

The Right to Bear Arms as a Human Right or a Threat to Public Security? An Analysis from the Perspective of Natural Rights Theory

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The right to bear arms remains one of the most controversial issues at the intersection of natural rights, human rights, public security, and state authority. The central question is whether access to arms can be regarded as an independent human right or whether it should be understood merely as an instrumental entitlement derived from more fundamental rights, particularly the rights to life, self-preservation, personal security, and self-defense. This study adopts a descriptive-analytical and philosophical-legal approach to examine the normative foundations of the right to arms and the legitimacy of state restrictions imposed in the interest of public security. The analysis demonstrates that natural-rights theory provides a strong basis for recognizing the individual's inherent right to defend life and bodily integrity. However, this foundation does not necessarily establish an absolute or autonomous right to possess, carry, or use weapons. Rather, access to arms is more appropriately conceptualized as a derivative right whose legitimacy depends on its functional relationship with lawful self-defense. The study further argues that the exercise of this derivative right is necessarily constrained by the equal natural rights of others, particularly their rights to life and security. Consequently, state regulation of weapons may be justified where it pursues legitimate public-security objectives and satisfies the requirements of legality, suitability, necessity, and proportionality. Measures such as licensing, competence requirements, safe-storage obligations, restrictions on unauthorized transfers, and limitations on particularly dangerous weapons may therefore be compatible with natural-rights principles. The study concludes that the appropriate legal model is neither unrestricted private armament nor categorical prohibition, but regulated defensive autonomy. Under this model, individuals retain a meaningful capacity for lawful self-defense while the state remains authorized and obligated to prevent unreasonable risks arising from weapon possession and proliferation.

Keywords: *Right to Bear Arms; Natural Rights; Human Rights; Self-Defense; Right to Life; Public Security; State Regulation; Proportionality*

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1. Introduction

The question whether an individual may claim a right to possess or bear arms as a human right raises one of the most difficult tensions between individual liberty and collective security. At first glance, the issue may appear to concern only the regulation of

firearms, criminal policy, or the permissible scope of state licensing. At a deeper level, however, it concerns the philosophical foundations of political authority, the nature of natural rights, the relationship between the individual and the state, and the degree to which a government may restrict a person's capacity for self-protection in the name of protecting society as a whole.



The controversy is therefore not adequately addressed by asking only whether weapons increase or decrease crime, nor can it be resolved solely through reference to constitutional provisions in particular jurisdictions. The more fundamental question is whether the moral and legal interests invoked in support of weapon possession are sufficiently basic to be characterized as natural or human rights and, if so, whether such a characterization can coexist with the state's duty to protect life, bodily integrity, and public order. The distinction is especially important because modern legal systems increasingly confront not only conventional firearms but also technologically advanced forms of weaponry, while developments in armed drones and autonomous or remotely operated systems demonstrate that the legal meaning of a "weapon" is itself becoming increasingly complex (Stepien, 2026). Consequently, any theory that purports to identify a general right to arms must first define what kind of arms, for what purposes, in what circumstances, and subject to what limitations.

The conceptual ambiguity surrounding the expression "right to arms" makes careful legal analysis indispensable. In legal discourse, the phrase may refer to a right to own a weapon, a right to keep a weapon in one's residence, a right to carry it in public, a right to carry it openly or concealed, or a right to use it in circumstances of lawful self-defense. These claims are analytically distinct. Recognition of a right to defend oneself does not automatically establish a right to possess every instrument that might facilitate defensive action, just as recognition of a right to property does not imply that every dangerous object must be freely available for private ownership. Likewise, permission to possess a weapon within the home does not necessarily entail a right to carry it in crowded public spaces. The terminology must also be distinguished from the procedural doctrine known as the "equality of arms," which concerns fairness between parties in judicial proceedings rather than the physical possession of weapons. Legal scholarship on equality of arms emphasizes procedural balance and access to legal resources (Davies, 2017), while Iranian legal scholarship similarly treats equality of arms as an element of fair criminal procedure rather than as an entitlement relating to weapons (Ashrafi, 2019). This distinction is significant because the accidental linguistic similarity

between the two concepts must not obscure their entirely different normative foundations.

The contemporary relevance of the debate is intensified by the circulation of small arms and light weapons beyond effective state control. The proliferation of such weapons can strengthen criminal organizations, terrorist groups, insurgent movements, and irregular armed actors. Research concerning Northern Nigeria, for example, has linked the proliferation of small and light weapons with the operational environment in which terrorism develops and persists (Abuloye & Kolade, 2024). Studies of the supply of weapons to ideologically motivated rebel groups similarly demonstrate that arms circulation cannot always be understood as a purely private matter between an individual owner and the state (Moniquet, 2013). Weapons may move across borders, enter illicit markets, and become incorporated into networks of organized violence. The Arms Trade Treaty and related international regulatory efforts reflect the broader recognition that uncontrolled or illicit weapons transfers can generate consequences extending far beyond the original purchaser (Silva, Pains, et al., 2023). These developments complicate libertarian accounts of arms possession because the risk associated with weapons is not limited to misuse by a lawful owner; it also includes theft, diversion, illegal resale, trafficking, and eventual use by persons or organizations posing substantial threats to public security.

At the same time, the state cannot be treated as an infallible provider of security. The natural-rights tradition emerged in significant part from skepticism toward unlimited governmental authority. The individual's interests in life, bodily integrity, liberty, and self-preservation were historically conceptualized as existing prior to political institutions rather than being gifts bestowed by the sovereign. From this perspective, the fact that a state establishes police forces and criminal justice institutions does not necessarily mean that individuals surrender every residual entitlement to protect themselves. Law commonly recognizes self-defense precisely because state protection cannot be physically present at every moment when an unlawful attack occurs. This point gives the claim to arms its strongest philosophical foundation. If an individual possesses a pre-political right to preserve his or her own life, and if effective preservation may in some circumstances require defensive force, then it may be

argued that the state cannot prohibit all meaningful means through which such defensive force may be exercised. This argument does not yet prove that there is an independent human right to possess firearms, but it establishes a serious conceptual connection between self-preservation and access to defensive means.

The difficulty arises because weapons designed to protect one person's life may simultaneously increase risks to the lives of others. Natural rights are not held by a single isolated individual. Every member of a political community may claim an interest in life and security, and therefore the exercise of one person's liberty must be examined in relation to comparable rights held by others. The possibility of armed civilians participating in violence demonstrates how rapidly the legal identity of a civilian may become complicated when private individuals engage directly in hostilities (Silva, Pellens, et al., 2023). Modern armed conflicts have repeatedly illustrated the fragile boundary between civilian status, private weapon possession, organized resistance, and direct participation in violence. The involvement of civilians in hostile activity also raises questions about how state security personnel respond to armed persons and how reciprocal perceptions of threat can intensify violence (Norman, 2024). Accordingly, the right-to-arms debate cannot be framed simply as "individual versus government." It is more accurately understood as a conflict among overlapping rights: the individual's interest in autonomy and self-defense, other individuals' interests in life and security, and the community's interest in maintaining a legal order in which coercive force is subject to predictable controls.

