

# After Minneapolis AR-15 Shootings, Legal Scholar Calls for Reexamination of Supreme Court Gun Jurisprudence

WASHINGTON, DC, UNITED STATES, August 29, 2025 /EINPresswire.com/ -- In response to recent mass shootings involving AR-15 rifles—including two incidents in Minneapolis this week and another in Manhattan—constitutional law scholar Robert W. Ludwig is calling for a reassessment of the Supreme Court's Second Amendment jurisprudence, particularly its 2008 decision in

District of Columbia v. Heller. That landmark ruling recognized, for the first time, an individual right to possess firearms.

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We add to the ever-growing chorus of courts that have implored the High Court to...reconsider its path entirely. Our Nation is gripped by deadly gun violence our founders never could have conceived.”

*Barris v. Stroud Twp. (Pa. Supreme Ct. 2024)*

The shootings, two reportedly committed by individuals with a grievance and no criminal history, using legally obtained AR-15s, have reignited debate over the scope of constitutional protections for assault-style weapons. Minneapolis Police Chief Brian O'Hara described the ballistic impact as "sickening and unacceptable," underscoring the public safety implications of high-capacity firearms.

Unbeknownst to most Americans is how close the Supreme Court stands to allowing assault rifles nationwide. In June, the Court deferred review of bans on AR-15s and large capacity magazines, pending further rulings below. In a separate unanimous decision, the Court acknowledged AR-15s as the nation's "most popular rifle," a designation that may satisfy Heller's "common use" standard—a key criterion for constitutional protection.

In a new article, Ludwig discusses how fraught AR-15 issues may force a reckoning with Heller, whose reasoning lower courts and scholars have increasingly questioned, including even pro-gun scholars as to military-style weapons. His article, "[Court Pauses Joyriding with AR-15s](#), as Reality Catches Up to Coherent Nonsense," suggests a course correction, not just by the Court, but both sides of the gun debate.

Developments on the Court itself suggest growing tensions over Heller's framework, including Justice Amy Coney Barrett's pointed inquiry at oral argument in a 2022 case—"Do you think Heller was rightly decided?"—and her critique in a 2024 gun decision of the tendency to

substitute “history and tradition” for legal principle.

The article shows how that tendency resulted in *Heller*. Ludwig cites key reasoning that the Second Amendment derives from the arms provision of the 1689 English Bill of Rights that *Heller* held was “clearly an individual right,” relying on historical conjecture without construing it. Applying legal construction for the first time, Ludwig demonstrates it was rooted in disputes over war powers and legislative right over militia—not personal self-defense.

Construing the Second Amendment, Ludwig shows it likewise was born of a war powers dispute that secured the States’ right to arm their militia. *Heller* departed from this long understanding by substituting historical conjecture for construction, transforming a centuries-old state protection into an unregulatable personal right.

For those committed to curbing gun violence, Ludwig’s work provides a strategic change: a rigorous legal argument for overturning *Heller* in the Court’s upcoming term. Showing *Heller* “was gravely wrong the day it was decided,” as Chief Justice John Roberts said of another historic blunder, his analysis offers clarity and urgency at a time when the nation is desperate for solutions.

The [full article is available here](#).

For further information, visit [www.AmericanEnlightenmentProject.org](http://www.AmericanEnlightenmentProject.org).

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