

Topic: 3.5-3.6

# ▸ Balancing Liberty and Safety

- 2<sup>nd</sup> amendment:  
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.

What are some elements of this amendment we could look at specifically?



THE RIGHT  
TO  
BEAR ARMS



# I. 2<sup>nd</sup> amendment: The right to bear arms

To what extent does the supreme courts interpretation of the second amendment reflect a commitment to individual liberty

## A. Founding principles

- A. Constitution convention- why were the issues discussed in this amendment not at the convention?
- B. In states- how many states had gun laws?
- C. National standard

# I. 2<sup>nd</sup> amendment: The right to bear arms

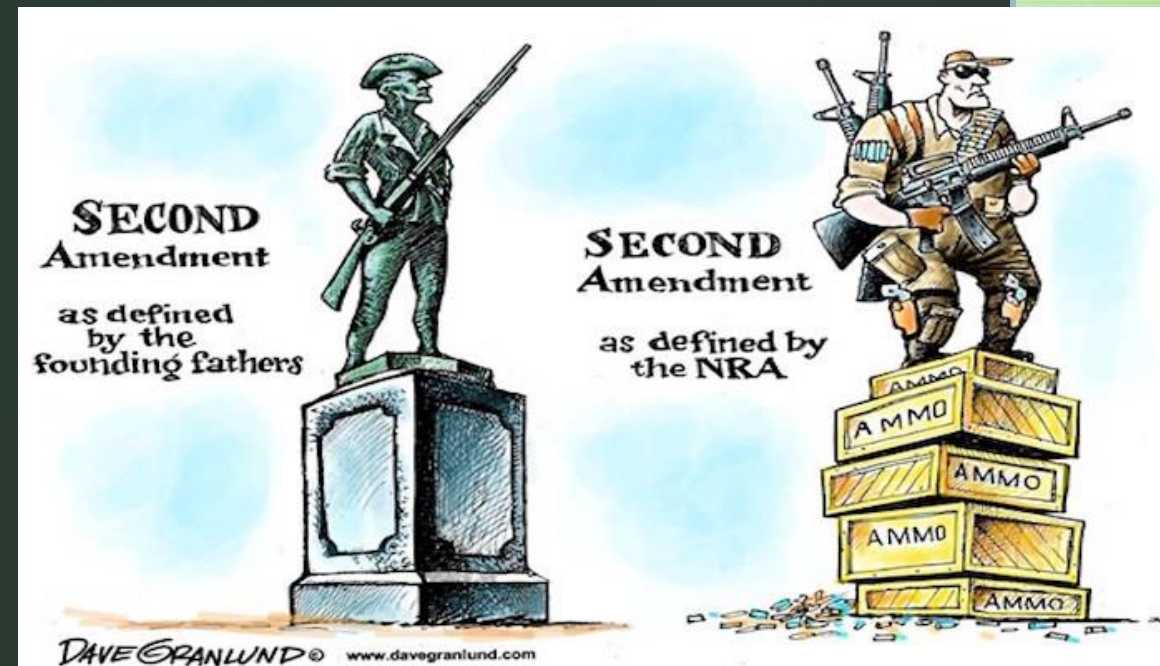
## B. Gun policy: Why is this so tricky today?