The international human rights framework further complicates claims that a right to arms should be considered a human right in the positive legal sense. International human rights instruments strongly protect life, personal security, dignity, liberty, fair process, and other fundamental interests, but they do not generally formulate a freestanding universal right of individuals to possess firearms. The gap between philosophical argument and positive legal recognition is therefore essential. A right may be defended as natural without necessarily having been codified as an internationally recognized human right. Conversely, the absence of explicit treaty recognition does not conclusively answer the philosophical question whether access to certain defensive means may be derived from more fundamental

rights. Human rights law also imposes protective obligations on states, especially where threats to life and security are foreseeable. Regional human rights institutions operating in contexts of armed conflict have been examined precisely because rights protection does not disappear when violence increases (Awhefeada, 2023). This protective dimension of human rights law creates a counterweight to purely individualistic formulations of a right to weapons: a government may be obligated not only to refrain from unjustifiably interfering with individual liberty but also to take reasonable measures against threats created by uncontrolled armed violence.

The central problem of this article is therefore whether the possession and bearing of arms can legitimately be derived from natural rights, particularly the rights to life, self-preservation, liberty, and self-defense, and whether such a derivative entitlement should be characterized as a human right. The article also examines whether public security provides sufficient justification for limiting this entitlement and, if so, according to what principles. Its principal argument is that natural-rights theory provides a persuasive foundation for recognizing a fundamental right of individuals to defend their lives and bodily integrity, but it does not necessarily establish an absolute, autonomous, and unlimited right to possess or carry weapons. A right to arms, to the extent that it can be justified, is more accurately understood as an instrumental or derivative right whose normative strength depends on its relationship to self-defense. Its exercise is consequently subject to the equal natural rights of others and to proportionate state regulation aimed at preventing serious threats to life and public security.

The objective of the study is to develop a conceptual framework that avoids the oversimplified opposition between unrestricted private weapon possession and complete state prohibition. The analysis adopts a descriptive-analytical and philosophical-legal approach, drawing on natural-rights reasoning, human rights principles, the legal regulation of weapons, and selected examples from armed conflict and arms-control literature. The inquiry focuses not on defending a particular national constitutional model but on identifying the normative limits that should govern any plausible claim to a right to arms. In this framework, the decisive question is not whether weapons are

intrinsically expressions of freedom or intrinsically threats to society. Rather, the relevant question is whether, when, and to what degree control over defensive instruments is necessary to make the natural right of self-preservation meaningful without exposing other individuals to unjustifiable levels of danger.

2. The Natural-Rights Foundations of a Right to Arms

Natural-rights theory begins from the proposition that certain human interests possess moral significance independently of recognition by political authorities. Although different traditions explain the origin of these rights in different ways, their common feature is the denial that all legitimate rights are created by the state. Rights to life, liberty, bodily integrity, and in many versions of the tradition, property, are understood as belonging to individuals by virtue of their humanity or rational agency. The state therefore does not stand above such rights as their unrestricted creator. Instead, political institutions acquire legitimacy partly because they secure rights that already possess normative value. This theoretical structure is central to the arms question. If self-preservation is one of the most elementary natural entitlements, it follows that the state cannot simply declare that an individual has no legitimate interest in defending himself or herself against unlawful violence. The more difficult issue is whether the natural right to self-preservation extends from the end sought, namely continued life and bodily security, to particular means used to attain that end.

The right to life provides the strongest starting point for such an inquiry. A natural right to life would have little practical meaning if it were interpreted exclusively as a prohibition against intentional killing by public authorities. The individual also has a direct interest in resisting private violence. Human beings are embodied and vulnerable; the right to continued existence therefore necessarily has a defensive dimension. If a person is confronted with an imminent lethal attack and public protection is unavailable, a legal order that prohibited every form of defensive resistance would effectively privilege the aggressor over the victim. For this reason, self-defense is widely recognized as a justification for conduct that would otherwise be unlawful. Yet the recognition of defensive force does not settle the weapons question. A distinction must be made between a substantive right and the instruments used to

exercise it. The right to communicate does not entail an unrestricted right to every conceivable communications technology, and the right to movement does not imply a right to operate any vehicle under any circumstances. Similarly, the right to defend oneself does not automatically produce a right to possess every object capable of inflicting defensive or offensive force.

The strongest version of the natural-rights argument nevertheless contends that a right becomes ineffective when the state controls every practical means of exercising it. If individuals retain a right of self-defense, they must retain access to at least some means through which defensive action can be realistically undertaken. This is particularly important where there is a disparity in physical strength, where several attackers confront a single victim, or where an aggressor is already armed. In such circumstances, a weapon may operate as an equalizing instrument. The philosophical claim is therefore not simply that people enjoy weapons as private property but that access to certain defensive tools may be instrumentally necessary to prevent the right of self-defense from becoming purely theoretical. Even this stronger claim, however, supports only a qualified conclusion. It may justify access to effective means of defense without justifying access to weapons whose destructive capacity is grossly disproportionate to ordinary defensive needs.

Natural-rights reasoning also involves a concept of reciprocal liberty. An individual's rights are not unlimited because other persons are bearers of equivalent rights. A person cannot invoke natural liberty to justify arbitrary violence, enslavement, or conduct that destroys the equal freedom of others. This reciprocal structure is particularly important where weapons are concerned because weapons embody both defensive and offensive capacities. The same firearm that allows a threatened individual to resist an attacker may enable another individual to intimidate, assault, or kill. Legal regulation therefore cannot be assessed solely by examining the interest of the owner. The probability and magnitude of harm imposed on nonconsenting third parties are also relevant. The problem resembles broader arms-control concerns at the international level, where the legal regulation of weapon systems is frequently justified not by denying all legitimate defensive purposes but by addressing the humanitarian

consequences associated with their use or proliferation (Mboh Ngoma Alain Pierre & Victoire, 2024).

Property rights provide another potential foundation for private weapon ownership, but they are insufficient on their own. If private property is understood as a natural extension of liberty, an individual may initially appear entitled to acquire objects using lawfully obtained resources. Nevertheless, no coherent theory of property requires every category of object to be freely tradeable or privately controlled. Legal systems routinely distinguish ordinary goods from substances, technologies, and devices whose possession creates exceptional risks. This becomes even clearer as technological developments blur traditional classifications of weapons. Legal discussions surrounding armed drones demonstrate that classification can determine the regulatory regime applicable to a particular system (Niyitunga, 2023), while debates concerning sea drones similarly show that contemporary weapon platforms may challenge established legal categories (Stepien, 2026). The natural right to property, even where recognized, cannot therefore establish a simple rule that any item capable of private ownership must be exempt from public regulation.

