

Layla Wofsy  
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*Gonzales v. Raich (2005)*

Circumstances that triggered dispute

In 1996, California passed a law legalizing marijuana for medical purposes. However, in 1970, Congress passed the Controlled Substances Act (CSA), preventing the sale, purchase, and possession of certain drugs in the U.S. Angel Raich and Diane Monson were California residents who both legally used marijuana for medicinal reasons. Despite receiving approval from California state officials, federal agents found a violation of the CSA and seized and destroyed their marijuana plants. Raich sued the Attorney General of the U.S, Alberto Gonzales. The court of appeals ruled that the CSA was an invalid exercise of Congress's power under the Commerce Clause. Gonzales appealed to the U.S Supreme Court. Raich and others sued Gonzales and the head of the U.S. Drug Enforcement Administration to enjoin enforcement of the law for those using marijuana for medical purposes.

Statute or action that triggered dispute

The statute that triggered the dispute was the Controlled Substances Act (CSA) which established a legal framework to regulate certain drugs that pose a risk of abuse and dependence, which included marijuana.

Provision of the Constitution

The provision of the Constitution relevant to this case is The Commerce Clause which is in Article 1, Section 8, Clause 3 of the U.S. Constitution. This allowed Congress to regulate activity within a state if the activity has a substantial economic effect on interstate commerce.

Basic legal question

Does the CSA exceed Congress' power under the Commerce Clause as applied to the intrastate growing and possession of marijuana for medicinal use?

Outcome of dispute

In a 6-3 decision, the Court held that the Commerce Clause gives Congress authority to prohibit the local cultivation and use of marijuana, despite what California state law says. They ruled that Congress has the power to regulate activity that substantially impacts interstate commerce which includes the use of marijuana..

Reasoning

Justice Stevens argued that precedent established Congress' commerce clause power to regulate purely local activities that are part of a "class of activities" with a substantial effect on interstate commerce. Congress is allowed to regulate production and use of home-grown marijuana because the activity could have a substantial economic effect on interstate commerce.

Legal, doctrine standards, or policy

This case represents the broad view of the power that is given to Congress's in the Commerce Clause.

### Other views

Justice Scalia concurs with the result, but differs with the reasoning. He argues that Congress may regulate non-economic intrastate activity only where the failure to do so could “undercut” its regulation of interstate commerce. Justice O’Connor dissents and defends federalism as an example of “laboratories of democracy” and argues that Calidorinia should be allowed to experiment with medical marijuana. She also writes that the Court’s definition of economic activity is too broad.

### Works Cited

Gonzales v. Raich, 545 U.S. 1 (2005)

"Gonzales v. Raich." Oyez, [www.oyez.org/cases/2004/03-1454](http://www.oyez.org/cases/2004/03-1454). Accessed 30 Nov. 2021.