

Supreme Court Rules that "Bullets Are Speech"

© 2014, 2020 Philip Heckman

In a long-awaited decision on the rights of gun owners, the U.S. Supreme Court announced today that ammunition is a legitimate vehicle for the expression of personal point of view and, as such, its use is protected speech under the First Amendment to the U.S. Constitution.

The Court ruled 6-3 that there can be no restraint on personal commentary in the form of cylindrical metal pellets able to travel hundreds of feet per second to induce a change of heart with persuasive finality.

Chief Justice John G. Roberts, Jr., author of the majority opinion, proclaimed, "It's obvious that bullets are just another form of communication. The truth is that bullets don't kill people; bullets merely inform people that they have been killed."



The Supreme Court's action represents a resounding reversal of the Ninth Circuit Court of Appeals' determination in *Whimper v. Whine* that First Amendment protection was limited to facsimile pistols that produce a plastic flag or cartoon talk bubble displaying the word "BANG!"

Both sides in the final judicial debate took immediate pains to defend their positions.

Representing the crucial swing vote, Associate Justice Brett M. Kavanaugh stressed the reasoning that led him to tip the scales in favor of overriding the lower court's decision. He declared that a metal tube capable of expelling purposeful content by means of the explosive force of a propellant is the functional equivalent of a human windpipe capable of expelling symbolic vocalizations by means of the explosive force of breath.

Proponents of unfettered access to firearms were quick to praise the Court's conclusions. National Rifle Association CEO Wayne LaPierre was among the first to respond, saying, "The Supremes got it right. Bullets carry an unequivocal message, and as we all know, it is the height of tyranny to shoot the messenger, or in this case, forbid the shooting of, you know, the bearer of urgent lead-alloy tidings."

As aides led him away, the NRA head brandished a fully loaded Colt .45 that he calls "The Ultimate Rebuttal" while shouting the familiar adage that "the only thing that stops a bad guy with an argument is a good guy with bullet points."

At least one member of the majority felt that the official decision didn't go far enough. In a concurring opinion, Associate Justice Clarence Thomas wrote of his disappointment that the ruling did not also explicitly include gun accessories known as suppressors, or silencers, comparing their effect to the anonymity triggered by a fusillade of campaign donations. "*Citizens United v. Federal Election Commission* extolled the freedom to ejaculate cash without identifying yourself to everyone within earshot. From there it would be just a hop, skip, and a jump to affirm that the ability to discharge a firearm sotto voce is the hallmark of the highest caliber of speech."



Opponents on the bench put up feeble resistance. A visibly jumpy Associate Justice Elena Kagan said, "Government has a fundamental interest in setting limits on excessively forceful speech. For example, I think it's perfectly reasonable for the State to say that you cannot open fire in a crowded theatre."

"Clearly Justice Kagan has never suffered through the self-indulgent cinematic blather of Michael Moore or Whoopi Goldberg," retorted Associate Justice Neil M. Gorsuch. Echoing LaPierre, Justice Gorsuch asserted, "Sometimes the only response to the projectile emesis known as liberalism is the penetrating voice — and copper-jacketed stylings — of the lovely SIG Sauer."

Finally, speaking furtively to a dispersing group of journalists, Associate Justice Sonia Sotomayor decried the Court majority's enthusiastic endorsement of gun proliferation. In an impassioned but largely ignored dissent, she said, "I find it distressing that Congress and the states are unable to find an acceptable compromise on gun control. In their love affair with guns, owners seem to demand ever more extensive public displays of affection. You would think by now that they had more than enough ways to say '*Te ammo!*' "