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AESTHETICS
This paper examines electronic sound recordings as possible sources of information. Epistemic worries about electronic music usually derive from the impression that electronic sounds reveal nothing of interest about the circumstances of its production. I will argue that when listening to electronic sounds, we obtain perceptual knowledge about non-perceptual entities, i.e. algorithms. Thus, the epistemic value of electronic music is its capacity to provide information about what a sound feels like, without revealing its source.

Meskin & Cohen (2008) claims that sound recordings have an epistemic status similar to photographs. They argue that sound recordings provide information about the aurally detectable properties of objects without providing information about the spatial location of those object (with regards to the listener). Although I believe that Meskin & Cohen is right about the epistemic status of acoustic sound recordings, their analysis cannot explain the distinct epistemic status of electronic sound recordings.

The claim that I will defend in this paper is that our knowledge of electronic sounds depends on the kind of signal processing involved when recording those sounds. Therefore, I propose a distinction between symmetric signal processing and asymmetric signal processing. When listening to a recording of acoustic sounds, the physical waveforms we hear are perceptually indistinguishable from the physical waveforms recorded. This is a case of symmetric signal processing. However, when listening to a recording of electronic sounds, physical waveforms appear for the first time. Prior to our hearing of electronic sounds, they exist solely as algorithms. A unique feature of asymmetric signal processing is that it allows for non-perceptual entities, such as algorithms, to be perceived by the senses. This makes electronic sound recordings epistemically valuable.
Many philosophers think that paintings are *singular* works. (Wollheim 1968, Goodman 1972, Davies 2003, cf Davies 2010) A common argument for this view is that paintings are singular works if and only if we treat them as singular works, which is to say that we make claims to the effect that any work in painting was created when the artist created the original, is located in exactly the same place as the original, and will be destroyed when the original is destroyed, and that we actually treat paintings as singular works. (Wollheim 1968, Goodman 1972, Davies 2003)

Currie, however, thinks that paintings are *multiple* works. (Currie 1989, cf Davies 2010) He also thinks that the common argument fails. One reason that the argument fails is that it is false that paintings are singular works if and only we treat them as singular. Even if we all treat paintings as singular works, it does not follow that they are; “it is possible that we are mistaken about this” (Currie 1989:87, cf Thomasson 2004)

Thomasson argues against the claim that paintings can be multiple works even if we treat them as singular works. She claims that when we ask ontological questions about paintings, we are using terms like “painting”. This means that we can rephrase the questions as asking what sort of thing the term “painting” picks out (see e.g. Thomasson 2004, 2005, 2006). What determines what sort of thing the term picks out then? A pure causal theory (Kripke 1972, Putnam 1975) will not do since it suffers from the “qua problem” (Devitt and Sterelny 1999, cf LaPorte 2004 and Soames 2002). The needed disambiguation is provided by the grounders of the term “painting” having a conception of what sort of entity they are trying to name (see e.g. Thomasson 2004, 2005, 2006). The way in which they treat paintings reveals their conception. (Thomasson 2006) Since their conception determines what sort of entity the term refers to, if it refers at all, it cannot turn out that paintings are multiple works if we all in fact treat them as singular works (see e.g. Thomasson 2004)

Dodd attacks Thomasson’s metaontological stance as well as her account of how reference is fixed (Dodd 2012, 2013). In this paper, I argue that even if her stance and account are correct, it still does not follow that paintings cannot turn out to be multiple works if we all in fact treat them as singular works. I also show how an analysis of the way in which we treat not only paintings but also other artworks, and a philosophical theory about aesthetic value, can be used to justify the view that paintings are multiple works in such circumstances.

References


VENDELA HAVILAND – Abstract Painting and the Kantian Notion of Artistic Sublimity

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The abstract expressionist paintings of Mark Rothko have captivated and awed many spectators for years. Their colors, size and apparent transparency seem to evoke something within us, which we cannot explain. Yet, the content of the paintings shows nothing clearly recognizable to the viewer. What could account for our fascination with these seemingly unrecognizable works?

There seems to be a mystery concerning the appreciation of abstract art. In experiencing Rothko’s artworks, art historians and philosophers have pointed to a feeling of sublimity. Can the age-old account of kantian sublimity explain our sense of wonder and admiration for these artworks? If so, how can we argue that this is the case?

The aim of this paper is to examine the possibility of the kantian notion of artistic sublimity in relation to abstract paintings, focusing on the works of Mark Rothko. This views the kantian theory of sublimity in a new light and shows the relevance of his theory in a modern context. My work will therefore conjoin to the larger discussion of the appreciation and aesthetic experience of abstract art. The following questions will be addressed: Can the concept of the kantian sublime be applied to abstract painting? What are the necessary conditions for the sublime to appear in reaction to such an artwork? Are there properties within an abstract artwork that have the ability to evoke the sublime?

