



Spartan Firearms Training Group, LLC

1791 Still Speaks:

The Founders, the Second Amendment, and Self-Defense

By

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Setting the Stage

The United States Constitution was ratified on June 21, 1788. It established a new system of government unlike any that had existed before. The Founders recognized that written laws alone could not ensure freedom. Given this understanding, they added ten amendments to ensure individual rights were protected. These amendments were the Bill of Rights. The Second Amendment—ratified on December 15, 1791—declares:

“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 command “shall not be infringed” was written to constrain government, not empower it. From the beginning, this amendment solidified a core principle of natural law: a free people must have both the right and the means to defend themselves.

Introduction

Freedom is never automatic. It is not something a nation earns once and keeps forever. Every generation must reclaim it — to defend, define, and remember why it matters. The Founders understood that better than anyone. They had seen what happens when

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ordinary people are stripped of power and told to depend on the state for protection. That is why they wrote the Bill of Rights — not to grant freedoms, but to guard the ones that already belonged to the people.

The Second Amendment is central to protecting our freedoms. The freedoms you enjoy are all made possible and protected by the right to defend yourself. Liberty is an empty promise without that right. This essay argues that the right to self-defense is the first civil right that empowers and gives meaning to all other rights. The article examines the history of early philosophers writing about natural law, to the Founders who risked everything to secure freedoms, and to the freedmen and civil rights leaders who took up arms to stand against violence and injustice. Contemporary decisions by the Supreme Court that reaffirm those historical truths about the right to self-defense are also highlighted.

The Second Amendment rights notwithstanding, it is essential to acknowledge the sincere concerns of those who fear gun violence. The complex reality of modern arguments for more gun control, especially those calling for disarmament must be and are confronted. Those arguments fail the test of logic and the lessons of history.

Natural Law and the Constitutional Foundation of Self-Defense

Long before the Second Amendment was written, the right of self-defense was understood as part of natural law. John Locke wrote in *The Second Treatise of Government* that every person has the right to preserve their life, liberty, and property. For Locke, the right to life meant little if the individual lacked the power to resist those who sought to take it.

William Blackstone, the great English jurist whose *Commentaries on the Laws of England* shaped America's legal traditions, called self-preservation "the primary law of nature" and warned that any human law trying to override it was invalid. For Blackstone, self-defense was not an exception to law—it was the starting point of justice.

The American Founders absorbed these ideas deeply. Thomas Jefferson copied a line from the Italian philosopher Cesare Beccaria into his *Commonplace Book*: "Laws that forbid the carrying of arms...disarm only those who are neither inclined nor determined to commit crimes." That line reflected Jefferson's belief that disarming the law-abiding would only empower those who would harm others.

The Second Amendment affirmed the fundamental human right to self-defense. It was anchored by historical roots (e.g., the 1689 English Bill of Rights) and by natural law. Furthermore, modern jurisprudence also confirms the right to self-defense in rulings such as the District of Columbia v. Heller and New York State Rifle & Pistol Association v. Bruen (discussed below). In the Heller ruling, Justice Scalia wrote that the Second Amendment protects “an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.” The Heller ruling reaffirmed that the right to bear arms belongs to ordinary citizens who seek to protect themselves and their families, not just to militias.

Historical Foundations: Why the Founders Wrote the Second Amendment

The Second Amendment was born from lived experience. The Founders knew firsthand what it meant to be disarmed by authority.

- **The English Bill of Rights (1689):** After King James II attempted to disarm Protestants, Parliament declared that citizens “may have arms for their defense suitable to their conditions and as allowed by law.” Americans took that idea further, extending the right to all free citizens regardless of religion or class.
- **Colonial Militias:** Local militias were ordinary men armed to defend their communities. These militias formed the mainstay of security in early America. It was militias firing the first shots of the Revolution at Concord, Massachusetts, in 1775.
- **State Constitutions:** Several states enshrined the right to bear arms in their constitutions before the Bill of Rights was ratified, including Pennsylvania, where in 1776 its constitution declared that “the people have a right to bear arms for the defence of themselves and the state.”

The lesson was clear: arms in the hands of the people were the ultimate safeguard against both lawlessness and tyranny.

The Civil Rights Struggle Against Disarmament

One of the most evident proofs that self-defense is a civil right lies in how often it has been denied to those who needed it most.

