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U.S. v. Lopez (1995)

Circumstances that triggered dispute

Alfonzo Lopez carried a concealed weapon into his San Antonio, Texas high school. He was charged under Texas law with firearm possession on school premises. The next day, the state charges were dismissed after federal agents charged Lopez with violating the Gun-Free School Zones Act of 1990. He was convicted but challenged the constitutionality of the law. The Fifth Circuit ruled in Lopez's favor that Congress lacked conditional authority.

Statute or action that triggered dispute

The statute that triggered the dispute is the Gun-Free School Zones Act of 1990.

Provision of the Constitution

The provision of the Constitution relevant to this case is the Commerce Clause, Article 1, Sec 8, Clause 3.

Basic legal question

Did the Gun-Free School Zones Act exceed Congress' power to regulate under the Commerce Clause jurisdiction?

Outcome of dispute

In a 5-4 decision, the Court argued that the Act violated the Commerce Clause and exceeded the powers of Congress.

Reasoning

The 1990 Gun-Free School Zones Act was unconstitutional because it was beyond the power of Congress under the Commerce Clause. The Court ruled that The Act neither regulates commercial activity nor relates to interstate commerce. Therefore, it could not be sustained as a regulation of activity arising out of or connected with commercial transactions. The Act is a criminal statute that has nothing to do with commerce or economic activity at all.

Legal, doctrine standards, or policy

Chief Justice Rehnquist established three categories permitting regulation under the Commerce Clause; 1) Use and channels of interstate commerce, 2) Instrumentalities of interstate commerce, even if activities are solely intrastate, 3) Activities that have a substantial relation to interstate commerce. The third category is the issue that The Court was tasked with determining in this case. Additionally, Congress eventually included an "interstate commerce" clause in the Act.

Other views

Justices Kennedy and O'Connor concurred that the limits should focus on this specific case and only the question at hand. Bryer writes as dissent and is joined by Ginsburg, Souter and Stevens. They look at the use of the word "significantly" rather than "substantially". They also argue that one should not look to individual acts, but cumulative impact of all similar instances. Lastly, they

said that The Court should not look at whether it significantly impacts interstate commerce, but look at if Congress had a rational basis for concluding that.

Works Cited

U.S. v. Lopez, 514 U.S. How. 549 (1995).

"United States v. Lopez." Oyez, www.oyez.org/cases/1994/93-1260. Accessed 30 Nov. 2021.