I negate and value a **legitimate government**, because only a legitimate authority generates political obligations. **Simmons**[[1]](#footnote-1):

This Lockean account utilizes one standard moral conception of state legitimacy,' and it is this conception of legitimacy" that I will hereafter have in mind when I use that term. **A** state's (or **government's**) **legitimacy is the** complex **moral right it possesses to** be the exclusive **impose** of **binding duties on its subjects,** to have its subjects comply with these duties, **and** to use coercion to **enforce the duties.** Accordingly, state **legitimacy is the logical correlate of various obligations,** including subjects' political obligations.' **A state's legitimacy right" is** in part a right **held specifically against the subjects bound by any state-imposed duties, arising from morally significant relations** — in Locke's case, consensual relations — **between state and subject**. It follows that "on balance" state legitimacy may he complete or partial, depending on whether such relations hold with all or only with some of those against whom the state enforces the duties it imposes (though **the state is**, of course, either fully **legitimate** or fully illegitimate **with respect to each individual under its rule).**

A legitimate government has property rights- without them we would be in the state of nature. **Locke[[2]](#footnote-2)**

**If a man in the state of nature is free,** if he is absolute lord of his own person and possessions, **why will he give up his laws freedom?** Why will he put himself under the control of any person or institution? The obvious answer is that the rights in the state of nature are constantly exposed to the attacks of others. **Since every man is equal and since most men do not concern themselves with equity** and justice, the **enjoyment of rights in the state of nature is** unsafe and **insecure.** Hence each man joins in society with others to preserve life, liberty, and property. **Since men hope to preserve their property by establishing a government, they will not want that government to destroy this objective. When legislators** try to **destroy or take away the property of the people,** or try to reduce them to slavery, **they put themselves into a state of war with the people** who can then refuse to obey the laws. When legislators try to gain or give someone else absolute power over lives, liberties, **and** property of the people, they **abuse the power which the people had put into their hands**. It is then the privilege of the people to establish a new legislature to provide for their safety and security. **These principles** also **hold true for the executive who helps to make I and carry them out.**

Thus the standard is **protecting property rights.** Property rights are perquisite to a functioning society so my framework is a prerequisite A utilitarian framework may try to weigh impacts back to standards but a) it presupposes that each society already has a legitimate government b) a hectic state of nature is the worst thing possible for individuals so utilitarian’s would agree that a legitimate maximizes utility.

We can only agree on what is just insofar as agents are capable of propositional exchanges whereby norms are validated via exchanges and arguments. This means that any ethical proposal must be compatible with the idea that its validity is ascertainable through argumentative means. **Hoppe[[3]](#footnote-3):**

First, it must be noted that **the question of what is just** or unjust— or for that matter the even more general question of what is a valid proposition and what is not—**only arises insofar as I am**, and others are, **capable of propositional exchanges**, i.e., of argumentation. The question does not arise vis-à-vis a stone or fish because they are incapable of engaging in such exchanges and of producing validity claiming propositions. Yet **if this is so**—and one cannot deny that it is without contradicting oneself, as one cannot argue the case that one cannot argue—**then any ethical proposal** as well as any other proposition **must be assumed to claim that it is capable of being validated by propositional** or argumentative **means**. (Mises, too, insofar as he formulates economic propositions, must be assumed to claim this.) In fact, **in producing any proposition**, overtly or as an internal thought, **one demonstrates one’s preference for the willingness to rely on argumentative means in convincing oneself or others of something. There is** then, trivially enough, **no way of justifying anything unless it is a justification by means of propositional** exchanges and **arguments.** However, **then it must be considered the ultimate defeat for an ethical proposal if** one can demonstrate that **its content is logically incompatible with the** proponent’s **claim that its validity be ascertainable by argumentative means.** To demonstrate any such incompatibility would amount to an impossibility proof, and such proof would constitute the most deadly defeat possible in the realm of intellectual inquiry.

I contend that the privatization of handguns is consistent with the Private Property right of individuals., banning it is not.

First, individuals have a right to the ownership of their own property and the right to bear arms. **Celinska:** , Katarzyna. “Individualism And Collectivism In America: The Case Of Gun Ownership And Attitudes Toward Gun Control.” Sociological Perspectives. January 06, 2007. Web. December 07, 2015. <http://www.researchgate.net/profile/Katarzyna\_Celinska/publication/249983181\_Indivi dualism\_and\_Collectivism\_in\_America\_The\_Case\_of\_Gun\_Ownership\_and\_Attitudes\_ Toward\_Gun\_Control/links/54db7ea80cf2ba88a69027a8.pdf>.

This study examines whether the **widespread gun ownership in the United States** and prevailing positive attitudes toward gun control **represent** competing individualistic and collectivistic cultural traditions, respectively. **The importance of individualism is evident in the historical tradition of gun ownership in the United States**, the enduring profile of typical gun owners, and the subcultural behavior and values of some gun owners. On the other hand**, the tendencies to control widespread gun ownership and to rely on government to provide security can be viewed as expressions of collectivistic values.**

Second, the only time in US history a ban was implemented it was found unconstitutional. **Miller**:, Darreil AH. "Guns as Smut: Defending the Home-Bound Second Amendment." Columbia Law Review (2009): 1278-1356.

**Now that the Second Amendment had been stripped to its various components, the Court explained how** they worked together. The operative clause, **an individual right to keep and bear arms, preexisted—and is codified in—the Constitution. That right sounded in nature**, the ancient and **inalienable right of self-defense or self-preservation**.76 Self-defense lay at the core of the Second Amendment.77¶ This preexisting right to self-defense contemplates a kind of “citizens’” or “people’s militia,”78 of which all able bodied individuals permitted to possess arms are members. This people’s militia is necessary to the security of a free state, because the Framers were conscious of England’s history of using sectarian militias and standing armies as tools of govern- ment oppression.79 **Individuals,** therefore, **possess a personal right to bear arms in their homes. Such a right is necessary because disarmament of some or all of the people would leave individuals at the mercy of tyrannical government or common criminals.**

1. Justification and Legitimacy. A. John Simmons. Ethics, Vol. 109, No. 4 (July 1999), pp. 739-771 [↑](#footnote-ref-1)
2. John Locke. “Two treatise`s of Government” [↑](#footnote-ref-2)
3. Hoppe, H. -H. (1993). On the Ultimate Justification of the Ethics of Private Property. In The Economics and Ethics of Private Property: Studies in Political Economy and Philosophy. Boston: Kluwer Academic Publishers. https://mises.org/books/economicsethics.pdf [↑](#footnote-ref-3)