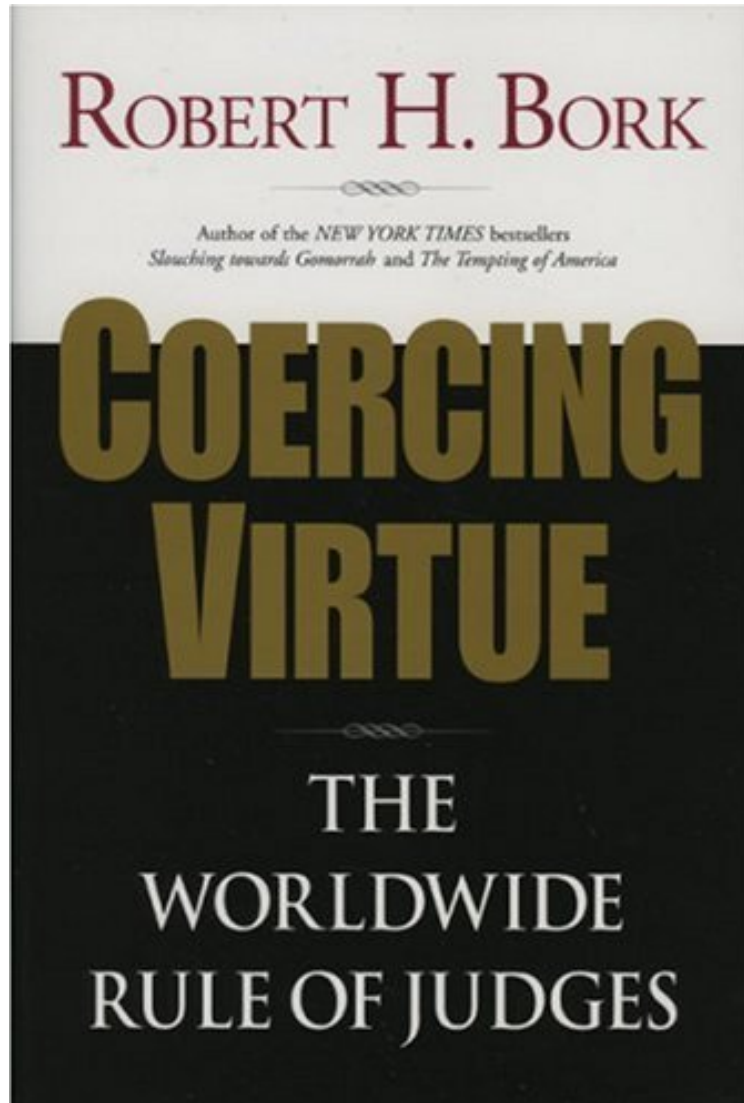


[Download free pdf] Coercing Virtue: The Worldwide Rule of Judges

## Coercing Virtue: The Worldwide Rule of Judges

Robert H. Bork

ePub | \*DOC | audiobook | ebooks | Download PDF



DOWNLOAD



READ ONLINE

#621701 in Books 2003-01-01 Original language: English PDF # 1 9.24 x .70 x 6.44l, .89 #File Name: 0844741620176 pages | File size: 58.Mb

**Robert H. Bork : Coercing Virtue: The Worldwide Rule of Judges** before purchasing it in order to gage whether or not it would be worth my time, and all praised Coercing Virtue: The Worldwide Rule of Judges:

0 of 1 people found the following review helpful. Three Stars By Joseph W. Walker I was hoping to read some suggestions about overcoming wicked judges but NOT much in that respect :(5 of 7 people found the following review helpful. A little disappointing, but on whole a good book By Suppresst This book is sketchy on the details of the history of judicial activism, focusing more on recent outrages in the United States, Canada, and Israel. Furthermore, it is clear the publisher is indeed THE publishing arm of the think-tank Robert Bork is a fellow at. Clear because it contains

