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## **“Disturbing” News About Children Being Killed in Ukraine – and in the USA**

A Message from the President of Americans Against Gun Violence  
March 2, 2022

On the evening of February 28, my wife and I watched the segment of the PBS NewsHour concerning the military attack on Ukraine launched by Russian president Vladimir Putin.<sup>1</sup> The program host, Judy Woodruff, warned at the beginning of the segment, “Images in this story may disturb some viewers.” The television coverage included a segment showing a mother sobbing as her six year old daughter, who had been hit in the chest by Russian shrapnel, was being wheeled into a Ukrainian operating room where doctors and nurses, who were risking their own lives by staying in Ukraine to treat victims of the Russian invasion, tried desperately, but unsuccessfully, to save the girl’s life. The image of the lifeless six year old girl, her pajamas splattered with blood, was beyond disturbing. The words, “horrific” and “heartbreaking” came to mind. The PBS NewsHour also reported on February 28 that in addition to the death of the six year old girl, there had been 15 other confirmed deaths of Ukrainian children as a direct result of Russian attacks since the beginning of the invasion five days earlier. This was probably an underestimate, though, and by now, the number of children killed is clearly much, much higher.

After watching the February 28 NewsHour segment about the Russian invasion of Ukraine, which also included images of an older Ukrainian civilian severely injured by the Russian attackers, as well as an interview with a grandfather caught in a 20 mile traffic jam as he was trying to transport the women and children in his family across the Polish border before returning to Ukraine to join his sons in the fight against the Russians, I went to my computer to make a donation to Ukrainian humanitarian relief efforts. The first thing that popped up on my computer screen, though, was a news flash concerning a mass shooting that had just occurred inside a church in Sacramento 14 miles from our own home.

A 39 year old man, David Rojas, had gone to the church on the pretense that he wanted to participate in a scheduled, supervised social visit with his three daughters, ages 9, 10, and 13. Rojas brought an AR-15 style rifle with him, though, and he shot and killed a 59 year old church elder who had previously befriended him and who had agreed to supervise the visit. Rojas then shot and killed his three daughters before killing himself. The girls’ mother, who was not present at the church during the shooting, had previously obtained a restraining order prohibiting her estranged boyfriend from seeing the girls without supervision. Rojas had also been jailed overnight just five days earlier in another

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California city, but he’d been released on bail after being charged with drunk driving and felony assault against the arresting police officer.

While reading the news flash concerning the church shooting, the words, “horrific” and “heartbreaking” again came to mind. And it struck me that while there were obviously vast differences in the scope of the Russian attack on Ukraine and the far more limited, but in some ways, equally horrific and heartbreaking mass shooting at the church in Sacramento, there were also other parallels between these two attacks. Both attacks were the work of male bullies seeking ultimate revenge for perceived affronts – in the case of Putin, the affront being the rebellion of the Ukrainian people against his authoritarian rule; in the case of the Sacramento church shooter, the affront presumably being some hurt that he felt that his ex-girlfriend had inflicted on him. Both men employed weapons of mass destruction (WMD’s) to carry out their attacks, with the weapons employed by Putin being tanks, artillery pieces, and jet bombers near one end of the WMD spectrum, and the weapon used by Rojas being a semi-automatic rifle near the other end of the WMD spectrum.<sup>2</sup> The Ukrainian child, like the three American children and the church elder, had probably experienced terror prior to being fatally wounded; and the ultimate outcome for all the victims, regardless of the specific circumstances of the attacks, was the same. And finally, the grief experienced by all the victims’ surviving loved ones is unimaginable.

We know how the Sacramento church shooting ended. We can only wonder, though, if the shooter experienced some perverse sense of satisfaction in knowing that he had inflicted the most severe and lasting pain possible on his ex-girlfriend between the time that he shot and killed his three daughters and the time that he killed himself.

We don’t know how the Russian attack on Ukraine will end, and we don’t know if Vladimir Putin will make good on his thinly veiled threat to use the ultimate WMD’s in his arsenal and launch a nuclear attack against any country that tries to prevent him from overrunning the Ukrainian defenses. It’s unlikely that Putin is crazy enough to believe that he would survive a nuclear counter-attack. But is Putin sick enough, if he should launch a nuclear attack, that he would derive some perverse sense of satisfaction in the brief interval between the time that he might order a nuclear attack and the time that a nuclear counter-attack would come raining down on him from knowing that he has inflicted the maximal amount of pain on his enemies?

