

Separation of powers

Our third-party standing rules ... exist to separate powers in that way — to send political issues to political institutions, and retain only legal controversies, brought by plaintiffs who have suffered real legal injury.

If MOHELA had brought this suit, we would have had to resolve it, however hot or divisive.

But Missouri?

In adjudicating Missouri's claim, the majority reaches out to decide a matter it has no business deciding.

It blows through a constitutional guardrail intended to keep courts acting like courts.

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