A more persuasive defense of a limited right to arms is consequently derived from the convergence of self-preservation, autonomy, and distrust of absolute governmental monopoly over personal protection. The individual does not cease to be a moral agent upon entering political society. Although the state assumes primary responsibility for policing and public order, there remains an unavoidable temporal and spatial gap between the existence of a threat and the arrival of state protection. Self-defense law implicitly acknowledges this gap. The argument for defensive arms therefore asserts that where the state permits an individual to resist unlawful violence, it should not arbitrarily deprive that individual of proportionate means for doing so. This argument is considerably narrower than the claim that every citizen possesses an unlimited political entitlement to accumulate weapons. It connects the legitimacy of possession with defensive function, responsible use, and the limitations inherent in the rights of others.

Natural-rights theory also contains a historically important political argument concerning resistance to

tyranny. According to this line of reasoning, a population deprived of all means of resistance may become excessively dependent on the coercive apparatus of the state. The right to arms is thus sometimes represented not merely as an individual defensive right but as a structural safeguard against despotism. Historical relations between governments, military power, and arms supplies show that weapon access has often had major political and strategic implications. McGlinchey's examination of the United States-Iran arms agreement of 1972, for example, illustrates the connection between arms transfers and broader political strategies (McGlinchey, 2013). Such examples concern interstate arrangements rather than individual rights, but they reveal the broader truth that control of weapons is inseparable from the distribution of power.

The anti-tyranny argument, however, is considerably more difficult to translate into a modern human-rights doctrine. Modern states possess military technologies, surveillance systems, armored capacities, air power, and communications infrastructure that substantially exceed the capabilities of ordinary privately armed citizens. The proposition that private firearm ownership creates a reliable balance against modern state power may therefore exaggerate the practical relationship between civilian weapon possession and political liberty. It may also generate a dangerous ambiguity between lawful political participation and private political violence. Claims to resistance can be invoked not only against genuinely oppressive governments but also by groups rejecting legitimate democratic institutions. The global experience of armed factions demonstrates how ideological movements can use weapons networks to destabilize governments and attack civilians (Moniquet, 2013). A natural-rights theory that recognizes resistance to extreme oppression must therefore distinguish such exceptional claims from a generalized license to use weapons against political authorities whenever individuals disagree with state policy.

The natural right of self-determination further illustrates the need for caution when moving from collective political rights to individual weapon entitlements. In international legal disputes, self-determination has sometimes been invoked in contexts involving occupation, armed struggle, or severe repression. Akhtar's examination of Kashmir, for example, situates self-determination within a complex framework of

international humanitarian law and Security Council obligations (Akthar, 2023). Yet even where a population possesses a right to self-determination, it does not follow that every individual automatically enjoys an unrestricted legal entitlement to armed action. The existence of a legitimate political claim and the legality of particular means used to pursue it remain distinct questions. This principle reinforces the broader argument that natural rights cannot be converted mechanically into unlimited rights to weapon possession or use.

A defensible natural-rights account of arms must therefore distinguish between primary and derivative rights. Life, bodily integrity, and self-defense may be characterized as primary because their normative importance does not depend on the prior existence of a particular technology. A firearm, knife, defensive device, or other weapon is a means. Any entitlement to possess that means is derivative from the underlying protected interest. Derivative rights are not necessarily weak or insignificant. In certain circumstances, preventing access to necessary means can destroy the practical substance of a primary right. Nevertheless, derivative rights are more sensitive to context because alternative means may exist and because different instruments generate different levels of external risk.

This distinction also helps explain why a natural-rights theory need not choose between absolute prohibition and absolute freedom. The state must respect the individual's legitimate capacity for self-protection, but it may regulate the means through which that capacity is exercised. Restrictions can be assessed according to their relationship with the underlying primary right. A regulation that requires safe storage, competence, or licensing may leave the substance of self-defense intact, whereas a measure that makes all meaningful personal defense impossible may demand substantially stronger justification. Conversely, a claim to possess weapons designed primarily for mass destruction cannot plausibly be defended merely by invoking the ordinary right of personal self-protection. The normative reach of the derivative right contracts as the destructive capacity of the weapon moves beyond the defensive interest from which the claim supposedly arises.

The theory of natural rights therefore supports neither the assertion that weapons are inherently protected human goods nor the claim that governments possess

unlimited authority to determine whether individuals may defend themselves. It instead establishes a relational framework. The individual possesses an intrinsic interest in survival and autonomy; the state possesses legitimate authority to coordinate public security; other citizens possess equally fundamental interests in life and bodily safety. The legal treatment of weapons must emerge from the interaction of these interests. Natural rights provide the foundation of the inquiry, but they also provide the principal limitation on the right to arms, because the same theory that protects one person's self-preservation protects every other person's security from avoidable armed harm.

3. The Right to Arms as a Human Right: Arguments and Challenges

Characterizing the right to arms as a human right requires a further analytical step beyond recognizing its possible basis in natural-rights philosophy. Human rights in contemporary law are not simply moral claims that an individual regards as important. They constitute a structured body of principles intended to protect fundamental aspects of human dignity, liberty, equality, and security. A proposed right to arms must therefore satisfy more demanding criteria than personal preference or historical custom. It must be connected to an interest of sufficient fundamental importance, capable of general application, consistent with the equal rights of others, and susceptible to legal formulation in a manner that does not undermine the broader human-rights system. The most plausible argument is that a right to arms is not a freestanding right of the same conceptual order as life or freedom from torture, but a possible derivative right connected to self-defense and personal security.

The first argument supporting human-rights status is based on the right to life. If individuals possess a fundamental right to life, they must have some lawful capacity to defend that life against imminent unlawful violence. The strength of this reasoning is particularly apparent when public authorities are unable to provide immediate protection. A victim of an armed assault cannot meaningfully be told that the state monopolizes protection if police assistance will arrive only after the lethal danger has materialized. In such circumstances, self-defense is not a rejection of public authority but a temporary response to the absence of effective public

protection. The human-rights argument thus maintains that the law should not render individuals defenseless where they face serious and immediate threats.

Yet the right-to-life argument also supports substantial arms regulation. The state must consider not only the threatened individual who wishes to possess a weapon but also potential victims of accidental, reckless, criminal, or impulsive use. The circulation of small arms in areas affected by terrorism provides a powerful illustration of the collective consequences of weapon availability (Abuloye & Kolade, 2024). If a regulatory system substantially increases the probability that weapons will enter illicit networks, the resulting harm may itself implicate the right to life. The human-rights question is therefore structurally bilateral. Individuals may argue that weapons protect their lives, while governments may argue that restricting dangerous weapon access protects the lives of others.

