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Stephen G
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"Active Liberty" by
Supreme Court Justice

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Interpreting Our
Constitution
Stephen G. Breyer

Steve Breyer is a well-written but very esoteric book about statutory and constitutional interpretation. Breyer defends a "consequentialist" approach to interpretation that would construe ambiguous laws so as to give real-world effect to their purposes (as revealed in text and structure, court precedents, and

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legislative and
constitutional history).

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ACTIVE LIBERTY:
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DEMOCRATIC
CONSTITUTION is a
blueprint explaining
the components of
judicial activism, and
pleads its argument
against what Breyer
terms Constitutional

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"textualists."
Democratic
**Active Liberty:
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Stephen G Breyer

The underlying constitutional value with which he is most concerned is "active liberty," which places emphasis on democratic participation. To a lesser extent, Breyer is concerned with modern liberty, or government

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intrusion on the rights
of individuals.

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the interpretation of
constitutional language
is at issue. In a word,
these lectures are
about democracy and
the constitution. They
illustrate a democratic
theme—"active
liberty"—which
resonates throughout

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Stephen G. Breyer

the constitution. In discussing its role, I hope to illustrate how this constitutional theme can affect a judge's interpretation of a

**active liberty:
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constitution**

The concept of active liberty--as I said at the outset--refers to a sharing of a nation's sovereign authority

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among its people.
Sovereignty involves
the legitimacy of a
governmental action.
And a...

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approach to the
Constitution and courts
of the United States by

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**Active Liberty :
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His latest book, Active
Liberty: Interpreting
Our Democratic
Constitution, based on
his Tanner Lecture

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presented at Harvard University in 2004, is a telling example of how a practical reflection on law can enrich the field of political philosophy. In this essay, Breyer explicitly casts himself as the heir of Benjamin Constant.

Active Liberty: Interpreting Our Democratic Constitution ...

Includes bibliographical references (pages

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137-149) and index

This book, based on the Tanner lectures on Human Values that Justice Stephen Breyer delivered at Harvard University in November 2004, defines the term 'active liberty' as a sharing of the nation's sovereign authority with its citizens.

**Active liberty :
interpreting our
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Stephen G. Breyer

Constitution is a 2005 book by United States Supreme Court Justice Stephen Breyer. The general theme of the book is that Supreme Court justices should, when dealing with constitutional issues, keep "active liberty" in mind, [1] which Justice Breyer defines as the right of the citizenry of the country to

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participate in
government.

**Active Liberty -
Wikipedia**

The book is called
Active Liberty:
Interpreting Our
Democratic
Constitution. "I say
'active liberty' because
I want to stress that
democracy works if --
and only if -- the
average citizen...

Supreme Court
Page 16/25

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**Justice Breyer on
'Active Liberty' :**

NPR

Breyer squarely identifies his “active liberty” with Constant’s “ancient liberty” and argues that democratic self-governance lies at the center of sound constitutional interpretation. In so doing, Breyer is seemingly unaware that Constant emphatically preferred “modern liberty” over

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“ancient liberty.”

Judicial Immodesty

Stephen Breyer,

[i]Active Liberty ...

Active Liberty emphasizes one theme that Breyer says runs through our primal document and that should help guide how we determine its meaning in a wide variety of cases: the idea of democratic participation. Breyer argues that

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**Active Liberty:
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Constitution** Stephen G. Breyer

Perhaps that's what makes Justice Stephen Breyer's new book, *Active Liberty: Interpreting Our Democratic Constitution*, so welcome. Finally, another member of the Court has taken the time to outline his approach to deciding

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cases.

**Democratic
Constitution
Stephen G Breyer
Active Liberty:
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Constitution ...**

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...

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In his clear and elegant new book, "Active Liberty: Interpreting Our Democratic Constitution," based on his 2004 Tanner lectures at Harvard University (where he taught before becoming a federal...

**Consent of the
Governed - The New**

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York Times
"Active Liberty"
articulates a coherent
framework for
interpreting the
constitution as a
Supreme Court Justice,
responding to the neo-
conservative
"originalist" and
"textualist"
approaches.

**Active Liberty:
Interpreting Our...
book by Stephen G.
Breyer**

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Praise For Active
Liberty: Interpreting
Our Democratic
Constitution ... "A
Stephen G. Breyer
brisk, lucid and
energetic book, written
with conviction and
offering a central
argument that is at
once provocative and
appealing.... Deserves
a place of honor in
national debates, now
and in the future,
about the role of the
Supreme Court in
American life."

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Stephen G. Breyer
His ultimate goal is "a framework for democratic government" that will prove workable over time, and he believes that his kind of purposive approach, rooted in active liberty, is most likely to...

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Stephen G Breyer