

# What Should Liberland Firearms Policy Look Like?

Liberland is widely touted as a libertarian state. The motto, “To live and let live,” supports this idea. Liberland.org notes that “Liberland prides itself on personal and economic freedom of its people.” The current draft of the Constitution of the Free Republic of Liberland includes a guarantee of personal firearms freedom. Let’s consider libertarian gun policy objectively, and then we’ll see how Liberland stacks up to this ideal.

A libertarian gun policy would involve a strict application of the zero aggression principle, and little to no government involvement. What would gun laws look like if these concepts were implemented correctly? Let’s take a look.

What does a libertarian policy for firearms possession look like? Many jurisdictions require registration of some or all firearms. Other jurisdictions prohibit ownership of certain classes of weapons, such as semiautomatic pistols, fully automatic guns, or large bore rifles (above .50 caliber). Sometimes, a permit is required to own a firearm, and the permit can be a form of registration if the type of weapon or even the serial number is recorded in the permitting process. Often, membership in a shooting club is a prerequisite for firearms ownership. A libertarian policy on firearms possession would undoubtedly not involve firearms registration, de facto or otherwise. That would be too much government interference, with little to no actual benefit. (To say nothing of the risk of democide under a less friendly administration, but that’s another matter.) The prohibitions on classes of firearms would be nil, per the zero aggression principle: if you’re not hurting anyone with the weapon, why shouldn’t you be free to own it? Club membership would never be a condition of firearms ownership, as that would violate the zero aggression principle in the course of violating freedom of association.

What does a libertarian policy for firearms transfer look like? Current laws and proposals in many countries require a background check before a transfer, or they demand that transfers be made only by or through a licensed firearms dealer. Certain classes of people are prohibited from owning firearms, and thus from having them transferred to them. Some jurisdictions restrict firearms purchases to one gun per month or impose a waiting period on the purchase process. A libertarian policy on firearms transfer would generally leave people free to buy, sell, or otherwise transfer firearms without government restrictions on spontaneous or frequent purchases. No license would be necessary to be in the business of selling firearms. Regarding individuals who may not be competent to own a gun: children, criminals, and the mentally ill, there may be restrictions within a libertarian framework. Children would be allowed to purchase firearms with the approval of their parents. Criminals who are free to walk the streets should be free to legally buy a gun for the lawful defense of themselves and their families, just like anyone else. If an individual has been

adjudicated mentally incompetent or dangerous to themselves or others, they could be restricted from purchasing a firearm. A background check system could be made available to anyone who wishes to confirm that their potential buyer has not been legally determined mentally incompetent or dangerous.

What does a libertarian policy for firearms components look like? Firearms components can be anything from an AR-15 upper receiver to a 100 round drum, to a full-auto drop sear. Under United States law, a full-auto drop sear used to be legal to own without restriction — but is now treated the same as an actual machine gun. Upper receivers are typically unrestricted, meaning you can buy them without paperwork, even having them shipped to your door. Magazines are often restricted based on their capacity, with 10 or 15 round limits being normal. A libertarian policy on firearms components would be very hands-off, with little to no government interference. All firearms components would be legal to buy, sell, or use, without restrictions.

What does a libertarian policy for firearms accessories look like? Firearms accessories can be anything from an ammo carrier on a buttstock to an optic to a suppressor to a forward pistol grip. Different jurisdictions regulate these in various ways. Suppressors are often treated like firearms, or even as a particular, restricted class of weapons, even though they are just a firearm muffler. Other firearm accessories are legal to own and easy to buy, but they can only be mounted on certain weapons without doing paperwork and paying a tax, or they can only be used in specific ways. For example, under U.S. law a forward pistol grip can be mounted on a rifle, but not on a pistol, and a wrist brace can be installed on an AR pistol unless you plan to place it against your shoulder. Seriously. BATFE keeps vacillating on that one, so be sure to check the latest official letter if you want to avoid a SWAT raid. Of course, if you think Ruby Ridge or Waco were as good ways to go as any, then just enjoy pretending it's still a free country. But, I digress. A libertarian policy on firearms accessories would involve little to no government involvement. Basically, there would be no policy on firearms accessories. Anybody would be free to buy, sell, or use them without restrictions.

What does a libertarian policy for firearms carry look like? Firearms carry is typically divided artificially into two classes: open carry, and concealed carry. Some jurisdictions (like Florida) restrict open carry while leaving concealed carry freer; others (like Ohio) take the opposite tack by limiting concealed carry and leaving open carry unregulated. Sometimes, open carry is further divided between open carry of long guns and open carry of handguns. Typically, open carry of long guns is the least regulated method of carrying, whether because it is the least common (and thus forgotten by legislators) or out of deference to hunting traditions. A libertarian policy on firearms carry would enforce the zero aggression principle on all sides. So, you would be free to carry either long guns or handguns, either openly or concealed, so long as you refrained from pointing them at other

people, or otherwise actually threatening them. Owners of a property would be entirely free to set policies restricting carry in whatever manner and to whatever degree they wished on that property, but these restrictions would have very limited legal consequences. Violating such a policy would be the most minor of civil infractions, requiring you to leave the location immediately, with no fine, probation, or jail time.

We've seen how libertarian philosophy applies to firearms policies of possession, transfer, carry, components, and accessories. In short, the government would take a hands-off approach, minimizing interference, and refraining from criminalizing activities that don't hurt other people. Now, let's look at the Liberland Constitution and see how it aligns with this standard.

*Liberland Constitution §XIV.2. All Individuals shall have the right to own, manufacture, sell, transfer, transport, bear and use any small arms, as defined internationally, arms accessories or ammunition, be they historic, contemporary and/or experimental, regardless of condition; no form of licensing and/or registration shall be used to infringe upon these rights; the Person in charge of the premises shall determine whether arms may be carried on such premises except for Agents of Law Enforcement where acting pursuant to, and within the limits of, a Warrant.*

Looks like it holds up pretty well, overall. My main hesitation is that it only protects "small arms," and furthermore leaves that definition to a nebulous and vague international entity or entities. One might reasonably assume that this clause refers to the UN definition, which excludes even an M240L machine gun. A nation founded on a libertarian conception of freedom can undoubtedly do better than this, but it's clear that a sincere effort has been made.

---

An early version of this article is published on [MisesUK.org](http://MisesUK.org), and this article has been published on [LiberlandPress.com](http://LiberlandPress.com).