A second argument is based directly on the right of self-defense. Self-defense is deeply embedded in legal systems because it reflects the principle that unlawful aggression does not create a duty of passive submission. Nevertheless, the scope of the defensive right is ordinarily governed by concepts such as necessity, imminence, and proportionality. These conditions are instructive for the right-to-arms debate. If the use of force in self-defense must be proportionate, it would be inconsistent to treat possession of defensive means as wholly exempt from proportionality analysis. A claimed right to arms should therefore be related to the kinds of threats against which private defensive action is legally permissible. This logic supports access to reasonable defensive means more easily than it supports unrestricted access to military-grade systems.

A third argument concerns personal autonomy. Human rights protect individuals not merely as biological beings but as autonomous agents capable of making choices about their lives and security. Dependence upon government protection can be criticized where it becomes so comprehensive that individuals are legally prevented from taking reasonable precautions for their own safety. Weapon possession may thus be understood by its defenders as one form of personal preparedness. Yet autonomy is not synonymous with risk-free liberty. A person's autonomous decision to possess an object whose misuse can cause severe harm to others creates externalities that justify public concern. The human-

rights framework therefore requires the reconciliation of autonomy with responsibility.

The distinction between civilians and combatants reveals another challenge. In ordinary peacetime settings, a civilian who lawfully owns a weapon remains a private citizen subject to domestic law. During armed conflict, however, civilian possession and use of weapons can affect legal status and protection. Research concerning civilian participation in the Russian-Ukrainian conflict illustrates the complex legal questions arising when civilians directly participate in hostilities (Silva, Pellens, et al., 2023). International humanitarian law is built in significant part around distinctions between persons who may lawfully participate in hostilities and those who are protected from direct attack. Broad claims that every person has an inherent human right to bear arms could create conceptual tension with legal frameworks that carefully distinguish civilian protection from direct participation in warfare.

The same problem appears in relations between civilians and security forces. Where weapons are widely present among civilians, security personnel may face greater uncertainty in identifying immediate threats, while civilians may perceive armed state agents as potential threats in environments characterized by distrust. Norman's examination of reciprocal civilian-security hostility highlights the complexity of violence involving security personnel and civilian actors (Norman, 2024). A human-rights analysis must therefore consider not only the owner's defensive intention but also the systemic effect of widespread weapons on policing, threat perception, and escalation.

Arguments based on political liberty and resistance to oppression also play an important role in theories of the right to bear arms. According to this view, citizens who possess weapons are less vulnerable to absolute domination because the state knows that coercive repression may encounter resistance. Historically, relationships between military capability and political authority have plainly been significant. Arms transfers have frequently reflected broader geopolitical objectives rather than purely commercial transactions (McGlinchey, 2013). Nevertheless, a universal human right must be capable of functioning under conditions of both democratic and authoritarian government. A doctrine that effectively authorizes private citizens to determine individually when governmental authority

has become tyrannical could destabilize constitutional order, because political disagreement would risk being transformed into competing claims of legitimate armed resistance.

International humanitarian law provides additional reasons to avoid conflating the moral right of resistance with an unrestricted individual right to weapons. The legal regulation of armed conflict is based on the assumption that even where force is used for politically or morally compelling purposes, the means and methods of violence remain subject to legal constraint. The humanitarian consequences of recent conflicts illustrate the danger of treating perceived legitimacy of a cause as sufficient to suspend restrictions on force. Analysis of the Israel-Hamas conflict, for example, has emphasized continuing questions concerning the application and erosion of international humanitarian protections amid intense hostilities (Lima et al., 2024). The principle is relevant by analogy to individual rights: the legitimacy of self-preservation does not eliminate the need to regulate the means employed in its name.

The evolving technology of warfare also challenges any attempt to formulate a generalized human right to “arms.” Traditional discussions often assume personal firearms, yet the category of weapons now includes remotely operated platforms and advanced systems whose destructive effects may far exceed conventional self-defense. Armed drones raise distinct questions under humanitarian law because technological mediation does not eliminate legal responsibility for the use of force (Niyitunga, 2023). Sea drones similarly challenge traditional classifications of ships and weapons (Stepien, 2026). If the right to arms were defined too broadly, technological change could continuously expand the supposed content of the right. A natural-rights basis therefore cannot plausibly justify an unrestricted entitlement to every device categorized as a weapon.

Another obstacle is the absence of consistent international recognition of a personal right to possess weapons as an autonomous human right. Human rights systems recognize life, security, privacy, property, due process, and various political freedoms, but private weapon ownership is generally left to domestic regulatory structures. This does not prove that no philosophical right exists, but it matters when the expression “human right” is used in a juridical sense. A

human right is ordinarily expected to generate corresponding state obligations and to apply beyond the constitutional traditions of one particular country. The diversity of national firearms regimes makes it difficult to argue that an unrestricted right to bear arms has achieved such universal legal status.

Human rights law also contains strong positive obligations. States are not only prohibited from arbitrarily depriving individuals of life; they may also be required to create institutions capable of protecting persons from foreseeable violence. The role of regional human-rights mechanisms during armed conflicts demonstrates the continuing expectation that institutions protect individuals even in highly unstable environments (Awhefeada, 2023). If governments were constitutionally or internationally prohibited from adopting meaningful arms-control measures regardless of evidence of serious danger, their ability to discharge protective duties could be impaired. Human-rights status must therefore be formulated in a manner compatible with the state's obligation to protect potential victims.

The relationship between legal arms and illicit arms is particularly important. Even well-regulated lawful markets may interact with illegal markets through theft, diversion, fraudulent acquisition, or trafficking. Research on illicit trade under the Arms Trade Treaty emphasizes the international legal concern surrounding diversion and unauthorized transfers (Silva, Pains, et al., 2023). Failures in conventional arms-control mechanisms further show that legal rules may be ineffective when implementation and enforcement are weak (Mboh Ngoma Alain Pierre & Victoire, 2024). These findings do not establish that civilian ownership must be prohibited, but they weaken arguments treating possession as a purely private transaction without social consequences. Ethical considerations in conflict environments also reveal the broader human costs associated with weapons. Medical professionals working in war zones encounter consequences that extend beyond immediate battlefield injuries, including institutional collapse and persistent risks to civilians and healthcare systems (Zakrison et al., 2025). Although civilian gun regulation in peacetime differs substantially from warfare, this literature reinforces a fundamental point: weapons are not ordinary consumer goods because their primary functional characteristic is the capacity to project

potentially lethal force. The legal system is therefore justified in treating them differently from ordinary property.

