

THE COMMAND IN THE SECOND AMENDMENT OF THE BILL OF RIGHTS

"...the sentence means that the people are the militia..."

Declaratory*

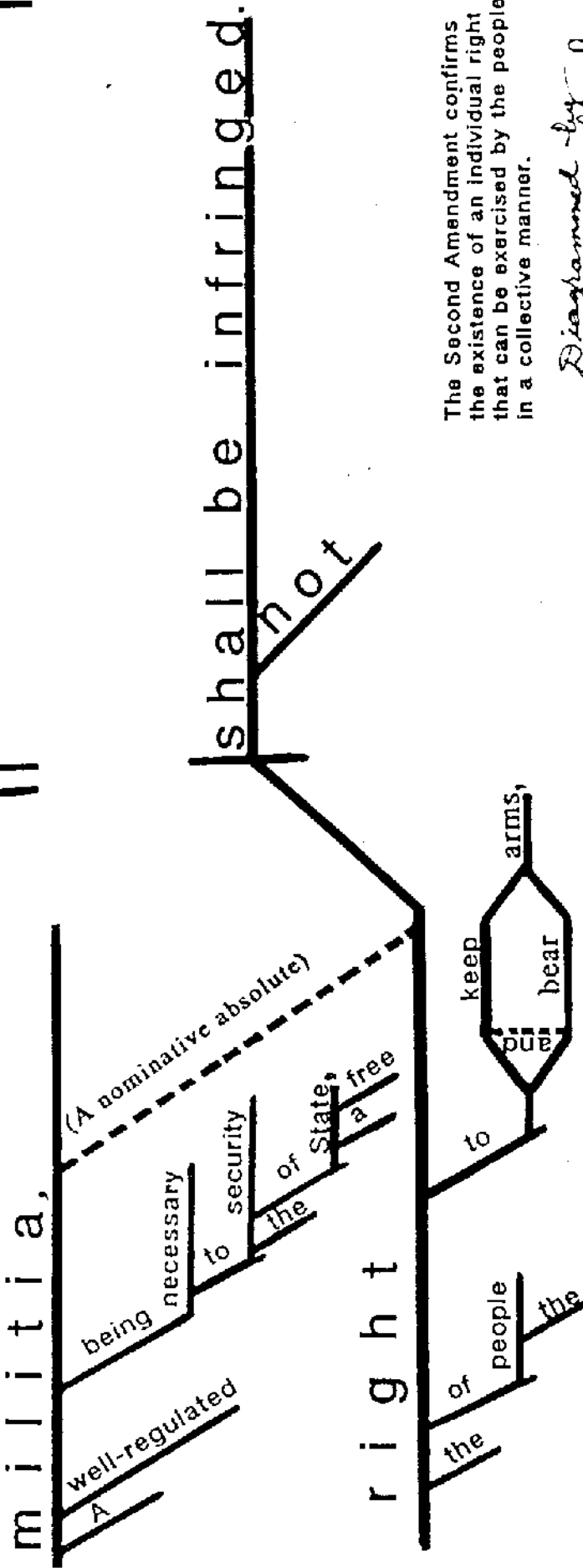
Supreme Law - Not repealable
God-given rights

and restrictive*

SUBJECT

PREDICATE

Collectively



Individually

The Second Amendment confirms the existence of an individual right that can be exercised by the people in a collective manner.

*Diagrammed by
Bernadine Smith*

and it proves that the people have the right that is mentioned." ...A.C.BROCKI, teacher of Advanced English, a foremost expert in grammar, former Senior Editor for Houghton Mifflin.

* The Preamble to the Bill of Rights reads as follows:

The Conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution:

ENGLISH USAGE EXPERT INTERPRETS SECOND AMENDMENT

By J. Neil Schulman

...the sentence means that the people are the militia...

I recently had a conversation with Mr. A.C. Brocki, editorial coordinator for the Office of Instruction of the Los Angeles Unified School District. Mr. Brocki taught Advanced Placement English at Van Nuys High School for several years, as well having been a senior editor for Houghton Mifflin. He is considered the foremost expert in grammar in the school district, the person others go to when they need a definitive answer on English grammar. I asked Mr. Brocki to parse the following sentence:

"A well-schooled electorate, being necessary to the security of a free state, the right of the people to keep and read books, shall not be infringed."

Mr. Brocki informed me that the sentence was overpunctuated, but that the meaning could be extracted anyway.

- "A well-schooled electorate" is a nominative absolute.
- "being necessary to the security of a free State," is a participial phrase modifying "electorate."
- The subject (a compound subject) of the sentence is "the right of the people."
- "shall not be infringed" is a verb phrase,
- with "not" as an adverb modifying the verb phrase "shall be infringed."
- "to keep and read books" is an infinitive phrase modifying "right."

I then asked him if he could re-phrase the sentence to make it clearer. He responded,

"Because a well-schooled electorate is necessary to the security of a free state, the right of the people to keep and read books shall not be infringed."

I asked if the sentence could be interpreted to restrict the right to keep and read books to a well-schooled electorate, say, registered voters with a high-school diploma? He said, "No." I then identified my purpose in calling him, and read him the Second Amendment in full:

"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."