This unanswered question brings up another parallel - the twisted psychology that leads some nations to acquire nuclear weapons, at one end of the WMD spectrum, and that leads many people in the United States to acquire personal firearms, at the other end of the WMD spectrum. The leaders of the nations that already have or that are seeking to acquire nuclear weapons believe that possession of such weapons provides them with net protective value. Some people even claim that it’s been the existence of nuclear weapons that has prevented a third world war. The current crisis in Ukraine should dispel these myths. Although even a limited exchange of nuclear weapons between two nuclear armed nations would probably spell doom for the entire world population as a result of the devastating climate effects of the atmospheric pollution created by such an exchange,<sup>3</sup> the nations that Putin is directly threatening with a nuclear attack, and the ones that he feels most threatened by himself, are the western countries that have nuclear weapons, not the other “non-nuclear” countries of the world. And as far as preventing conventional wars goes, if Putin didn’t have the nuclear blackmail card in his deck, NATO almost certainly would have been less timid about sending in conventional military forces to prevent the Russian invasion of Ukraine from occurring in the first place.

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Similarly, people in the United States who own or carry personal firearms “for protection” – protection against other members of society who are comparably armed - are fooling themselves. There is overwhelming evidence that far from providing any net protective value, guns in the homes and in the communities of honest, law-abiding people in a democratic society are far more likely to be used to harm them than to protect them. I’ve summarized some of the evidence on this subject in previous Americans Against Gun Violence president’s messages, and a representative sample of this evidence is posted on the [Facts and FAQ’s page](#) of the [Americans Against Gun Violence website](#). As I’ve also discussed in previous president’s messages, recognizing that there is no net protective value in owning or carrying a gun, other high income democratic countries like Britain, Australia, and New Zealand don’t accept “self defense” as a legitimate reason for owning firearms.<sup>4</sup>

I won’t presume to predict or suggest how or when the Russian invasion of Ukraine will end or what steps the West should take to stop further Russian aggression. I believe that President John F. Kennedy was correct, though, when he said in an address to the United Nations General Assembly in September of 1961, a year before the Cuban Missile Crisis led the world to the brink of a nuclear holocaust:

Every man, woman and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. The weapons of war must be abolished before they abolish us.<sup>5</sup>

In July of 2017, the UN General Assembly voted 122-1 to adopt the Treaty on the Prohibition of Nuclear Weapons (TPNW), making it illegal for any country to possess nuclear weapons.<sup>6</sup> The United States, under the Obama Administration, not only boycotted the vote, but strong-armed allied nations into boycotting it as well. The adoption of the TPNW was largely the result of the efforts of the non-profit International Campaign to Abolish Nuclear Weapons (ICAN), which was awarded the 2017 Nobel Peace Prize for its work. In accepting the Nobel Prize on behalf of ICAN, the organization’s executive director, Beatrice Fihn, echoed the words that John F. Kennedy had spoken more than half a century before. She said:

The story of nuclear weapons will have an ending, and it is up to us what that ending will be. Will it be the end of nuclear weapons, or will it be the end of us?<sup>7</sup>

I can’t predict whether the current crisis created by the Russian invasion of Ukraine will result in “the end of us,” but I believe that JFK and Beatrice Fihn were both correct in stating that if we don’t eventually abolish nuclear weapons, it’s inevitable that a nuclear war started “by accident or miscalculation or by madness” will eventually lead to the end of human civilization. And I can predict with certainty that tragedies like the mass shooting at the Sacramento church will continue to happen on a regular basis in the United States - and that more than 100 people will continue to be killed on an average day in our country - unless we take definitive action to stop our country’s epidemic of gun violence.

Abolishing nuclear weapons is a daunting task. It will require the cooperation of the nine countries that already have nuclear weapons, including countries like Russia, China, and North Korea that are led by despotic rulers, as well as other countries led by despotic rulers that are seeking to acquire nuclear weapons, like Iran and Belarus. By comparison,

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stopping the epidemic of gun violence in the United States and preventing tragedies like the Sacramento church mass shooting should be easy. It doesn't require the cooperation of any other country. On the contrary, it just requires that the United States follow the examples that have already been set by every other high income democratic country in the world.

