

Openly Carrying Firearms

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Firearms are about as American as you can get. Symbolically, they serve as reminders of our hard won liberties, as guardians of our freedom, and as instruments with which to prevent further violations of our inalienable natural rights. One of the most contentious debates amongst gun owners (aside from those dealing with the technical specifications of the tools themselves) lies with whether it is better to carry concealed or openly.

Both open and concealed carry have several traits in common. They are practices whereby gun owners carry a handgun (such as a pistol or revolver) on their person while they go out in public and perform the many assorted tasks that comprise their daily routines. Various methods of holstering the firearm are used, including [hip carry](#) (such as strong side, cross draw, or appendix, carried either outside or inside of the pants), [behind the back carry](#), [shoulder carry](#), [thigh carry](#), and [ankle carry](#). It is very important to be able to retain one's gun while moving about; nothing is more embarrassing or dangerous than losing your firearm while carrying due to either an equipment failure or user recklessness.

Concealed carry enthusiasts tout multiple benefits that they claim surpass those who open carry. Being able to “get a drop on a criminal,” removing the intimidation that other non-gun owners feel whenever they see a firearm being carried, and reducing the likelihood of police encounters are commonly listed. What [CCW permit holders](#) usually neglect to mention are the restraints they must contend with in concealing the handgun, such as uncomfortable carrying positions that also reduce quick drawing, wearing more clothing than is suited for the weather, and worries about “[printing](#)” (this is a real concern since in some states of the Union it is illegal to do so and may be grounds for rescinding a [CCP](#) or worse).



[Open carry](#) practitioners, by contrast, deal with an entirely different dynamic. They rely upon the deterrence that an observably holstered handgun would have against a criminal, a much more friendly demeanor when interacting with people throughout the day, and the ability to draw quicker and easier without fussing with layers of clothing. While they have greater liberty in dressing for the weather, it is true that the probability of police encounters is higher.

Perhaps the most contentious topic of all between concealed carriers and their open carrying brethren in arms lies in the issue of [licensure](#). A license or permit, by definition, is asking the State for permission to engage in an activity that would otherwise be considered by them to be a violation of [mala prohibita](#). Open carry advocates argue that if the [Second Amendment](#) (as well as the various state-level constitutions, like section 23 of the [Texas Bill of Rights](#)) explicitly say that it is [the inalienable right of the people to keep and bear arms](#), then asking the State for permission to do so is not only redundant, but also sets a dangerous precedent that would enable the government to flagrantly violate people's rights by asserting such activity is instead a privilege. Mentioning the privacy implications to concealed carry advocates about the fact that the states of the Union necessarily keep records of CCW permit holders, even in light of the [threat fusion centers](#), does not worry them in the slightest should give anyone serious doubt as to whether getting a CCP is worth the risk of being profiled by the government.

Given the philosophical, utilitarian, and privacy considerations, you would think that it would be a fairly clear decision to make whether to open or conceal carry (or both). Such is, unfortunately, not the case. Unlicensed open carry can only be performed in what are called “[permissive open carry states](#),” which are Alaska, Montana, Idaho, Wyoming, South Dakota, Nevada, Arizona, New Mexico, Kentucky, Vermont, North Carolina, and Virginia. Unlicensed concealed carry (aka [Constitutional carry](#)) is only legal in Alaska, Wyoming, Arizona, and Vermont. Outside of these legal barriers for both open and concealed carry, you risk violating [mala prohibita](#) and experiencing up close and personal the long arm of the State. According to [section 46.02 of the Texas Penal Code](#), if anyone carries a handgun “intentionally, knowingly, or recklessly....on or about his person,” it is considered an offense as a [Class A misdemeanor](#), whose sentencing can be up to a year in jail and/or a maximum fine of \$4,000.

Some gun owners from both camps have occasionally suggested carrying as an act of [civil disobedience](#). It would be wise to first determine what would be the ultimate goal of such a flagrant disregard for the government's almighty statutes and [prison-industrial complex](#) that necessarily accompanies it. If the goal is to get arrested and draw media attention on the injustice of being punished for carrying in the vain hope of having the state-level legislature pass a bill that would allow the liberty of unlicensed carry, then it would be more effective to open-carry in those states of the Union where it is either licensed or totally banned (such as Texas).

If the goal is to instead quietly enjoy the ability to carry while evading detection by the government police, then carrying concealed without a permit in those forbidden areas is much more effective. Responsible people who did that would only be discovered if they ever needed the weapon for self-defense. At that point the probability of not being punished is much higher, since you'd have a person who would otherwise be dead if they had obeyed the statutes. The key [counter-economic](#) principle of [trading risk for profit](#) would be at play here, and much more applicable than civil disobedience, which is classically intended to change the current statutes on the books by demonstrating the injustice that occurs by their very enforcement.

Unless you are ready to go counter-economic by violating *mala prohibita* as a lifestyle (which would necessarily entail a complete overhaul of the security and privacy measures you would need to take on a regular basis), I would otherwise advise against the civil disobedience approach, especially if you prefer to open-carry. Weighing the costs against the benefits, my best advice is to "[vote with your feet](#)" by moving to one of the abovementioned states of the Union, if at all possible.

Seeing as that is not realistic for those folks who have already put down roots, the next best thing is to, silly as it sounds, "[visualize](#)" Vermont carry. You could expand that by attempting to play the game of "changing the law," but unless there is a very high incentive for scumbag state-level legislators to allow the hapless citizenry the liberty of carrying unlicensed firearms (whether open or concealed), it is irresponsible to place hope in [the same entity that absolutely refused to kick the TSA child molesters out of all the airports when the federales threatened an air embargo over Texas, of all places!](#)

In summation, I agree wholeheartedly with open-carry in terms of principle as well as in pragmatic utility. Unfortunately, due to the coercive nature of the State and the concomitant risks of carrying without their blessing, or of being put onto a government hit list, outweighs the benefits since I inhabit one of the forbidden areas and am not currently in a position to go counter-economic. The best chance of a legal change is [Texas HB #2756](#), but even that only deals with "the authority of a person who is licensed to carry a handgun to openly carry the handgun." The only real consolation I have in this entire fucked up mess is that all this talk of open versus concealed carry deals only with handguns and hardly at all with long guns (such as rifles and shotguns), which even here in the formerly "Great State" of Texas I automatically have much more liberty with.