Record Nr. UNINA9910157410403321 Autore Chemerinsky Erwin Titolo Closing the Courthouse Door: How Your Constitutional Rights Became Unenforceable / / Erwin Chemerinsky Pubbl/distr/stampa New Haven, CT:,: Yale University Press,, [2017] ©2017 **ISBN** 0-300-21158-9 0-300-22490-7 Descrizione fisica 1 online resource (275 pages) Disciplina 347.7326 Constitutional law - United States Soggetti **United States** Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Includes index. Nota di contenuto Frontmatter -- Contents -- Preface -- One. Why Do We Have Federal Courts? -- Two. Suing the Government: The King Can Do Wrong --Three. Suing Government Officers -- Four. An Alleged Constitutional Violation Always Should Be Adjudicated -- Five. The Great Writ: How Habeas Corpus Has Been Suspended -- Six. Opening the Federal Courthouse Doors -- Seven. Enforcing the Constitution -- Notes --Acknowledgments -- Index A leading legal scholar explores how the constitutional right to seek Sommario/riassunto justice has been restricted by the Supreme Court The Supreme Court's decisions on constitutional rights are well known and much talked about. But individuals who want to defend those rights need something else as well: access to courts that can rule on their complaints. And on matters of access, the Court's record over the past generation has been almost uniformly hostile to the enforcement of individual citizens' constitutional rights. The Court has restricted who has standing to sue, expanded the immunity of governments and government workers, limited the kinds of cases the federal courts can hear, and restricted the right of habeas corpus. Closing the Courthouse Door, by the

> distinguished legal scholar Erwin Chemerinsky, is the first book to show the effect of these decisions: taken together, they add up to a

growing limitation on citizens' ability to defend their rights under the Constitution. Using many stories of people whose rights have been trampled yet who had no legal recourse, Chemerinsky argues that enforcing the Constitution should be the federal courts' primary purpose, and they should not be barred from considering any constitutional question.