

Separation of powers

MOHELA is fully capable of representing its own interests, and always has done so before.

The injury to MOHELA thus does not entitle Missouri — under our normal standing rules— to go to court.

And those normal rules are more than just rules: They are, as this case shows, guarantors of our constitutional order. The requirement that the proper party — the party actually affected— challenge an action ensures that courts do not overstep their proper bounds.

Elena Kagan, dissent in *Biden v. Nebraska, et. al.*