I will argue that the kantian notion of the sublime can be evoked by abstract paintings by Rothko for two reasons. Firstly, the visual intrinsic properties of abstract painting play an important role, in that it presents itself rather than presenting something else. Thus we can experience the artwork in itself, and not an image of something else. Figurative painting has the visual intrinsic property of aiming at presenting an image of something else than itself. Therefore it has a finite end and thus provides the conditions for a perceivable understanding. However, having the properties of abstraction alone cannot be a sufficient condition for evoking the sublime. Given that the abstraction is presented in a visually simple manner, the content of the abstract image might not be comprehensible. In this case, however, the artwork provides us with the conditions for a perceivable understanding of the form. A too simplistic visual presentation will therefore be perceiving comprehensible for our imagination. Since the kantian notion of sublimity requires an experiential component, the visual presentation of the abstraction must play a decisive role in determining wether the artwork has the ability to evoke the sublime or not.
It is widely thought that having affective responses to artworks is an important part of understanding and appreciating art. The capacity of a work to provide such responses is part of what is valuable about them (Robinsson, 2005; Feagin, 1996). That is, being affectively moved by an artwork requires to identify, understand, and to feel the emotions expressed in it.

The importance attributed to emotional experience has been questioned whenever emotions have been considered as an extrinsic or instrumental element of the value of art. Those who suspect of the importance we give to our feelings argue that the significance of an artwork resides in its intrinsic artistic features (Lamarque, 2009). Properties like unity, coherence, matters of style, or the themes explored, is what appears to be the main focus when assessing questions of value. In that case, weeping for Anna Karenina is seen as something contingent to the work. However, I consider that our emotional responses rely on the internal aims of an artwork. For that reason, I will argue that the value of an artwork depends on how an emotion is expressed, rather than in the capacity of the audience to truly feel that emotion.

I believe that this debate should deal with two important issues: how much do we need to feel in order to be in a good position for aesthetic appreciation? and does our emotional response have to be the same than the emotion expressed in art? Here I will argue that the question of value is not necessary connected to the relation between recognizing an emotion and feeling that same emotion. Just like in real life to make sense of the others emotion is not necessary to experience it yourself, and also unlikely to feel it with the same degree of intensity.

Nostalgia will be presented as a special case of expression. I undertake the nostalgic emotion not as a mere deliberated fantasy about the past, but as a reflective emotion about personal memories that needs to be incorporated to the own self sensation of being in a specific space transported by your own memories. It is assumed that autobiographic memories are always auto-referential, where the “I” is always tied to an exact time and space (Casey, 1987). This makes me consider that feeling nostalgia may not be essential for aesthetic appreciation due to the difficulty of engaging with external recollections.

