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### **Second Amendment**

Since the Supreme Court was established in 1787 the Supreme Courts view has changed drastically over the years due to society becoming more civilized. And the overall growth in population. In the days of the frontiers men the laws were obviously more relaxed but as time has passed the firearms have become increasly more advanced and dangerous.

The Second Amendment has provided Americans with the fundamental right to bear arms for hundreds of years. In the Supreme Courts history there have been several cases and one distinct case was known as the United States v. Miller, 307 U.S. 174 (1939).

This case has been used in debates over the controversial subject of use of firearms such as, fully automatic firearms and short barreled rifles and shotguns. This case was brought to light by a man named Miller, who was involved in the St. Valentine's Day Massacre. The courts decided to place a law that required certain types of firearms to be registered with the Miscellaneous Tax Unit. (Web.)

This case reflected upon the rights of Americans to posses automatic firearms, and short barreled shot guns. The courts looked at this case as stating that "the purpose for such firearms should only be used in as ordinary military equipment". Issues to this case were never truly argued as Miller was shot to death preceding the trial. (Web.)

One of the most recent case's that referred to the Miller case was District of Columbia v. Heller (2008). This case's decision was the first time the court had said there was an individual right to gun ownership rather than one related to military service (Barnes and Eggen). This law was a move forward for the nation but a set back for all those who have the right to bear arms as the Second Amendment intended it to be.

The information in the Heller case best states that a 28 year old law will be "unenforceable" said Mayor Richard M. Daley. This new gun law has now changed the Supreme Courts view on who should have the right to bear arms. As we look into the case McDonald V. Chicago this case now restricted gun ownership to know check the persons mental history and health as well as have waiting periods for ownership. Despite those restrictions to purchase a gun the person has the right such as freedom and speech to challenge that law. In the end this becomes national and can determine who, where and what kind of weapons can be owned.

This has now challenged the American public to fight for the right to bear arms and with a clear decision in 2008 that the courts made, however did not "regulate" other firearm laws. Therefore when Dennis A. Henigan vice president for law and policy at the Brady Center to Gun Violence, noted that "the District has survived a legal challenge to a new system of regulations implemented after Heller, including mandatory background checks, firearms training, and other requirements for gun ownership." (Web.)

The Supreme courts are faced with many challenges these days, as the crimes and population grow, not only are they trying to preserve the "right to bear arms" but they are trying to save lives. Consequently certain media stories in the headlines persuade the specific changes

to our laws such as the attempted assassination of President Ronald Regan, and that act instated the Brady Act. This horrible act has changed the laws of this nation governed by law.

When people continue to use weapons in “militia acts” on man kind the courts have no choice to uphold our laws and consider those actions hazardous to the people. Our founding father’s fought hard for our rights as a nation but our actions will change those rights, and continue to mold and change the views of the Supreme Courts ruling’s in case’s that effect our right to bear arms.

Works Cited

Barnes, Robert and Eggen, Dan. "Supreme Court affirms fundamental right to bear arms." *The Washington Post* (2010): n.p. Web. 18 Sept 2011.

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