

# The New Criterion

## Features

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### Robert H. Bork on law & life

by [Andrew C. McCarthy](#)

On the career of Judge Robert H. Bork and his latest book, *A Time to Speak: Selected Writings and Arguments*.

*The most intimate and personal choices a person may make in a lifetime, choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment. At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State.*

—Anthony Kennedy

For Supreme Court Justice Anthony Kennedy, writing those words in 2003, there was no higher authority to cite. He was, after all, quoting himself. Eleven years earlier, in *Planned Parenthood v. Casey*, Kennedy had first promulgated this misty, monstrous ode to judicial oligarchy. Back then, our robed masters were groping to rationalize the “right” to abortion they’d woven from whole cloth a ...

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