Human Rights in Israel[1]

By Aharon Barak

Distinguished Guests,
Ladies and Gentlemen,

With great pleasure I have accepted the offer by my friend, Jeffrey Jowell, to hold this lecture today on the role of human rights within the State of Israel. I never had the pleasure of meeting Sir John Foster. From what I have read and been told about him, he should be saluted as someone who promoted human rights when it was not fashionable. To name just two of his projects: He and Miriam Rothschild worked together to save children from Nazi Germany. He was involved in the drafting of the European Convention on Human Rights. I am honoured to speak at this event which commemorates him and is also associated with Miriam Rothschild.

The subject of human rights in Israel is broad and comprehensive. Today, I can only sketch an outline of the picture in fine lines. Any serious study would require us to take an in-depth look at the picture. Furthermore, my talk will address the normative aspect of human rights, not their realization in fact. Unfortunately, there is a gap between the law and reality. Every society should do its best to narrow that gap. In my talk with you today, I will discuss the normative aspect, and it alone.

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The discussion must be conducted in relation to the two major periods of Israeli history. The first period is from the formation of the State in 1948 until the enactment of the Basic Laws concerning Human Dignity, Liberty and Freedom of Occupation in 1992. The second period is from the enactment of those Basic Laws and continues until the present day. Separately from the two periods mentioned, I will briefly address the role of human rights in the territories occupied since 1967, and their role during times of terror.

1. From the Birth of the State Until the Enactment of the Basic Laws Concerning Human Rights

The common law is central to this period. There is little statutory grounding for human rights. Recognition of human rights is primarily in the form of judgments by the Supreme Court. These judgments lack the power to invalidate a statute that disproportionately harms human rights. However, these judgments establish that human rights are part of Israeli law, and that every statute will be interpreted against the background of these rights. The line of thought guiding the Supreme Court was the following: The State of Israel is a modern democracy. Like every other modern democracy, it recognizes all the human rights that characterize modern democracies. These rights constitute the background for statutory interpretation. Such interpretation is purposive in nature. In addition to the subjective purpose (legislative intent), there is the objective purpose (the legal system's fundamental values, including the separation of powers, rule of law, and judicial independence). Central to objective purpose are human rights. Every statute will be interpreted on the presumption that its purpose is to advance

human rights. Only clear, explicit and unequivocal language to the contrary can rebut this presumption. When a statute creates the kind of authority that could infringe on human rights, the scope of that authority will be determined according to the proper balance between the governing state power and the human rights harmed. This balance should be principled, not ad-hoc.

Here is an example: An ordinance of the High Commissioner, enacted in 1929 during the period of the British mandate in Palestine, establishes that the High Commissioner is authorized to close a newspaper (permanently or temporarily) if, at the Commissioner's discretion, the newspaper publishes something that is likely to endanger the public peace. The authority to close a newspaper exists, and its legality is not questioned. What is the scope of that authority? To answer that question, we must interpret the word "likely" in its context. Such interpretation should balance the public peace with freedom of expression. This balance is located in the principled balance formula that permits an infringement on freedom of expression only if there is near certainty that the expression will lead to severe harm to the public peace. If the certainty is not near (for example, if it is only reasonably certain), or if the harm is not severe (for example, if it is within the tolerance level that members of a democratic society are expected to bear), freedom of expression should not be compromised.

In this way, Israel adopted an approach substantially similar to the way the United States addresses freedom of expression in the context of the First Amendment. This is also the way that the Israeli Supreme Court addresses all human rights recognized in

liberal democracies, including freedom of occupation, freedom of movement, freedom of conscience and religion, and equality.

The virtues of this approach are clear. It facilitates broad protection of human rights without infringing on the supremacy of parliament. The disadvantages of this approach are clear as well. It lacks the power to nullify a statute that, in clear and explicit language, harms human rights beyond the level permitted by the balancing formula. Indeed, the judicial approach was interpretive, and interpretation has its limits. The Supreme Court did not cross those limits, though many of its judgments were on the very boundary of interpretation.

Two additional developments facilitated a deepening in protection of human rights. First, the Supreme Court comprehensively liberalized the rules of standing. At the heart of this approach was the need to protect the rule of law in its broad sense, the sense in which the rule of law is not just the law of rules. One of the goals was to strengthen protection of human rights. This was made possible in part by recognizing the standing of entities and institutions which lacked a personal interest in the case but whose role is to protect human rights. These entities carefully chose which cases to bring before the court, and in doing so they contributed to expanding protection of human rights and to deepening awareness of their importance.

