

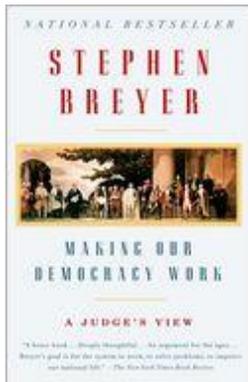


Making our Democracy Work: A Judge's View

- [Transcript](#)
- [Video Clip](#)

[Public Affairs Program](#)[EDIT](#)[Stephen Breyer, Joanne J. Myers](#)

December 12, 2011



Making Our Democracy
Work: A Judge's View

- [Introduction](#)
- [Remarks](#)
- [Questions and Answers](#)

Introduction

JOANNE MYERS: Good morning. I'm Joanne Myers, director of Public Affairs Programs, and on behalf of the Carnegie Council, I would like to thank you all for joining us. This morning it is my supreme honor to welcome Justice Breyer to our Public Affairs Program.

In the court of public opinion, Justice Breyer is widely recognized as a wise, modest, fair, and incisive judge, whose various opinions have earned him praise for their attention to detail and thoroughness. Today he will be discussing his recent book entitled [Making Our Democracy Work](#).

In this characteristically lucid, concise, and informative work, Justice Breyer educates us about the workings of the [Supreme Court](#) and the life of a justice, and shares with us his interpretation of the [Constitution](#). He tells us what the Court must do to maintain public confidence and, in turn, its legitimacy. While describing the basics of the Court, he also invites us to think about our own relationship to our government and how we wish to be governed.

The Supreme Court is one of the most extraordinary institutions in our system of government. Empowered with the responsibility of interpreting the Constitution, the nine justices on the Court are imbued with the power to strike down laws enacted by our elected representatives. How the Supreme Court evolved historically and defined its role, largely in relation to the willingness of the public to embrace its decisions, is the most salient issue addressed in *Making Our Democracy Work*.

At a time of great political cynicism and the unforeseeable and unique challenges our country is facing, being a judge on the highest court of the land is an enormous responsibility. It is important that we have judges who have both a head and a heart. Justice Breyer is that person, as he instinctively knows that the decisions he makes and the opinions he writes have the potential to affect countless people in so many different ways. Accordingly, he wants us to be partners in achieving the Constitution framers' basic objective of creating a workable democratic government.

What, then, is the best way to implement this request, one that will enrich our understanding of the Constitution, the nature of our freedoms, and how the Court carries out its role? For the answers, I defer to our guest this morning. Please join me in giving a very warm welcome to the 108th member of the Court. Justice Breyer, the floor is yours.

Remarks

STEPHEN BREYER: Thank you, Joanne. Thank you for inviting me. When you say "for the answers," you're quite an optimist, aren't you?

Why have I written this book? A friend of mine, who is an archaeologist, claims—I don't think it's quite true—that they found some tablets in Ur from 10,000 years ago and it said, when translated, "Nothing's working right these days. The buses don't run on time, the children don't obey their parents, and every man is writing a

[Public Affairs Program](#)

[EDIT](#)

[Stephen Breyer](#), [Joanne J. Myers](#)

December 12, 2011

[Open Video in External Window](#) | [Right-click here to download.](#)

The nine unelected justices of the U.S. Supreme Court have the power to strike down laws enacted by elected representatives. Why does the public accept the Court's decisions as legitimate, even when the decisions are highly unpopular? How does the Court help make democracy work?

Read More: [Democracy](#), [Justice](#), [Ethics](#), [United States](#)

Copyright © 2012 Carnegie Council for Ethics in International Affairs