

Books By Stephen Breyer

Stephen Breyer

Active Liberty Stephen Breyer, 2007-12-18 A brilliant new approach to the Constitution and courts of the United States by Supreme Court Justice Stephen Breyer. For Justice Breyer, the Constitution's primary role is to preserve and encourage what he calls "active liberty": citizen participation in shaping government and its laws. As this book argues, promoting active liberty requires judicial modesty and deference to Congress; it also means recognizing the changing needs and demands of the populace. Indeed, the Constitution's lasting brilliance is that its principles may be adapted to cope with unanticipated situations, and Breyer makes a powerful case against treating it as a static guide intended for a world that is dead and gone. Using contemporary examples from federalism to privacy to affirmative action, this is a vital contribution to the ongoing debate over the role and power of our courts.

Reading the Constitution Stephen Breyer, 2024-03-26 New York Times Bestseller In a provocative and brilliant analysis, retired Supreme Court Justice Stephen Breyer deconstructs the textualist philosophy of the current Supreme Court's supermajority and makes the case for a more pragmatic approach of the Constitution. "You will not read a more important legal work this election year." —Bob Woodward, Washington Post reporter and author of fifteen #1 New York Times bestselling books "A dissent for the ages." —The Washington Post "Breyer's candor about the state of the court is refreshing and much needed." —The Boston Globe The relatively new judicial philosophy of textualism dominates the Supreme Court. Textualists claim that the right way to interpret the Constitution and statutes is to read the text carefully and examine the language as it was understood at the time the documents were written. This, however, is not Justice Breyer's philosophy nor has it been the traditional way to interpret the Constitution since the time of Chief Justice John Marshall. Justice Breyer recalls Marshall's exhortation that the Constitution must be a workable set of principles to be interpreted by subsequent generations. Most important in interpreting law, says Breyer, is to understand the statutes as well as the consequences of deciding a case one way or another. He illustrates these principles by examining some of the most important cases in the nation's history, among them the *Dobbs* and *Bruen* decisions from 2022 that he argues were wrongly decided and have led to harmful results.

The Court and the World Stephen G. Breyer, 2015 Justice Stephen Breyer examines the work of SCOTUS in an increasingly interconnected world, a world in which all sorts of public and private activity—from the conduct of national

security policy to the conduct of international trade--obliges the Court to consider and understand circumstances beyond America's borders. At a time when ordinary citizens may book international lodging directly through online sites like Airbnb, it has become clear that judicial awareness can no longer stop at the water's edge--

Making Our Democracy Work Stephen Breyer, 2011-09-13 Charged with the responsibility of interpreting the Constitution, the Supreme Court has the awesome power to strike down laws enacted by our elected representatives. Why does the public accept the Court's decisions as legitimate and follow them, even when those decisions are highly unpopular? What must the Court do to maintain the public's faith? How can it help make our democracy work? In this groundbreaking book, Justice Stephen Breyer tackles these questions and more, offering an original approach to interpreting the Constitution that judges, lawyers, and scholars will look to for many years to come.

Führer zur Ago-Ausstellung in Karlsruhe anläßl. d. 1. Gebietstagung am 7., 8. u. 9. März 1925 in d. Städtischen Ausstellungshalle, 1925

Regulation and Its Reform Stephen Breyer, 2009-07-01 This book will become the bible of regulatory reform. No broad, authoritative treatment of the subject has been available for many years except for Alfred Kahn's *Economics of Regulation* (1970). And Stephen Breyer's book is not merely a utilitarian analysis or a legal discussion of procedures; it employs the widest possible perspective to survey the full implications of government regulation—economic, legal, administrative, political—while addressing the complex problems of administering regulatory agencies. Only a scholar with Judge Breyer's practical experience as chief counsel to the Senate Judiciary Committee could have accomplished this task. He develops an ingenious original system for classifying regulatory activities according to the kinds of problems that have called for, or have seemed to call for, regulation; he then examines how well or poorly various regulatory regimes remedy these market defects. This enables him to organize an enormous amount of material in a coherent way, and to make significant and useful generalizations about real-world problems. Among the regulatory areas he considers are health and safety; environmental pollution, trucking, airlines, natural gas, public utilities, and telecommunications. He further gives attention to related topics such as cost-of-service ratemaking, safety standards, antitrust, and property rights. Clearly this is a book whose time is here—a veritable how-to-do-it book for administration deregulators, legislators, and the judiciary; and because it is comprehensive and superbly organized, with a wealth of highly detailed examples, it is practical for use in law schools and in courses on economics and political science.