Following the Sacramento church shooting, Faith Whitmore, director of Sacramento's Regional Family Justice Center, which counsels victims of domestic violence, said of the mother of the three slain girls:

She did everything right. She got a restraining order, she asked for supervised visits so her children would be safe and supervised in the presence of this person she was afraid of. And still he did what he did. I don't think there's anything else she could have done.<sup>8</sup>

The mother of the slain girls may have “done everything right” and “everything that she could have done” to protect her children, but we, as a society, certainly haven't. A study published by the CDC in 1997 showed that children under the age of 15 in the United States were being killed by guns at a rate that was 12 times higher than the average rate for the other 25 high income democratic countries of the world.<sup>9</sup> Congress reacted to this and other similar studies published by the CDC not by enacting stricter gun control laws, but by cutting the CDC's budget for gun violence prevention research.<sup>10</sup> A more recent independently funded study showed that high school age youth in our country are being murdered with guns at a rate that is 82 times higher than the average in other high income democratic countries.<sup>11</sup>

The media attention following the Sacramento church shooting has been focused largely on the premise that David Rojas should have been prevented from owning a gun by the fact that he was subject to a domestic violence restraining order.<sup>12</sup> (“Merely” being arrested and charged with drunk driving and felony assault on a police officer does not disqualify someone from owning a gun under California state or federal law.) It's presently unknown how Rojas originally obtained the gun he used in the murders of his daughters and the church elder, but it's been reported that he had no previous criminal history. If this is true, prior to being subject to a domestic violence restraining order, Rojas could have easily passed a computerized instant criminal background check and legally purchased the AR-15 style rifle that he used in the murders. Despite multiple efforts to pass “assault weapons bans,” California still has no effective ban on AR-15 style rifles, and there is also no standardized state or federal procedure for removing firearms from the possession of people who initially purchased them legally but who later fall into one or more categories of persons prohibited from owning guns.<sup>13</sup> Moreover, there have been multiple cases in which individuals who should have been prohibited from owning firearms were able to pass instant criminal background checks because their names weren't included on the perennially incomplete databases of prohibited persons.<sup>14</sup>

In any other democratic country of the world, it's unlikely that a person like David Rojas would have been able to acquire any kind of a firearm, much less an AR-15 style rifle. Countries like the Great Britain, Australia, and New Zealand completely prohibit civilian ownership of all automatic and semi-automatic rifles. The New Zealand semi-automatic rifle ban, which was passed shortly after the 2019 Christchurch mosque mass shootings, is too new to assess its effect.<sup>15</sup> The results of the Australian ban, though, which was endorsed within just 12 days of the 1996 Port Arthur massacre, have been studied in

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detail.<sup>16</sup> In the 17 years prior to enactment of the ban, there were 13 mass shootings in Australia. In the first 19 years following enactment of the ban, there were none. The rate of gun related deaths in Australia is currently 1/12<sup>th</sup> the rate in the United States.<sup>17</sup> Great Britain adopted a complete ban on civilian ownership of automatic and semi-automatic rifles after the 1987 Hungerford mass shooting, and it took a significant step further by completely banning civilian ownership of handguns following the 1996 Dunblane Primary School massacre.<sup>18</sup> The rate of gun related deaths in Britain is currently 1/60<sup>th</sup> the rate in the our country,<sup>19</sup> in which handguns are used in the vast majority of all gun related deaths.<sup>20</sup>

Other high income democratic countries that haven't adopted bans on large classes of firearms also have far lower rates of gun related deaths than in the United States, including far fewer mass shootings.<sup>21</sup> The reason is that all the other high income democratic countries of the world place the burden of proof on the potential gun purchaser to show that he or she has a legitimate need to own a gun and can handle one safely, not on the government to prove that he or she is on a list of individuals who meet relatively narrow criteria for being prohibited from owning firearms. Also, these other countries conduct far more extensive background checks than the instant computerized background check system in our country, often involving in-person interviews with potential gun purchasers and with people who know the potential purchasers, including present and past domestic partners. The result of the “restrictive” guiding policy for firearm ownership in all the other high income democratic countries of the world is that the pool of privately owned guns in these other countries is much smaller than the vast pool in the United States; access to guns is far more limited, including for those who seek to acquire them illegally; and rates of gun related deaths are much lower than in the United States (see graph below).

