

Inside the Court: Eyewitness Accounts

Justice Stephen Breyer

Life Lessons from Justice Breyer

By Pratik Shah. SCOTUSblog – January 27, 2022

"In some ways, Justice Breyer was a foil to Justice Antonin Scalia. Nobody can deny the status of both as brilliant, engaging, and entertaining legal giants. Yet they parted ways in both substance and style. Justice Scalia spoke in absolutes when it came to his interpretive philosophy, whereas Justice Breyer embraces the nuance of his more pragmatic but no-less-principled approach. And while Justice Scalia sometimes employed biting attacks in his writing, Justice Breyer avoids them. I learned that firsthand, as the justice unfailingly edited out any zingers that we overzealous clerks might have tried to sneak in... Justice Breyer simply isn't interested in debater points. And he put a premium on relationships, often speaking about how nine people with very different views managed to remain so collegial. He returned from every conference, no matter the outcome, with the same optimism and warm relationship with his colleagues as when it started. I've tried to emulate his collegial and disciplined approach in my own work as an oral advocate and brief-writer today. Justice Breyer's judicial manner speaks to his fundamental decency, fair-mindedness, and optimistic outlook – qualities we could all stand to mirror these days."

SOURCE : <https://www.scotusblog.com/2022/01/life-lessons-from-justice-breyer/>