The second development concerns the Court's approach to claims of non-justiciability. The Court limited these claims, holding, *inter alia*, that they do not apply

where a violation of human rights is alleged. As a result, the Court heard issues concerning human rights which otherwise would not have been litigated because of their non-justiciable character. Thus, for example, the Court examined the question of human rights in the midst of battle or siege.

2. From the Enactment of Basic Laws Concerning Human Rights to the Present

A significant change in the status of human rights in Israel took place in 1992. In that year, the legislature passed the Basic Law: Human Dignity and Liberty and the Basic Law: Freedom of Occupation. These basic laws constitute our bill of rights. They establish a list of rights – human dignity, liberty, property, privacy, freedom of occupation, and freedom from detention, imprisonment and extradition. These rights are subject to the following general limitation clause:

> "There shall be no violation of rights under this Basic Law except by a law befitting the values of the State of Israel, enacted for a proper purpose, and to an extent no greater than is required or by regulation enacted by virtue of express authorization in such law."

According to another clause in these basic laws, every governmental authority must respect these human rights. Finally, these basic laws established that the legal force of a prior statute – meaning, one enacted prior to 1992 – is preserved.

What is the normative status of those human rights? Do they have the status of an ordinary statute, as is the case in New Zealand? Do they have the status held by human rights in England, due to the 1998 Human Rights Act? Or is their status similar to the status of

human rights under the Canadian Charter of Human Rights and Freedoms or the American Bill of Rights? These two basic laws made no explicit provisions governing their own status. They did not make themselves part of a constitution; they did not provide that, in cases of a conflict between a basic law and an ordinary statute, the basic law would prevail; they contain no supremacy clause. In the past, the Supreme Court had held that until the basic laws - which, in addition to the 1992 human rights laws, include a variety of basic laws concerning the structure of government - are united into a constitution, their normative status is that of an ordinary statute. Does that holding apply to the two basic laws concerning human rights?

This question came before the Supreme Court in 1995. In a comprehensive judgment, the Court held that the basic laws concerning human rights hold a constitutional, super-legislative status. The judgment held that an ordinary statute which infringes on one of the human rights enumerated in the basic laws, which does not meet the conditions of the limitation clause, is an unconstitutional statute, and every court may declare it invalid. Since that judgment was handed down, the Supreme Court, sitting in various panels, has repeated that approach. Just recently we held that the compensation scheme set forth in the statute providing for the disengagement from The Gaza Strip was unconstitutional, because the formulas they established for determining compensation for loss of home, business, or employment, precluded remedies found in the general law. We reasoned that precluding these remedies was not proportional and thus invalid.

Thus, in 1992, a constitutional revolution took place in Israel. The human rights

established in the two basic laws concerning human rights were accorded a constitutional, super-legislative status. The power of the parliament was limited. This revolution had far-reaching implications. Israeli law was constitutionalized. Every branch of law and every legal norm had to conform to this new constitutional regime. Every branch of law had to change its fundamental concepts and its fundamental outlook, in order to conform to the new constitutional regime. Indeed, the constitutional revolution established a new balance between individual liberty and governmental authority and between the liberty that individuals enjoy vis-a-vis each other. An inseparable internal link was created between human rights and the public interest that justifies limiting them. The right and its limitation derive from a common source. If, in the past, legal rhetoric focused on authority, power, and governmental discretion, now it also focuses on human rights. Instead of the governmental power, properly balanced, determining human rights, human rights, properly balanced, determine governmental power.

What was the effect of the constitutional revolution in fact? Did the face of Israeli law change? Did Israeli society change the way it addresses human rights? The time that has passed – 13 years– is brief. Quite naturally, any generalization would be risky. However, it seems safe to make five remarks:

First, there has been a revolutionary change at the normative level. Constitutional interpretation has developed, distinct from statutory interpretation. That development has occurred within the context of the system of purposive interpretation. The Court has ruled that constitutional human rights affect private law by way of indirect application. Israeli

judges and lawyers have internalized these changes. Judicial rhetoric generally makes use of the basic laws concerning human rights. Scholars have internalized the constitutionalization of their various fields of expertise. This effect is primarily in the fields of criminal law (procedural and substantive), family law, civil procedure, administrative law, tax law, and property law. For a new generation of jurists, the constitutional revolution is a clear and natural normative reality.

