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Features

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Olympians on the march: the courts & the culture wars

by [Robert Bork](#)

On the “liberal transformation” of the judiciary in America.

[T]o be "reactionary" means nothing more than to believe that in some of its aspects, however secondary, the past was better than the present.

—Leszek Kolakowski

Everything has been said before, but since nobody listens we have to keep going back and beginning all over again.

—André Gide

Walter Bagehot said of the English constitution, "[I]n the full activity of an historical constitution, its subjects repeat phrases true in the time of their fathers, and inculcated by those fathers, but now no longer true." So it is with us. We are living with a vision of a Constitution that no longer exists. The reason is apparent. The Constitution, which is, for all practical purposes, the Supreme Court, follows the elite culture. Thus it is that the liberal transformation of the Constitution over the past fifty ...

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