Second Opinions

Beauty vs. mutilation
I read the article about teens who are into body piercing and viewed the picture of the young man whose body was "beautified" in many locations. I also noted the highlighted quote by Mr. Joey Lenze, and Dr. Schonberg's suggestion that we shouldn't make value judgments about such acts.

I suppose it's my age, but I have a hard time understanding the need for this type of mutilation. My colleagues in this fellowship complain about circumcision and then condone this type of behavior? I just don't comprehend!

Ronald W. Coen, M.D., FAAP
Great Falls, MT

Right to bear arms
I would like to comment on the article "U.S. Constitution does not guarantee gun ownership" written by Dr. David Reynolds, which appeared in the Birmingh am News and was reprinted in the October 1996 AAP News. Dr. Reynolds submits recent court decisions he feels proves that the Second Amendment was not written with the intent of allowing law-abiding citizens the right to bear arms. I will recount some of the early history of the Bill of Rights that, I believe, shows the opposite.

In 1788, the State Conventions of Virginia and New York agreed to ratify the Constitution only after proposing several amendments and alterations. Each proposed a second Constitutional Convention to consider these changes. Of special relevance here, the Virginia Convention proposed "that the people have the right to keep and bear arms; that a well regulated militia composed of the body of the people trained to arms is the proper, natural and safe defense of a free State. That standing armies in time of peace is dangerous to liberty, and therefore ought to be avoided, as far as all cases the military should be under strict subordination to and governed by the Civil power."

The New York version was: "That the People have a right to keep and bear arms; that a well regulated militia, including the body of the People capable of bearing arms, is the proper, natural and safe defense of a free State."

The anti-Federalist sentiment in Virginia was so strong that James Madison, author of the Constitution and noted Federalist, agreed to submit Constitutional amendments at the first Congress. This premise helped him to defeat James Monroe in a contest for the House of Representatives. True to his word, on June 8, 1789, Madison proposed nine changes to the Constitution. Among these was "The right of the people to keep and bear arms shall not be infringed; a well armed, and well regulated militia being the best security of a free country; but no person religiously scrupulous of bearing arms, shall be compelled to render military service in person." This was further modified by the Senate in its final form, "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."

Most of the discussion on what evolved into the Second Amendment in the House (Senate sessions were held in secret!) centered on two subjects; the fear of a tyrannical threat that a standing army posed, and whether the rights of conscientious objectors should be explicitly mentioned in the Constitution. There was little discussion on whether individuals had a right to keep and bear arms, aside from militia duties. So why do I feel that the Founders Fathers meant exactly that? Allow me to provide three lines of evidence.

First, the amendments proposed by Virginia and New York (above) clearly imply that individuals were meant to enjoy this right, a sentiment echoed in Madison’s first version of this amendment. In addition, when New Hampshire ratified the Constitution, they proposed, "Congress shall never disarm any Citizen unless such are or have been in Actual Rebellion." I could find in the various State Conventions no support for disarming law-abiding citizens.

Second, the overriding sentiment of the day was that an armed populace, as typified by the militia, was the surest and best defense against a tyrannical government. This is apparent in Madison’s Federalist letter Number 46: "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 to. Notwithstanding the military establishments in the several kingdoms of Europe, which are carried as far as the public resources will bear, the governments are afraid to trust the people with arms."

Third, English Jurist William Blackstone’s Commentaries on the Laws of England were a basis for much of the original jurisprudence of the United States. In chapter one "Of the Rights of Persons," Blackstone categorized rights as primary (such as security, liberty and right to property), and auxiliary (those necessary to assure the primary rights). Among the auxiliary rights he listed the "right of having and using arms for self-preservation and defense."

Therefore, it is abundantly clear to me that the Second Amendment truly was written with the intent of guaranteeing all law-abiding citizens the right to bear arms. This right goes hand-in-hand with the obligation to rebel against tyranny.

Pediatricians have many grounds on which to advocate gun control. I think that "wishful interpretation" of the Constitution, as is the wont of some gun control advocates, is the weakest of these grounds. It is wrongheaded to base your entire argument on the whim of nine justices, a whim that may well change with the next pertinent decision. This is why original intent is so important. If you base decisions on the bedrock of original intent of the Nation’s founders, you don’t need to worry about your house shifting with any political tide. On this I take my case that laws barring private gun ownership are, indeed, unconstitutional.

As references for this discussion I used, and recommend, the following: Creating the Bill of Rights, edited by H.E. Veit, et al, and published by The Johns Hopkins University Press, and The Federalist Papers, edited by I. Kramnick and published in London by Penguin Books.

Mark E. Anderson, M.D., FAAP
Knoxville, TN

Involvement justifiable
We would like to comment on Dr. Cunningham’s Point of View, “Learning disabilities: Pediatricians should step back” (AAP News, January 1997). This has been seen as a biased assessment from pediatricians who have spent their careers solely in an academic or subspecialty environment. It should be stated that among the six contributors to this letter, there are 26 years of general pediatric practice, in addition to subspecialty practice.

Dr. Cunningham states: “Unless there is a concern regarding a co-occurring behavioral problem, such as attention deficit disorder, or some accompanying medical condition, the pediatrician has nothing useful to contribute to the routine evaluation of a child for a suspected learning disability.” Unlike the psychologist, who would administer an intelligence test, or the educational specialist who measures specific academic achievement, the pediatrician is in the unique position of having been trained in the method of differential diagnosis when considering a problem. This approach creates a list of possible causes which could be potential contributors to the weakness.

As an example, using the hypothetical child with the reading weakness, these could include problems with vision, active working memory, short-term memory, attentional deficits, and/or an inadequate learning environment. Unless every child is going to receive the identical remediation strategies for a “generic” reading problem, specific breakdown areas must be identified to provide the appropriate help. Psychologists and educators do not have this background, nor do they have the advan-