Second, the executive branch has internalized the constitutional revolution. With the help of the Attorney General and the legal advisers of the various government departments, the civil service has been educated and has internalized the constitutional change. Every bill proposed by the government and every other governmental action are carefully evaluated to see if they pass constitutional muster.

Third, the legislative branch takes the constitutional change seriously. The change affects the work of the legislature, which exercises great caution on this issue. When we invalidate a statutory provision of importance to the legislature, the legislature may revisit the issue and re-enact the provision, making the changes necessitated by our ruling. Having said that, not every Member of Knesset has accepted the constitutional revolution. Some deny its legitimacy. A few are trying to establish a constitutional court whose members will be selected based on political factors; some are trying to change the existing system for choosing judges, a system based on the decision of a nine-member committee: two Ministers, two Members of Knesset (one from the coalition and one from the opposition), two lawyers elected by the Israel Bar Association, and three Supreme

Court justices. The majority on this committee is professional – nonpolitical. Some members of Knesset propose increasing the political representation on the committee.

Fourth, the constitutional revolution has changed public discourse. Some believe that it has created too great an emphasis on human rights, and insufficient emphasis on duties. The change in public discourse has created a certain change in the way Israeli democracy is understood. In the past, it was viewed formalistically. Democracy was understood as a system of government in which regular elections are held, and decisions made by the people's representatives are binding. The constitutional revolution has bolstered the view that democracy is not just formal democracy but also substantive democracy, based on the supremacy of values such as the separation of powers, judicial independence, rule of law, and human rights. Indeed, the public has increasingly recognized the complexity of democracy and its internal morality. It has been increasingly understood that democracy is rich and multi-faceted. That it cannot be viewed one-dimensionally, and that it is based both on majority rule and also on the rule of values to which the majority is subject. Has there been, in fact, a change in protection of human rights, due to the constitutional revolution? Is the new rhetoric practiced? Will the transition from Parliamentary Democracy to Constitutional democracy create results on the ground? I do not know. An answer to that question requires time and empirical study. My impression is that we are in the midst of a process. The journey before us, however, remains long.

Finally, the constitutional revolution has had a significant influence on the courts, chief among them the Supreme Court. Their social importance has grown. Attacks on the courts have increased. The pressure for political appointments in the judiciary has increased.

In the years following the constitutional revolution, the Israeli Supreme Court – like the Canadian Supreme Court in the initial period following the enactment of the Canadian Charter of Rights and Freedoms – interpreted human rights broadly and focused judicial efforts on developing the limitation clause. This approach forced Israel's Supreme Court to confront a difficult dilemma: what to include as part of the human rights enumerated in the basic laws and what to leave as part of our common law? For historical-political reasons, the basic laws concerning human rights do not include all the political and social human rights. Thus, there is no explicit clause concerning equality, freedom of expression or the right to education. Does that mean that these rights do not have constitutional status in Israel, and they continue to apply as part of the common law rights? In resolving this question, the Court focused on the right to dignity. What is the scope of this right? Can equality or freedom of expression or education be included as part of dignity? The Court accepted the position that dignity means recognizing a person as a free being who develops his or her body and mind as he or she sees fit. At the root of dignity is the autonomy of the private will and a person's freedom of choice and of action. Human dignity rests on recognition of the physical and spiritual integrity of the human being, his or her humanity, and his value as a person, irrespective of the utility he can provide to others. Human dignity presumes a free person who is an end unto himself,

not a means to achieve the ends of the collective or of other individuals. This is the background for the judicial ruling that human dignity includes the right to equality and protection from the degradation of discrimination. It includes freedom of expression. Human dignity also includes a number of social rights. Human dignity presumes guaranteed minimal conditions for human subsistence. A person deprived of shelter is a person whose human dignity is harmed; a person left to go hungry is a person whose human dignity is harmed; a person without access to basic medical treatment is a person whose human dignity is harmed; a person forced to live under degrading physical conditions is a person whose human dignity is harmed.

The state's duty concerning human dignity is both "negative" and "positive." The negative aspect imposes a duty on the state and government authorities to refrain from harming human dignity. The positive aspect imposes a duty on the state and government authorities to protect human dignity. The Court may – and the German Constitutional Court has done so a number of times – impose a duty on the legislature to legislate in a way that gives human dignity the proper protection.