Mr. Brocki said he thought the sentence had sounded familiar, but that he hadn't recognized it.

I asked, "Is the structure and meaning of this sentence the same as the sentence I first quoted you?" He said, "yes." I asked him to re-phrase this sentence to make it clearer. He transformed it to:

"Because a well-regulated militia is necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

I asked him whether the meaning could have changed in 200 years. He said, "no." I asked him whether this sentence could be interpreted to restrict the right to keep and bear arms to "a well-regulated militia." He said, "no." According to Mr. Brocki, the sentence means that the people are the militia, and that the people have the right which is mentioned.

I asked him if another professional in English grammar or linguistics could interpret the sentence to mean otherwise. He said that he couldn't see any grounds for another interpretation. I asked him if he would be willing to stake his professional reputation on this opinion, and be quoted on this. He said, "yes." At no point in the conversation did I ask Mr. Brocki his opinion on the Second Amendment, gun control, or the right to keep and bear arms.

J. Neil Schulman is the author of *Alongside Night* (1982) and *The Rainbow Cadenza* (1983). He has recently founded the Committee to Enforce the Second Amendment. He can be reached at P.O. Box 94 Long Beach, Ca. 90801

Interpreting the Meaning & Purpose of the Second Amendment

By Bernadine Smith

If you ever lose your guns, you are past history! This amendment is unrepeatable.

The framers of the Constitution were quite skillful in the use and drafting of the English Language. By putting the Militia at the forefront of the sentence which composes the Second Amendment of the Bill of Rights, they stressed the importance of the collective use of the right to arms. The collective right used in this manner, has equal status with the individual aspects of this absolute right.

When the 1787 Constitution was ready to be submitted to the governors of the states for ratification, Patrick Henry, the immortal voice for liberty, lectured daily against it in the Virginia State House for three weeks, criticizing the Constitution, warning that it has been written "as if only good men will take office!" He asked what they would do when *evil men* took office. "When evil men take office, the whole gang will be in collusion," he declared, "and they will keep the people in utter ignorance and steal their liberty by ambuscade!"

(* Entrapment from a concealed position)

Patrick Henry asked, "What resistance could be made if the people have no guns?" ... "Your guns are gone!" ... "Your laws on treason are a sham and a mockery because of their mutual implication". Henry told the Continental Congress that a major reason for his objections to the Constitution was that "it does not leave us the means for defending our rights or waging war against tyrants!" He declared, "This Constitution will trample on your fallen liberty!" Patrick Henry warned that the new federal government was being given "too much money and too much power", and that it would end up "consolidating all power unto itself",

convert us "into one solid empire". Amongst other things, one of the areas upon which he felt the need for modification and limitation was the use of the treaty power, an area in which he predicted that "the President would lead in the treason". His fervor and graphic descriptions of "execrable tyranny" which would befall the people if they could not take arms against evil men who might take office, placed Patrick Henry in the forefront of the effort to protect the natural rights of the people. He wanted the immediate opening of another Constitutional Convention to strengthen particular parts of the Constitution. That suggestion not being workable, he proclaimed, "The least

"The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

Thomas Jefferson

you can do is guard it with a Bill of Rights!"

Young James Madison, at the time, saw no need for a Bill of Rights, since the new federal government was to exercise only those powers which were delegated to them. Patrick Henry thus said, "Let Mr. Madison tell me when did liberty ever exist when the sword and the purse were given up from the people? Unless a miracle shall interpose, no nation ever did, nor ever can retain its liberty after the loss of the sword and the purse." At first,

James Madison could not ever envision the possibility of tyranny happening under this Constitution. However, Madison was later blocked from taking a seat in the first Senate. That blow to a man who had been the Secretary of the Constitutional Convention, caused Madison to re-think the probability of danger. His promise to follow through with a proposed Bill of Rights garnered support for him to take a seat in the first House of Representatives. So it was that the Bill of Rights, palladium of man's natural rights, was finalized on December 15, 1791 and it became the un-revocable and superior part of the Constitution of the United States.

Patrick Henry placed all his hopes upon the vigilance of the people of the future to protect the liberty that he helped win in the War of Independence, by their standing behind the Bill of Rights, forbidding any infringement or curtailment of not only the Second Amendment, but of the sworn oath taken "to support and defend the Constitution".

Thomas Jefferson, our Third President, supported the idea of a Bill of Rights, confirming the authority of the people by saying: "The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

May the words that Patrick Henry spoke always be heeded through all the ages to come, as he cautioned: "Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel! Unfortunately, nothing will preserve it but downright force, and whenever you give up that force, you are inevitably ruined!" ♦

**IT IS IMPORTANT FOR YOU TO KNOW
THAT THE SECOND ARTICLE
OF THE BILL OF RIGHTS
IS A CONFIRMATION!**

**“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 Second Article in the Bill of Rights was not placed there to grant the people the right to arms. It was placed there to confirm that it is a natural right endowed to man by the Creator. This is the proper view of the unalienable right of man to arms.