

### 3.5: Second Amendment: Right to Bear Arms

#### **Explain the extent to which the Supreme Court's interpretation of the First and Second Amendments reflects a commitment to individual liberty.**

1. Civil liberties are constitutionally established guarantees and freedoms that protect citizens, opinions and property against arbitrary government interference. Which of the following would be an example of arbitrary governmental interference?

- a. Governments limiting the use of obscenity
- b. A court approval of a legal search warrant
- c. A law establishing a religious test for civic participation
- d. Meat inspection laws

2. In the Bill of Rights you would find the following language: *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.* These words would be found in the

- a. The First Amendment
- b. The Second Amendment
- c. The Fourth Amendment
- d. The Sixth Amendment

3. Provisions of the U.S. Constitution's Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals. The Court has been involved in a number of *landmark* cases. Which of the following best define what is meant by a *landmark* case?

- a. A civil scenario that involves arbitrary interference by government
- b. A criminal scenario that involves the seizure of property
- c. A significant court decision that address a constitutional question for the first time
- d. A significant court decision that brings clarity to constitutional ambiguity

4. The U.S. Supreme Court in *District of Columbia v. Heller (2008)* argued:

*Undoubtedly some think that the Second Amendment is outmoded in a society where our standing army is the pride of our Nation, where well-trained police forces provide personal security, and where gun violence is a serious problem. That is perhaps debatable, but what is not debatable is that it is not the role of this Court to pronounce the Second Amendment extinct.*

What was the pragmatic effect of this court precedent?

- a. The 2nd Amendment still allows for strict prohibitions against private gun ownership
- b. The 2nd Amendment does not endorse violence but it does mandate a strong standing army
- c. The 2nd Amendment empowers state militias only
- d. The 2nd Amendment extends the right to own handguns to individuals

5. Which of the following best describes our current debate over “the right to bear arms”?
- A national consensus has been formed and little debate occurs anymore
  - Little discussion nationally since it is only a state-wide debate
  - Some of our fiercest political battles ensue over gun rights
  - Guns are a huge wedge issue during elections but few notice the issue in non-election years
6. In this case the Supreme Court made sure that state and local laws no longer infringed upon a citizens’ right to bear arms
- District of Columbia v. Heller (2008)
  - McDonald v. Chicago (2010)
  - Mapp v. Ohio (1961)
  - Miranda v. Arizona (1966)
7. When the Supreme Court applied the national protections to “bear arms” to the states, what root principle of government was challenged?
- Separation of Powers
  - Checks and Balances
  - Federalism
  - Rule of Law
8. Who ultimately decides what the “right to bear arms” means?
- Congress
  - The President
  - The Courts
  - Electoral College
9. In response to a summer of violence, the city of Chicago and its city council decided to restrict gun shops from selling certain types of ammunition in order to protect neighborhoods. A Chicago resident, an owner of a gun shop, sued the city claiming its new policy violated the precedent in this case
- District of Columbia v. Heller (2008)
  - McDonald v. Chicago (2010)
  - Mapp v. Ohio (1961)
  - Miranda v. Arizona (1966)
10. Which of the following is a common criticism given for applying a universal 2<sup>nd</sup> Amendment standard to all 50-states?
- State governments were unable to tailor gun laws to their own unique populations
  - State governments were unable to keep up with the Court always changing their opinions
  - The national government laws should never be applied to the states
  - The Bill of Rights was only meant to be a suggestion, not followed literally