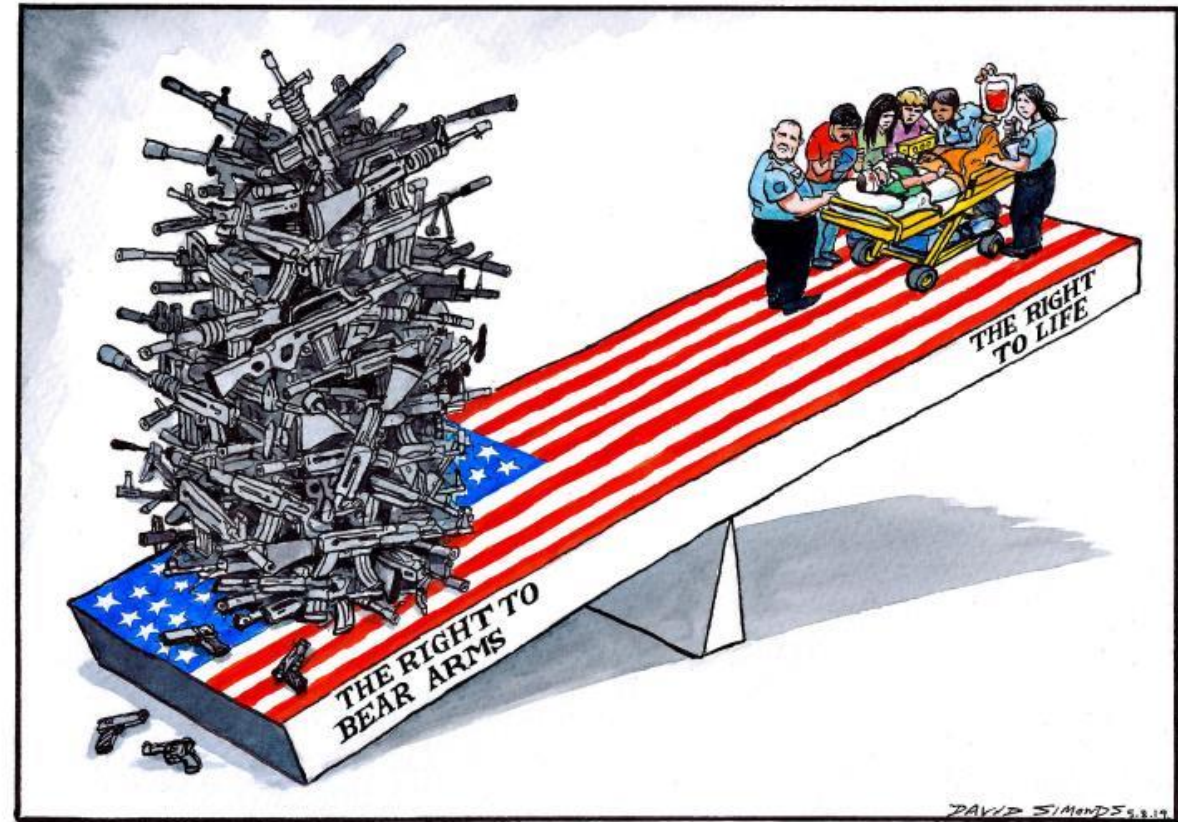
### A. National and state laws: can states pass laws about gun ownership?

- National firearms act 1934
- Gun control act 1968
- The brady bill 1993

### B. District of Columbia V Heller 2008

- What are the facts of the case and why is it important?
- What are some reasons for laws increasingly protecting gun rights in more recent years?





