

# Justice Stephen Breyer: In Pursuit of Justice

BY BETH PANITZ

When the gavel sounds, Supreme Court Justice Breyer sets to work, serving on the highest court in the land.



LOUIS LONG/COLLECTION OF THE SUPREME COURT OF THE UNITED STATES



RICHARD STRAUSS/SUPREME COURT HISTORICAL SOCIETY COLLECTION

*At the sound of the gavel, a hushed silence spreads across the courtroom. The lawyers, the press, and everyone else stands as the nine robed justices enter the grand room and approach their seats at the long mahogany table—the judges' bench. "The Honorable, the Chief Justice and Associate Justices of the Supreme Court of the United States. Oyez! (pronounced o-yay) Oyez! Oyez!," cries out the court's marshal. "All persons having business before the Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court," she says, before striking the gavel again. The highest court in the land is now in session.*

The nine Supreme Court justices are the final authority on U.S. law. It's their job to interpret the U.S. Constitution and apply it to modern-day situations—determining what's legal and what's not. BABAGANEWZ recently spoke with Justice Stephen Breyer—who has served on the Supreme Court since 1994—for a behind-the-scenes look at how our justice system works.

**BABA:** Hi, Justice Breyer. What's it like to be a Supreme Court justice?

**JUSTICE BREYER:** It's a difficult job, but it's also very interesting. We consider some of the most difficult legal issues—things like whether you can have drug testing in schools or whether it's permissible to give government aid to religious education. We don't decide whether these things are good or bad policy, but whether they're consistent with the U.S. Constitution.

**BABA:** What do you value most about the U.S. judicial system?

**JUSTICE BREYER:** That it provides a fair-minded way for people who feel strongly on different sides of important issues to reach a decision. Sitting on the Supreme Court, I see every possible point of view expressed. I see people of every race and every religion argue their cases and accept decisions made by a court. And that's a marvelous thing, because, after all, many countries decide these things by fighting with each other in the streets. We decide them in a courtroom.

**BABA:** What qualities do you think it takes to be a good judge?

**JUSTICE BREYER:** The most important quality is that you listen to other people—and that you don't approach things with preconceptions.

**BABA:** Do Jewish values ever affect your views of justice and your work?

**JUSTICE BREYER:** Yes. When we talk about *tzedakah* in the Jewish tradition, it means more than just charity. It comes from the term *tzedek*, which means justice and deals with what's right and with our obligations. In our Jewish tradition, we're very oriented toward trying to establish fair relations between people.

**BABA:** Looking back at the Supreme Court's history, is there a case that you would point to that you think really defines justice and why we have a court system?

**JUSTICE BREYER:** Yes. *Brown vs. Board of Education*. That was the case that found that school segregation on the basis of race is contrary to the Constitution. Our Constitution says in the 14th Amendment, "No state shall deprive any person of equal protection of the law." And yet, for 80

years, there were laws that did deprive one race—Blacks—of the same rights that were enjoyed by another race—Whites. The Supreme Court ruled that you can't do that.

**BABA:** What's the hardest part of your job?

**JUSTICE BREYER:** The hardest part is making a decision when a case has excellent reasons on both sides and the law is open to interpretation. You have to carefully think through what is the correct decision, the better decision. The job of the judge is to decide.

**BABA:** Thanks, Justice Breyer. We're glad you decided to talk to us! 🗣️

## Searching for Justice

In total, seven Jewish justices have sat on the Supreme Court, starting with Louis Brandeis in 1916. Currently, two Jews serve on the court—Stephen Breyer and Ruth Bader Ginsburg. Can you find the last names of all seven Jewish justices in the word search?

Louis BRANDEIS, Benjamin CARDOZO, Felix FRANKFURTER, Arthur GOLDBERG, Abe FORTAS, Ruth Bader GINSBURG, Stephen BREYER


E B G I N S B U R G G  
 Q R O B U A L J U S R  
 F A T Z R I C E U N E  
 O N D E O E R L A W B  
 R D J U S D Y T I C D  
 T E E J U S R E T I L  
 A I C E S H A A R L O  
 S S T T H O U P C U G  
 F R A N K F U R T E R  
 R S U E D E V A R I M

The remaining letters placed in order spell:

A saying that appears over the entrance to the Supreme Court: \_\_\_\_\_

A Biblical commandment about justice: \_\_\_\_\_

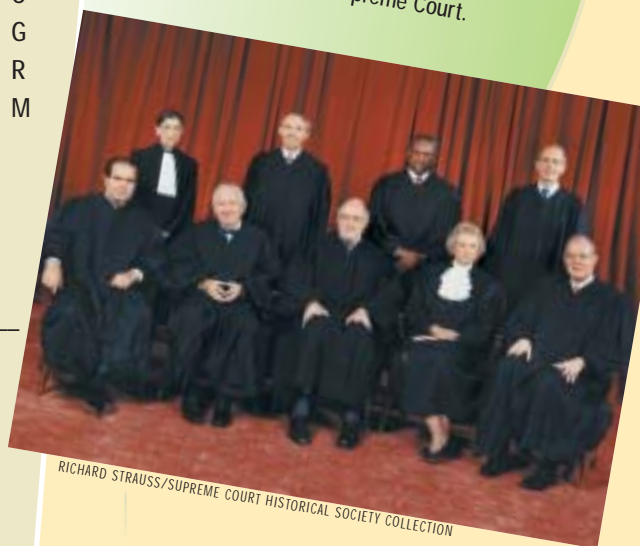
The book in the Tanakh that has this commandment: \_\_\_\_\_

 Find more "supreme" puzzles on [babaganewz.com](http://babaganewz.com).

Answers:  
 Over the entrance to the Supreme Court it says: EQUAL JUSTICE UNDER LAW  
 Biblical commandment: JUSTICE, JUSTICE SHALL THOU PURSUE  
 Book in the Tanakh: DEVARIM

### NOTABLE QUOTABLE

Who does Justice Stephen Breyer turn to when he wants advice on how to uphold justice? None other than the great Jewish scholar Hillel, who once said, "If I'm not for myself, who will be for me? But if I'm only for myself, what am I? And if not now, when?" "I find this quote very valuable in my work as a judge," says Justice Breyer, who first learned about Hillel while attending Congregation Emanu-El religious school in San Francisco. Breyer (top row, far right) is pictured below with the eight other members of the Supreme Court.



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