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“What Can We Do to Prevent These Mass Shootings?”

A Message from the President of Americans Against Gun Violence

A friend sent me an email the day after the mass shooting on November 7 at the Borderline Bar and Grill in Thousand Oaks, California. He asked:

“Bill, what can we do to prevent these mass shootings?”

I replied:

“It's simple, Jim. We need to adopt stringent gun control laws in the United States comparable to the laws that have long been in effect in every other high income democratic country of the world - countries in which such mass shootings are rare or non-existent. Such laws include stringent restrictions, if not complete bans, on civilian ownership of handguns and all automatic and semi-automatic rifles.”

If my response to Jim seems familiar to you, it's probably because you've been reading my earlier president's messages and/or the mission statement of [Americans Against Gun Violence](#).

The Thousand Oaks mass shooting, in which 12 people were killed and at least 20 more were injured, comes on the heels of the October 27 mass shooting at a Pittsburgh synagogue in which 11 people were killed and six others injured. The response to the Pittsburgh mass shooting focused on the fact that the shooter was rabidly anti-Semitic. The responses to other mass shootings have also focused in many cases on the shooters' motives - including racial hatred in the cases of the Sikh temple mass shooting in 2012 and the Emanuel African Methodist Episcopal Church mass shooting in 2015; suspected anti-gay hatred in the Pulse nightclub mass shooting in 2016; and political extremism in the Alexandria, Virginia baseball field mass shooting in 2017. And as usual, the response to the Thousand Oaks mass shooting has focused on the question of what motivated 28 year old Ian David Long to commit an atrocious mass murder before killing himself.

By definition, there is some perverse motive behind every mass shooting, even if the motive is never clearly identified, as was the case with the worst mass shooting to date in U.S. history - the Las Vegas massacre in 2017; as was the case in the Marjory Stoneman Douglas mass shooting in February of this year;

and as may well turn out to be the case in the Thousand Oaks mass shooting. But as our keynote speaker, Joshua Sugarmann, Executive Director of the Violence Policy Center, stated at our annual dinner last year, the main reason why people in the United States keep committing these horrific mass shootings is not because of any particular motive - it's because they can. It's because we, as a society, let them do it. It's because we, as a society, choose not to prevent them from doing it.

The United States doesn't have higher rates of anti-Semitism than other high income democratic countries. In fact, anti-Semitism, while it is abhorrent and may be on the rise, is less prevalent in the U.S. than in other Western European nations that have far lower rates of gun violence.¹ We don't have significantly higher rates of mental illness and substance abuse than other high income democratic countries² - not that we don't need to improve mental health care. And while I would be the first to agree that we need to address bullying and the glorification of violence in our media, the rate of physical assault by means other than guns is lower in the United States than in most other high income democratic countries.³

The obvious reasons for the extraordinarily high rate of gun violence in our country, including the uniquely American phenomenon of regular mass shootings, are the reasons that we as a society choose to largely ignore - the extraordinarily lax gun control laws in our country as compared with every other high income democratic country of the world,⁴ the extraordinarily high number of guns in circulation,⁵ and what the late Senator Thomas Dodd referred to as "the ridiculous ease" with which almost anyone in our country can acquire almost any kind of a gun.⁶

Before 2008, there was no constitutional obstacle to adopting stringent gun control laws in the United States. The U.S. Supreme Court had ruled in four previous decisions⁷ that the Second Amendment did not confer an individual right to own a gun. But in 2008, a narrow 5-4 majority of the U.S. Supreme Court became a party to what the late Supreme Court Chief Justice Warren Burger called "one of the greatest pieces of fraud - I repeat the word, 'fraud' - on the American public by special interests" that he had ever seen in his lifetime.⁸ The special interests to which he referred were the NRA and the rest of the gun lobby which, in the 2008 *Heller* decision,⁹ succeeded in effectively deleting the phrase, "A well regulated militia," from the U.S. Constitution.