A defensible formulation would accordingly characterize any human-rights dimension of arms possession as secondary and conditional. The primary right is to life and lawful self-defense. In some circumstances, that right may generate a strong claim to access reasonable defensive means. Such a claim becomes stronger where threats are serious, state protection is demonstrably inadequate, and the individual satisfies legitimate standards of responsibility. It becomes weaker where the weapon has little plausible connection to ordinary personal defense, where possession creates extraordinary risks to third parties, or where regulatory measures do not substantially impair meaningful self-protection.

This approach also avoids a false dichotomy. Rejecting an absolute human right to weapons does not require accepting a governmental power to render citizens completely helpless. Likewise, recognizing a derivative defensive entitlement does not require treating every licensing requirement as a rights violation. Human-rights analysis is capable of accommodating regulated liberty. Many rights are fundamental but subject to carefully justified limitations when necessary to protect competing rights. The critical issue is not whether regulation exists but whether it preserves the essential content of legitimate individual interests while addressing demonstrable public dangers.

The strongest conclusion is therefore that a universal human right to possess and bear arms, conceived as an independent and unlimited entitlement, is difficult to sustain. Natural-rights theory supports self-defense more convincingly than it supports weapons as such. The human-rights claim should therefore be reframed. What deserves protection is the person's meaningful capacity to protect life and bodily integrity within the boundaries of necessity, legality, and proportionality. Whether firearms or other defensive instruments must be legally accessible depends on social conditions, available alternatives, the nature of the risks involved, and the regulatory structure capable of minimizing harm to others.

4. The Right to Arms and Public Security: The Limits of State Intervention

Public security constitutes the strongest countervailing consideration to a claimed right to arms. The state is established partly to reduce the insecurity that arises when individuals independently determine the conditions under which coercive force may be used. A stable legal order replaces private retaliation with institutionalized adjudication, policing, and punishment. Yet the creation of these institutions does not eliminate individual self-defense. The central challenge is therefore to determine how far the state may regulate private weapon possession without transforming its security function into an unjustifiable monopoly that deprives individuals of reasonable means of self-protection.

The concept of public security should not be reduced to administrative convenience or governmental preference. Security protects concrete human interests, including life, bodily integrity, freedom from intimidation, and the ability to participate in social life without unreasonable fear of violence. The state therefore has legitimate grounds for regulating objects that significantly increase the capacity to inflict lethal harm. Where arms circulate outside effective oversight, security problems can become especially acute. The proliferation of small and light weapons in regions affected by terrorism demonstrates how weapon availability may strengthen non-state violent actors and prolong insecurity (Abuloye & Kolade, 2024). Similar concerns arise where extremist networks participate in the acquisition and distribution of weapons (Moniquet, 2013). In such environments, the distinction between individual possession and collective security is impossible to maintain.

One influential justification for arms regulation is the principle that the state should maintain institutional control over legitimate coercion. The purpose of such control is not necessarily to deny individuals every defensive right, but to ensure that force is exercised according to publicly known rules. If private persons could freely determine when armed coercion was justified, the predictable administration of justice would be weakened. Nevertheless, state control over coercive force is not absolute. Police officers cannot be physically present at every assault, burglary, or other immediate threat. Consequently, private self-defense persists as a

legal exception to the ordinary institutionalization of force. The correct regulatory model must acknowledge both principles simultaneously.

An important distinction must be made between the right to possess a defensive instrument and the right to use it. Even where weapon ownership is lawful, use remains subject to stringent standards. The law may permit possession but prohibit threatening displays, reckless discharge, use in response to minor disputes, or disproportionate force. This distinction is central to proportional regulation because it shows that different stages of weapons control can be regulated separately. Acquisition, storage, transport, public carrying, and actual defensive use need not be governed by identical rules.

Public carrying generates particularly difficult concerns because it changes the social distribution of immediately available lethal force. A weapon stored securely in a residence creates a different risk profile from a loaded weapon carried into a school, courthouse, public demonstration, stadium, or other densely populated setting. The state may therefore have stronger grounds to regulate the latter. This does not necessarily depend on hostility toward self-defense. Instead, it reflects the fact that environments differ in the probability of conflict, accidental access, mistaken threat perception, and rapid escalation.

The participation of civilians in violent confrontations illustrates these risks. Armed civilians may move from protected civilian status to direct participation in hostilities under particular conditions in armed conflict (Silva, Pellens, et al., 2023). Although peacetime firearms law is distinct from humanitarian law, the comparison is analytically useful because it demonstrates that possession and use of weapons may transform the legal and operational relationship between individuals and security forces. When civilians are routinely armed, police officers may confront greater uncertainty during encounters, and citizens may similarly interpret police responses through heightened perceptions of danger. Norman's analysis of civilian-military hostility emphasizes how reciprocal violence can emerge in strained security environments (Norman, 2024).

The potential diversion of weapons into illicit channels provides an additional justification for regulation. A weapon legally acquired by one person may later be stolen, sold unlawfully, transferred to an ineligible

person, or otherwise diverted. The international arms-control context demonstrates how difficult it can be to prevent weapons from moving beyond intended recipients. Legal analysis of illicit arms trade has emphasized the importance of controlling unauthorized transfers (Silva, Pains, et al., 2023). Broader examinations of conventional arms-control mechanisms have also identified weaknesses in implementation and enforcement (Mboh Ngoma Alain Pierre & Victoire, 2024). These concerns support measures designed to improve traceability, secure storage, responsible transfer, and accountability.

Nevertheless, the existence of public risk does not establish unlimited state power. A government could invoke security to justify almost any restriction if no test of necessity or proportionality were required. Natural-rights theory demands greater scrutiny because the state exists to secure individual rights rather than extinguish them. If a government adopts a total prohibition on all effective means of personal defense while failing to provide reasonably effective protection, the result may undermine the very security interests that justify political authority. State regulation must therefore be assessed not only by its intended objective but by the burden imposed on legitimate self-protection.

The principle of proportionality offers the most coherent framework for resolving the conflict. The first question is whether a regulatory measure pursues a legitimate objective. Preventing homicide, terrorism, armed robbery, accidental death, and illicit trafficking clearly qualify as legitimate purposes. The second question is whether the restriction is suitable to contribute to that objective. A regulation that has no rational connection to the identified danger cannot be justified merely by invoking public security. The third question is necessity: if a less restrictive measure could achieve substantially the same protective effect, the more restrictive alternative requires stronger justification. Finally, the measure must be proportionate in the strict sense, meaning that the public benefits must be weighed against the severity of the burden imposed on individual rights.

Licensing is an example of a regulatory mechanism that can potentially satisfy proportionality requirements. A licensing system does not necessarily deny the legitimacy of private possession. Instead, it conditions possession upon satisfaction of publicly defined criteria.

The quality of such a system depends on whether those criteria are relevant, transparent, reviewable, and non-discriminatory. A licensing regime designed principally to exclude dangerous applicants can be distinguished from one that is administratively structured to make lawful acquisition practically impossible for ordinary responsible citizens.

