



Spotlight On Justice



FERES DOCTRINE



Under the Supreme Court's "Feres Doctrine," active-duty service members and their families cannot sue the military, even for non-combat-related deaths like medical malpractice.

Many have called the doctrine unconstitutional since its inception 57 years ago. Among the most significant opponents, Supreme Court Justice Antonin Scalia, who wrote in a 1987 dissent that "Feres was wrongly decided, and heartily deserves the 'widespread, almost universal criticism' it has received."

Source:
United States v. Johnson, 481 U.S. 681, 700 (1987).

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