Prior to the Supreme Court's rogue 2008 *Heller* decision, in which a narrow 5-4 majority of Supreme Court justices reversed over two centuries of legal precedent, including four prior Supreme Court decisions,<sup>22</sup> in ruling for the first time in U.S. history that the Second Amendment confers any kind of individual right to own a gun unrelated to service in a “well regulated militia,” there was no constitutional obstacle to the adoption of stringent gun control laws in the United States comparable to the laws in the other high income democratic countries of the world.<sup>23</sup> The majority opinion in the *Heller* decision, written by the late Justice Antonin Scalia, has been appropriately described by respected authorities as “gun rights propaganda passing as scholarship”<sup>24</sup> and as “evidence of the ability of well-staffed courts to produce snow jobs.”<sup>25</sup> The late Supreme Court Justice John Paul Stevens, who authored a dissenting opinion in *Heller*, described the majority opinion as “unquestionably the most clearly incorrect decision that the Court announced during my [35 year] tenure on the bench.”<sup>26</sup> Justice Stevens noted that in the *Heller* decision, the majority endorsed an interpretation of the Second Amendment that the late Supreme Court Chief Justice Warren Burger had called “one of the greatest pieces of fraud, I repeat the word ‘fraud,’ on the American public by special interest groups that I have ever seen in my lifetime.”<sup>27</sup> (The Burger quote is the prompt for our [2022 National High School Essay Contest](#).) A discussion of some of the more egregious flaws in the *Heller* decision and is posted on the [Facts and FAQ's page](#) of the Americans Against Gun Violence website. As noted in this discussion, the *Heller* decision is far worse than even the above harsh criticisms might indicate. In creating a constitutional obstacle to the adoption of stringent gun control laws in the United States comparable to the laws in all the other high income democratic countries of the world, the *Heller* decision is literally a death sentence for tens of thousands of Americans annually. The *Heller* decision must be overturned.

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As horrific as the news about the Russian invasion of Ukraine has been over the past week, I’ve been inspired by the extraordinary courage shown by the Ukrainian people and their democratically elected president, Volodymyr Zelensky, whose own life is in immediate danger. Many years ago, through my work with Physicians for Social Responsibility, I was also inspired by hearing Sir Joseph Rotblat speak at a meeting of the International Physicians for the Prevention of Nuclear War. Joseph Rotblat was born in Warsaw in 1908 in what was then Russian Poland. He overcame enormous obstacles to become a nuclear physicist. In 1939, he left Poland to go to England to continue his work on nuclear fission, expecting his wife, Tola, who was too ill to travel at the time, to join him shortly afterward. Tola’s health improved, but she was captured by the Nazis after Germany invaded Poland, and she was murdered in a Nazi concentration camp. Joseph Rotblat never remarried. When World War II began, he was recruited to work on the Manhattan Project to help develop an atomic bomb. After it became clear that the Allies would defeat the Nazis without the need for an atomic bomb, Rotblat quit the Manhattan project and dedicated the rest of life to working toward the abolition of nuclear weapons – work for which he was awarded the 1995 Nobel Peace Prize and British knighthood. On his 90<sup>th</sup> birthday, Sir Joseph was asked about his remaining goals in life. He replied that he had two goals. His short term goal was to abolish nuclear weapons. His long term goal was to abolish war in all its forms.<sup>28</sup> Had Sir Joseph been living in the United States instead of England, I’m sure that he would have included stopping gun violence as one of his short term goals. Sadly, he died at the age of 96, before achieving his goals.

I usually end my president’s messages with an appeal for donations to Americans Against Gun Violence. Given the horrifying, heartbreaking news from Ukraine, though, and the dire need for assistance for the brave Ukrainian people and their children, I can’t in good conscience ask you to contribute to Americans Against Gun Violence at this time. Instead, if you have money to spare, I suggest you donate to Ukrainian relief efforts.

I will ask you to strive to have the courage and perseverance yourself, though, to be a tireless and outspoken advocate for the adoption of definitive measures to protect our own country’s children from the uniquely American epidemic of gun violence and to protect all the world’s children from not only the threat of nuclear war, but also from the devastating consequences of war in all its other forms.