- **Slave Codes and Black Codes:** Enslaved people were forbidden to own arms. After emancipation, Southern states passed Black Codes that stripped freedmen of their weapons, leaving them vulnerable to night riders and lynch mobs. Congress responded with the Freedmen's Bureau Act, which explicitly affirmed the freedmen's right to arms.
- **Ida B. Wells and the Anti-Lynching Campaign:** Wells, the fearless journalist, urged Black citizens to arm themselves for protection, writing that "a Winchester rifle should have a place of honor in every Black home." She knew that appeals to law meant little without the means to defend one's life.
- **Jim Crow and Selective Enforcement:** Gun laws in the South were enforced selectively against Black citizens and immigrants, thereby preserving racial hierarchies.
- **The Civil Rights Movement:** After Martin Luther King Jr.'s home was bombed, he applied for a firearm permit but was denied. In two Southern states (Louisiana and Mississippi), the Deacons for Defense and Justice took up arms to protect civil rights workers from the Ku Klux Klan. Without their protection, many marches and voter drives might have ended in tragedy.

The right to defend your life is the first measure of equality. Without it, every other right exists only at the mercy of those willing to take it.

Modern Affirmation: Supreme Court Rulings

Recent Supreme Court cases have reaffirmed what history has always shown.

- **District of Columbia v. Heller:** Recognized that self-defense lies at the core of the Second Amendment.
- **McDonald v. Chicago:** This ruling established self-defense as a "basic right."
- **New York State Rifle & Pistol Association v. Bruen:** Prior to this ruling, several states, including Maryland, used very restrictive "may-issue" carry permit laws. Citizens were required to provide a "good and substantial reason" for carrying a concealed firearm. The Bruen ruling affirmed that these "may-issue" requirements are unconstitutional. The ruling also made it clear that the Second Amendment cannot be treated as a "second-class right."

These rulings confirm that the right to keep and bear arms is a universal right belonging to all citizens, not just to militias or select groups. These rulings also confirm that the right to self-defense extends beyond the home into public life.

Bruen and the Founding-Era Anchor of the Second Amendment

When the Supreme Court decided *New York State Rifle & Pistol Association v. Bruen*, it did more than strike down New York's restrictive "may-issue" carry law. The Court re-centered the interpretation of the Second Amendment on the history and tradition of the Founding era.

Justice Clarence Thomas, writing for the majority, declared that the Second Amendment must be understood as it was in 1791, when the Bill of Rights was adopted. That means no "balancing tests," no modern "interest-weighting," and no importing of later, more restrictive precedents. Courts must ask: *Would a law like this have been consistent with the understanding of the right to bear arms at the time of the Founding?*

The Bruen ruling argued that all firearm laws must have clear historical analogs. That meant that any law restricting gun rights must be consistent with the historical 1791 context of the Second Amendment. In the absence of those analogs, the laws are presumed to be unconstitutional. This method positions the Second Amendment exactly where it belongs—in the time of the Founders, who saw the right to self-defense and the bearing of arms as a natural and individual right.

Why This Matters

By anchoring the Second Amendment to its 1791 era, the Bruen ruling protects the Amendment from erosion by political or cultural trends. Just as free speech (the First Amendment) is not judged by what contemporary generations think "reasonable," the right to keep and bear arms must be understood in the context of its original public meaning. *Bruen* reaffirmed that the Second Amendment is part of the constitutional fabric of our country's birth.

Acknowledging Genuine Policy Concerns

The Bruen ruling notwithstanding, the Second Amendment is under attack by individuals responding to genuine pain and fear. They read about school shootings, they see the

carnage caused by mentally ill people using firearms, they experience the pain of suicide by family members or friends, and they worry that our nation is no longer balancing liberty and safety.

Their concern is profoundly human. They want their children to be safe at school, their communities to be free from innocent bloodshed, and their laws to protect people from armed thugs and the mentally ill with a desire to kill. They argue that modern firearms are far more advanced than those of the Founders' time and therefore need stricter and broader controls. Most are not calling for the disarmament of good people. They want guns kept out of the wrong hands. These are serious concerns that deserve consideration.

