

# Pennsylvania, the Militia, and the Second Amendment

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The language of safety and defense that pervaded the 1776 constitution was in part the result of an ideology shaped during the French and Indian War as the province's disparate members battled over the passage of a militia law.<sup>15</sup> A comprehensive survey of surviving colonial newspapers, pamphlets, and legislative debates reveals that Pennsylvanians were less concerned with an individual right to bear arms than they were with the responsibility of the provincial government to enable them to protect themselves on the frontier.<sup>16</sup> Moreover, they were not simply interested in protecting the state. The impulse driving Pennsylvanians was strongly tied to a community-based understanding of self-defense that was galvanized by the lack of a state militia and forged in the frontier violence of the 1750s and 1760s. If we are to understand arms-bearing and the militia in revolutionary Pennsylvania, we must first understand the years prior to 1776.

Two interrelated concerns dominated colonial Pennsylvania politics: how to negotiate successfully with local native tribes and how best to secure the frontier when negotiations broke down. Central to these debates was a call for a militia law, particularly from those in the West but also from sympathetic easterners who saw a coherent militia as essential to the peoples' security. As British subjects, frontiersmen insisted that the assembly meet its basic constitutional obligation to provide for their safety.<sup>17</sup> The assembly's failure to prevent Indian incursions on the frontier between 1754 and 1758 led many to question the legitimacy of Quaker rule.<sup>18</sup> Of course, the debate over a militia had begun long before the 1750s, but the escalating violence of the French and Indian War fostered a reactive constitutional ideology that valued physical protection and community safety.<sup>19</sup> To provide that safety, many earlier governors had struggled with the Quaker-dominated assembly to provide a militia, particularly when relations with France soured. For example, in response to the growing hostilities between natives and white settlers, Governor Patrick Gordon (1726–36) issued a proclamation in 1728 requiring all British subjects in Pennsylvania to “be at all times duly furnish'd with suitable Arms & Ammunition for their Defence, to be used in case of real Necessity by the order & Direction of proper Officers, who shall be duly appointed for that Purpose.” For Gordon, self-defense was associated with regulated communal defense, and he further instructed Pennsylvanians to “fail not to appear with [arms] in proper Time & Place, if there should be Occasion to use them, in Defense of themselves, their Families & Country.”<sup>20</sup>