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Newsroom: Bogus: Slavery and the 2nd Amendment

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Newsroom

Bogus: Slavery and the 2nd Amendment

Professor Carl Bogus says the 2nd Amendment was enacted to assure Southern states that Congress would not undermine the slave system.

From WABE, Atlanta's NPR affiliate: "The 'Right to Bear Arms'... Against Slave Revolts?" by Steve Goss



As the President, the Congress, and the American people discuss additional gun control measures, we thought it might be worth looking at the origin of the constitutional debate. The Second Amendment as ratified in 1791, reads: "a well-regulated militia, being necessary to the security of a free State, the right of the people to bear Arms, shall not be infringed."

Carl T. Bogus is a Professor of Law at Roger Williams University School of Law in Rhode Island, and a recognized authority on the Second Amendment. Here, he talks with WABE's Steve Goss.



Excerpted from "The Hidden History of the Second Amendment" by Carl T. Bogus, published in the *University of California at Davis Law Review*, Vol. 31 (1998): "This Article challenges the insurrectionist model [the theory of the Second Amendment predicated on the idea that 'the ultimate purpose of an armed citizenry is to be prepared to fight the government itself']. The Second Amendment was not enacted to provide a check on government tyranny; rather, it was written to assure

the Southern states that Congress would not undermine the slave system by using its newly acquired constitutional authority over the militia to disarm the state militia and thereby destroy the South's principal instrument of slave control. In effect, the Second Amendment supplemented the slavery compromise made at the Constitutional Convention in Philadelphia and obliquely codified in other constitutional provisions."

To listen, click [here](http://wabe.org/post/right-bear-arms-against-slave-revolts). [http://wabe.org/post/right-bear-arms-against-slave-revolts]