I will analyze different works of Joseph Cornell, J.D. Salinger, and Wes Anderson in order to exemplify to which extent we can appreciate them just by identifying the nostalgic tone that colours their creations. In conclusion, I hope to reveal that the value of these artworks resides in their capacity of setting us in a specific mood, of prompting affective responses, like wonder or tenderness, while asking us to yearn for others memories may be asking us to feel too much.
The thesis that literature contains substantive cognitive content is often challenged by those who point out the disanalogies between works of literature and paradigmatic modes of inquiry; i.e., the fact that literature does not seem to provide evidence or formulate arguments as do paradigmatic modes of inquiry. To meet this challenge, Noel Carroll (1998 & 2016) has argued that the power of arguments from disanalogy fades once we realise that the primary cognitive value of our experience of literature lies not in its adding to a body of knowledge, but instead in the opportunity it provides for us to reflect on, and deepen our understanding of, knowledge we already possess. However, accounts such as Carroll’s are in danger of placing too much emphasis on the reader’s pre-existing knowledge and the reader’s own reflection at the expense of assigning a substantive role to the text itself and its aesthetic features. This provokes questions concerning what specifically it is that makes literature well-suited to embody and communicate cognitive insights of ethical import. Conversely, accounts, such as that given by Gibson (2009), which seek to treat text itself, including its aesthetic features, as the location of cognitive (particularly ethical) insight, are left with fewer resources to explain how it is that the communication or transfer of the cognitive insight from the text to the reader occurs. This is particularly pressing for accounts such as Gibson who (on this point following Carroll) casts the cognitive value of literature primarily in terms of its capacity to add, or deepen, understanding associated with the reader’s prior knowledge. This paper builds on the work of both Carroll and Gibson by giving an account of the relation between the text, viewed as authoritative and as the location of cognitive insight, and the role of prior knowledge, engagement and reflection on the part of the reader. Through providing a largely Gibsonian reading of the literary features of two works by David Foster Wallace, I will demonstrate how Wallace’s technique of inviting the reader to adopt something like the position of the author in their interaction with the text, suggests an enlightening account of the relation between text and reader. Following Gibson, I understand the author to be involved in the dramatic activity of acknowledging aspects of our shared world (particularly ethically relevant aspects) in the text, and in so doing demonstrating her understanding of these aspects of our world and how they fit together. Wallace’s technique invites the reader into the dramatic position of the author and in so doing shows how we should understand the reader as thus demonstrating their understanding in their interaction with the text. The account I develop along these lines is able to maintain the authority and cognitive value of the text, whilst also explaining how the reader’s engagement can result in a genuine deepening of their understanding.
There is an abundance of literature – architectural and philosophical, and especially post-modern – in which a relation between architecture and philosophy is at work, with one engaging the other directly, or simply in a marginal or implicit manner. Especially contemporary architectural discourse, be it by theoreticians, practitioners, or critics, frequently resorts to philosophical thought, themes, and references in order to discover, clarify, and express deeper dimensions of the architectural work. Indeed, for architects, philosophy seems implicit to some point of architectural activity, and especially of its thought; while in philosophy it has grown from a sporadic footnote or metaphoric reference into an attractive mystery for and beyond aesthetics, as well as one mode of its practical consequential engagement upon the world. Though of tremendously distinct natures, architecture seems to instinctively call for philosophy, and philosophy has responded more and more.

Despite this importance, any inquiry into this relation is immediately and surprisingly struck by the manifest lack of literature about the relation itself and its implications. How does architecture resort to philosophy? And why at all? How has philosophy regarded architecture? Why the recent increased interest, and what about it? In the end, what comes about for each discipline? What are the recurring problems, what are the appealing promises, what are the unexplored potentials?

The proposed presentation shall engage these questions by offering a rare historical overview upon various key moments of significant contact between architects and philosophers. These may be categorized under three historical dynamics: the first preceding architectural modernism, when most instances of the relation correspond to philosophical texts marginally referencing architecture, but also including exceptional architecture theory works from which philosophical contribution, though also marginal, may be extrapolated; second, the modernist movement, in which philosophy first explicitly becomes a theme for architects – though diluted as resources for their main work —, aligned with the major intellectual and especially social concerns of the time; third, the post-war and post-modernist period up to today, during which architectural reference to philosophy becomes abundant and varied both in theory and practice, philosophical interest in architecture shifts from a footnote of aesthetics to an issue in itself, and architects and philosophers come to work together.
An artwork is an artefact that often relies on aesthetic features. Artworks are also, according to Hannah Arendt, a sufficient artefact in human life because of the fact that they outlive us and in that sense make us feel at home in the world.

I aim to show that our relation with the world is depending on an aesthetic perception of the world. In order to do this, I need to inquire and explain some necessary conditions for this relation. At first, to sketch an understanding of the concept of subjectivity. In short, it’s possible to see this in two ways. On the one hand, that we own our subjects and with that our freedom. Or on the other hand, that we gain our subjects in the process of living life and in that sense freedom is not something we own but something we create. I’ll join the latter solution which is grounded in a discussion derived partly from a western philosophical tradition with emphasis on Augustine, Immanuel Kant, Hannah Arendt and John Dewey, partly an Indian-philosophical tradition centered on the term darśan – a divine vision. This is because I want to connect the concept of subjectivity with the concept of perception.

With this notion of perception, I hope to show how the interaction and engaging with an artwork take form and what this requires. In my view, aesthetic perception is a variant of darśan and can be seen in three steps: Firstly, you give yourself to the artwork – you look and you listen. Secondly, you are met with silence. Thirdly, this forces you to an indirect reflective experience – you are given yourself back. You now see, you now hear and more importantly you now understand (something greater than yourself). This means that you are given your freedom because it creates a (re)action within you, an action that doesn’t feel as your own but instead as “given” to you and, hence, the (re)action forces you to judge.