# What do these two things have in common?

## THE WATERBOARD INTERROGATION TECHNIQUE

*Stimulated drowning in a controlled environment*

1. The individual is immobilized on his or her back with the head inclined downward.

2. A cloth is placed over the individual's face.

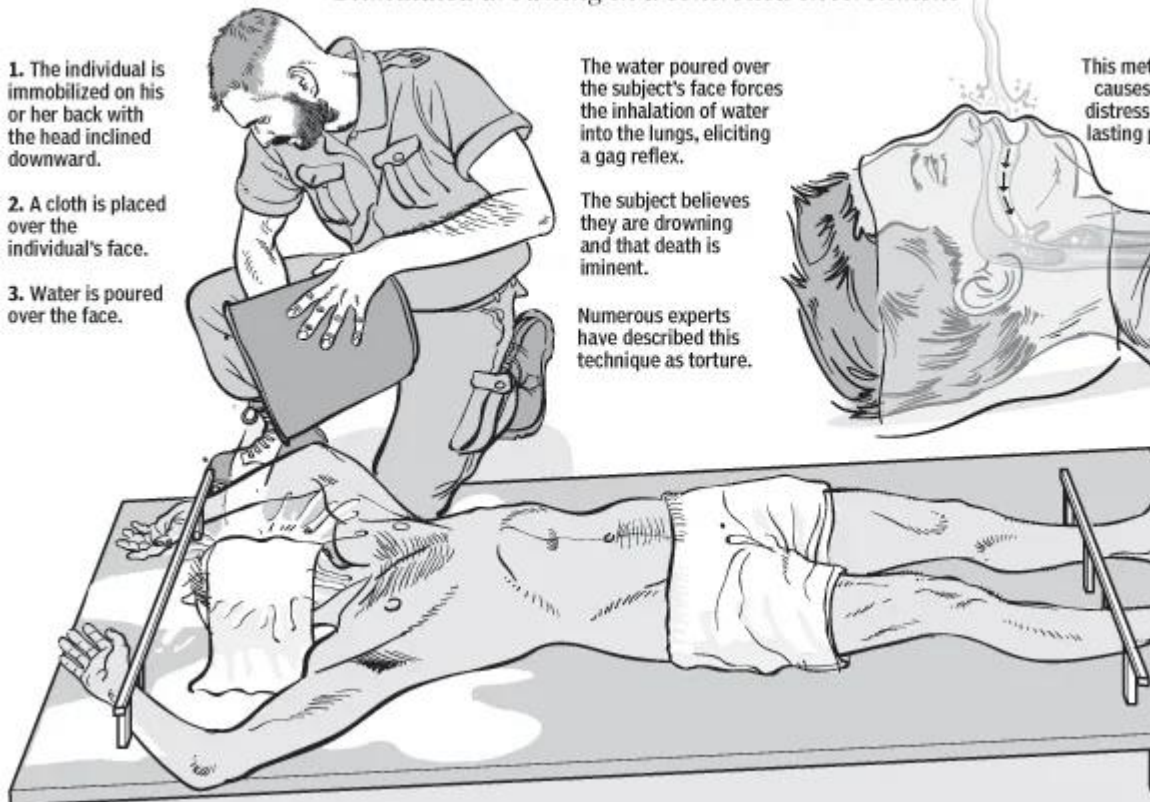
3. Water is poured over the face.

The water poured over the subject's face forces the inhalation of water into the lungs, eliciting a gag reflex.

The subject believes they are drowning and that death is imminent.

Numerous experts have described this technique as torture.

This method causes distress lasting p





## Amendment VIII

- Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## Amendment IV:

- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## II. Balancing individual freedom with public order

How has the supreme court attempted to balance claims of individual freedom with laws and enforcement procedures that promote public order and safety

