

Case Study: State Government vs. National Government Dispute

In 1990, Congress passed the Gun-Free School Zones Act, which made it a federal offense to possess a firearm within 1,000 feet of any school in the United States. Congress acted under the authority vested in it by the Constitution's Commerce Clause (Article I, Section 8, Clause 3). Under this clause, “[*The Congress shall have Power...] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes*”.



Alfonzo Lopez, a high school student in San Antonio, Texas, was arrested and charged with violating the Gun-Free School Zones Act after he brought a handgun to his school.

Lopez sued in federal court, asking whether the national government could regulate possession of firearms near schools under the Commerce Clause. Lopez argued that the national government did not have the authority to regulate possession of firearms near schools because it was a matter traditionally handled by the states under the Tenth Amendment, and that such regulation did not have a substantial impact on interstate commerce. Filing as a “friend of the court,” the state of Texas agreed, and supported Lopez's position, asserting that regulating firearms near schools was a matter of state concern and not within the powers of the national government.

At the district court level, the trial judge ruled in favor of the United States, saying that the Act was “a constitutional exercise of Congress' well defined power to regulate activities in and affecting commerce, and the 'business' of elementary, middle and high schools...affects interstate commerce.” Lopez appealed and the U.S. Supreme Court agreed to hear his case.

In a 5-4 decision, the Court held that the Gun-Free School Zones Act exceeded Congress's authority under the Commerce Clause. The Court's decision emphasized the importance of federalism and the limits on federal power, reaffirming that certain matters, traditionally within the realm of state authority, should not be federalized unless there is a clear connection to interstate commerce.



United States v. Lopez (1995) is significant because it reaffirmed the principles of federalism by setting limits on Congress's authority to regulate activities traditionally controlled by the states. It demonstrated that federalism acts as a system of checks and balances, ensuring that state governments retain certain powers and responsibilities, and balancing the power of the national government and the states.