In the end I’ll draw the conclusion that we need to live immanent, in the world of aesthetic perception, to have the possibility to transcendent, that is to (freely) judge. This entails that artworks have the power to cultivate our senses that are active when we judge and that we from this way of living can make true sense of how artworks generate a world in which we feel at home.
What is it to see something in a picture? Most accounts of pictorial experience—or, to use Richard Wollheim’s term, ‘seeing-in’—seek, in various ways, to explain it in terms of how pictures somehow display the looks of things. However, some ‘things’ that we apparently see in pictures do not display any ‘look.’ In particular, most pictures depict empty space, but empty space does not seem to display any ‘look’—at least not in the way material objects do. How do we see it in pictures, if we do? In this talk, I offer an account of pictorial perception of empty space by elaborating on Wollheim’s claim that ‘seeing-in’ is permeable to thought. I end by pointing to the aesthetic relevance of seeing—or not seeing—empty space in pictures.
Traced back to the live art events of the early 20th century’s avant-garde, only to have started establishing itself as a recognized form of art during the 1970’s, performance art now seems to occupy a given but also increasing space in today’s art scene, with new performance art festivals popping up all over the globe and museums hosting large-scale performance art exhibitions attracting hundreds of thousands of visitors. Despite this fact, only a few works in the philosophical literature have so far taken on the task of examining the particular characteristics of this interesting art form, and accounts from the analytical tradition seem conspicuously missing. In a wish to start off the process of gradually filling out this theoretical gap, I will, based on some of the few earlier writings on performance art and the philosophical literature on conceptual art (with which the performance art is commonly lumped together), as well as my own participation in the art form, present some initial findings concerning the ontology and epistemology of performance art, and thereby hopefully provide some basis for further investigation in the field. The conclusions of my research show that performance art normally include elements which distinguish it both from other “dematerialized” forms of art as well as from traditional art forms such as sculpture, dance and music, and that philosophical aesthetics may need to assemble a differently composed toolbox in order to properly account for this kind of live art, than has been used before.
One debate that currently holds prominence in the literature concerns whether moral value can be relevant to our assessment of an artwork’s value qua art. In relation to this debate, frequent questions that are commonly asked include: ‘Can a moral defect lessen artistic value?’; ‘Can a moral virtue in turn enhance artistic value?’; ‘If such interaction takes place, does it do so systematically?’, and; ‘Can a moral defect, in fact, enhance artistic value. Of those who answer in the affirmative, many motivate their claim through an appeal to the notion of a work’s ‘internal aims’; they argue that moral value can affect the achievement of what is internal to the work qua art, hereby affecting it’s artistic value. Yet I suggest that the debate seems to have developed such that it no longer simply concerns the relevance of moral value for artistic value, but it also concerns the extent to which moral value can be relevant for artistic value. More precisely, an apt question to ask is as follows: what role does moral value play in the assessment of artistic value? Indeed this gains pertinence in light of the claim made by Eileen John that moral value has dominance over other considerations – particularly the achievement of a work’s internal aims – when assessing the value of an artwork. So in this paper I would like to start to reconsider the ways in which an artwork’s value is to be determined; it remains to be seen what kind of role the achievement of a work’s internal aims can appropriately play in the evaluation of an artwork; it remains to be seen why we should care about ‘internal aims’ at all; whether moral value has dominance over other considerations, and; whether it is coherent to even describe one of these considerations as having dominance at all. Yet, even more pertinently, it needs to be clarified what it means to suggest that moral value can be artistically relevant. The debate has, so far, been narrowly focused in its conception of what can count as a moral defect or virtue for a work of art, and it has also been narrowly focused in the artforms that are considered. By expanding the discussion here some of the above questions can start to be addressed.
Aesthetic Formalism has for decades been under attack from different philosophers such as Arthur C. Danto, Richard Wollheim, Kendall Walton and Noël Carroll in favour of the Contextualist approach which is today the dominant strategy for understanding and appreciating art. The issues concerning Formalism with its Kantian roots have lately been revitalized by Nick Zangwill’s contribution to the debate in his *Metaphysics of Beauty* (2001). According to Zangwill there is a truth in formalism, and this truth is what I will discuss in this paper. My outline will be that (a) Formalism appeals to a common sense way of approaching art in agreement with aesthetic empiricism. But on the other hand (b) manifest properties are undoubtedly insufficient for understanding and appreciating something as art according to contextualism. My suggestion here (c) is that there is indeed a truth in formalism but there are two philosophical fields which are confused in Zangwill’s discussion: (i) Zangwill’s suggestion concerns the metaphysical foundation of the aesthetic property beauty, whereas (ii) the contextualist, such as Walton, discusses the conditions for knowing that something is art to appreciate it properly. A moderate formalist may be right about formalist properties of artworks but wrong in the judgement of it as an artwork as art. So the question is therefore: Can we believe in aesthetic formalism?
EPISTEMOLOGY & PHILOSOPHY OF SCIENCE
If someone punches you in the nose, we have a way to assess the harm, medically. And, we can determine legal liability and moral blameworthiness.