A. Cruel and unusual punishments and excessive ba

A. 8<sup>th</sup> amendment

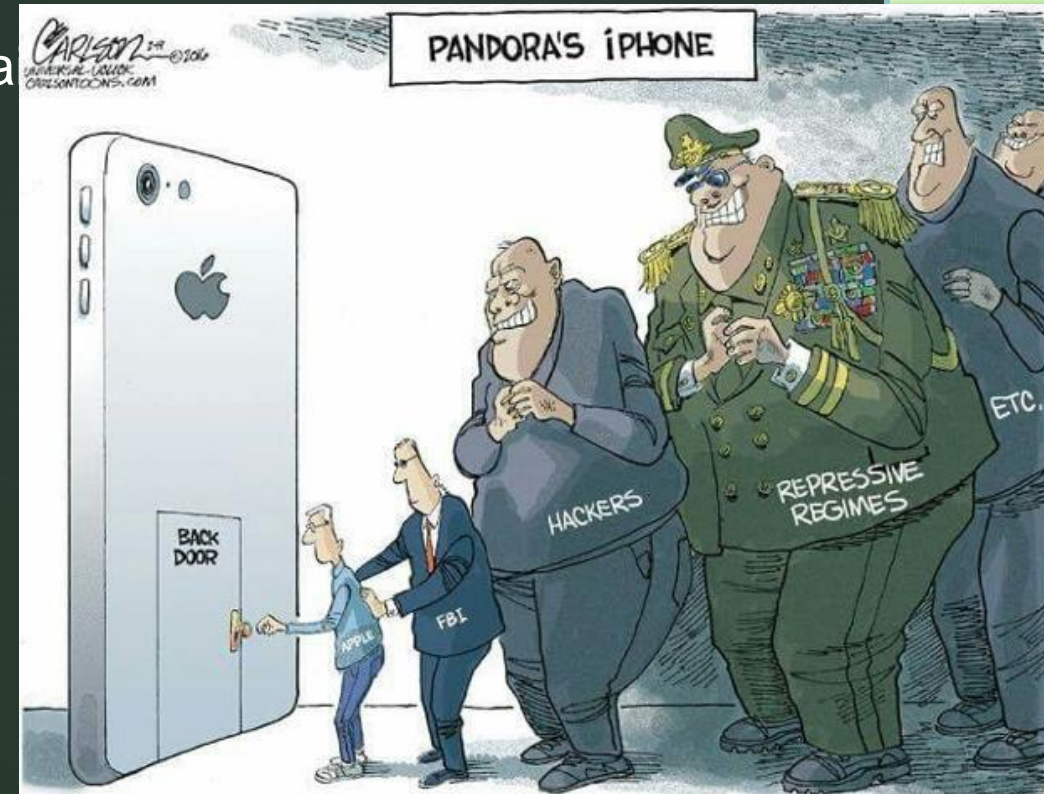
B. Guantanamo bay and interrogations

B. Individual rights and the 2<sup>nd</sup> amendment

C. Search and seizure

A. 4<sup>th</sup> amendment

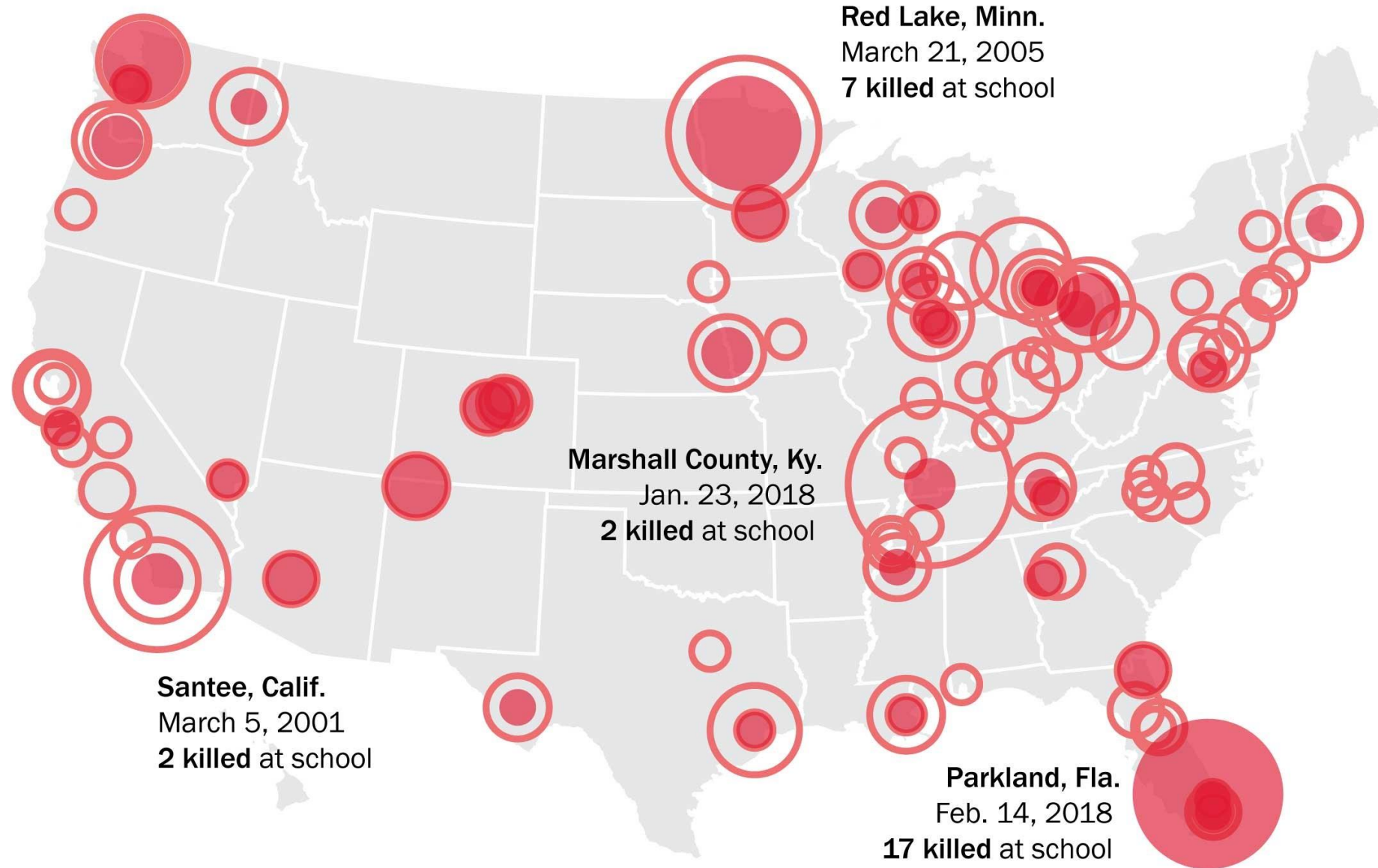
B. cellphones and metadata