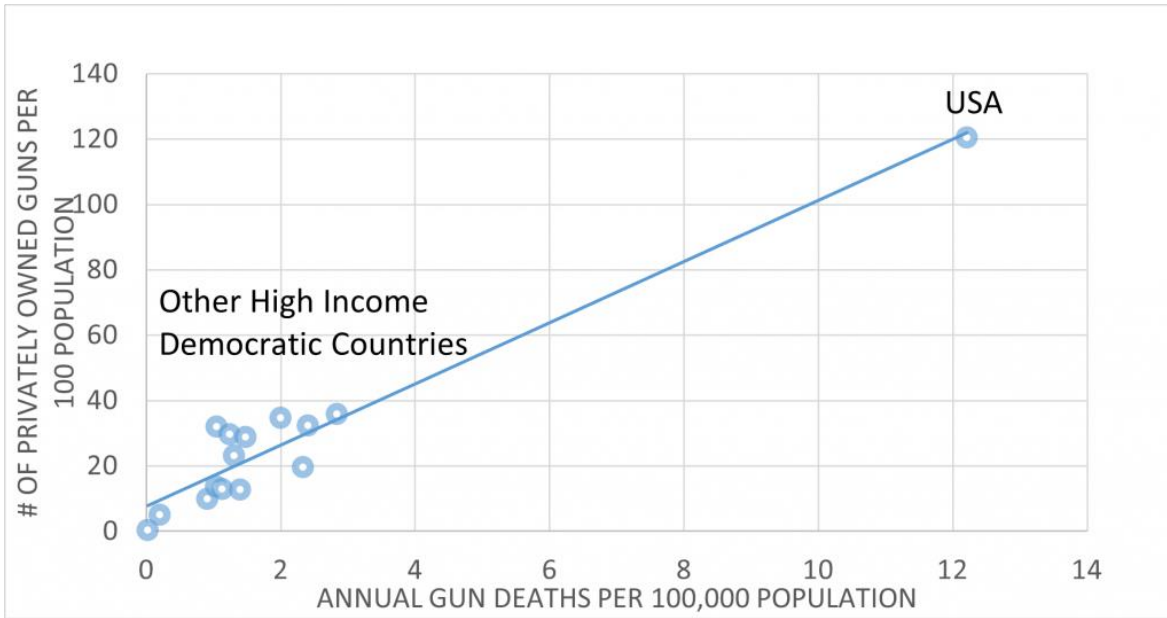
Sincerely,



Bill Durston, M.D.  
President, Americans Against Gun Violence

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Graph of Rates of Gun Related Deaths versus Rates of Private Gun Ownership in the United States and 16 Other High Income Democratic Countries



Legend: Annual rates of gun deaths are plotted against estimated per capita gun ownership for the United States and 16 other high income democratic countries, all represented as circles. (Because of overlap, there appear to be fewer than 16 circles representing other high income democratic countries.) The line is a computer generated best fit line. Data used to construct the graph were taken from the most recently available data posted on the website, GunPolicy.org, hosted by the University of Sydney School of Public Health. In cases in which GunPolicy.org listed a range of per capita gun ownership estimates for a given country, the mean of the highest and lowest estimates was used. The 16 other high income democratic countries represented on the graph are, in alphabetical order, Australia, Belgium, Canada, Denmark, Finland, France, Germany, Italy, Japan, New Zealand, Norway, Sweden, Switzerland, and the United Kingdom.

