote of the right to bear arms. Instead of gunpowder and muskets, we now have assault weapons and high capacity magazines. These are what most mass shooters favour. Even so, the majority of gun deaths actually occur within the home, either by accidental discharge, suicide, or domestic disputes.

The statistics are truly startling. According to the National Center for Injury Prevention and Control, in 2010, over 31, 000 gun deaths occurred, while another 73, 000 were treated for nonfatal gun injuries. While over 35% of those deaths were homicide, a staggering 62% was suicide, with the remainder attributed to accidental discharge of a gun. These numbers still do not accurately portray the danger that guns pose. About 70% of all homicides and over 50% of all suicides were caused by firearms. These studies also show that where guns are prevalent, homicide rates are much higher, and suicide risk is quite high in homes that have guns. In fact, a study of California handgun purchasers found that in the first year after the purchase of a handgun, suicide was the leading cause of death among the purchasers. Sadly, more than 75% of guns used in suicide attempts and unintentional injuries of 0-19 year-olds were stored in the residence of the victim, a relative, or a friend.

The US today has a population of over 314 million, and it collectively owns 310 million guns, of which 114 million are handguns, 110 million are rifles, and 86 million are shot guns. What is worse is that 8 million firearms are manufactured annually worldwide, and the US buys 4.5 million of these every year. The laws regarding the Second Amendment differ throughout the US, but one thing remains clear. Until the case of District of Columbia vs. Heller in 2008, the interpretation of the Second Amendment was not particularly in question. Even so, the courts ruled that civilians had the rights to possess "a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home." This does not mean that anyone and everyone has the right to conceal and carry (Legal Information Institute).

Despite federal and state laws pertaining to gun control, there has clearly been little done about a prevailing issue. In fact, according to the Brady Bill, computerized background checks must be performed with every gun sale, and yet, of the 107 million Brady background checks performed between 1994 and 2009, only 1.9 million attempts were blocked. Furthermore, prosecution and conviction of violators of the Brady Act, is extremely rare. During the first 17 months of the Act, only seven individuals were convicted. In the first year of the Act, 250 cases were referred for prosecution and 217 of them were rejected (Wikipedia reference to Office of Justice documents – currently blocked due to govt. shutdown).

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Of course the NRA is very much to blame for these oversights, as it stands the most to lose if restrictions are put on firearms. Being that it is supported by the gun manufacturers themselves, and having the influence it has, it is clear that there is an agenda in the opposition to gun control. Thanks to them, loopholes in the law allow legal purchase of guns at gun shows without background checks. The most recent poll indicates that the majority of republicans oppose gun control, while the majority of democrats support it. The NRA supports and funds any incumbent politician that supports its views, regardless of whether their opposition also supports the views or not(O'Toole, 2006). According to a 2013 New York Times poll, 36% of citizens favour the leadership of the NRA, while 20% are unsure, and 44% find it unfavourable (Guns, 2013).

Furthermore, in terms of popular demand for stricter gun controls, the latest polls show that 49% support it, while only 13% believe less controls are required, and 37% believe it should remain as is. In addition, 51% support a law requiring nationwide ban on semi-automatic handguns and 46% oppose this, while 75% are in favour of a national database tracking all gun sales, and only 20% oppose this. Even the majority of women actually support stricter gun controls, while the majority of men oppose them, which suggests that women are more concerned that guns violate their safety rather than protect them (Guns, 2013). Women who live in a household with a firearm are actually 3.4 times more likely to be murdered than women who live in households without firearms(Sager, 2013). In fact, only 1 % of respondents to polls have been found to have successfully used guns for self defense(Hemenway, Azrael, & Miller, 2006).

In actuality, legally purchased guns have been used more for murder than for self defense, and the psychology behind this is very complex. Society has become increasingly complicated, bringing with it more and more psychological problems, not all of which are detected and treated; but even those life threatening disorders that are detected are not dealt with correctly, as in the case of the Columbine, the Virginia Tech, Newtown and Navy Yard massacres. In all these cases, there were clear records of psychiatric problems, and psychologists are required by law to report to the police if (and only if) they believe that the person is a threat to themselves or to society. All these people were on record, and they all had access to legally purchased firearms(Stewart, 2013). No other developed country on earth has as lax gun laws or more weapons than the United States. The easy access to weapons and the ineffective methods of tracking weapons to make sure that they don't fall into the wrong hands facilitate violent and unstable people in the United States getting weapons with which to kill people. Currently, there are 88 guns for every 100 people living in the United States (not even counting the illegal weapons which the US government couldn't account for)(Sager, 2013).

Since the Newtown and Navy Yard attacks, many politicians have pivoted their stance on gun control, and about time too. Gun lobbyists hide behind the second amendment, but ignore the fact that the amendment clearly states, "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.", NOT "an

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unregulated mass of armed citizens being necessary to the perpetuation of the firearms industry, the right of the people to buy and conceal the latest in man slaughtering technology shall not be infringed.” (Sager, 2013)

Instead of funding violence in foreign nations, why not fund these simple measures of tougher regulations for domestic gun violence:

· Title and tag at each point of sale

1. · Gun training
2. · Written test
3. · Practical test
4. · Health requirements and psychiatric evaluation test
5. · Liability insurance on each gun
6. · Renewals and inspections at intervals
7. · Reduced manufacturing of heavy duty weaponry for civilian purposes

The facts and the statistics are clear. The Second Amendment has been used and misused by gun lobbyists to suit their political agendas. There is no need for any one citizen to keep heavy duty weaponry for the purposes of self-defense, and certainly not for the protection of the state. There are state police for these matters, who should be given more funding, and more prominence as the protectors of people’s lives and rights; they are the intended result of the Second Amendment. The high numbers of gun deaths, whether homicide, suicide, or accidental, can only be combatted by tougher regulations, much like drunk driving has reduced by 2/3rds since the 1970s due to restrictions on drinking age and penalties. The prime Constitutional Rights, and natural rights of any person, are life and liberty. For as long as guns are so easily accessible, these natural rights remain threatened and unprotected.

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