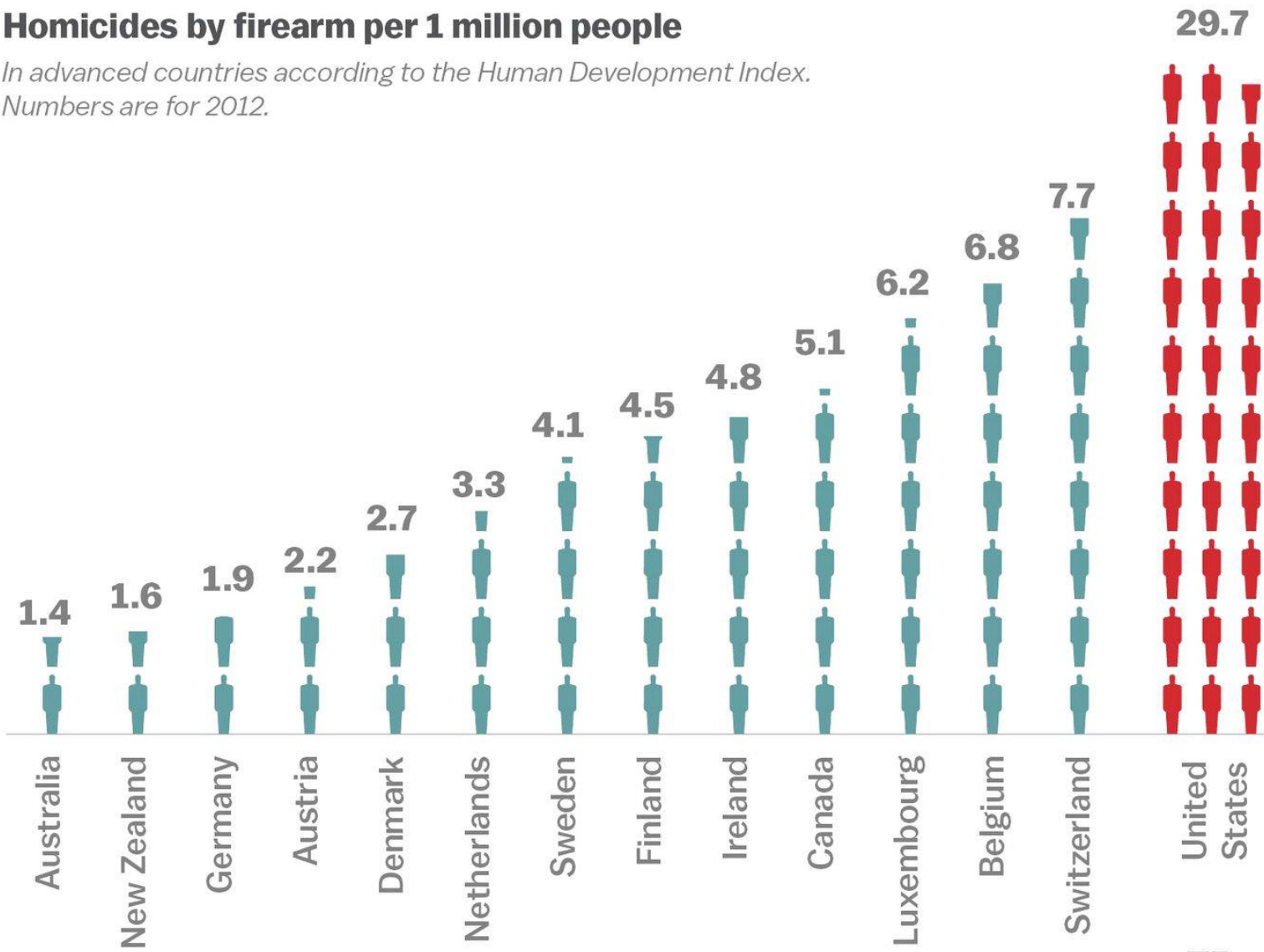
# Shootings at high schools since 2000

Analysis of Wikipedia data through Feb. 14, 2018.



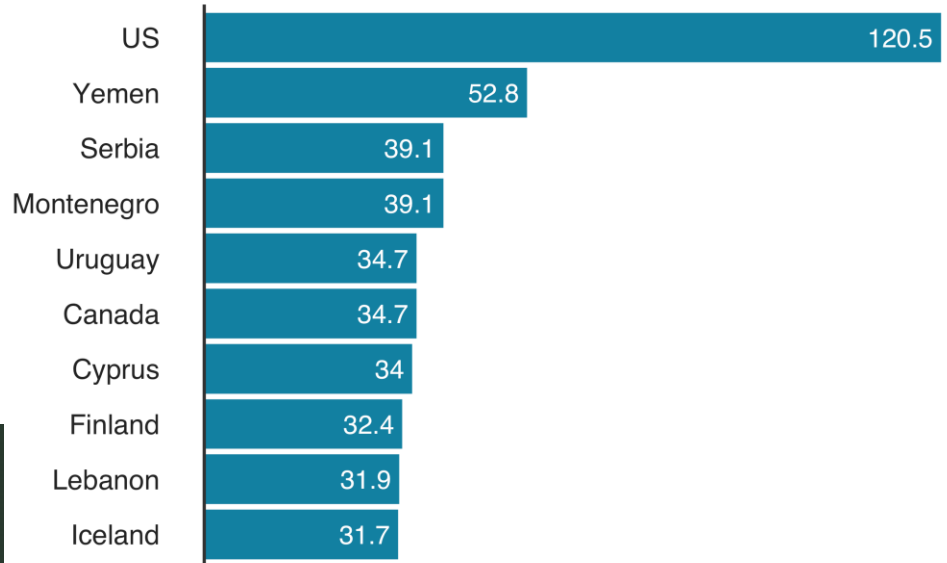
# Homicides by firearm per 1 million people

In advanced countries according to the Human Development Index. Numbers are for 2012.



## Top 10 civilian gun-owning countries

Firearms per 100 residents



SOURCE: UNODC, Small Arms Survey, via The Guardian.



Source: Small Arms Survey 2018





## GUANTANAMO BAY

# Where is Guantanamo Bay?

On the **eastern tip of Cuba** and has been under US control since 1903. This 116sq km US naval base-turned-military prison has held up to 780 detainees of the so-called 'war on terror'.



Photo: Shane T. McCoy/U.S. Navy