

The Second Amendment Was Made for Coronavirus

With panicked consumers emptying store shelves around the country, and shoppers in at least one city fighting over toilet paper, the coronavirus pandemic seems just a short distance from coronavirus pandemonium.

The panic comes at a time when many police departments, to reduce spread of the virus, have curtailed arrests and are releasing certain criminals from prison. This is exactly the type of situation that the Second Amendment is meant to address. The [White House has publicly recognized that reality](#). Yet many public officials insist on flaunting the Second Amendment, ordering gun shops closed or banning firearm sales.

Governor Tom Wolf of Pennsylvania, for example, has ordered “all non-life-sustaining businesses” to close their physical locations. The [long list of businesses that may remain open](#) in Pennsylvania includes groceries, drug and hardware stores, newspapers, rental centers, and take-out from restaurants. But gun businesses didn’t make the cut.

Yet the Pennsylvania Constitution’s Declaration of Rights declares that “the right of the citizens to bear arms in defense of themselves and the State shall not be questioned.”

The Pennsylvania Supreme Court, without even mentioning that provision, refused to issue an injunction on behalf of some gun shops against the governor’s order. [Three justices dissented](#), including Justice David Wecht, who wrote:

“The inability of licensed firearm dealers to conduct any physical operations amounts to a complete prohibition upon the retail sale of firearms—an activity in which the citizens of this Commonwealth recently have been engaging on a large scale, and one guaranteed by both the United

States Constitution and the Constitution of this Commonwealth.”

The dissenting justices suggested that the constitutional right could be accommodated by allowing the completion of sales with minimal contact.

New gun buyers are often surprised by how difficult it is to purchase a gun in their state. In Maryland, for example, it takes a month to get a handgun-qualification license. It could take six months in New York, where a judge has to sign off on each handgun license. California has a ten-day waiting period for delivery of a firearm after the sale is approved.

Buying a gun requires a background check, which in most states is conducted by the FBI’s National Instant Criminal Background Check System (NICS). NICS conducted 2.8 million checks in February, the third-largest monthly total since the system was set up in 1998. Most NICS searches are automated and tell the dealer almost instantaneously to “proceed” or “deny” a sale, although some transactions must be delayed for examiners to research incomplete records.

Some states insist on conducting the background checks directly. That’s the case in New Jersey, where Governor Phil Murphy has ordered “non-essential” businesses, a category in which he includes gun shops, to close. The state police then shut down NICS checks as well, effectively banning all firearm sales. A legal challenge has been filed. By contrast, Governor J. B. Pritzker of Illinois declared that firearm retailers are “essential” and may remain open for business.

Gun sales already had been skyrocketing from the ever-escalating threats of gun bans coming from Democrat presidential contenders. The fear of societal breakdown stemming from the coronavirus has added to the demand for firearms across the country.

Everyone wants to slow the spread of COVID-19. The various

emergency decrees being issued distinguish between essential and non-essential businesses. What could be more essential than protecting yourself and your family from criminal violence, especially when the Bill of Rights declares it to be an essential right that may not be infringed?

Americans should be mindful of the dangers of “emergency” decrees. History tells us that government diktats in response to man-made and natural disasters often lead to unprecedented restrictions on individual liberty that last long after the disasters are forgotten.

Some of the anti-gun decrees now being issued appear to be motivated by the false premise that limiting gun sales will prevent upheaval in the event that the contagion causes mass shortages and desperation. Yet citizens who purchase firearms must pass stringent background checks to ensure that they are mentally stable and have no felony records or other legal barriers to firearm ownership. They are exactly the kinds of armed citizens needed if law and order break down.

Strong measures must be taken against the spread of the coronavirus. But they must be tailored to accommodate the citizens’ ability to protect their safety in all aspects and to preserve their constitutional rights.

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