This approach to the scope of rights puts on the limitation clause a special task. The clause has been developed extensively, particularly its principle of proportionality, and its emphasis on the relationship between goal and means, and the three steps in evaluating the means. The third step – which is the balancing step – was considered very carefully.

3. Human Rights in the Occupied Territories

It is impossible to discuss the status of human rights in Israel without examining the human rights of the Arab residents of the occupied territories. As you recall, these territories were occupied by Israel in 1967. Israeli law was not applied to them, and, with the exception of east Jerusalem and the Golan Heights, they were not annexed to Israel. The law that applies is the international law of belligerent occupation. Soon after the occupation, a number of residents petitioned the Supreme Court against the Military Commander. The Court had to adopt a policy on this matter. It established four principles:

First, the Court has jurisdiction to hear petitions against the Military Commander. Objections based on extraterritoriality, political questions, and non-justiciability would not be heard. The doors of the Court are always open.

Second, as a normative matter, there is no vacuum. There are no black holes. The supreme norm in the area is international law governing belligerent occupation. Local law and orders issued by the Military Commander also apply, to the extent they comply with international law. In addition, the basic principles of Israeli administrative law, such as the rules of natural justice, apply.

Third, the Supreme Court does not ask itself how it would act, were it the Military Commander. The Supreme Court asks itself whether the action taken by the Military

Commander was an action that a reasonable military commander, acting proportionally, would have taken under the circumstances. The question, therefore, is not one of deference but rather of reasonableness and proportionality.

Fourth, "security" is not a magic word. The Court examines whether security was indeed the true consideration. The Court also asks whether this consideration meets the applicable legal criteria. We have repeatedly said that the Military Commander is the expert in security, while we judges are experts in reasonableness and proportionality.

Since 1967, the Supreme Court has heard thousands of petitions relating to the occupied territories. Most were brought by Arab residents. A small number of them were brought by Israeli settlers. The Supreme Court has done its best to recognize the rights of the local residents under international law. Sometimes the Court failed. The question that should be asked is not whether the Court has succeeded in equalizing the rights of the residents of the area to those of Israelis in Israel. The question that should be asked is whether the Court has succeeded in actualizing and maximizing the rights of the local residents under humanitarian international law, applicable to a long-term belligerent occupation. It is also worthwhile to ask what courts in other modern democracies that have faced similar situations have done, and whether we have failed in places where they have succeeded.

Some of the legal problems that the belligerent occupation brought to the doorstep of the Supreme Court raised questions that the Court was accustomed to addressing, such

as the granting or revocation of a license or illegal arrest. Some of the problems were of a special character. In this latter category are 80 petitions concerning the legality of the separation barrier, including ten petitions concerning the barrier in Jerusalem; treatment of the civilian population during a military operation; the legality of evacuating Israeli residents from the Gaza Strip; the legality of target killing. For these petitions and many others, our ruling had the potential to change the political order of things in the region. These petitions were full of security, military, and political considerations. We had to navigate the judicial ship among stormy waves, sticking closely to fundamental legal principles and using the judicial tools at our disposal.

An important issue that arose was the relationship between our judgment concerning the separation barrier and that of the International Court of Justice at the Hague. Both judgments addressed the rights of the local residents and the infringement on those rights that the separation barrier caused. In our judgment, we noted that the dispute would be decided according to international law. We emphasized the centrality and importance of the judgment of the International Court of Justice at the Hague. We did not deviate from its normative rulings, even if one of them – concerning a state's right to defend itself from terrorism coming from the area subject to belligerent occupation – seemed harsh to us. We repeatedly emphasized that we are not a desert island; Israel is part of the international community, and as such, it will conform to that community's norms. The disagreement between our Court and that of the Hague concerned the factual basis underlying the claim.

4. Human Rights and Terrorism

Some of the military activity in the area is anti-terrorist in nature. Terrorist activity has increased in recent years. It has, of course, infiltrated Israel. This was the case before 9-11. It is also the case after 9-11. The Supreme Court did not change its approach after 9-11. It did not create new rules. It did not create new balancing formulas. It applied its general approach – to the law inside Israel as well as inside the occupied area – taking the special risks into consideration. Thus, for example, the balancing formulas concerning freedom of expression in Israel – according to which freedom of expression can be restricted only if there is near certainty of severe damage – continued to apply in Israel. Terrorism affected the level of certainty and the extent of the damage. It did not create a new balancing formula for free speech in Israel.

