

[Forums](#) / [Lecture Material](#) / [Bonus Material #1 - Ask Questions!](#)[Help](#)

Congress, Militias, and the 2nd Amendment

✉ You are subscribed. [Unsubscribe](#)

🔖 [2ndAmendment](#) × [+ Add Tag](#)

Sort replies by: [Oldest first](#) [Newest first](#) [Most popular](#)

[Matt Ward](#) · 2 months ago 🗨️

Can someone explain why the Militia described in Art. I Sec. 8 is not considered to be the same Militia of the 2nd Amendment? Art. I Sec. 8 clearly states that the Congress will organize and arm the Militia, while most people understand the Amendment to be a Militia outside of Congressional oversight.

Thanks

↑ 7 ↓ · flag

[James O. Smith](#) · a month ago 🗨️

The phrase: "To raise and support Armies, but no appropriation of Money to that use shall be for a longer Term than two Years;" strongly suggests that no provision was intended for a standing army, let alone a professional army, in the constitution; however, given the state of the frontier, there could be little doubt that in order to provide for the common defense some form of non-naval deterrent must be organized. Militias, by definition, are bodies of citizens called upon for temporary military service - somewhat similar to volunteer firemen are today. If that was the intent, then the inherently local flavor of the term militia was considerably muddled by the further assertions in Article 8 to allow Congress to call forth, arm, discipline, and employ - even with the allowance that the states alone had the responsibility to appoint officers.

It seems to me that the framers of the constitution were likely struggling between federal and local control of a land based armed force, but rather than compromise to a null action as is so common today, instead set forward a framework for the further deliberation on the merits of each side of the underlying tension. Truly brilliant!

↑ 0 ↓ · flag

[+ Comment](#)

New post

To ensure a positive and productive discussion, please read our [forum posting policies](#) before posting.

B*I*

Link

<code>



Pic

Math

Edit: Rich

Preview



Make this post anonymous to other students



Subscribe to this thread at the same time

Add post

