



Coercing Virtue: The Worldwide Rule of Judges

Robert H. Bork

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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.

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