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These Are the Times That Try (Women and) Men's Souls

This is not the message that I had hoped to be posting on the day after the 2016 presidential election.

Although Hillary Clinton received more popular votes, Donald Trump garnered more than the requisite 270 electoral college votes needed to become the 45<sup>th</sup> President of the United States.<sup>1</sup> Instead of a president-elect who stated during the presidential campaign that the Supreme Court was wrong in the 2008 Heller decision;<sup>2</sup> who advocated rescinding special immunity from products liability lawsuits for gun makers and gun dealers; who supported universal background checks for firearm purchases; who opposed open carry of firearms; and who had the political courage to stand up to the NRA,<sup>3</sup> we have a president-elect who made a thinly veiled reference to the assassination of his opponent if she appointed Supreme Court justices who would overturn the Heller decision;<sup>4</sup> who boasted of being endorsed by the "very, very good people" of the NRA; who advocated that a concealed weapons permit issued in one state should be good in every other state; who implied that mass shootings can be mitigated by more people carrying guns in churches, nightclubs, and at workplace holiday socials; who opposed universal background checks for gun purchases; who stated that bans on assault weapons and high capacity magazines are "a total failure;" and who vowed to abolish gun free school zones on his first day in office.<sup>5</sup>

Donald Trump's term as President of the United States promises to be a challenging one for those of us working to stop the shameful epidemic of gun violence that afflicts our country. But giving up is not an option, especially given the fact that the majority of people who voted in the 2016 presidential election voted for the candidate who supported sensible gun regulations.

This is the second time in modern history that a presidential candidate who supported gun control won the popular vote but lost to a candidate endorsed by the NRA due to the vagaries of the electoral college. In 2000, Vice President Al Gore received more than half a million votes more than former Texas governor George W. Bush, but Bush garnered more electoral college votes.<sup>6</sup> The "conventional wisdom" following the 2000 election was that Gore "lost" to Bush because of his support for gun control. And within the gun violence prevention community, the conventional wisdom became that we should not ask for too much in terms of firearm regulations. When the Supreme Court reversed over two centuries of legal precedent in ruling in a narrow 5-4 decision in the 2008 Heller case that the Second Amendment guaranteed an individual to keep a handgun in the home "for protection," the conventional political wisdom was that we should try to work within the Heller decision rather than overturn it.<sup>7</sup> If the 2016 presidential

campaign has taught us anything, it's that conventional political wisdom is out the window.

It was the position of Americans Against Gun Violence before yesterday's election that we have not only the ability, but the moral responsibility to reduce rates of gun violence in the USA to levels comparable to those in other high income democratic countries – countries in which mass shootings are rare or non-existent and in which overall rates of firearm related deaths and injuries are much lower than in the USA. Today, after the election, that's still our position, and we're more committed than ever to achieving our goal through the adoption of definitive gun control laws comparable to those already in place in every other high income democratic country. Such laws include stringent regulation, if not a complete ban, on civilian ownership of handguns and semi-automatic rifles.

In 1776, Thomas Paine wrote:

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman.

Paine's statement, other than his exclusion of the female gender until the last word in the quote, is as relevant today as it was in 1776. Hillary Clinton put it in more modern terms in her gracious concession message this morning. She said:

This loss hurts. But please, please never stop believing that fighting for what's right is worth it. It's always worth it. And we need you to keep up these fights now and for the rest of your lives.

If haven't already done so, please join us as a charter member of Americans Against Gun Violence to fight for definitive gun control regulations to stop the shameful epidemic of gun violence that afflicts our country, and please make an additional contribution if you're able. Please also go to the Facts and FAQ's page of the Americans Against Gun Violence website to learn more about other steps that you can take right now to help prevent firearm related deaths and injuries.

As Hillary said, yesterday's election loss hurts. But in literal terms, it doesn't hurt nearly as much as the gun violence that kills more than 90 people<sup>8</sup> and wounds at least 220 more<sup>9</sup> every day in our country. Becoming actively involved in Americans Against Gun Violence is a good way to help stop both kinds of hurt.

Thanks for fighting for what's right.

Sincerely,

Rill

Bill Durston, MD

## References

<sup>2</sup> Alana Goodman and Stephen Gutowski, "Leaked Audio: Clinton Says Supreme Court Is 'Wrong' on Second Amendment," *Washington Free Beacon*, October 1, 2015, http://freebeacon.com/politics/leaked-audio-clinton-says-supreme-court-is-wrong-on-second-amendment/; District of Columbia v. Heller (U.S. 2008).
<sup>3</sup> Jacqueline Thomsen, "Hillary Clinton on 9 Key Gun Issues, In Her Own Words," *The Trace*, August 17, 2016, https://www.thetrace.org/2016/08/hillary-clinton-quotes-on-guns/.

<sup>6</sup> "Presidential Election of 2000," 270toWin, accessed November 9, 2016,

http://www.270towin.com/2000\_Election/.

<sup>7</sup> Michael Waldman, "How the NRA Rewrote the Second Amendment," *POLITICO Magazine*, accessed December 30, 2015, http://www.politico.com/magazine/story/2014/05/nra-guns-second-amendment-106856.html; Law Center to Prevent Gun Violence, "Heller and the Explosion of Second Amendment Litigation," accessed August 22, 2016, http://smartgunlaws.org/gun-laws/the-second-amendment/the-supreme-court-the-second-amendment/protecting-smart-gun-laws/.

<sup>8</sup> "Fatal Injury Data | WISQARS | Injury Center | CDC," *Centers for Disease Control and Prevention*, accessed September 11, 2016, http://www.cdc.gov/injury/wisqars/fatal.html.

<sup>9</sup> "NonFatal Data | WISQARS | Injury Center | CDC," *Centers for Disease Control and Prevention*, accessed September 11, 2016, https://www.cdc.gov/injury/wisqars/nonfatal.html.

<sup>&</sup>lt;sup>1</sup> "2016 Election Results: President Live Map by State, Real-Time Voting Updates," *Election Hub*, November 9, 2016, http://www.politico.com/2016-election/results/map/president.

<sup>&</sup>lt;sup>4</sup> Tami Luhby and Jim Sciutto CNN, "Secret Service Spoke to Trump Campaign about 2nd Amendment Comment," *CNN*, accessed August 12, 2016, http://www.cnn.com/2016/08/10/politics/trump-second-amendment/index.html See also the August 12, 2016 President's Message, "Trump, Clinton, and the Second Amendment.".

<sup>&</sup>lt;sup>5</sup> Jovana Taylor, "Donald Trump on 9 Key Gun Issues, in His Own Words," *The Trace*, October 19, 2016, https://www.thetrace.org/2016/10/donald-trump-gun-rights-positions/.