When Rules Collide

Read a legal conflict through the Supremacy Clause.

USG.C.3.4.E "Explain how the Supremacy Clause (Article VI, Clause 2) establishes the Constitution of the United States of America and federal laws or treaties as the "supreme Law of the Land.""

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the three kinds of national authority that Article VI places above conflicting state rules. Circle the two state actions in the passage that clash with a national rule.

Which Rule Must the Judge Follow?

1. Pretend a state judge hears a dispute about rules for a busy train station. The judge cannot decide by asking which government seems more important. Article VI, Clause 2 of the Constitution gives a legal order of priority: the Constitution, federal laws made in accordance with it, and treaties made under United States authority are the "supreme Law of the Land." State judges must follow that rule even when a state constitution or state law points the other way. This is called the Supremacy Clause. It matters when two applicable rules conflict, not merely because both governments regulate the same subject.

2. Consider a fictional dispute over packaged snacks shipped across state lines. A valid federal law requires a clear peanut warning on every package containing peanuts. A state law, however, forbids stores from displaying packages with any peanut warning. A store selling peanut snacks in that state cannot obey both rules at once. The state judge must give effect to the federal requirement rather than enforce the conflicting state ban. The judge is not declaring every state rule about food invalid. A state rule requiring clean store shelves, for example, could still operate because it does not prevent the federal warning.

3. Treaties can raise the same issue. Imagine a treaty made under United States authority that is enforceable in U.S. courts and prohibits hunting silver herons. A state issues permits to hunt those birds. A hunter cannot rely on the state permit to escape the treaty's prohibition. Still, Article VI does not turn every local decision into a federal matter. Suppose a town sets bicycle parking rules and no applicable federal law or treaty conflicts with them. Those local rules can continue to apply. The key questions are whether a valid federal rule applies and whether a state or local rule clashes with it.

2 ANSWER WITH EVIDENCE

Use the passage

1. If a state constitution conflicts with a federal law made in accordance with the U.S. Constitution, which must a state judge follow? Explain using Article VI.

2. Why can the state ban on peanut warnings not control the snack dispute, while the clean-shelves rule can still apply?

3. Why would a state hunting permit not protect someone who hunts a silver heron in the passage's example?

4. Why does the Supremacy Clause not stop the town from applying its bicycle parking rules?

3 YOUR TURN

Your own words

Invent a new situation in which a valid federal law and a state law give opposite instructions. In three sentences, describe the conflict, explain which rule a state judge must follow, and connect the decision to Article VI.

ANSWER KEY

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HIGH SCHOOL · USG.C.3.4.E

PART 1 · READ AND MARK

Underline the three kinds of national authority that Article VI places above conflicting state rules. Circle the two state actions in the passage that clash with a national rule. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	If a state constitution conflicts with a federal law made in accordance with the U.S. Constitution, which must a state judge follow? Explain using Article VI.	**The judge must follow the federal law. Article VI makes such laws the supreme law of the land, binding state judges despite a conflicting state constitution.**
2	Why can the state ban on peanut warnings not control the snack dispute, while the clean-shelves rule can still apply?	**The ban prevents stores from following the valid federal warning requirement, so the federal law controls. Clean shelves do not interfere with that requirement.**
3	Why would a state hunting permit not protect someone who hunts a silver heron in the passage's example?	**The enforceable treaty prohibits hunting silver herons. Under Article VI, a conflicting state permit cannot override that treaty.**
4	Why does the Supremacy Clause not stop the town from applying its bicycle parking rules?	**No applicable federal law or treaty conflicts with the parking rules, so there is no conflicting national rule to take priority.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

A valid federal law requires emergency exit signs on trains that cross state lines, but a state law forbids those signs. A state judge must follow the federal requirement rather than enforce the state ban because the trains cannot obey both rules. Article VI makes federal laws enacted in accordance with the Constitution supreme over conflicting state laws.

Accept other plausible conflicts if the student identifies an applicable, valid federal law and explains why it takes priority over the conflicting state rule. For the marking job, look for the Constitution, qualifying federal laws, and treaties underlined, with the state warning ban and hunting permits circled.