Location

TOPOI Haus Mitte
Humboldt-Universität zu Berlin
Hannoversche Straße 6
10115 Berlin

A TOPOI Haus Mitte (conference venue)
B Hotel Albrechtshof
C Bahnhof Friedrichstraße
D Humboldt-Universität Main Building

Conference Office

Humboldt-Universität zu Berlin
Main building
Room 3034/36
Tel.: +49 (0)30 2093 2590

Organisation

Geert Keil (HU Berlin)
geert.keil@hu-berlin.de

Matthias Kiesselbach (HU Berlin)
kiesselm@hu-berlin.de
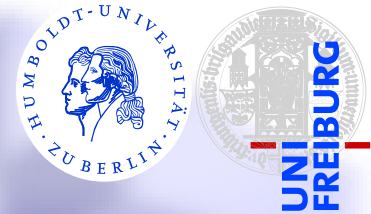
Ralf Poscher (Universität Freiburg)
Ralf.Poscher@jura.uni-freiburg.de

Registration

Registration is free, but space is limited. If you wish to attend, please send an e-mail to rehsu@hu-berlin.de.

Vernünftiger Umgang
mit unscharfen Grenzen

Vagueness, Ontology and Natural Kinds in Law and Philosophy

11/12 Dec 2010
Humboldt-Universität zu Berlin

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? Since non-sortal ontologies hardly seem relevant to everyday life and to law, does it not leave the interesting question – whether ordinary objects can be vague – unanswered?

(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