

Early American Militias: The Forgotten History of Freedmen Militias from 1776 until the Civil War

The United States militia is enshrined in the Second Amendment of the Constitution. And while the militia movement of today is widely known, its history – and the history of independent Constitutional militias stretching back to the dawn of the republic – is far less well known.

Why does this matter nowadays? Because understanding the historical roots of America's militias helps modern-day members appreciate the role they play in our federal system of government. Because since inception, militias have been tasked with stopping those who hold public office from exceeding their authority or those seeking to enact legislation outside of their operating charter – a crucial check against incremental encroachment by the state, as James Madison wrote in the Federalist Papers on January 29, 1788:

“Besides the advantage of being armed, which the Americans possess over the people of almost every other nation, the existence of subordinate governments, to which the people are attached, and by which the militia officers are appointed, forms a barrier against the enterprises of ambition, more insurmountable than any which a simple government of any form can admit of.”

The militia is the final means of recourse in this cycle of self-government – and arguably the most important. Thus this is the first in a two-part historical series on America's militias. The second part, *American Militias after the Civil War: From Black Codes to the Black Panthers and Beyond*, looks at additional changes this American institution underwent from Reconstruction onwards.

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