We, judges in modern democracies, have a major role to play in protecting democracy. We should protect it both from terrorism and from the means that the state wants to use to fight terrorism. Judges are, of course, tested daily in their protection of democracy, but judges meet their supreme test when they face situations of war and terrorism. The protection of human rights of every individual is a duty much more formidable in situations of war or terrorism than in times of peace and security. If we fail in our role during times of war and terrorism, we will be unable to fulfill our role during times of peace and tranquility. It is a myth to think that it is possible to maintain a sharp distinction between the status of human rights during a period of war and the status of human rights during a period of peace. It is self-deception to believe that we can limit

our judicial ruling so that it will be valid only during wartime, and that we can decide that things will change in peacetime. The line between war and peace is thin — what one person calls peace, another calls war. In any case, it is impossible to maintain this distinction over the long term. We should assume that whatever we decide when terror is threatening our security will linger many years after the terror is over. Indeed, we judges must act with coherence and consistency. A wrong decision in a time of war and terrorism plots a point that will cause the judicial graph to deviate after the crisis passes.

Moreover, democracy ensures us, as judges, independence. It strengthens us – because of our political non-accountability – against the fluctuations of public opinion. The real test of this independence comes in situations of war and terrorism. The significance of our non-accountability becomes clear in these situations, when public opinion is near-unanimous. Precisely in these times of war and terrorism, we judges must hold fast to fundamental principles and values; we must embrace our supreme responsibility to protect democracy and the constitution. Lord Atkins's remarks on the subject of administrative detention during World War II aptly describe these duties of a judge. In a minority opinion in November 1941, he wrote:

> In England amidst the clash of arms the laws are not silent. They may be changed, but they speak the same language in war as in peace. It has always been one of the pillars of freedom, one of the principles of liberty for which . . . we are now fighting, that the judges . . . stand between the subject and any attempted encroachments on his liberty by the executive, alert to see that any coercive action is justified in law.

Admittedly, the struggle against terrorism turns our democracy into a "defensive democracy" or even a "fighting or militant democracy." Nonetheless, this defense and

this fight must not deprive our regime of its democratic character. Judges in the highest court of the modern democracy should act in the spirit of defensive democracy as opposed to uncontrolled democracy.

One of the most difficult cases to come before us raised the question of whether the state could use interrogation methods constituting torture, which are prohibited by international law, against a terrorist who is a ticking time bomb. At issue was not the admissibility of statements made under those conditions. At issue was the legality of the methods themselves. We held that it these methods are prohibited. The case was difficult. Not because of the legal difficulty. Here, the solution was clear. We cannot and would not want to lend a hand to torture. The difficulty was psychological and moral. Can we not justify harm to the one, in order to save the many? We noted that there may be situations in which, in retrospect, an interrogator may make use of the criminal defense of necessity. Even if that is so, it does not justify advance instructions to use torture. That would be bureaucratization of torture, and a court cannot support that. In that judgment, I noted:

> "We are aware that this decision does not ease dealing with that reality. This is the destiny of democracy, as not all means are acceptable to it, and not all practices employed by its enemies are open before it. Although a democracy must often fight with one hand tied behind its back, it nonetheless has the upper hand. Preserving the Rule of Law and recognition of an individual's liberty constitutes an important component in its understanding of security. At the end of the day, they strengthen its spirit and its strength and allow it to overcome its difficulties."

<u>On the Judicial Role</u>

Indeed, the battle against terrorism poses before judges an old question: what is our role? Of course, this question does not arise in the easy cases, in which there is only one solution. But what is our role in the hard cases, in which there is more than one solution, and we face the need to exercise our discretion? The answer is that our role is two-fold: First, bridging the gap between law and life. This gap is natural. Bridging it is one of our central roles. Second, preserving the constitution, democracy, and human rights.

