

## ROUNDTABLE

**Professor Brian Leiter (University of Chicago)**

on

# “The Roles of Judges in Democracies: A Realistic View”

26 MARCH 2019, TUESDAY

5.00PM – 7.00PM (TEA RECEPTION STARTS AT 4.45PM)

NUS LAW (BUKIT TIMAH CAMPUS)

FEDERAL BUILDING, LEVEL 1, FEDERAL CONFERENCE ROOM

### ABSTRACT

What are the “obligations” of judges in democracies? An adequate answer requires us to be realistic both about democracies and about law. Realism about democracy demands that we recognize that electoral outcomes are largely, though not entirely, unrelated to concrete policy choices by elected representatives or to the policy preferences of voters, who typically follow their party based on “tribal” loyalties. The latter fact renders irrelevant the classic counter-majoritarian (or counter-democratic) worries about judicial review. Realism about law requires that we recognize that judges, especially on appellate courts, will inevitably have to render moral and political judgments in order to produce authoritative resolutions of disputes, one of the central functions of a legal system in any society. That means it is impossible to discuss the “obligations” of judges without regard to their actual moral and political views, as well as the moral and political ends we believe ought to be achieved.

### ABOUT THE SPEAKER



Brian Leiter is Karl N. Llewellyn Professor of Jurisprudence and Director of the Center for Law, Philosophy & Human Values at the University of Chicago, where he has taught since 2008. He has also been a Visiting Professor of Law at Yale University, École des Hautes Études en Sciences Sociales, and the University of Paris X-Nanterre, and a Visiting Professor of Philosophy at Oxford University and University College London. His teaching and research interests are in moral, political, and legal philosophy, in both the Anglophone and Continental European traditions, and the law of evidence. His books include *Objectivity in Law and Morals* (Cambridge, 2001) (editor), *Nietzsche on Morality* (Routledge, 2002; 2nd ed., 2015), *Naturalizing Jurisprudence* (Oxford, 2007), *Why Tolerate Religion?* (Princeton, 2013), and *Moral Psychology with Nietzsche* (Oxford, 2019). His work has been

translated into Spanish, French, Italian, Chinese, Russian, Portuguese, Hebrew, Polish, Slovak, and Greek. Leiter has delivered lectures at universities around the world, including the Paolo Bozzi Prize Address at the University of Turin, the Fresco Lectures in Jurisprudence at the University of Genoa (twice), and the Julius Stone Address in Jurisprudence at the University of Sydney. He was editor of the journal *Legal Theory* from 2000 to 2008, and is the founding editor of the *Routledge Philosophers* book series and of *Oxford Studies in Philosophy of Law* (with Leslie Green).

### Participation is by Invitation Only

Registration commences at 4.45pm and light refreshments will be served.

For more information, please contact Mr Chris Chan at [chrischan@nus.edu.sg](mailto:chrischan@nus.edu.sg)