Despite those concerns, experience shows that most firearms restrictions primarily place burdens on law-abiding individuals while doing little to deter those who do not follow the law. Those who intend to harm often do not comply with background checks. Laws mean nothing to them. However, when a law-abiding citizen cannot exercise self-defense, the odds are stacked against them. Modern media also fail to report how firearms are frequently used to save innocent lives rather than to take them. We can and should work to prevent tragedy, but we cannot do it by denying citizens the right to self-defense and the means to protect themselves.

Why Anti-Second Amendment Arguments Fail

Critics of the Second Amendment often argue from emotion rather than evidence, but history and logic tell a different story. Here are five anti-Second Amendment arguments and why they fail.

- **“Only the police should have guns.”** Police cannot be everywhere. In critical moments, citizens must defend themselves until help arrives. The D.C. Court of Appeals ruled in *Warren v. District of Columbia* that police have no specific legal duty to protect individuals. A self-defense adage drives this point home: “When seconds matter, the police are only minutes away.”
- **“Gun control reduces crime.”** Evidence is mixed at best. Criminals do not obey gun bans, and some of the highest violent-crime rates occur in cities with the strictest gun laws. Studies estimate defensive gun use anywhere from 60,000 to over two million times per year.

- **“The Second Amendment is outdated.”** Rights do not expire with technology. The First protects speech on the internet; the Fourth protects against digital surveillance. The Second continues to protect modern arms.
- **“No one needs a gun.”** Tell that to freedmen facing night riders, Jews in Nazi Germany, or Cambodians under Pol Pot. The need for defense is not theoretical—it is human and immediate. When populations were disarmed, they became powerless to resist slaughter.
- **“Mass shootings prove we need bans.”** Tragedies such as those seen in mass shootings demand solutions. Studies document that people who use firearms to harm acquire those arms illegally. Gun control and gun confiscation laws will not stop them from acquiring a firearm.

When measured against history, human rights, and reason, anti-gun arguments collapse under their own weight.

Conclusion

Self-defense is the cornerstone of freedom. From Locke and Blackstone to Jefferson, Paine, Douglass, and Wells to the Supreme Court, the message endures: the right to defend oneself is the right that protects all others.

The Court has affirmed what history already proved. When minorities were denied that right, they were terrorized. When nations were denied it, they were slaughtered. When individuals are denied it, they are left at the mercy of those who will never obey the law.

If the right of self-defense is taken away, freedom is jeopardized. History provides many examples of governments abusing and murdering their unarmed citizens. To protect the right to self-defense is to honor human dignity and ensure equality. That is why the right to defend yourself is not only timeless—it is, in every sense, our first civil right. To bear the means of defense is to shoulder the moral weight of freedom itself. A society that trusts its citizens to defend their own lives is one that still values liberty.

Freedom survives only when people are willing and able to defend it. That is the enduring message of the Second Amendment, and the reason this right remains as vital today as it was in 1791.

1791 still speaks!

About the Author

Francis (Frank) Duffy is a veteran of the 6th and 5th U.S. Army Special Forces Groups (the Green Berets), a graduate of the Army Ranger School, and a Green Beret combat diver. He is also a certified executive protection specialist.

He is a certified instructor for the NRA (rifle and handgun instructor), the Maryland State Police, and the United States Concealed Carry Association (USCCA). He is a certified concealed carry instructor for the District of Columbia.

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Individuals interested in scheduling a private, one-on-one firearms training session should contact Frank.

About the Spartan Firearms Training Group

The Spartan Firearms Training Group, LLC (www.spartanftg.com) is a Special Forces Veteran-Owned business formed in 2015 by Paul and Francis Duffy. At the end of March 2025, we entered into our 11th year of business, and we have trained thousands of Maryland residents in a variety of ways, including:

- Concealed carry training
- Handgun Qualification License (HQL) training
- Emergency Casualty Care training
- Long-distance precision shooting training
- Home Defense training
- Private, 1-on-1 firearms training
- Private group training

Our training calendar can be found at the [SFTG Calendar](#). Paul Duffy can be contacted at 410-707-2992 or Paul@spartanftg.com.

WHEN FACING A LIFE-THREATENING EVENT, YOU WILL FALL TO THE LEVEL OF YOUR TRAINING, NOT RISE TO THE LEVEL OF YOUR EXPECTATIONS. TRAIN THE WAY YOU FIGHT!

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