Young [1316] is a seminal case in American constitutional law because it created a fiction by which the validity of state statutes and other actions could be challenged by suits against state officers as individuals.[1317]

Conflict between federal and state courts is inevitable when the federal courts are open to persons complaining about unconstitutional or unlawful state action which could as well be brought in the state courts and perhaps is so brought by other persons, but the various rules of restraint flowing from the concept of comity reduce federal interference here some considerable degree. It is rather in three fairly well defined areas that institutional conflict is most pronounced.

Federal Restraint of State Courts by Injunctions.—Even where the federal anti-injunction law is inapplicable, or where the question of application is not reached,[1318] those seeking to enjoin state court proceedings must overcome twin prudential barriers, the abstention doctrine [1319] and the equity doctrine that suits in equity "shall not be sustained in . . . the courts of the United States, in any case where plain, adequate and complete remedy may be had at law." [1320] The application of this latter principle has been most pronounced in the reluctance of federal courts to interfere with a state's good faith enforcement of its criminal law. Here, the Court at times has required a litigant seeking to bar threatened state prosecution to show not only the prospect of great, immediate, and irreparable injury, but also an inability to defend his constitutional rights in the state proceeding. Certain types of injury, such as the cost, anxiety, and inconvenience of having to defend against a single criminal prosecution, have been insufficient to be considered irreparable in this sense. Even if a state criminal statute *is* unconstitutional, a person charged under it usually had an adequate remedy

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[1316] 209 U.S. 123 (1908).

[1317] The fiction is that while the official is a state actor for purposes of suit against him, the claim that his action is unconstitutional removes the imprimatur of the state that would shield him under the Eleventh Amendment. 209 U.S. at 159–60.

[1318] 28 U.S.C. § 2283 may be inapplicable because no state court proceeding is pending or because the action is brought under 42 U.S.C. § 1983. Its application may never be reached because a court may decide that equitable principles do not justify injunctive relief. Younger v. Harris, 401 U.S. 37, 54 (1971).

[1319] *See* "Abstention," supra.

[1320] The quoted phrase setting out the general principle is from the Judiciary Act of 1789, § 16, 1 Stat. 82.