Vagueness, Ontology and Natural Kinds in Law and Philosophy

Humboldt Universität zu Berlin

11/12 Dec 2010

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Registration
Registration is free, but space is limited. If you wish to attend, please send an e-mail to rehsu@hu-berlin.de.
Vagueness, Ontology, and Natural Kinds in Philosophy and Law

The conference aims at exploring the interrelations between three ongoing debates in philosophy and legal theory:

(1) Vagueness and ontology
Is vagueness a purely semantic phenomenon, or can objects themselves be vague? Recently, the role of sortality for the debate about ontic vagueness has been recognized. It seems that wondering about an object's spatiotemporal boundaries only makes sense within a sortal ontology where ordinary objects belong to certain (natural) kinds. Material contents of spacetime regions, not being countable, have neither precise nor vague boundaries. But what exactly can we take home from this insight? Does it render sortal ontologies invariably vague, or does it merely say that non-sortal ontologies are not vague?

(2) Vagueness and natural kinds
Plato's metaphor has it that natural kind terms carve nature at its joints. If this implies that they leave no room for semantic vagueness, then sorites reasoning with natural kind terms should be impossible. But this does not seem to be the case. Tigers have gradually evolved from animals with a different DNA; the phenomenon of genetic mutation provides an unfailing source for little-by-little arguments. How, then, do natural kinds, and the related externalist semantics as proposed by Kripke and Putnam, put constraints on our carvings of nature, if not by excluding vagueness for natural kind terms?

(3) Natural kinds and legal theory
The semantic vagueness of legal terms has been widely recognized as one of the major sources of legal indeterminacy. In the hope of reining in at least part of this indeterminacy, some philosophers have proposed to extend the externalist semantics to legal terms. However, as Dworkin has famously remarked, justice has no DNA. This being granted, philosophers of law have recently begun to explore varieties of externalism beyond natural kinds. Are the analogies between functional kinds, social kinds and natural kinds strong enough to support legal realism by yielding right answers in hard cases?

Saturday, 11 December 2010

10.00-10.15  Geert Keil & Ralf Poscher: Introduction
10.15-10.45  Thomas Sattig: Vagueness, Ontology and Sortal Concepts
10.45-11.15  Plenary Discussion

Coffee Break

11.45-12.30  Michael Moore: Semantics, Metaphysics and Objectivity in Law
12.30-12.45  Ralf Poscher: Commentary
12.45-13.15  Plenary Discussion

Lunch Break

15.00-15.45  Nicos Stavropoulos: Kripke and the Law: What was the Lesson?
15.45-16.15  Plenary Discussion

Coffee Break

16.45-17.30  Dennis Patterson: The Implausibility of Natural Kinds in Law
17.30-18.00  Plenary Discussion

Sunday, 12 December 2010

9.30-10.15  Katherine Hawley: What are Natural Kinds?
10.15-10.30  Christian Nimtz: Commentary
10.30-11.00  Plenary Discussion

Coffee Break

11.30-12.15  Roy Sorensen: How Vagueness Makes Judges Lie
12.15-12.30  Daniel Gruschke: Commentary
12.30-13.00  Plenary Discussion

Lunch Break

14.30-15.15  Dietmar von der Pfordten: On the Plurality of Types of Legal Concepts
15.15-15.45  Plenary Discussion