

tle. You don't have to agree with the referee's decision all the time to know that you need a referee.

That's one important plank of democracy. Not only to elect people into power, but to have the judiciary play the referee and say that it is important to accept that the referee will make decisions that will not suit us all. When I teach young judges, I often say every time you hand down an opinion, somebody's nose is out of joint. You must have smashed somebody. And if they're powerful, it's not always that they will find it suitable. You ask: Is there a law for this dispute? Have I decided the facts in relation to the law at hand? Have I brought relief to disputants who are before me? Yes. Some may be unhappy. Have I explained in clear opinions how I have come to the decision?

And the last point I want to make is that when we talk about the rule of law we often talk about the higher, larger context, the superstructure of the democratic arrangements in a society. But the many years that I've been counsel and then a judge, there are so

many disputes of people, of neighbors or spouses, of children. And ask anybody who has been in courts, those disputes require the law to step in and to restore the equilibrium that is brought on by an invasion of rights or perceived invasion of rights. And over the years we gain a certain level of sensitivity over the fact that the law serves a purpose much more than the big and powerful in society.

Exercising public power — that's one level and the most conspicuous level. To think about a situation where people thought they were entitled to upset any election, and that there will be no consequences — that is an easy example. But think about people invading a private residence or going out to hurt people or rape people or dispossess people. Judges come in and step in. And that's probably the most fundamental sense where the rule of law comes in, to find that equilibrium that escapes us when we invade rights of others. And that was my privilege as a judge. I've tried to write it in my second book, *All Rise*, about my perceptions of

the role of a judge. But what was most impactful for me was how we actually could intervene in what I call ordinary lives and change them and restore the harm that might have occurred. And that's the simplest thing I want to say about the rule of law. May it live long, because without it, Hobbes told us ages ago, life will be short, nasty, and brutish.

LEVI: Yes, indeed. One of the joys of contemporary life is being able to spend time with the two of you. And for me it would be a joy to go on with this conversation for a very long time. I want to congratulate you both. You are remarkable people, remarkable judges. Your dedication to your craft and to the rule of law are extraordinary. You have life histories that are so interesting, and you've made of your history something very special for the contemporary moment that we're in. You're shining examples of what good judges can be. Thank you for what you've done for the rule of law and the promise of equal justice for all.

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