Essays in Honor of Justice Stephen Breyer Harvard Law School, 2013

Against the Death Penalty Stephen Breyer, 2016-08-23 A landmark dissenting opinion arguing against the death penalty. Does the death penalty violate the Constitution? In *Against the Death Penalty*, Justice Stephen Breyer argues that it does; that it is carried out unfairly and inconsistently and, thus, violates the ban on cruel and unusual punishments specified

by the Eighth Amendment to the Constitution. Today's administration of the death penalty," Breyer writes, involves three fundamental constitutional defects: (1) serious unreliability, (2) arbitrariness in application, and (3) unconscionably long delays that undermine the death penalty's penological purpose. Perhaps as a result, (4) most places within the United States have abandoned its use." This volume contains Breyer's dissent in the case of *Glossip v. Gross*, which involved an unsuccessful challenge to Oklahoma's use of a lethal-injection drug because it might cause severe pain. Justice Breyer's legal citations have been edited to make them understandable to a general audience, but the text retains the full force of his powerful argument that the time has come for the Supreme Court to revisit the constitutionality of the death penalty. Breyer was joined in his dissent from the bench by Justice Ruth Bader Ginsburg. Their passionate argument has been cited by many legal experts including fellow Justice Antonin Scalia as signaling an eventual Court ruling striking down the death penalty. A similar dissent in 1963 by Breyer's mentor, Justice Arthur J. Goldberg, helped set the stage for a later ruling, imposing what turned out to be a four-year moratorium on executions.

Breaking the Promise of Brown Stephen G. Breyer, 2022 Edited and introduced by former Supreme Court Justice Breyer's former law clerk--and accompanied by a sobering update on the state of segregated schools in America today--this volume contains the full text of Breyer's most impassioned opinion, a dissent that Justice John Paul Stevens called at the time eloquent and unanswerable.

Stephen Breyer Paul J. Deegan, 1996 Provides details in the life and career of jurist Stephen Breyer and his nomination to the Supreme Court.

Summary of Stephen Breyer's Reading the Constitution Milkyway Media, 2024-06-27 Get the Summary of Stephen Breyer's *Reading the Constitution* in 20 minutes. Please note: This is a summary & not the original book. "Reading the Constitution by Stephen Breyer delves into the diverse methodologies judges use to interpret statutes and the Constitution, including textualism, originalism, and purpose-oriented approaches. The book highlights the balance between rigid textual interpretations and flexible, purpose-driven methods, emphasizing the importance of legislative intent and practical consequences. Through case examples, Breyer argues that a purely textualist approach often falls short, advocating for a pragmatic consideration of broader objectives and societal impacts..."

Stephen Breyer Elena Robert Harry, 2022-01-31 San Francisco native Breyer was born on August 15, 1938. His maternal great-grandparents were Romanian immigrants to the United States, who arrived in Cleveland and settled there before moving to San Francisco. When he was a child, his dad spent time working as legal counsel for the Bay Area school system. As a child, Breyer enjoyed spending time outdoors and with friends. He also liked to read books that were written by Louis L'Amour and Zane Grey. He eventually became an Eagle Scout during his high school years. Breyer was known among his fellow Eagle Scouts as the troop brain since he displayed a tremendous intelligence at a young age. Breyer attended

Lowell High School in California. He appeared as a competitor for the school's Lowell Forensic Society, where he battled future governor Jerry Brown and future Harvard Law professor Laurence Tribe. He joined the debate team at Lowell High School in San Francisco, where he graduated in 1955 with the title of most likely to succeed. Breyer earned bachelor's degrees from Stanford University in 1959 and the University of Oxford in 1961, both on a Rhodes scholarship, as well as a law degree from Harvard University in (1964). Before entering academia, Breyer had served in the military. From June to December 1957, he was on active duty for six months as an army reserve member, he was honorably discharged. Stephen G. Breyer has served on the Supreme Court almost more over two decades, earning a reputation for pragmatism, optimism, and collaboration with both political parties. As a result of his parents' occupations, Breyer was exposed to the law and political participation from a young age. Stephen Breyer is renowned for being the court's most pragmatic justice. His behaviors and decisions are always impacted by his desire to escape the consequences of any given action in the actual world. This concept can overrule some of his fellow judges' rigid interpretations, particularly those of the more conservative justices. Breyer consistently supported attempts to remove historical and symbolic remnants of racial discrimination in the domain of civil rights. Breyer announced his decision to leave the court at the conclusion of the 2021-2022 term on January 26, 2022, according to press reports. Get a Copy to read more about this outstanding US Supreme Court Justice, Stephen Breyer.