Instead of calling out the *Heller* decision for what it really was - a rogue decision, an abomination, and a death sentence - we, as a society, chose to live with it. Even then presidential candidate Senator Barack Obama, who had taught constitutional law at the University of Chicago, said of the *Heller* decision:

"I have always believed that the Second Amendment protects the right of individuals to bear arms....Today's ruling, the first clear statement on this issue in 127 years, will provide much-needed guidance to local jurisdictions across the country.¹⁰"

With all due respect, presidential candidate Barack Obama's statement was nonsense. The U.S. Supreme Court had ruled unequivocally in *U.S. v. Miller* in 1939,¹¹ 69 years before *Heller*, and had reiterated in *Lewis v. United States* in 1980,¹² 28 years before *Heller*, “**The Second Amendment guarantees no right to keep and bear a firearm that does not have ‘some reasonable relationship to the preservation or efficiency of a well regulated militia.’**” And far from providing “much-needed guidance,” the counter-factual and internally contradictory *Heller* decision led to more than 1,000 lawsuits being filed by the gun lobby against all kinds of gun control laws,¹³ with conflicting rulings in courts across the country that remain unresolved.

In order to adopt stringent gun control regulations like those in other high income democratic countries, in the short term, we need to overturn the *Heller* decision. In the long term, we need to either repeal the Second Amendment entirely or adopt another amendment that ensures that the Second Amendment can never be hijacked by the gun lobby again.

My friend, Jim, replied to my email:

“Thank you, Bill. I realize what we need to do. What can we do right now?”

I suggested to Jim that he join [Americans Against Gun Violence](#) and that he make an additional donation, if he was able. Jim did both. Americans Against Gun Violence is the only national gun violence prevention organization in the United States that openly advocates overturning the rogue *Heller* decision and adopting stringent gun control regulations in the United States comparable to the laws in all other high income democratic countries. By joining and contributing to Americans Against Gun Violence, Jim is helping to build a critical mass of people and an effective infrastructure through which we can accomplish those goals. Jim’s donation also helps support our high school essay contest through which we’re fostering and rewarding critical thinking and activism among our youth in the area of gun violence prevention.

I recommended to Jim that he call his state and federal elected officials, as I have, and tell them that he is an Americans Against Gun Violence member and that he expects them to openly advocate and to do everything within their power to work toward overturning the *Heller* decision and adopting stringent gun control laws in the United States comparable to the laws in other high income democratic countries. Many people estimate the importance of making calls or other contacts with elected leaders. We know from talking with staff members of members of Congress that as few as 10-20 calls on a given issue can influence the position an elected official takes on an issue and the way that he or she votes. And when we act in concert as members of Americans Against Gun Violence, our collective voice becomes greater than the sum of the voices of our individual members.

I also recommended to Jim that he talk openly with friends, family, colleagues, and

anyone else who is open-minded enough to listen about the fraudulent misrepresentation of the Second Amendment by the gun lobby, the rogue *Heller* decision, and the need to adopt stringent gun control laws in the United States comparable to the laws in other high income democratic countries. And I told him that if people say, "You don't propose taking away people's guns, do you?" I would recommend that he reply unapologetically, as I do, "Yes, lots of guns, in fact, millions of guns, just like Australia did after a mass shooting there in 1996, and where hunters and target shooters can still practice their sports, but where there hasn't been another mass shooting since 1996."¹⁴

I told Jim that there are many other things that we can all do to help stop the shameful epidemic of gun violence that afflicts our country, and I recommended that he check out the [Facts and FAQ's page](#) of the Americans Against Gun Violence website for some more suggestions.

I shared my responses to Jim with our supporters on the Americans Against Gun Violence listserv, and another friend replied:

“This country, I’m afraid to say, will never give up its guns. Too many stupid people and too many politicians beholden to the NRA.”

I’ll admit that at times, I become discouraged myself. The cynical statement above, though, is a self-fulfilling prophecy. And while there are elements of our society that will not listen to reason on the issue of gun control, I firmly believe that if given accurate information, the majority of Americans, including the majority of our elected officials, will support the adoption of stringent gun control laws in our country comparable to the laws in all other high income democratic countries, and that one day, we will end the shameful epidemic of gun violence that afflicts our country. It’s our mission at Americans Against Gun Violence to make that day come sooner rather than later, and I hope that you’ll join Jim and me and the many other members of Americans Against Gun Violence who are doing everything within our power to accomplish that mission.

Sincerely,



Bill Durston, MD
President, Americans Against Gun Violence

Note: Dr. Durston is a board-certified emergency physician and a former expert marksman in the United States Marine Corps, decorated for “courage and composure under fire” during the Vietnam War.

References

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