

Opinion

MY VIEW

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THE SECOND AMENDMENT

Samantha Pillion is valedictorian of the Nantucket High School class of 2007. This is her winning Macomber Essay.



My View

By Samantha Pillion

During our nation's infancy, when the United States Constitution was still in the process of its ratification, state conventions called for a bill of rights to be added to the Constitution and refused to ratify without this guarantee. At the time, the memory of Great Britain's tyranny over the colonies was still fresh in the minds of the people, and the individual states sought to ensure that this new federal government would not become overly powerful. As such, they desired a bill of rights that would set in stone rights that could not be violated by the federal government. The Second Amendment of this Bill of Rights states: "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." This amendment to the U.S. Constitution was originally created with the intention of securing the right of the people to bear arms when associated with a well-regulated militia in the face of internal or external threats to the state's well-being. The original intention was not to guarantee to every American citizen the right to own a gun. As such, the Second Amendment's present day application should remain the same as that of the original: the protection of the states' rights to arm their militias. Across the Internet, scores of Websites proclaim, "The right of the people to keep and bear arms shall not be infringed." However, while many gun manufacturers and anti-gun control lobbyists conveniently cut out half of the Second Amendment in order to support their case, when interpreting the law, one must interpret the law in its entirety. While many factions within the United States claim that the Second Amendment was in fact created with the intention of guaranteeing the right of gun ownership to individuals, this interpretation has not been upheld by the United States Supreme Court, is not supported by historic events and is unnecessary in today's world. Historic research tells us that,

"At the time the U.S. Constitution was adopted, each of the states had its own 'militia' — a military force comprised of ordinary citizens serving as part-time soldiers...The militia was 'well regulated' in the sense that its members were subject to various legal requirements. They were...required to report for training several days a year, to supply their own equipment for militia use, including guns and horses, and sometimes to engage in military exercises away from home." (The Second Amendment Myth & Meaning)

According to this information, the purpose of the Second Amendment was to guarantee the states the right to organize and defend themselves in the event of an internal

uprising, or an external threat. It was not, as anti-gun control lobbyists would like the public to believe, a guarantee of the people's individual right to gun ownership for self defense.

In the period surrounding our nation's birth, there existed much civil unrest between those remaining loyal to the British and the revolutionary patriots. The people were also in the process of fighting a war of independence against the British Empire. Even up to the period of the civil war between the North and South, the use of guns for self defense is justifiable given the circumstances surrounding the everyday lives of those living in certain areas of the nation. For example, those living on the ever-expanding frontier were in constant need of defending themselves and their land. While it may not have been justifiable that they were stealing this land from the Native Americans, the point is that these people were in actual physical harm, which validated their need for individual gun ownership for the purpose of self defense.

Today, however, the entire country is protected by the United States Armed Forces, which includes the U.S. Army, U.S. Marine Corps, U.S. Navy, U.S. Air Force, and U.S. Coast Guard. There is also an Army National Guard and an Air National Guard that are at the service of the states in times of crisis. The National Guard Bureau also regulates State Defense Forces, or State Guards, that are controlled by the state governments. In addition to these services, the people of each state are protected by state and local police. With so many federal and state services available to protect the American people, the obtainment of guns for personal self defense is not a valid reason in present day society as it may have been during previous periods in our country's past.

The United States Supreme Court has only accepted one case concerning the Second Amendment: *United States v. Miller*. In this case, the judges came to a majority decision that the Second Amendment does not guarantee the use of a gun that is unassociated with a state militia. They even went so far as to define the term militia, so as to further clarify their ruling.

"The signification attributed to the term Militia appears from the debates in the Convention, the history and legislation of Colonies and States, and the writings of approved commentators. These show plainly enough that the Militia comprised all males physically capable of acting in concert for the common defense. 'A body of citizens enrolled for military discipline.' And further, that ordinarily when called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time." (*United States v. Miller*)

Therefore, one may deduce from the Court's decision that it finds individual gun ownership to be at odds with the Second Amendment, and hence unconstitutional.