If we wish to preserve democracy, we cannot take its existence for granted. We must fight for it. This is certainly the case for new democracies, but it is also true of the old and well-established ones. The assumption that "it can't happen to us" can no longer be accepted. Anything can happen. If democracy was perverted and destroyed in the Germany of Kant, Beethoven, and Goethe, it can happen anywhere. If we do not protect democracy, democracy will not protect us. I do not know whether the judges in Germany could have prevented Hitler from coming to power in the 1930s. But I do know that a lesson of the Holocaust and of the Second World War is the need to have democratic constitutions and to ensure that they are put into effect by judges whose main task is to protect democracy. It was this awareness that, in the post-World War II era, helped promote the idea of judicial review of legislative action and made human rights central. And it shaped my belief that the main role of the judge in a democracy is to maintain and protect the constitution and democracy. Legal

scholars often explain this phenomenon as an increase in judicial power relative to other powers in society. This change, however, is merely a side effect. The purpose of this modern development is not to increase the power of the court in a democracy, but rather to increase the protection of democracy and human rights. An increase in judicial power is an inevitable result, because judicial power is one of many factors in the democratic balance.

The tools we have to realize our role are few. They are the ordinary judicial tools: interpretation and development of the common law. I have found that the purposive interpretation I have discussed elsewhere gives us, the judges, an effective and legitimate tool for realizing our role. Indeed, the interpretive theory we choose and the interpretive rules we employ should express our ability to realize our role as judges. I need not discuss the development of the common law here today. In both interpretation and the development of the common law, judges should appropriately and increasingly use the principle of balancing. Balancing and weighing, themselves metaphors, reflect the need to decide a conflict between values and principles that are accepted in the legal system. The result of the balance is important both to the development of common law and to the determination of the objective purpose in a legal text, such as statutes and constitutions. The concept of balancing recognizes that fundamental principles may conflict with one another, and that the proper resolution of this conflict lies not in the elimination of the inferior value but in determining the proper boundary between the conflicting values. Similarly, the concept of balance reflects the recognition that fundamental principles have weight and that it is possible to classify them according to their relative social

importance. The act of weighing is merely a normative act designed to give the principles their proper place in the law. By using balancing and by preferring it upon categorization, the judge has at his disposal the most important tool - except interpretation - for realizing his or her role.

In my lecture today, I mentioned the problem of justiciability and the problem of standing. These are generally considered marginal issues in public law theory. In my opinion, they are tools of great importance. Tell me your position on justiciability and standing, and I'll tell you your position on the role of the judge. A judge who regards his judicial role as bridging the gap between law and society and protecting democracy will tend to expand the rules of standing. My approach is that the role of a court in a democracy is not restricted to adjudicating disputes in which parties claim that their personal interests have been violated. The Supreme Court of Israel has adopted this approach. Gradually - at first in minority opinions of justices in the 1960s and 1970s, and thereafter as a majority - the Court has adopted the view that when the claim alleges a major violation of the rule of law (in its broad sense), every person in Israel has legal standing to sue. Fears that the court would be "flooded" with frivolous lawsuits have proven groundless. In practice, it is primarily citizen watchdog groups and human rights organizations that have exploited this provision. I think that, overall, the outcome has been positive. I was happy to learn that South Africa adopted a similar solution in its Constitution. Like the Israeli Supreme Court, the Supreme Court of India has reached a similar result by adopting a liberal standing doctrine. Other common law systems are moving towards liberalizing their standing requirements.

Epilogue

I regard myself as a judge who is sensitive to his role in a democracy. I take seriously the tasks imposed upon me - of protecting the constitution and democracy. Despite frequent criticism - and it frequently descends to personal attacks and threats of violence - I have continued on this path for the last twenty-seven years. I hope that by doing so, I am serving my legal system properly. Indeed, as judges in our countries' highest courts, we must continue on our paths according to our consciences. A heavy responsibility rests on our shoulders. But even in hard times, we must remain true to ourselves, reflecting history – not hysteria.

As a judge, I do not have a political platform. I am not a political person. Right and left, religious and secular, rich and poor, man and woman, disabled and non-disabled - all are equal in my eyes. All are human beings, created in the image of the Creator. I will protect the human dignity of each. I do not aspire to power. I do not seek to rule. I am aware of the chains that bind me as a judge. I have repeatedly emphasized the rule of the law and not the rule of the judge. I am aware of the importance of the other branches of government - the legislative and executive.

I view my office as a mission. Judging is not a job. It is a way of life. Whenever I enter the courtroom, I do so with the deep sense that, as I sit at trial, I stand on trial.