## References

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- <sup>2</sup> “The death toll from small arms dwarfs that of all other weapons systems – and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as ‘weapons of mass destruction’”. UN Secretary General Kofi Annan Kofi Anan, “Small Arms Review Conference Backgrounder:” (United Nations Department of Public Information, June 2006), <https://www.un.org/events/smallarms2006/pdf/backgrounder.pdf>.
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- <sup>6</sup> “Treaty on the Prohibition of Nuclear Weapons – UNODA,” United Nations Office for Disarmament Affairs, accessed March 2, 2022, <https://www.un.org/disarmament/wmd/nuclear/tpnw/>.
- <sup>7</sup> Beatrice Fihn, “Beatrice Fihn’s Nobel Peace Prize Acceptance Speech,” *Nuclear Age Peace Foundation* (blog), December 10, 2017, <https://www.wagingpeace.org/beatrice-fihn-nobel-peace-prize-acceptance-speech/>.
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- <sup>9</sup> “Rates of Homicide, Suicide, and Firearm-Related Death among Children--26 Industrialized Countries,” *Morbidity and Mortality Weekly Report* 46, no. 5 (1997): 101–5.
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- <sup>11</sup> Ashish P. Thakrar et al., “Child Mortality In The US And 19 OECD Comparator Nations: A 50-Year Time-Trend Analysis,” *Health Affairs* 37, no. 1 (January 2018): 140–49, <https://doi.org/10.1377/hlthaff.2017.0767>.
- <sup>12</sup> Jason Pohl, Ryan Sabalow, and Ariane Lange, “Church Massacre Highlights How California Lets Abusers Keep Guns despite Restraining Orders,” *The Sacramento Bee*, March 2, 2022, [https://www.sacbee.com/news/local/article258945768.html?ac\\_cid=DM613891&ac\\_bid=-884165055](https://www.sacbee.com/news/local/article258945768.html?ac_cid=DM613891&ac_bid=-884165055).
- <sup>13</sup> Pohl, Sabalow, and Lange.
- <sup>14</sup> The mass shooting at the Baptist Church in Sutherland Springs, Texas, in 2017 is an example of such a case. David Montgomery, Richard A. Oppel Jr, and Jose A. DelReal, “Air Force Error Allowed Texas Gunman to Buy Weapons,” *The New York Times*, November 6, 2017, sec. U.S., <https://www.nytimes.com/2017/11/06/us/texas-shooting-church.html>.
- <sup>15</sup> Josh Hafner, “Gun Control Bill in New Zealand Passes in Early Vote Following Attacks,” USA Today, April 2, 2019, <https://www.usatoday.com/story/news/world/2019/04/02/gun-control-bill-new-zealand-vote-parliament-mosque-attacks/3341240002/>; “2019 Firearm Law Changes (Arms Amendment Bill 2),” New Zealand Police, accessed August 27, 2020,



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<sup>17</sup> “Gun Law and Policy: Firearms and Armed Violence, Country by Country.”

<sup>18</sup> Michael J. North, “Gun Control in Great Britain after the Dunblane Shootings,” in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (Baltimore: The Johns Hopkins University Press, 2013), 185–93.

<sup>19</sup> “Gun Law and Policy: Firearms and Armed Violence, Country by Country.”

<sup>20</sup> Josh Sugarmann, *Every Handgun Is Aimed at You: The Case for Banning Handguns* (New Press, 2001).

<sup>21</sup> “Gun Law and Policy: Firearms and Armed Violence, Country by Country.”

<sup>22</sup> *United States v. Cruikshank*, 92 US 542 (Supreme Court 1876); *Presser v. Illinois*, 116 US (Supreme Court 1886); *U.S. v. Miller*, 307 U.S. 174 (1939) (n.d.); *Lewis v. United States*, No. 55 (U.S. 1980).

<sup>23</sup> *District of Columbia v. Heller*, 554 US (Supreme Court 2008) The five justices in the *Heller* majority were Antonin Scalia, who subsequently died in 2016; Anthony Kennedy, who retired in 2018; and Samuel Alito, John Roberts, and Clarence Thomas, who remain on the Court. The four dissenting justices were John Paul Stevens, who retired in 2010 and subsequently died in 2019; David Souter, who retired in 2009; Ruth Bader Ginsburg, who died in 2020; and Stephen Breyer, who remains on the Court.

<sup>24</sup> Saul Cornell, “Originalism on Trial: The Use and Abuse of History in *District of Columbia v. Heller*,” *Ohio State Law Journal* 69 (2008): 629.

<sup>25</sup> Richard Posner, “In Defense of Looseness,” *The New Republic* 239, no. 3 (August 27, 2008): 35.

<sup>26</sup> John Paul Stevens, *The Making of a Justice: Reflections on My First 94 Years* (New York: Little, Brown, 2019), 482.

<sup>27</sup> Stevens, 483.

<sup>28</sup> David Krieger, “Sir Joseph Rotblat: A Legacy of Peace,” *Nuclear Age Peace Foundation* (blog), September 2, 2005, <https://www.wagingpeace.org/sir-joseph-rotblat-a-legacy-of-peace/>.