

Comparing Five States Recommendatory Amendments Relating to Militias and the Right to Bear Arms

1. Divide the class into small groups consisting of three to five students.
2. Distribute or display the Recommendations from five states (listed below).
3. Each group should read the recommendations and use the graphic organizer (listed below) to record the suggested limits/rules in each category. In their discussions, it is important to note that students should see there are proposed limits/rules on individuals, militias (local), and standing armies (national).
4. After the groups have completed their discussions, you may want to have groups report their findings to the class.
5. You can conclude the lesson by leading a discussion using the following questions.
 - * What limits/rules do you notice?
 - * Would you say there are more limits/rules in one category over the others or are they equitable?
 - * In your view what seemed to concern these states the most in terms of bearing arms?
 - * What do these recommendations suggest when it comes to the current debates over the Second Amendment?

Lesson Extension: You could have students look at the Second Amendment and have them consider if James Madison and the First Federal Congress did a good job at summarizing the suggestions from the state recommendations.

Second Amendment, US Constitution 1791

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.

Calls for the Right to Keep and Bear Arms from State Ratification Conventions

Five states that ratified the Constitution recommended that the Constitution be amended. These recommendatory amendments often included suggestions for a bill of rights. Below are recommendations that addressed the issue of the right to keep and bear arms as well as how the local militias would function under the new Constitution.

New Hampshire, 21 June 1788

Twelfth[.] Congress shall never disarm any Citizen unless such as are or have been in Actual Rebellion.

Virginia, 27 June 1788

Seventeenth, That the people have a right to keep and bear arms; that a well regulated Militia composed of the body of the people trained to arms is the proper, natural and safe defence of a free State. That standing armies in time of peace are dangerous to liberty, and therefore ought to be avoided, as far as the circumstances and protection of the Community will admit; and that in all cases the military should be under strict subordination to and governed by the Civil power. . . .

That any person religiously scrupulous of bearing arms ought to be exempted upon payment of an equivalent to employ another to bear arms in his stead.

New York, 26 July 1788

That the People have a right to keep and bear Arms; that a well regulated Militia, including the body of the People capable of bearing Arms, is the proper, natural and safe defence of a free State; That the Militia should not be subject to Martial Law except in time of War, Rebellion or Insurrection. That Standing Armies in time of Peace are dangerous to Liberty, and ought not to be kept up, except in Cases of necessity; and that at all times, the Military should be under strict Subordination to the civil Power.

North Carolina, 2 August 1788

That the people have a right to keep and bear arms; that a well regulated militia composed of the body of the people, trained to arms, is the proper, natural and safe defence of a free state. That standing armies in time of peace are dangerous to Liberty, and therefore ought to be avoided, as far as the circumstances and protection of the community will admit; and that in all cases, the military should be under strict subordination to, and governed by the civil power.

Rhode Island, 29 May 1790

That the people have a right to keep and bear arms that a well regulated militia, including the body of the people capable of bearing arms, is the proper, natural and safe defence of a free state; that the militia shall not be subject to martial law except in time of war, rebellion or insurrection; that standing armies in time of peace are dangerous to liberty, and ought not to be kept up, except in cases of necessity, and that at all times the military should be under strict subordination to the civil power. . . .

That any person religiously scrupulous of bearing arms, ought to be exempted, upon payment of an equivalent, to employ another to bear arms in his stead.

**Graphic Organizer—Comparing Five States Calls for Amendments
Regarding Arms and Militias**

State	Limits/rules on an individual's right	Limits/rules on the militia	Limits/rules on the standing army
New Hampshire			
Virginia			
New York			
North Carolina			
Rhode Island			