It would seem that the lawyer-Rulers of the Supreme Court are at it again. Today, the Court hands down a decision that threatens American democracy. So contorted and flexible is the majority opinion that one wonders whether the Court today offers a lesson in Yoga rather than an interpretation of a clearly unconstitutional statute. I dissent.

I will be brief in my befuddlement, but my brevity herein is inversely proportional to the gravity of the mistaken hoopdie-doodle that the majority offers. I need not reiterate the jurisprudence we navigated in *Heller*, which offered an explanation of the Framers' intent that today's opinion dismisses—although the Court contends that *Heller* remains untouched. Instead, I speak from the bench in large part as a concerned citizen, as powerless as the next to check the whims of the five lawyer-Rulers who have taken it upon themselves to re-write the Constitution.

In its piecemeal interpretation of the Second Amendment, the majority confers upon itself an especial wisdom that even the most brazen of American statesmen were too humble to assume. The Court has deconstructed the Amendment, removed the force of its component parts to de-fang the affirmative rights it comprises, and reassembled it in an unrecognizable way. The result is a Mr. Potatohead Amendment with lips in the eye sockets and the collective feet in the mouth.

The majority has stripped the individual of his right to possess a lawfully acquired firearm under the pretense that he cannot keep the firearm without the concomitant right—as the Court would have it—to bear that firearm in the service of a well-regulated militia. The majority insists that two discrete and distinct phrases, "to keep" and "to bear" are but one phrase, denying the obvious fact that they are two—one and one is one, they say. The Court has reimagined Mr. Potatohead as having one foot and not two that are simply attached and working, often, in concert.

Most shockingly, the majority lawyer-Rulers have decided that the right to bear arms is a collective one, observing that an individual alone cannot serve as a well-regulated militia. While true, the assertion is also *reductio ad absurdum*. The strength of a militia is moot without the individuals responsible for discharging the weapons that are the basis for the militia's force. One finger cannot pull the trigger of every gun. One might say that the triggery-pokery of the majority defies reality and the laws of physics. Nevertheless, it is now the jurisprudence of this Court and the law of the land.

The result of today's decision is incomprehensible incoherence. In adopting its newfangled and tortured rationale, the Yogis of the Supreme Court have dismissed the intellect of all those who came before, not least the Founders of this nation. First, in asserting a right to engage in "interest-balancing," the Court has once again fallen into the trap of weighing Constitutional rights against each other, a folly that Justice Breyer committed in his dissent in *Heller*. But the Founders enshrined Constitutional rights without respect to what future legislatures or judges might find overbroad. We should not now second-guess the Founders because of the evolution of the mores, not of the country itself, but of the five lawyer-Rulers joining the majority today.

Second, the five lawyer-Rulers inveigh against tired, straw men arguments about the evils that are sure to visit this nation absent their wise ruling. I seek to remind my colleagues that our job is to honor the sanctity of the Constitution and not to offer sanctimonious rationales for erasing the rights of Americans. Surely the majority rules with thoughts of mass shootings, the possession of firearms by felons and the mentally ill, and countless other real and imagined evils in the backs of their minds. These considerations are the province of the Congress, not of five lawyer-Rulers.

Finally, I fear that the majority further erodes the reputation of this body. I do not doubt that the decision handed down today is not long for this world. The rights of the people, the Second Amendment so clearly states, shall not be infringed. The specter of this ruling will likely visit more horrors upon the reputation of this Court for sober analysis before it changes the relationships that Americans have with their firearms. It very well could be that the majority has loosed a great bear upon American politics, and time will show that the wisdom that the majority purports to offer here is, in fact, something else entirely.

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