But, in addition, we can also be harmed epistemically. When we are misled, for example, we suffer epistemic harm, in addition to other harms we might suffer. But, we don't quite have a way to assess this harm or a principled way to move from the epistemic harm to moral blameworthiness. This paper proposes a way to do both. First, I give an account of epistemic damage, which is a proposal about how we might measure epistemic harm. Second, I give an account of expected epistemic damage, which draws a principled line from the epistemic harm to moral blameworthiness. Third, I use these two new accounts to solve a dilemma about lying. The hope is that this will bring some clarity and precision to a frequent kind of interaction and make it easier to i) assess damage and ii) assign blame. I’ll note from the outset that much of this project is exploratory.

Imagine that Albert knows the forecast says it will rain, and Bob does not. Before he leaves the house, Bob asks Albert whether it will rain; Albert lies to Bob and tells him that it won’t. Bob then comes to believe that it won’t rain, leaves the house for the day without an umbrella, and later gets soaking wet. Clearly, Albert has done something wrong, and is at least partially responsible for Bob’s getting wet. But he also inflicted another kind of harm on Bob – epistemic harm. Albert caused Bob to come to have a false belief that Albert knew was false. And this is an epistemic harm (I’ll just say this now, but I’ll refine this later.) How should we assess this harm and how should we determine the extent to which Albert is blameworthy? To answer these questions, we have to ask, first, what is the object of the damage, and in virtue of what is that thing damaged? Second, we’ll have to figure out the relationship between the harm and blameworthiness.
SVEN OVE HANSSON – Science denial, fact resistance and alternative facts – what is this all about?

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Recently, science denial, fact resistance, and various forms of disinformation have become increasingly prominent in public discussions. These phenomena give rise to new issues for the demarcation of science vs. pseudoscience. How is science denial related to "traditional" pseudoscience? Do "alternative facts" on issues outside of the domain of science have anything to do with pseudoscience, or are they a different type of deviation from common norms of rationality? Since climate science denialists call themselves "climate sceptics" we should also ask ourselves if these anti-scientific tendencies have any connection with philosophical scepticism. This presentation proposes answers to these questions within a framework that sees science as one of several fact-finding practices in human societies.
ERIK JANSSON BOSTRÖM – Vad är problemet med Max Webers idealtyper?

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Idéen om idealtypiska begrepp är kanske ett av de tydligaste avtrycken som Max Weber gett i samhällsvetenskaperna. Idealtypiska begrepp återkommer ständigt inom den samhällsvetenskapliga litteraturen och de formuleras och används ofta på ett nästan självklart sätt som om de inte behöver en närmare presentation.

Detta är dock paradoxalt därför att inom själva Weberforskningen finns det en utbredd uppfattning om att ingen egentligen lyckats förstå vad Weber menar att idealtyper är.

Så sent som år 2014 skriver till exempel Gerhard Wagner och Claudius Härpfer att Weber misslyckades med att klargöra sin idé om idealtypen och konstaterar: ”The result: endless controversy over the question what an ideal type really is. – a discussion that has led nowhere.” (Wagner och Härpfer, On the Very Idea of an Ideal Type, 2014).


Detta kommer för det första att visa att Weber inte bara ser formulerandet av idealtypiska begrepp som en av många möjliga metoder för samhällsvetenskaperna utan att de i vissa fall är oumbärliga för att nå objektiv kunskap om sociala fenomen. Det betyder att vi inte kan förstå idealtypen utan att samtidigt adressera större vetenskapsfilosofiska frågor såsom; Vad innebär objektiv kunskap om sociala fenomen? Hur ska vi nå den? Och vad är samhällsvetenskapernas relation till vården?

För det andra verkar vi inte kunna åberopa etablerade uppfattningar om kunskap och objektivitet därför att ”vi måste diskutera vad det på vårt område kan betyda, att den sanning vi eftersträvar har objektiv ’giltighet’.” (Weber, Samhällsvetenskapernas objektivitet, 1904)
Experimental randomization is the allocation of experimental units into different conditions using some random mechanism. In a medical trial setting, the “experimental units” are trial participants (patients), and the conditions are typically these two: (a) getting a new medical treatment; or (b) getting an old or inert treatment believed to induce the same non-specific effects as the new one. The epistemic benefits of experimental randomization have been debated particularly with regard to such medical trials during the last decades. Many claims have been invoked on behalf of randomization, the following believed to be a near-exhaustive list:

1. Randomization is a prerequisite for performing statistical hypothesis testing where a null hypothesis is modeled.
2. Randomization is a prerequisite for (plausible) causal inference from treatment to effect.
3. Randomization contributes to the baseline balance of groups by randomly distributing confounders.
4. In a Bayesian framework, randomization provides an epistemically acceptable and convenient way of achieving a prior distribution of covariates.
5. Non-randomized studies tend to exaggerate treatment effects.
6. Randomization avoids bias associated with having participants themselves selecting their treatments (“self-selection bias”).
7. Randomization avoids bias associated with having experimenters selecting which participant will get what treatment (“allocation bias”).

