

# It is unconstitutional to require and/or issue a “permit” to carry a concealed weapon!

**Question: Generally, does a Citizen need a “Permit” or a “License” to exercise a constitutionally protected, secured and guaranteed Right?**

First consider the definitions of the words: “Permit” and “License” found in Black’s Law Dictionary, Sixth Edition, which states, in part for each word, the following:

**Permit: In general, any document which grants a person the right to do something. A license or grant of authority to do a thing. ... A written license or warrant, issued by a person in authority, empowering the grantee to do some act not forbidden by law, but not allowable without authority.**

**License: The permission by competent authority to do an act which, without such permission, would be illegal, a trespass, a tort, or otherwise not allowable. ... A license is not a contract between the state and the licensee, but is a mere personal permit.**

**Therefore**, when someone applies to government for a “permit” or “license”, he or she is saying that they wish to do something that is unlawful or illegal and to do something that cannot be done without government’s permission. This request admits that the government, as licensor, has authority or jurisdiction over the person, as licensee, and over the subject of the application. Further, the licensee waives their constitutional protections; admits that they will follow all of the statutes, codes, regulations, rules, etc., that exist, and those that will be created in the future, with respect to the requested “permit” or “license”; and that if they are cited for a violation of the said statutes, codes, etc., they are guilty unless they can prove either they did not do that which they are accused of doing, or the citation contains one or more substantive errors. This is not a right, but rather a privilege given by those in government. What the government gives, the government can take away!

But, if a natural person has a constitutionally secured, protected and guaranty right, he or she does not need government’s permission to exercise that right and government is prohibited from creating any restrictions on the lawful exercise of that right by a free Citizen. The exercise of a right cannot be converted into a crime. Further, if a natural person is tricked into applying for, or accepting a “permit” or “license” concerning a God given and/or constitutionally protected right, those involved in the trickery commit, at a minimum, fraud.

The Black’s Law Dictionary definition for the word “**Fraud**” is, in part: “An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. A false representation of a matter of fact, whether by words or conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury. Anything calculated to deceive, whether by a single act or combination, or by suppression of truth, or suggestion of what is false, whether it be by direct falsehood or innuendo, by speech or silence, word of mouth, or look or gesture.”

So, for example, requiring a Citizen of Pennsylvania to obtain a “permit” to carry a gun concealed is prohibited by Article I, Section 21, **Right to Bear Arms**, of the “Declaration of Rights” in the Constitution of the Commonwealth of Pennsylvania. This Section states: “**The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.**” This means exactly what it says and needs no additional interpretation and/or “construction”. Further, Article I, Section 25, **Reservation of Powers in People**, of the Pennsylvania Constitution states: “**To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.**” (See Erdman v. Mitchell, 207 Pa. 79, 80, 91 & 92 (1903))

**Therefore**, passing such an alleged “gun control law” at any level of government is unconstitutional and those involved in this prohibited activity have committed and/or are committing multiple serious crimes and have violated and/or are violating their solemn constitutional “oath of office”.

It is the constitutional duty and responsibility of all those in government to read, study, understand and always strictly “support, obey and defend the Constitution of the United State and the Constitution of this Commonwealth ....” **Please perform your official duties and responsibilities with fidelity at all times!**