

The 2nd Amendment and Killing Kids

Exclusive: As Americans reel in shock over the slaughter of 20 schoolchildren in Newtown, Connecticut, defenders of “gun rights” insist, in effect, that such deaths are part of the price of “liberty” enshrined by the Framers in the Second Amendment. But this was not what James Madison had in mind, argues Robert Parry.

By Robert Parry

The American Right is fond of putting itself inside the minds of America’s Founders and intuiting what was their “original intent” in writing the U.S. Constitution and its early additions, like the Second Amendment’s “right to bear arms.” But, surely, James Madison and the others weren’t envisioning people with modern weapons mowing down children in a movie theater or a shopping mall or now a kindergarten.

Indeed, when the Second Amendment was passed in the First Congress as part of the Bill of Rights, firearms were single-shot mechanisms that took time to load and reload. It was also clear that Madison and the others viewed the “right to bear arms” in the context of “a well-regulated militia” to defend communities from massacres, not as a means to enable such massacres.

The Second Amendment reads: “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.” Thus, the point of the Second Amendment is to ensure “security,” not undermine it.

The massacre of 20 children in Newtown, Connecticut, on Friday, which followed other gun massacres in towns and cities across the country, represents the opposite of “security.” And it is time that Americans of all political persuasions recognize that protecting this kind of mass killing was not what the Founders had in mind.

However, over the past several decades, self-interested right-wing “scholarship” has sought to reinvent the Framers as free-market, government-hating ideologues, though the key authors of the U.S. Constitution people like James Madison and George Washington could best be described as pragmatic nationalists who favored effective governance.

In 1787, led by Madison and Washington, the Constitutional Convention scrapped the Articles of Confederation, which had enshrined the states as “sovereign” and had made the federal government a “league of friendship” with few powers.

What happened behind closed doors in Philadelphia was a reversal of the system

that governed the United States from 1777 to 1787. The laws of the federal government were made supreme and its powers were dramatically strengthened, so much so that a movement of Anti-Federalists fought bitterly to block ratification.

In the political maneuvering to assure approval of the new system, Madison and other Federalists agreed to add a Bill of Rights to ease some of the fears about what Anti-Federalists regarded as the unbridled powers of the central government. [For details, see Robert Parry's *America's Stolen Narrative*.]

Madison had considered a Bill of Rights unnecessary because the Constitution, like all constitutions, set limits on the government's power and it contained no provisions allowing the government to infringe on basic liberties of the people. But he assented to spell out those rights in the first 10 amendments, which were passed by the First Congress and ratified in 1791.

The intent of the Second Amendment was clarified during the Second Congress when the U.S. government enacted the Militia Acts, which mandated that all white males of military age obtain a musket, shot and other equipment for service in militias.

The idea was to enable the young country to resist aggression from European powers, to confront Native American tribes on the frontier and to put down internal rebellions, including slave revolts. There was nothing particularly idealistic in this provision; the goal was the "security" of the young nation.

However, the modern American Right and today's arms industry have devoted enormous resources to twisting the Framers into extremist ideologues who put "liberties" like individual gun ownership ahead of all practical concerns about "security."

This propaganda has proved so successful that many politicians who favor common-sense gun control are deemed violators of the Framers' original intent, as essentially un-American, and face defeat in elections. The current right-wing majority on the U.S. Supreme Court has even overturned longstanding precedents and reinterpreted the Second Amendment as granting rights of individual gun ownership.

But does anyone really believe that Madison and like-minded Framers would have stood by and let deranged killers mow down civilians, including children, by using guns vastly more lethal than any that existed in the Revolutionary era? If someone had wielded a single-shot musket or pistol in 1791, the person might get off one volley but would then have to reload. No one had repeat-firing revolvers, let alone assault rifles with large magazines of bullets.

Any serious scholarship on the Framers would conclude that they were, first and foremost, pragmatists determined to protect the hard-won independence of the United States. When the states'-rights Articles of Confederation wasn't doing the job, they scrapped it. When compromises were needed even on the vile practice of slavery the Framers cut the deals.

While the Framers cared about liberty (at least for white men), they focused in the Constitution on practicality, creating a flexible system that would advance the "general Welfare" of "We the People."

It is madness to think that the Framers would have mutely accepted the slaughter of kindergarteners and grade-school kids (or the thousands of other American victims of gun violence). Such bloody insecurity was definitely not their "original intent."

Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).
