

The natural right of self-defense revisited

By Timothy Wheeler

A quiet revolution in handgun-permit reform is blooming in the 50 states. Already this year six more states have brought forth "shall issue" bills that require granting a self-defense handgun carry license to qualified applicants. If these bills pass, fewer than 10 states will persist in denying their citizens that most natural right — the right of self-defense.

The people of Delaware, Illinois, Maryland, Michigan, Nebraska and New Mexico now envision restoring the right that has belonged to them all along.

Statesmen from ancient Rome to the American Revolution laid the foundation in law for the right of self-defense. America's Founders were influenced by these classic philosophic teachings and the European tradition derived from them.

"Civilized people are taught by logic, barbarians by necessity, communities by tradition; and the lesson is inculcated even in wild beasts by nature itself," wrote the great Roman orator Marcus Tullius Cicero. "They learn that they have to defend their own bodies and persons and lives from violence . . . by all the means within their power."

Thomas Jefferson, James Madison and Samuel Adams were among the political minds that shaped the American vision of firearms in society. These and many other statesmen of the founding era left a clear record of their belief that individual Americans had the right to own firearms and to use them for defense of self and family, not just for "sporting purposes."

Until recently state carry-permit laws often delegated the power to grant permits to local officials. Under these discretionary laws, city pols

could and often did deny carry permits to all but a select few. The many who were rejected for permits were told to rely on the police for protection against contemporary barbarians.

But American courts have ruled again and again that police have no duty to protect individuals from deadly assault. The only alternatives for a person in such danger are to rely on the mercy of criminals or to carry a gun illegally. No one should be forced to break the law to exercise a basic right.

Can law-abiding people be trusted to carry self-defense firearms? There is no mystery about what happens when a state enacts a shall issue carry law. The amazingly consistent experience of one state after another has been that firearm misuse among permit holders has been virtually nonexistent.

The laws are strict. Applicants will be required to submit fingerprints, to complete firearms training, to have no record of violent criminal behavior, and to have no drug or alcohol dependence. They can look forward to the same extraordinary scrutiny of their conduct that all other states have applied to their permit holders.

Anti-gun activists are already striking up the familiar chorus of doomsday arguments heard in other states that long ago enacted shall issue laws. Ignoring years of experience to the contrary, naysayers warn that carry-permit laws will result in shootouts over fender-benders, gunfights to settle trivial disputes and innocent blood in the streets. They needn't worry.

The experience of over a dozen states since the 1970s has shown that carry-permit holders almost never commit violent crimes, particularly with the guns they were licensed to carry. To their credit, previously skeptical public officials changed their

minds after seeing the undisputed success of carry-permit laws in their own states.

"It has impressed me how remarkably responsible the permit holders have been," said Col. James Wilson, director of the Texas Department of Public Safety. After monitoring Florida permit holders for over two years, Metro-Dade Police Department Director Fred Taylor conceded that "further research was not conducted due to the small number of . . . permit holders found to be involved in incidents during the initial study period."

What will happen under the latest wave of carry-permit laws? Past experience suggests that fewer than 5 percent of eligible people will apply for a permit. This tiny percentage will be among those states' most responsible and prudent men and women.

The cost of licensing and the burden of responsibility will be borne only by license holders. But the protective effect will benefit both them and those who choose not to carry a gun, because criminals won't know who is carrying and who isn't.

Should we be surprised at the great benefits of carry-permit laws? America's founders knew much about human nature, both the dark side and the life affirming. They counseled trust in good people everywhere to use the power of armed self-defense with wisdom and discretion. So, too, can the people of these six states be trusted to exercise that power with humility and courage, for the general good of their society. It's only natural.

Wheeler, a physician, is director of Doctors for Responsible Gun Ownership, a project of the Claremont Institute (<http://www.claremont.org>).