The one claim that appears the most difficult to question is (7). Can we thus settle, once and for all, that randomization is epistemically good in a medical trial because it contributes to the avoidance of allocation bias? No, this is still not the ultimate argument, because we also need to be certain that randomization does not have epistemically bad consequences that outweigh the benefits. I argue that a bias introduced by the very act of randomizing—stemming from the fact that some potential participants do not like being subject to randomization—has to be taken into account (“randomization bias”), and that this is so even though randomization bias arguably affects the external validity only.
ERIC JOHANNESSON – Simplicity, probability and strength

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It’s a popular idea that, among two competing hypotheses that are equally compatible with
the evidence, one should choose the simpler one. This principle is usually called Occam’s
razor. As it stands, however, it obviously requires some qualification. One parameter that
needs to be taken into account is strength. If one of the competing hypotheses is a lot
stronger than the other but only slightly more complicated, one may still choose that one. If,
for instance, one hypothesis is Newton’s three laws of motion (considered as universally
quantified statements), and the other hypothesis is the negation of one of these laws, then
(on any reasonable measures of simplicity and strength) the latter is both simpler and
weaker than the former. But for Newton, both hypotheses were equally compatible with the
evidence. Should he really have chosen the simpler one? A more plausible version of
Occam’s razor might therefore go as follows:

(1) Among two competing hypotheses of equal strength that are equally compatible
with the evidence, one should choose the simpler one.

Both simplicity and strength are of course tricky notions. As far as strength goes, all we can
say for sure is that an hypothesis is at least a strong as another hypothesis if it logically
entails the other. But often, as the case of Newton suggests, we like to compare the strength
of mutually exclusive hypothesis, neither of which logically entails the other. As far as
simplicity goes, there’s even less we can take for granted. Arguably, the best measure of
simplicity is something like Kolmogorov complexity. Relative to some language, the
Kolmogorov complexity of an hypothesis is the length of the shortest description of the
hypothesis in that language.

The problem I want to address has to do with the relation between simplicity, strength and
subjective probability. We know that if $P$ is a probability measure, $H$ and $H'$ are two mutually
exclusive hypotheses, $E$ is evidence and $P(E|H) = P(E|H')$, then

(2) $P(H|E) < P(H'|E)$ if and only if $P(H) < P(H')$.

In other words, among two competing hypotheses that are equally compatible with the
evidence, one should choose one over the other if and only if that one has higher prior
probability. In Bayesian terms, Occam’s razor thus amounts to the following:

(3) Among two competing hypotheses that are equally strong and equally
compatible with the evidence, one should assign a higher prior probability to one of
them if and only if that one is simpler.

However, given certain reasonable assumptions about the relevant measures of simplicity
and strength, I show that this principle is incompatible with the laws of probability.
ALEKS KNOKS – Higher-order evidence and rationality requirements by way of deontic logic

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One of the highlights of recent epistemology is the problematization of evidence about evidential relations or higher-order evidence, as it is usually called. Paradigmatic cases discussed in the literature involve agents who receive very strong but misleading evidence suggesting that they are failing epistemically. These agents reason correctly about their (first-order) evidence yet they have outstanding reasons to think that they don’t. Cases of this sort have been diagnosed (and treated) in various ways, but the most recent suggestion is that they are symptomatic of a deep conflict between two types of rationality requirements—see [Lasonen-Aarnio, f, Worsnip, f]. First, there’s the requirement that you adopt an attitude if and only if your evidence supports it. And, second, there are the requirements that your attitudes cohere with each other. Arguably, what the paradigmatic cases show is that you can’t always respect every rationality requirement that applies to you. Thus, higher-order evidence gives rise to a puzzle about rationality.