Training requirements may likewise be compatible with a derivative right to arms. If the justification for possession is effective self-defense, competence in handling, storage, and lawful use strengthens rather than contradicts that justification. The same is true of rules requiring secure storage in circumstances where unauthorized access is foreseeable. Such measures can reduce accidental harm and diversion while preserving lawful possession. The relevant question is whether the regulatory burden is proportionate to the risk addressed. Restrictions on particular weapon categories also require functional analysis. Natural-rights reasoning provides its strongest support for instruments plausibly related to individual defense. As destructive capacity expands beyond ordinary defensive needs, the connection between the primary right and the claimed instrument becomes increasingly attenuated. Contemporary debates over technologically advanced weapons make this principle increasingly important. Armed drones raise legal questions quite different from those surrounding ordinary defensive firearms (Niyitunga, 2023), and sea drones pose classification problems because they may operate more like weapon systems than conventional privately controlled objects (Stepien, 2026). A generalized “right to arms” that ignored technological distinctions would therefore be normatively incoherent.

Place-based restrictions are similarly capable of justification where specific environments create elevated risks. Courts, detention facilities, sensitive government sites, and certain educational institutions may require more stringent controls because the consequences of armed incidents are particularly serious. The legitimacy of such restrictions should depend on objective risk rather than symbolic hostility toward weapon possession. Proportionality again provides the appropriate test.

International and humanitarian contexts also demonstrate why control of weaponry may constitute a human-rights obligation rather than merely a

governmental option. Institutions charged with protecting human rights during armed conflict face situations in which the uncontrolled availability and use of weapons can undermine civilian protection (Awhefeada, 2023). The ethical challenges confronted by medical personnel in conflict zones illustrate the consequences of prolonged armed insecurity for individuals far removed from direct combat (Zakrison et al., 2025). Although these situations are more extreme than ordinary domestic weapon ownership, they reinforce the broader principle that the state cannot ignore foreseeable patterns through which weapons threaten life.

At the same time, international humanitarian law demonstrates that regulation should target conduct and risk rather than rely on simplistic moral categories. The legality of violence in armed conflict depends on status, target, means, methods, distinction, proportionality, and other legal rules. The analysis of contemporary conflicts shows how serious humanitarian consequences arise when these constraints are weakened (Lima et al., 2024). A similar logic can inform domestic regulation: weapon possession should not be treated as inherently criminal, but the exercise of armed capacity must remain embedded in rules designed to protect human life.

A coherent regulatory model should therefore reject both unrestricted access and presumptive total prohibition. Regulation can distinguish among applicants, weapons, locations, storage practices, forms of carrying, and circumstances of use. The objective should be to preserve meaningful personal self-defense while reducing preventable risks imposed on nonconsenting third parties. This requires evidence-sensitive governance rather than ideological absolutism. The state's authority is strongest where regulations directly address identifiable risks without eliminating the essential substance of self-defense. It is weaker where restrictions are arbitrary, discriminatory, unrelated to public safety, or so comprehensive that individuals are left practically unable to respond to serious unlawful threats. The right to arms, if recognized as derivative from natural self-preservation, therefore operates as a limit on governmental overreach while simultaneously being limited by the natural rights of others. Public security is not the negation of individual rights; properly understood, it is the institutional protection of the same rights across the community.

The most satisfactory legal model is consequently one of regulated defensive autonomy. Individuals retain a sphere of lawful self-protection, but weapons with potentially lethal consequences remain subject to licensing, safety standards, accountability, restrictions on transfer, and proportionate limits on carrying and use. Such an approach reflects the reciprocal nature of natural rights. No citizen is entitled to demand complete vulnerability in others in the name of personal liberty, and no state is entitled to demand complete helplessness from responsible individuals in the name of collective security.

5. A Balancing Model Between Natural Rights, Human Rights, and Public Security

The conflict between the right to arms and public security cannot be resolved adequately through an all-or-nothing conception of rights. The language of absolute entitlement obscures the fact that many fundamental rights coexist with legitimate regulatory limitations. Freedom of expression does not necessarily protect threats or direct incitement, property rights do not prohibit all forms of regulation, and personal autonomy does not eliminate laws preventing serious harm to others. The same structure can be applied to arms. If weapon possession receives derivative protection because of its connection with self-defense, that protection should be strong enough to prevent arbitrary governmental suppression while flexible enough to accommodate measures necessary to safeguard competing rights.

The starting point should be the hierarchy between primary and instrumental rights. Life, bodily integrity, and lawful self-defense occupy the primary level. Access to arms belongs at the instrumental level because weapons are means by which some individuals may attempt to protect those primary interests. This distinction avoids the conceptual problem of treating a historically contingent technology as an inherent attribute of human dignity. Natural rights existed before modern firearms and will continue to exist as technology changes. What remains constant is the person's legitimate interest in survival and security.

The derivative character of a right does not mean that the state may disregard it. Where a particular means is necessary for the effective exercise of a primary right, restricting that means may amount indirectly to

restricting the primary right itself. For example, if individuals living under conditions of severe and foreseeable violence have no realistic access to immediate public protection, a categorical prohibition on all effective means of self-defense may impose a serious burden on their natural right to personal security. The state should therefore justify restrictions in light of real conditions rather than abstract assertions of authority.

At the same time, access to weapons cannot be evaluated without considering the social environment created by widespread possession. Arms proliferation can contribute to instability when regulatory institutions are weak. The relationship between small arms proliferation and terrorism in Northern Nigeria illustrates how weapons can facilitate broader patterns of insecurity rather than remain confined to individual ownership (Abuloye & Kolade, 2024). The involvement of ideological organizations in weapons supply networks similarly demonstrates that arms circulation may support collective violence (Moniquet, 2013). These realities support a model in which individual rights coexist with robust controls against diversion, illicit trafficking, and organized acquisition.

A balancing model should therefore begin with legality. Restrictions on weapon possession or carrying should be based on clear legal rules rather than discretionary or arbitrary decisions. Individuals must be able to determine what conduct is permitted, what qualifications are required, and what consequences follow from violations. Legal clarity protects both security and liberty because vague regulation allows inconsistent enforcement while also weakening compliance.

The next element is legitimate purpose. Public authorities should identify the specific harm a restriction is intended to prevent. The invocation of "security" in general terms is insufficient. Regulation may legitimately seek to reduce criminal access, prevent unauthorized transfers, protect sensitive locations, address demonstrated risks associated with particular individuals, or prevent access to exceptionally destructive weapon systems. The international experience of arms regulation demonstrates that effective control mechanisms require clearly identified objectives, while failures in conventional arms-control systems often arise from gaps between formal

commitments and implementation (Mboh Ngoma Alain Pierre & Victoire, 2024).