some arcane language and argumentation that only a person initiated into the higher echelons of the legal profession could hope to understand. A mass-market publisher would probably not let the arcane language remain. Therefore, those seeking a basic and introductory work into the phenomenon of judicial activism might wish to pass this volume by, for now. But for those seeking some red meat, or not afraid to start off in the deep end, this is a good book. Exactly what will you find in this book? A nice introduction and rough outline of the history of judicial activism, and then a satisfactorily thorough examination of judicial activism in the countries mentioned above, within the last thirty years. Also, Bork does a good job of explaining the rise of so-called "international constitutional common law". This last part (though it comes first in the book) is indispensable reading for any American concerned with preserving the American way of life and his own personal freedom. There you will read about an important international court that asserts that they have authority over you and every other human being on the planet. One final "word to the wise". This book, minus the notes and index is only 139 pages long. 5 of 7 people found the following review helpful. Dogmatic Ideology at its Best...or Worst By Avid Reader Whether or not one agrees with Robert Bork's opinions (I do as they are in the Goldwater libertarian vein) he has never been one to opine without an intellectual basis. The book uses a phrase that aptly describes the situation: lifestyle socialism. This is not legislating morality from the bench. Instead, it is forcing upon society, through judicial fiat, minority ideas that would never succeed in the proper law-making body (Congress). A long list comes to mind: Banning the Scouts, burning the flag, the war against religious references and symbols, abortion on demand, busing for enforced equality (an oxymoron), prisoner's rights (quote unquote), suing for lack of responsibility such as smoking or overeating. He explains persuasively that this did not occur overnight but was a result of several factors - the monolithic leftism of academia, the one-world view of the major media and how one case of activism encourages others. Bork also explains not only the decisions but also the motives behind these decisions. As he has written and stated, frequently these are not conscious decisions but instead are responses to an anticipated reaction. Judges, like all people, respond to praise and condemnation. They win accolades from society's elite - academia, NPR, CNN, Wash Post, Times, Hollywood - if they rule a certain way. They are also aware of the consequences of displeasing these groups. Once the Left realized its agenda would not advance in the legislature they turned to the courts. The scariest part, and one that he alludes to, is what happens when people draw the line, when they say "that's enough"? We always been a nation of laws but paradoxically the relentless assault from the bench by those who legislate rather than judge will ultimately lead to a reduction of their power. Israel and Canada, two examples in his book, are close to reaching that point. He is not optimistic but not a complete pessimist. The book is not weighty, an easy read for the knowledgeable layman.

In general, courts have been activist in opposing majority views on such matters as sexual practices, secularism versus religion, rights of speech and expression and feminism. This judicial activism appears to impinge on the legitimate domains of the executive and legislative branches of government and constitutes the judicialization of politics and morals. According to Bork, a number of courts tend to act in this activist fashion. As well, international tribunals appear to exceed their jurisdiction, posing a threat to national sovereignty just as the national courts threaten democratic government. This activism is more than a threat; Bork argues that both sovereignty and self-government have already been seriously damaged. Coercing Virtue attempts to account for the phenomenon of why so many courts in democratic nations behave in an imperialistic manner and why the results almost always appear to advance the liberal political and cultural agenda.

From Booklist It may not reach the best-seller lists, as the much bigger *Slouching towards Gomorrah* (1996) did, but this concentrated and cogent statement on the preeminent object of his concern--the state of the judiciary--may be Bork's most important book for nonspecialist readers. Throughout the world, Bork says, judges rather than legislators are making and repealing laws, and internationalizing law as they do. Getting to particulars, he discusses the U.S., Canadian, and Israeli supreme courts, adducing evidence of each deciding cases partisanly and ideologically rather than according to the letter and documented intent of constitutional law. Such judicial subjectiveness begins early--*Marbury v. Madison* (1803), which established the practice of judicial review, brazenly favored Chief Justice Marshall's Federalist Party against President Jefferson's Democratic Republican administration--but reaches its present peak in the Israeli court's self-appointment of new members and assumption that all behavior of whatever kind falls within its purview, regardless of whether any suits have been filed. Of course, what Bork finds alarming, others hail as liberating. Fine argument, though. Ray Olson Copyright American Library Association. All rights reserved About the Author Robert H. Bork is the author of *The Tempting of America: The Political Seduction of the Law* and *Slouching Towards Gomorrah: Modern Liberalism and American Decline*, and *The Antitrust Paradox: A Policy at War With Itself*. He served as Solicitor General and Acting Attorney General of the United States and was a U.S. Court of Appeals judge. Bork is a senior fellow at AEI. He and his wife live in McLean, Virginia.