In this talk I approach the puzzle formally, by way of deontic logic. I present a language that allows to state the relevant requirements, describe some paradigmatic cases, and formalize the reasoning leading up to the disconcerting result. The formalization serves two purposes. First, it provides a design space for classifying and exploring responses to the puzzle—I will discuss some. Second, it allows to make use of the resources of deontic logic in solving the puzzle. My own solution draws on some work on deontic conflicts that goes back to [van Fraassen, 1973]. Is it a merely formal solution then? The answer is no. I will argue that it supports an appealing philosophical view about the nature of rationality requirements. In the last part of the talk I will discuss the merits of this view, defend it from some possible objections, and compare it to some other proposals from the literature. Time permitting, I will explain how it bears on the debate about the normativity of rationality.

References


SEBASTIAN LUTZ – Empirically Adequate but Observably False Theories

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I show that a theory may be empirically adequate according to van Fraassen’s definition even though it can be observationally determined that the theory is false. I suggest a modification of empirical adequacy that avoids this result.
GUNNAR MOBERG – Some remarks on Catherine Elgin’s epistemology

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Catherine Elgin is an interesting epistemologist with a position which diverges from a very far-reaching coherentism but is more adequate than traditional foundationalism. She writes herself: "I will...defend coherentism and/or weak foundationalism" (Elgin 2014 p. 267).

As a kind of basic beliefs she speaks in many passages of "initially tenable beliefs" or "initially credible". I shall examine what she means with "initially"? Initially in the start of a limited investigation or in a more extensive?

I shall also present some critical remarks on parts of her reasonings:

1) She writes: "Contrary to what foundationalists contend, the justification for privileging perception derives from the relation of perceptual judgments to the rest of our theory of ourselves as cognitive agents interacting with a mind-independent world" (Elgin 2014 p. 251)

I find it possible to start in a simpler way with my spontaneous experience to be in immediate contact with the world, albeit it is possible that this immediate contact is not valid when the theory of knowledge is constructed.

2) Elgin claims also that everything is subject to revision. It concerns both particular beliefs and systems of thoughts. But throughout her philosophy she has an intersubjective basis.

Is this basis also open to revision? Either it is, and Elgin is facing a problem of other minds which she finds inappropriate and misleading (Elgin 1996 p. 220) or she is postulating a starting-point which is not revisable. But in the latter case it would be an advantage to be able to have an argumentation which shows that the skeptic in some sense is self-contradictory or incoherent. However I have found no such argumentation in her philosophy.

3) In line with the starting-point in "we" she argues in a similar way when it concerns to judge statements from other people. Concerning news sources she writes that the justification is "derivative and conditional on the trustworthiness of the medium and the tenability of the medium and the tenability of the message." (Elgin 1996 p. 113). So far I can agree. But I have an egocentric starting-point and I try to show how I can myself judge the knowledge sources. For Elgin, however, it is clear that her ultimate starting-point is we and not I.

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The generality problem concerns how to determine the type of a belief forming process. How we type a process may determine its reliability. Therefore, reliabilism in epistemology, as famously defended by Alvin I. Goldman (1979) and others, is thought to be seriously incomplete absent a solution to the problem. Goldman has addressed the issue in numerous places, though (until recently, see below) without converging on a definite solution.

I argue that while the generality problem, as standardly advanced, is not a genuine problem for reliabilism, there is a version, due to Conee and Feldman (1998), which does present an immediate threat. This version aims to prove that reliabilism is hopeless because people will widely disagree about how to type processes. The argument relies on this premise:

“The only way in which a type may be become salient in a conversational context is by someone mentioning the type.”

Drawing on the robust basic level tradition in cognitive psychology (Rosch et al, 1976), I hypothesized in earlier work that the premise is false (Olsson, 2012; see also Olsson 2016). The hypothesis was then confirmed in an empirical experiment on typing done at Lund University (Jönnson, 2013). Finally, I comment on the fact that Goldman now advocates the present approach to the generality problem (Goldman and McGrath, 2014), though with a twist (Goldman, 2016).

References


The concept of entanglement is coined by the theory of quantum information to designate that special correlation of two or more quantum entities. Furthermore, it means an exactly defined mathematical structure grounded on Hilbert spaces and underlying all phenomena of entanglement studied by quantum mechanics.

That same structure can be utilized for a mathematical model of metaphor as a special kind correlation between the meanings and senses of two or more words. The philosophical core of the model can be described so: Metaphor restricts the meaning of a term by the meaning of another term in a probabilistic, loose way calling for interpretation.

The introduction of that underlying mathematical structure allows of establishing unambiguous correspondence between metaphor and entanglement in an absolutely exact, mathematical way, after which measurement in quantum mechanics corresponds to interpretation in language: This determines some interpretations of a given metaphor as more probable, but no one can be excluded.

