



# Supreme Opinion on the Supremacy Clause

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Anyone interested in constitutional law or the subject of federal preemption of state law should read the Supreme Court's recent opinion in *Armstrong v. Exceptional Child Center, Inc.*, No. 14-15. The Court held, in an opinion authored by Justice Scalia, that the Constitution's Supremacy Clause, Art. VI, cl.2, "creates a rule of decision" -- courts "must not give effect to state laws that conflict with federal laws" -- but "certainly does not create a cause of action." The Supremacy Clause "instructs courts what to do when state and federal law clash, but is silent regarding who may enforce federal laws in court, and in what circumstances they may do so." In other words, the Supremacy Clause itself does not create a private right of action, even when state law conflicts with federal law.