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## **Packing Heat, Part 2**

**by Sheldon Richman**

As I described last month, Jeffrey Snyder’s path-breaking article, “A Nation of Cowards” ([The Public Interest](#), Fall 1993), transformed guns and gun control from abstract philosophical and policy issues into a personal moral issue. We cannot — morally or existentially — truly delegate our right and responsibility to look after our own safety. To think we can is to risk our own lives.

The full implications took time to sink in, and for various personal reasons I did not buy a handgun until 2000. What finally convinced me to take the plunge, I cannot say. At that point, I was living where people were less hostile to firearms, and several of my friends had them. When I brought up the subject, they quickly invited me to the shooting range to sample their handguns.

It was a life-changing experience. There is something bracing about controlling all that energy in the palm of your hand. I believe that has a lot to do with our fascination with guns. Obviously that energy is neutral with respect to purpose.

In the hands of a bad guy, it can be used to cause unspeakable violence and death. In the hands of a good guy, it can be used to save innocent life — as it probably is used a couple million times a year, usually without the trigger’s being pulled.

But as I fired the guns, I did not think about moral philosophy. I simply marveled at the achievement: the placing of an awesome amount of energy into a compact, highly usable form.

I knew I had to own one. I won’t go into a long description on how I decided which gun to buy. I spoke to people who know and who write about guns. I fired Walthers, Berettas, Sig Sauers, Glocks, Browning High Powers, and probably a few I’ve forgotten. I settled on a Glock 26, a subcompact 9-millimeter semiautomatic. I picked it because it’s small, light, and concealable. I’ve never regretted the decision. (Friendly debates among gun enthusiasts over brands and calibers will go on forever. I try to avoid them.)

I recall the day I entered the gun store to make my purchase. I was a little nervous, for no good reason. Could the cultural stigma on guns and gun owners have affected me? After I made my intentions known to the salesman, I had to undergo the ordeal of the background check mandated by the federal government, the so-called instant check. As a libertarian, deep inside I resented having to fill out a government form to exercise my natural right to prepare myself for self-defense. Am I a citizen of the United States? Have I been convicted of a felony? Have I ever been committed to a mental hospital? Am I a fugitive? (Duh!) Blah, blah, blah.

I answered all the questions “correctly” and proudly took my Glock home. (Before long, I also bought a Remington 12-gauge shotgun, which is an excellent home-defense weapon, and a Henry .22 lever-action rifle that my kids can shoot easily. Better that they not wait until they are as old as I am.)

### **Concealed-carry laws**

I was now a gun owner. But I was not yet legally a gun carrier. Except in Vermont, Americans are not free to carry their guns without written permission from the government.

That violates our right to protect ourselves. (I’m reluctant to call this our “Second Amendment Right,” because the amendment does not grant us a right — it recognizes it. Even if there were no Bill of Rights, we each nevertheless would have the right to keep and bear arms. Gun-rights advocates should be careful when they tell the gun-controllers to repeal the Second Amendment if they don’t like it. As Jeffrey Snyder points out, repealing it would change nothing.)

A majority of states since the mid 1980s have passed what are known as “shall issue” laws. Previously, states that permitted people to carry firearms at all did so under stringent conditions.

Total discretion was given to the licensing authorities. This usually meant that you could not get a permit unless you had what they considered a convincing reason — or you were a friend of someone important. Consequently, carry permits were scarce. “Shall issue” laws changed that.

Under a “shall issue” law, the authority must issue the permit if the applicant satisfies a set of objective requirements, typically, that he has not been convicted of a felony, has not been committed to a mental institution, and the like. There is no discretion under the strict “shall issue” principle. But the principle is not always faithfully enacted.

In the state where I live, Arkansas, one could satisfy all the requirements and still be denied a permit, because the law requires the state police to ask the sheriff or police chief in the applicant's locality if he objects to issuance of the permit.

One of those officials could put the kibosh on an application by saying that although the applicant has never been in trouble with the law, it would be best if he were not carrying a concealed weapon. Other states may have similar provisions that introduce discretion into the process.

Nevertheless, in the wake of enactment of "shall issue" laws, concealed-carry permits are generally available in those states, although few people apply for them. In *More Guns, Less Crime*, John Lott has demonstrated that when states adopt such laws, their crime rates drop within a short time by a greater magnitude than the national drop in crime.

Controlling for other factors, Lott concluded that criminals are more reluctant to target possibly armed people than almost-certainly unarmed people. (I tried to keep a straight face while writing that sentence.)

I live in a "shall issue" state, so I decided to get my permit. I hasten to add that "shall issue" laws conflict not only with libertarian principle, but with objective moral law as well. The state puts us in the position of either having to comply with an immoral law or risking heavy penalties for exercising a natural right. I was aware of that. I applied for my permit with eyes open.

### **Becoming a gun owner**

In the meantime I worked to become proficient with my Glock. I visited a firing range often and put a lot of rounds through the pistol. My experience was entirely positive. The people I met at the range were always pleasant.

One evening there was a young family at one of the lanes. In another was a man instructing two attractive women how to handle firearms. Everyone exercised the utmost safety, and I felt entirely comfortable. (However, indoor ranges are tough on the ears, even with protectors.)

Under Arkansas law, to get my permit, I had to sit through a five-hour lecture on gun safety, the law of self-defense, and the law of weapons. The lecturer, a lawyer and gun-store owner, was interesting and witty. I enjoyed the class and learned a lot.

Then came an unpleasant part. The law requires that anyone applying for a concealed-carry permit be fingerprinted, with the prints sent to the FBI. I doubly resented this. I was never fingerprinted in my life, and I was angered at being so now just so I could

exercise the most basic natural right. (My friend Ronn Neff suggests that the state doesn't give permits to criminals because it's unnecessary: their fingerprints are already on file.) But there was little I could do about it at that stage. So my fingerprints are on file somewhere. Some days I kick myself for going along with this intrusion.

The class ended with the applicants' going out to a range to demonstrate minimum proficiency: 30 rounds fired in groups of ten from 7, 14, and 21 feet. Twenty-three hits were needed to pass. I passed and mailed in my application (along with about \$125 — another imposition).

The law gives the state police up to three months to process the application. I assume that criminals, knowing that, grant their victims a three-month grace period before attacking them. Fortunately, my permit arrived in the mail in three weeks.

I was now licensed by the state of Arkansas to do what I already had the right to do: carry a concealed handgun. I took my first walk armed.

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