

The Human Right to Self-defence

Are individual rights in conflict with public safety?

It can be readily argued, on historical, legal and moral grounds, that every individual has a powerful human right to use violence, including lethal violence, in self-defence against criminal attack. There is also a great deal of research evidence that the use of a gun by an intended victim, either as a threat, or by firing it, greatly improves that intended victim's chances of avoiding injury or death.

But what if permitting the ordinary civilian to carry a concealed pistol for this purpose were to have the effect of increasing overall levels of serious violence in society? Should the perceived individual right and personal benefit carry more or less weight than the effects on the public as a whole?

Analysing the effect of allowing, or not allowing, citizens to carry a concealed pistol for self-defence ("*concealed carry*"), could throw some light on this question.

Because gun laws vary greatly from state to state in the USA, careful analysis of the data from that country can produce very helpful guidance on public policy in relation to gun control laws and their effects. Thus, as of August 2009, 2 states in the USA do not require a permit at all for concealed carry; 35 states have "*shall-issue*" laws that require the authorities to issue a concealed carry permit to any resident, adult applicant who has a clean police record and pays the required fee; and 3 states give themselves discretionary powers, but issue permits in a relatively fair way. Some of these states also require the applicant to have completed a basic training course.

The remaining 10 states either ban concealed carry by civilians, or use discretionary powers to refuse virtually all applications.

According to FBI violent crime data for 2007, the 40 states that generally permit concealed carry averaged:

- **12.2% lower aggravated assault rates**
- **38.6% lower murder rates, and**
- **30.9% lower violent crime rates**

NOTE: FBI data analysis carried out by Howard Nemerov, published on 25th August 2009 and used with permission.

than the 10 states which ban or heavily restrict concealed carry.

Many factors, other than freedom for civilians to carry a concealed pistol, such as ethnic percentages and police presence and efficiency, can and do influence violent crime rates. Nevertheless, the striking differences above, averaged over such large populations (each group contains over 100m people), deserve the most careful study by policy makers.

The data indicates, very strongly indeed, that allowing the private citizen to carry a concealed gun for self-defence, not only greatly enhances that individual's chances of a successful outcome when subjected to a violent criminal attack, but generates broad and substantial benefits for society as a whole.