



Classical Rick

V.

Republic of Krameria

Case No.
SC/

Majority Opinion delivered by Justice Chloe Harris-Kite;

1. On the matter of whether the National Firearm Control and Public Safety Act falls within the enumerated powers of Congress under Article 27, or whether such authority is reserved to the States or the people under Article 12 of the Constitution

This case presents the question whether the National Firearm Control and Public Safety Act falls within the enumerated powers of Congress under Article 27, or whether it violates constitutional limitations, including those arising under Article 12 and Article 47.

A majority of the Court agrees that the Act is unconstitutional and cannot be sustained. Two Justices conclude that the Act exceeds the enumerated powers of Congress by regulating matters reserved to the States or the people, particularly insofar as it governs purely intrastate possession and use of firearms without a sufficient nexus to interstate commerce under Article 27 and in light of Article 12. Two Justices reach the same result on separate grounds, concluding that the Act impermissibly infringes the constitutional protection of property under Article 47 by subjecting lawful possession to pervasive and discretionary governmental control.

While a majority of the Court agrees that the Act must be invalidated, the Court is unable to command a single, unified rationale explaining that conclusion. The Justices concurring in the judgment do so on distinct constitutional grounds that do not fully overlap. Accordingly, no single opinion of the Court represents the reasoning of a majority.

Nonetheless, the judgment of the Court is clear. Because a majority of the Justices conclude that the National Firearm Control and Public Safety Act is unconstitutional, it cannot stand.

2. Conclusion

The National Firearm Control and Public Safety Act is declared unconstitutional and without legal effect. Enforcement of the Act is permanently enjoined, and all actions taken pursuant to it are null and void.

Yeetus Miraslav Bonaparte Hersey Von Klue

Associate Justice

Joins

Chloe Harris-Kite

Associate Justice

Authored

Ben

Chief Justice

Dissents

Mace Windu

Associate Justice

Dissents

Foog Foog

Associate Justice

Joins

Sempronius Hersey

Associate Justice

Joins

Dissenting opinion by Ben:

by Chief Judge Ben

I believe that my colleagues in the majority err in unnecessarily restricting the abilities of Congress. The **National Firearm Control and Public Safety Act** is not repugnant on its face: it does not violate rights guaranteed by **The Constitution of the Republic of Krameria** and is affirmatively within the powers granted to Congress.

Unlike the United States, the Constitution of Krameria does not guarantee the right to possess firearms, nor is it sufficiently analogous to currently accepted rights nor appear to be a natural right of the people.

Article 27(d) permits the legislature to regulate interstate commerce, and firearms are by their nature an interstate matter. No state would be able to adequately regulate firearms due to the ease of such crossing state borders.

Two of my colleagues arguing against this interpretation such draw an arbitrary and vague distinction between guns and military weapons that is not based on the text. They take too narrow a view of interstate commerce.

Two of my colleagues misunderstand "lawful possession", as anything against statute is not lawful by definition, and effectively legislate from the bench that property rights wholly override congressional regulation of any property under Article 27(e). They fail to consider the wide reaching implications this would have when future litigants cite them, and legislate from the bench.

My colleagues hand wave away the importance of Article 27(i) allowing Congress to regulate the armed forces. This must give the federal government the ability to restrict the degree to which citizens may be armed, lest a rebellion be more armed than the federal military. Such is not possible if the states can effectively override such with their own legislation on firearms.

In striking down the National Firearm Control and Public Safety Act, the majority overextends the power of this court at the same time as they limit the power of the legislature. For this reason, I dissent.

Dissenting opinion by Mace Windu, joined by Ben

 Dissent – Classical Rick v. Krameria