Suitability follows from legitimate purpose. A restriction should have a rational and evidence-based relationship to the danger it addresses. For example, secure-storage requirements are directly connected to preventing unauthorized access, while transfer-record rules may assist in reducing diversion to illicit markets. Concerns surrounding illicit arms trade support the importance of tracing and controlling unauthorized transfers (Silva, Pains, et al., 2023). Measures that impose substantial burdens without addressing plausible pathways of harm should receive closer scrutiny.

Necessity requires the state to consider whether a less restrictive measure could achieve the same objective. This element is especially important because arms regulation easily becomes politicized. A government should not impose a complete prohibition where licensing, training, storage regulation, or restrictions on particular forms of carrying would adequately address the risk. Conversely, the existence of a less restrictive policy in theory should not prevent stronger regulation where evidence demonstrates that the alternative is ineffective.

Balancing in the strict sense requires comparison between the benefit obtained and the right restricted. The severity of a restriction matters. A requirement to complete safety training is not equivalent to a permanent prohibition on possession. A ban on carrying weapons in a high-security courthouse is not equivalent to a general prohibition on keeping a lawful defensive weapon in one's residence. A carefully constructed rights framework must distinguish among these levels rather than treating all regulation as either permissible or unconstitutional.

The characteristics of the weapon should also be relevant. A human-rights argument derived from personal self-defense is strongest when applied to instruments reasonably suited to personal defensive use. It becomes progressively weaker as the weapon's destructive capacity, range, or operational characteristics bear less relationship to ordinary individual protection. Developments in armed drone technology illustrate why the legal category of "arms" cannot be treated as uniform (Niyitunga, 2023). Sea drones likewise illustrate the emergence of systems whose legal status may depend upon whether they are

understood as platforms, vessels, or weapons (Stepien, 2026). A general theory must therefore incorporate technological proportionality.

The characteristics of the individual may also legitimately affect regulation, but legal safeguards are essential. If licensing systems exclude certain applicants because they present objectively demonstrable risks, the criteria must be narrowly connected to public safety and accompanied by review procedures. Otherwise, the regulatory system can become a mechanism for arbitrary deprivation. This is where broader principles of procedural fairness remain relevant. The doctrine of equality of arms in judicial proceedings reflects the importance of ensuring that individuals confronting state power have meaningful procedural opportunities (Davies, 2017). Iranian scholarship on equality of arms similarly emphasizes balanced procedural treatment within criminal justice (Tavassoli Naini et al., 2016). Although procedural equality of arms is conceptually distinct from weapon possession, its underlying insistence on fair process is relevant to licensing and deprivation decisions. A person whose license is refused or revoked should have access to reasons and an effective avenue of review.

The distinction between peacetime civil regulation and armed conflict must also be maintained. Armed conflict changes the legal environment fundamentally. Civilians who directly participate in hostilities may face consequences that do not apply to ordinary weapon owners (Silva, Pellens, et al., 2023). The right to possess a weapon under domestic law cannot therefore be interpreted as a general human-rights authorization for participation in warfare. International humanitarian law imposes specific rules on the conduct of hostilities, and these rules remain relevant even when parties claim morally compelling causes. The legal controversies surrounding contemporary conflicts demonstrate the dangers created when humanitarian constraints are subordinated to political justifications (Lima et al., 2024).

The regulation of armed civilians is particularly sensitive because the distinction between self-defense and participation in organized political violence may become blurred. In contexts characterized by profound distrust, civilians and security forces may enter reciprocal cycles of perceived threat and force (Norman, 2024). A balancing framework must therefore protect ordinary

defensive rights while refusing to convert those rights into a general privilege of armed political coercion.

Collective claims such as self-determination require similar caution. International law may recognize the legitimacy of certain political claims without granting every individual an unlimited entitlement to violence. Discussions of Kashmir and self-determination demonstrate the complexity of combining political rights, humanitarian obligations, and accountability (Akthar, 2023). The legality of the objective and the legality of the means must remain conceptually distinct. The international human-rights dimension also requires attention to positive state obligations. Governments may be required to protect individuals from serious and foreseeable violence, particularly where authorities know of substantial risks. Regional human-rights institutions operating during armed conflict provide examples of how rights protection continues under conditions of insecurity (Awhefeada, 2023). This implies that the state cannot justify regulatory passivity by appealing exclusively to private liberty. Where weapons proliferation demonstrably threatens life, reasonable preventive measures become part of the state's protective function.

Yet the positive-obligation framework should not become a basis for unlimited paternalism. Human-rights law exists to constrain as well as empower government. Security regulation must therefore preserve a sphere of personal responsibility. Individuals who comply with reasonable licensing, safety, and competence requirements should not necessarily be presumed dangerous solely because they seek a lawful defensive means. The objective is not to replace individual autonomy with total administrative control but to coordinate autonomy with the equal security of others. A balanced framework also requires distinguishing defensive possession from commercial and strategic arms circulation. International arms markets operate at a scale and political level fundamentally different from individual defensive ownership. Historical arms agreements such as those examined in the context of U.S.-Iran relations demonstrate how weapons transfers can serve geopolitical purposes (McGlinchey, 2013). Such transactions cannot be analyzed through the same natural-rights framework as a private person's claim to defend a household. The distinction between personal

defense and strategic military capacity should therefore remain explicit.

The ethical consequences of armed violence also support a rights-sensitive regulatory model. Healthcare professionals in conflict zones encounter harms that reveal how the effects of weapons extend across social institutions, families, and essential services (Zakrison et al., 2025). Weapons law should therefore be designed with an awareness that the social costs of armed violence are rarely confined to the immediate parties. At the same time, individuals facing violence are themselves potential victims whose interests cannot be dismissed. The resulting model is one of qualified recognition. The natural right of self-defense should be strongly protected. A derivative right of access to proportionate defensive means may be recognized where necessary to make self-defense effective. That right should not be understood as absolute, should not automatically extend to every class of weapon, and should not prohibit regulations genuinely necessary to protect the rights of others. The central legal test should ask whether the state has preserved a realistic capacity for lawful personal defense while reducing preventable armed harm through measures that are lawful, suitable, necessary, and proportionate.

This framework also clarifies the relationship between human rights and public security. They should not be treated as opposing domains in which security begins only when rights end. Public security is itself valuable because it protects rights, especially life and bodily integrity. Individual liberty is valuable because security without autonomy can become authoritarian control. A legitimate legal order must therefore protect both. The state should neither monopolize personal security to the point of helplessness nor privatize coercive force to the point of social insecurity. The appropriate equilibrium lies in regulated defensive autonomy grounded in natural rights and constrained by the equal dignity and safety of all members of society.

