



United States v Lopez (1995): Lesson Plan

Topic	
<p>In the <i>United States v Lopez</i> (1995), the Court read Congress' power to regulate interstate commerce narrowly and struck down the constitutionality of the Gun-Free Schools Act of 1990. This decision ended a sixty-year run of the Commerce Clause being read broadly for the federal government.</p>	
Possible subjects/classes	Time needed
<ul style="list-style-type: none"> • Civics • History • Social Studies 	30-45 mins
Video link:	
https://academy4sc.org/video/united-states-v-lopez-1995/	
Objective: <i>What will students know/be able to do at the end of class?</i>	
<p>By the end of this lesson, students will be able to:</p> <ul style="list-style-type: none"> • Explain the commerce power and who it applies to • Define the Gun-Free Schools Act • Explain the three categories which the Court used to rule the Gun-Free Schools Act unconstitutional 	
Key Concepts & Vocabulary	
New Deal, James Madison, The Federalist Papers, Federalism	
Materials Needed	
Internet Access for research in the Activity Ideas section	
Before you watch	
Think, Pair, Share	
<p>What are some activities that you think might qualify as interstate commerce? Think to yourself, then share with a partner or multiple partners if time permits.</p>	

While you watch

Answer the questions on the worksheet.

After you watch/discussion questions

1. Where in the Constitution do you think the Court could have found reasoning for the Gun-Free Schools Act other than the Commerce Clause?
2. Why do you think the Court did not follow the *Lopez* precedent in *Gonzales v Raich*?
3. Today school shootings are a major problem in America. What constitutional legislation do you think could be passed to help tamp down on the number of school shootings in the United States?

Activity Ideas

- Debate: Have students break up into three groups randomly: Pro-Gun-Free Schools Act, Anti-Gun-Free Schools Act, and the Supreme Court. Have both sides give arguments and then give the Court the time to decide which they find more convincing. Make sure the Court is made up of an odd number.
- Research the Drug-Free School Zones. Are they implemented by the federal government or by the states? Have they been successful? How are they different from the Gun-Free Schools Act?

Sources/places to learn more

1. Gillman, Howard. American Constitutionalism, Second Edition. Volume I Structures of Government. [Virtual Source Bookshelf].
2. "United States v. Lopez." Oyez, www.oyez.org/cases/1994/93-1260.
3. "United States v. Lopez (1995)" *Bill of Rights Institute*, <https://billofrightsinstitute.org/educate/educator-resources/lessons-plans/land-mark-supreme-court-cases-lessons/us-v-lopez-1995/>