

FOULSTON SIEFKIN LECTURE

Emotions and the Law

34th Annual Foulston Sieffkin Lecture with Susan A. Bandes, Professor of Law at DePaul University College of Law, Chicago

In her writings, Professor Susan Bandes argues that emotion pervades all aspects of the law and it “propels judges, lawyers, jurors, litigants, and lay public,” and suggesting that empathy and emotion should be regulated is, in her words, “illogical.”

Professor Bandes gave the March 11 Foulston Sieffkin lecture that attracted an overflow crowd of law students, professors, and alumni interested in learning more about her thoughts concerning empathy and moral imagination. Widely known as a scholar in the areas of federal jurisdiction, criminal procedure and civil rights, and as a pioneer in the emerging study of the role of emotion in law, Professor Bandes discussed what it might mean for a judge to exercise the qualities of empathy and moral imagination.



Susan A. Bandes

“What does it mean for a judge to exercise moral imagination and is it something we should want our judges to do?” she began. She said that the suggestion that empathy and moral imagination should play some kind of role in judging and the law is often regarded as “incendiary and deeply threatening,” but cautioned that this view mistakes the nature of empathy.

“One difficulty that I think we are having in this national discussion about empathy is that if a judge easily understands what’s at stake for the police officer but not the citizen, for the principal but not the student, then he’s not being blind justice, he’s being half blind toward the concerns of one of the parties.”

Look for Bandes’ article in Volume 51 of the *Washburn Law Journal* in the fall of 2011.



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Washburn Law Journal
editor-in-chief, Volume 51;
Professor Susan A. Bandes,
DePaul University College of Law;
Professor Myrl Duncan,
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and Eric V. Turner,
WLJ editor-in-chief, Volume 50