6. Conclusion

The debate over the right to arms is frequently framed as an uncompromising conflict between personal freedom and collective security. Such a formulation is conceptually inadequate because it assumes that one of these values must necessarily displace the other. A natural-rights analysis reveals a more complex

relationship. The individual possesses a fundamental interest in life, bodily integrity, autonomy, and self-preservation. Political society does not create these interests but is justified in significant part by its capacity to secure them. At the same time, political society is composed of multiple rights-bearing individuals, each of whom has an equivalent claim to life and security. The legal treatment of weapons must therefore be structured around reciprocal rights rather than a unilateral conception of liberty.

The strongest natural-rights foundation for a claim concerning weapons is not found in property alone and not in an abstract preference for armed citizenship. It is found in the right of self-defense. A legal order cannot plausibly recognize the value of human life while requiring a person facing unlawful and imminent violence to remain entirely passive. The continued recognition of self-defense reflects the basic fact that state protection, however effective, can never be physically present at every moment when an individual faces danger. The person therefore retains a residual capacity to act for the protection of life and bodily integrity.

Nevertheless, this conclusion does not establish an absolute right to arms. The conceptual distinction between a primary right and its instrumental means is decisive. Life and self-defense are primary rights. A weapon is one possible means by which those rights may be protected. Accordingly, any right to possess or carry a weapon is derivative rather than autonomous. Its justification depends upon the degree to which access to the weapon contributes to lawful self-defense and upon the extent to which its possession creates risks for the equal rights of others.

This derivative structure resolves several apparent contradictions. It explains why the state may not arbitrarily deprive individuals of every realistic means of self-protection while also explaining why governments may regulate dangerous weapons. It also explains why different forms of weapon possession may legitimately receive different legal treatment. Keeping a defensive weapon under controlled conditions in a residence is not legally or morally identical to carrying a weapon in every public environment, and neither is equivalent to possessing weapon systems whose destructive capacity has no reasonable connection to personal self-defense.

The right to arms should therefore not be characterized as an unlimited human right. International human rights are generally structured around fundamental human interests such as life, dignity, liberty, equality, and personal security. Weapon ownership is better understood through its relationship with these foundational interests. Where preventing access to defensive means would make the right of self-preservation practically meaningless, an individual may possess a strong rights-based claim against excessive state restriction. Where the claimed weapon or mode of carrying substantially threatens other persons without a proportionate defensive justification, the state's regulatory authority becomes stronger.

Public security should likewise be understood in rights-based rather than purely administrative terms. The purpose of arms regulation is legitimate when it protects individuals from homicide, intimidation, terrorism, accidental injury, illicit trafficking, and other forms of serious violence. Security is therefore not inherently hostile to human rights. Properly conceived, it is one of the institutional conditions necessary for the enjoyment of rights. The danger arises when security is defined so broadly that it permits arbitrary governmental restrictions unrelated to demonstrable risks.

For this reason, the principle of proportionality provides the most appropriate framework for reconciling the competing interests. Arms regulation should pursue a legitimate objective and should be rationally connected to that objective. Restrictions should not be more severe than necessary when less restrictive alternatives can adequately protect the public. Finally, the benefits obtained through regulation should be proportionate to the burden imposed on individual self-defense and autonomy.

Under such an approach, measures including licensing, competence requirements, safe-storage obligations, restrictions on unauthorized transfers, limitations applicable to particularly dangerous weapons, and controls in sensitive locations may be compatible with a derivative right to arms. Their legitimacy depends on their design and effects rather than on their mere existence. A regulatory system that preserves meaningful lawful access for responsible individuals differs fundamentally from one designed to make legitimate possession practically impossible.

Conversely, recognizing a defensive interest does not require the state to permit unrestricted ownership or carrying. A natural right to self-defense cannot rationally be transformed into a claim to possess any weapon regardless of destructive capacity. The relationship between means and purpose remains essential. As weapons become increasingly destructive, indiscriminate, or technologically remote from ordinary personal protection, the connection between their possession and the natural right of self-defense weakens. The anti-tyranny argument also requires careful limitation. Natural-rights theory rightly rejects the proposition that state authority is unlimited and recognizes that political power exists for the protection of persons rather than their domination. Yet a generalized individual right to determine when armed resistance against government is justified would undermine legal order and transform political disagreement into potentially violent confrontation. The natural right of resistance to extreme oppression cannot be equated with an ordinary entitlement to use armed force against legitimate institutions.

The distinction between civilian self-defense and participation in armed conflict is equally important. A right to possess defensive arms within domestic law cannot serve as a general authorization for civilians to participate in hostilities. Armed conflict operates within a separate legal framework involving status, distinction, proportionality, military necessity, and humanitarian protection. Conflating these domains would weaken both domestic rights analysis and the rules governing warfare.

The most coherent legal position is therefore one of regulated defensive autonomy. Individuals should be recognized as active rights-bearing persons rather than passive subjects entirely dependent on the state for physical protection. At the same time, the possession of instruments capable of lethal harm necessarily carries obligations toward other members of the community. Rights and responsibilities are mutually reinforcing in this context. The individual who claims a right to possess a defensive weapon must accept legal duties concerning competence, storage, transfer, carrying, and use.

Accordingly, the answer to the central question posed in this article is neither that the right to arms constitutes an absolute human right nor that private access to weapons is inherently incompatible with public security. Natural

rights provide a strong basis for the right to self-preservation and self-defense, and under appropriate circumstances this right may generate a derivative claim to access proportionate defensive means. However, because weapons create serious risks for the equal natural rights of others, this derivative entitlement is inherently subject to lawful and proportionate regulation.

The legitimacy of state intervention should ultimately depend on whether regulation preserves the substance of self-defense while protecting society from unreasonable armed risks. A state that deprives peaceful and responsible individuals of every meaningful defensive option may exceed the authority justified by public security. A state that allows unrestricted weapon access without regard to foreseeable harm may fail in its obligation to protect the lives and security of the wider population. The appropriate legal equilibrium lies between these extremes.

The philosophical significance of this conclusion extends beyond firearms law. The issue illustrates a broader principle concerning the relationship between natural rights and modern government. Fundamental rights cannot be understood in isolation from the conditions required for their equal enjoyment. Liberty without security may expose individuals to domination by private violence, while security without liberty may expose them to domination by public power. A legitimate legal system must therefore restrain both forms of domination.

The right to arms should consequently be understood as a contingent and derivative legal expression of a more fundamental natural right: the right of a human being to preserve life and resist unlawful violence. It does not exist independently of that purpose, and it cannot be exercised without regard to the lives and security of others. The appropriate normative model is therefore neither unrestricted armament nor categorical disarmament, but a system in which lawful self-defense remains genuinely possible while access to weapons is regulated according to necessity, responsibility, risk, and proportionality. In this model, natural rights and public security are not mutually exclusive. Each provides part of the justification for limiting the other, and the legitimacy of the legal order depends upon maintaining a principled balance between them.

Authors' Contributions

Authors contributed equally to this article.

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In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

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