Summary: Active Liberty BusinessNews Publishing,2017-01-30 The must-read summary of Stephen Breyer's book: Active Liberty: Interpreting Our Democratic Constitution. This complete summary of Active Liberty by Stephen Breyer, a liberal-leaning Supreme Court Justice in the United States, outlines the author's argument that the American Constitution should be used as a guide for the application of American principles. He highlights the fact that the Constitution must not be rigid but adapt to the needs of society, and that American citizens should have more participation in the shaping of the country's laws, a principle which requires more deference to Congress and judicial modesty. Added-value of this summary: • Save time • Gain understanding of the American Constitution and its implications • Expand your knowledge of American politics and society To learn more, read Active Liberty and discover Breyer's views on active liberty and the role of the Constitution in the modern age.

Justice Stephen Breyer Dissents Robert Dittmer,2016-05-17 This is a sourcebook of major and minor dissents and concurrences by Justice Stephen Breyer. Supreme court decisions are in the public domain and are freely available at such websites as supreme.justia.com and law.cornell.edu

Breaking the Vicious Circle Stephen G. Breyer,1993 Supreme Court Justice Stephen Breyer explores three generic difficulties that plague efforts to reduce health risks and sets out a proposal for a new administrative entity to develop a coherent regulatory system adaptable for use in different risk-related programs--a mission-oriented, independent agency commanding significant prestige and authority.

Summary of Reading the Constitution by Stephen Breyer: Why I Chose Pragmatism, Not Textualism Stephen Breyer, 2024-04-02 **DISCLAIMER** This book does not in any capacity mean to replace the original book but to serve as a vast summary of the original book. Summary of Reading the Constitution by Stephen Breyer: Why I Chose Pragmatism, Not Textualism IN THIS SUMMARIZED BOOK, YOU WILL GET: Chapter provides an astute outline of the main contents. Fast & simple understanding of the content analysis. Exceptionally summarized content that you may skip in the original book Stephen Breyer, a retired Supreme Court Justice, presents a compelling analysis that challenges the textualist philosophy of the current Supreme Court's supermajority and advocates for a better interpretation of the Constitution. Breyer argues that understanding the purposes of statutes and the consequences of a case is crucial for interpreting law. He examines significant cases in the nation's history, such as the Dobbs and Bruen decisions, which he believes were wrongly decided and have led to harmful results.

We Dissent Stephen Breyer, Elena Kagan, 2022-09-06 The full text of one of the most radical and controversial Supreme Court decisions in American history, highlighting the galvanizing dissent by Justices Breyer, Sotomayor, and Kagan ... Dobbs v Jackson, the landmark decision to overthrow the rights first granted to women in the Roe v Wade decision fifty years ago, is the first U.S. Supreme Court decision in American history to actually take away from citizens a Constitutionally-protected right. As such it may be the most consequential Court ruling ever. Compounding matters, the decision opened the door to the overthrow of still further rights — such as same-sex marriage, for example, or equal rights for trans people. Nowhere is the danger of this decision made more clear than in the sobering yet electrifying dissent filed by Justices Breyer, Sotomayor, and Kagan. That dissent is highlighted in this edition, which includes the entire decision, to let readers decide for themselves, but forefronts the stirring and eloquently reasoned dissent. That eloquence will surely inspire, inform, and fuel the increasingly impassioned debate during the tumultuous campaign season of the upcoming mid-term elections — and beyond.

Recent Opinions by Judge Stephen G. Breyer Stephen G. Breyer, 1994

America's Supreme Court Stephen Breyer, 2010-12-09 Published in the US under the title Making our democracy work-- T.p. verso.

SCOTUS 2022 Morgan Marietta, 2022-12-12 Each year, the Supreme Court of the United States announces new rulings with deep consequences for our lives. This fifth volume in Palgrave's SCOTUS series describes, explains, and contextualizes the landmark cases of the US Supreme Court in the term ending 2022. With a close look at cases involving key issues and debates in American politics and society, SCOTUS 2022 tackles the Court's rulings on abortion, guns, religion, environmental regulation, pandemic controls, immigration and more. Written by notable scholars in political science and law, the chapters in SCOTUS 2022 present the details of each ruling, its meaning for constitutional debate, and its impact on public policy or partisan politics. Finally, SCOTUS 2022 offers an analysis of the current ideological and interpretive divisions on the Court,

including an analysis of the unprecedented leak of the Dobbs draft ruling.

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