While the U.S. Supreme Court has only heard one case concerning this amendment, the lower courts have been actively ruling on the matter:

Since *Miller* was decided, lower federal

FROM THE PUBLISHER

Consider the casualties.

According to the Newspaper Association of America, the number of people employed in the newspaper industry fell by 18 percent between 1991 and 2006. Tumbling shares of listed newspaper firms have prompted fury from investors. In 2005, a group of shareholders in Knight Ridder, the owner of several big American dailies, got the firm to sell its papers and thus end a 114-year history. This year Morgan Stanley, an investment bank, attacked the New York Times Company, the most august journalistic institution of all, because its share price had fallen by nearly half in four years. And just last week, Rupert Murdoch made a bid to purchase ailing Dow Jones.

Having ignored reality for years, newspaper publishers are at last doing something — they are investing in free papers.

With implications right here on Nantucket, there is a global war between traditional paid newspapers and hordes of free dailies sprouting up in cities and towns worldwide. It's a real battle, in the best tradition of newspaper publishing. But, unlike previous fights, this one will transform American newspaper publishing.

Imagine a typical urban newspaper market in America, with one or two paid dailies and perhaps a subway freebie. Now imagine a handful of free papers joining the scramble to win readers and advertisers.

That has already happened in Copenhagen, where three free papers were launched last year alone, bringing the total to five, and it is hitting the paid newspapers hard. Circulations are sliding and ad rates are sinking. By the end of this month, free newspapers will represent approximately 25 percent of Canadian newspaper circulation, where there are both multiple conventional papers and multiple free dailies in each of Canada's six largest markets.

In Boston, a second free paper, to be called *Boston Now*, is set to launch this summer. It is being funded by Dagsbrun Media, Iceland's largest media company. Six years ago, Pergament founded the free *Metro Boston*, then moved to New York to launch *amNewYork*, a free newspaper owned by *Newsday* parent Tribune Co. Pergament intends to launch eight to 10 more free sheets in the U.S. this year. *Metro Boston's* advertising sales have grown at a compound annual rate of 41 percent since the launch of the first edition in 1995.

In March, the *Tampa Bay Times*, a free daily published by the *St. Petersburg Times*, increased its distribution above 356,000 copies a week. That makes it the fastest-growing newspaper in the top 20 U.S. markets. The *St. Pete* paper started the free paper, called *TBT*, after watching what was happening in other cities.

The trend to free is inevitable, and it will continue to reshape the newspaper industry dramatically. As much as urban newspapers, community newspapers have been leading the trend. *The Martha's Vineyard Times* has been free for almost 20 years. Now, it is a relatively rare community that does not have at least one free newspaper.

By now, you have likely heard about *The Independent's* plan to convert to a free weekly newspaper beginning with next week's issue. By not recognizing the trend, by not listening to the wants of readers and the needs of advertisers, *The Independent* could indeed become yet another casualty.

This is a big step for us — one that will boost the paper's on island circulation beyond that of our competition. Circulation will increase to 14,000 in the high season, 11,000 in the shoulder season and 7,000 in the low season. Our average on-island, year-round circulation will be just over 9,000 — nearly 75 percent higher than our competition.

Some things will not change. We will remain the trusted, legitimate source you have come to count on every week. We will remain independent and locally owned.

Some things will change. To meet the anticipated increase in demand, we may boost staffing and use these resources to build on the successes of the past four years. Contrary to the freebie mentality of the genre of free Shoppers and Penny Savers, we will strengthen our editorial voice on the island. In four years the American Press Institute has already recognized us with over 30 awards. You can expect more of that.

In terms of advertising, our foray into the weekly media market four years ago did more than just level the playing field on Nantucket; it offered advertisers an alternative vehicle. Now, advertisers will pay less for even greater exposure, as *The Independent's* reach into every demographic and every field of interest on Nantucket will be more extensive than any other advertising medium on the island.

With great community support, fairness, accuracy, reliability and excellence are among the traits which have enabled *The Nantucket Independent* to thrive in this two-newspaper town. Beginning next week we will add at least two more characteristics to the list — widest reach and largest readership.

— DC

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