

## **PREFACE**

Humans. Homo sapiens.

We are the only species on the planet who can communicate with the written word.

Other animals use signs and behaviour, even noise to communicate.

But we. We Humans. We can carve something into a rock and another human, perhaps millennia later in time, can look at that carving and understand.

With the written language, we have added complexity and depth to this ability. This almost magical ability to take a thought in one human's head and put it into another. To do so with such precision that the second human can read the scratchings of the first and build a wheel or a rocket ship.

Today we will use that tool to understand the Second Amendment to the Constitution of the United States of America.

## **THE SECOND AMENDMENT**

*by*

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"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."

We all know that English teachers no longer teach people how to diagram a sentence. In 1791, when it was adopted, however, things were different. People knew how to write properly in part because they knew how to diagram a sentence into its various components. It is, then, a fair approach to do that now - to diagram this sentence - so that we can better understand it within the context in which it was written.

If we rip away all the qualifiers and whatnot we see that the subject noun is *right* and the verb is *infringe[d]*. The verb is in the future past tense and is in the negative: *Shall Not*. In its shortest form, therefore, the sentence says that a *right shall not be infringed*.

Further, there are two sentences embedded in one. This is because there are two subjects, even if they are referred to in the singular. Specifically, the *right* (singular) includes both keeping and bearing arms. Perhaps it should be written as the rights to keep and bear arms, but by using the singular, the authors of this sentence convey the inseparability of the two.

The phrase *to keep and bear arms* then is the explanatory phrase identifying the aforementioned and inextricably coupled rights.

We have now identified the sentence in its totality and are still left with the coupled phrases of *A*

*well regulated Militia, being necessary to the security of a free state.* If we look closely, the latter part, that of being necessary to the security of a free state is a qualifier of the word, *Militia*. In the same way, the word *regulated* qualifies *Militia* and *well* qualifies *regulated*. If we remove the stylistic assembly of the amendment, we see two sentences. To paraphrase these: *Militia is necessary* and the *right shall not be infringed*.

The opening two phrases then are not limitations on the main subject and verb in the amendment but are a preparatory phrase and a qualifying phrase which stand alone and separate from the status of the right(s) in question.

In order to fully comprehend the amendment, there is one more thing to consider; The definition of the word *arms*. The right being spoken of is the right(s) to keep and bear arms. It doesn't say rifles, handguns, assault weapons, clubs, knives, pitchforks, or swords. It says *arms* and the form of the word is in the plural. The right(s), therefore, are right(s) to multiple weapons, not just one or one type of weapon.

The right is further qualified as to ownership. It is the right of the people

To put the amendment into historical context, a review of the Federalist and Anti-Federalist papers is in order. The context becomes clear. There are four distinct but not necessarily separate reasons for adopting this amendment. The fifth, however, was the motivation behind writing out in specifics what many men felt was intuitively obvious. In fact, one of the greatest arguments was over why it was necessary to state the obvious at all. It was to settle that argument that the amendment was in the form of an amendment and not contained in the original document.

The four reasons for stating the amendment may be paraphrased as follows.

1. Each of the several states wished to maintain military power to balance the military power of the federal government. The states never wanted the federal government to have more power than that of the combined states.
2. It is a natural right for a person to protect himself, his family, and his property.
3. It allows an almost immediate response to a foreign invasion.
4. It assures that the people will always be more heavily armed than the government, assuring the prevention of tyranny and oppression.

That fifth reason, the one that served as the motivation, was the fact that no matter how intuitively obvious these rights are, someone, notably the governor and King of England, had attempted to remove them. The lesson was that tyranny knows no rights, therefore stating the obvious became mandatory.

To be fair and complete, the United States Supreme Court does not agree with me on the

opinions expressed in this paper. The court has routinely infringed on these and many other natural rights we delude ourselves into thinking we retain. To that, I will simply point out that 275 years ago a bunch of colonists told the King he was wrong and I have no hesitation today in maintaining the opinion that the Supreme Court is wrong.

### Epilogue

The primary reason that understanding the meaning of the amendment is important is not because we need to understand what the amendment says. That benefit is secondary. The most important message in the foregoing analysis is that when people adjust the meaning of a word here and a word there in order to obtain the meaning that is desired or in vogue, we introduce vaguery. We introduce the ability for us, and the next person, to be arbitrary. We introduce an uncertainty of meaning depending on who is in charge. Under some circumstances that may be an acceptable condition - but not in matters of the law.

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For a discussion of what constitutes a Natural Right, please go to -  
[http://files.meetup.com/1616483/Natural\\_Rights.pdf](http://files.meetup.com/1616483/Natural_Rights.pdf)

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