The term utilized as metaphor restricts the area of meaning of its object to a small true subset of it. That set can ground the essential features, properties or relations of the object of the metaphor pioneering the scientific or even formal definition of the term serving as the object of the metaphor at issue. Thus some metaphor founds any scientific notion therefore “erasing” the grounding metaphor and the rest interpretations except one of them. The corresponding phenomena in quantum information is the process of de-coherence, after which the interacted object is cut off from its environment just as a rigorously defined notion is cut off from its context to designate one and the same in any context.

The opposed process can be observed both by the theory of metaphor and that of quantum information: A notion begins to lose its clear outlines coined in everyday speech and media accumulating new and new interpretations and uses. A quantum entity analogically starts to lose the measured values of the quantities as if dissolving in the common and inseparable whole of the universe. The suggested mathematical structure describes equally well both processes representing its interpretations.

The outlined approach allows a common philosophical viewpoint to the physical world, language and some mathematical structures therefore calling for the universe to be understood as a joint physical, linguistic and mathematical universum, in which physical motion and metaphor are one and the same rather than only similar in a sense.
In most societies symbolic representations of natural numbers (e.g. the Arabic numerals) are used in different ways and for different purposes (e.g. to estimate quantities, to enumerate). In the complex process of grasping number-concept a child needs to acquire conceptual elements from many contexts and somehow put them all together in order to understand what numerical expressions mean and how one can use them. We know today that this complexity of meaning has its roots in a multitude of cognitive factors amounting to the acquisition of number-concept. According to the core cognition paradigm [1, 2, 3, 7] three systems play the key role:

- the system for subitizing (i.e. visually determine the exact quantity of objects without counting) small quantities (the Parallel Individuation System),
- the system for approximating quantities (the Approximate Number System) and
- the system of symbolic representations (the Linguistic Number System).

It is a theoretical challenge to understand how these different cognitive (approximation or subitizing) and cultural (counting list) systems combine and enable the number-concept to be constructed in the mind of a child. In order to account for the fine-grained conceptual distinctions involved in this process, I formulate a model based on conceptual spaces [4, 5].

[6] proposed a conceptual spaces model of pre-verbal representations resulting from processing quantities by ANS. In my talk, I extend this model to other systems participating in the number-concept creation, in particular, to PIS. Cognitive scientists observed that children learn the first names of numbers: “one”, “two”, “three” and “four” thanks to the ability to subitize in order of magnitude and one-by-one. E.g. a two-knower – usually a 2yo - knows what “one” and “two” mean, but associates random quantities to “three”, “four”, “five” etc.). It is also known that number-concept development is not continuous. It is suggested that there is an “aha” moment when children (about 3.5yo) grasp a so-called “cardinality principle” (“CP”, the last name from the counting list means the quantity of the collection), which enables them to simultaneously understand meanings of bigger number names: “five”, “six” etc. We also know that CP-knowers suddenly start knowing a lot about other proprieties of natural numbers (e.g. discreteness, infinity of progression) exceeding “purely” cardinal or ordinal meaning of numerals. In addition of proposing conceptual spaces for subsequent number-knower-levels, my model accounts for conceptual change between the levels, and also indicates how it is related to the model of ANS.

References


AMANDA THORELL – Gränsen mellan friskt och patologiskt och problemet med vanliga sjukdomar

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Hur väl olika mekanismer i kroppen utför sin funktion varierar mellan oss. När det kommer till en viss gräns bedömer vi att en mekanism fungerar så dåligt att den är patologisk. Men vad bestämmer var gränsen går mellan det friska och det patologiska?


För att lösa detta problem föreslår jag en modifiering av Boorses teori. Förslaget är att dra gränsen mellan friskt och patologiskt utifrån faktisk skillnad i effektivitet. Istället för att, som Boorse, definiera en viss andel av referensklassen som sjuk, så definieras de mekanismer vars effektivitet är signifikant nedsatt som patologiska.
MARCO TIOZZO – The Level-Splitting View: A Happy Compromise Between Conciliatory and Steadfast Views?

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The key question in the debate about the epistemic significance of disagreement regards what to do if you discover that you are in a dispute with an epistemic peer. Ironically enough there has been extensive disagreement amongst philosophers about how to best answer this question and the debate has been raging for more than a decade now. Conciliatory views maintain that one should be significantly less confident about the disputed belief at issue while Steadfast views, on the other hand, maintain that one should retain confidence in the disputed belief despite peer disagreement. As it stands neither camp has been able to provide arguments to convince the other side of the supremacy of their position.

In my presentation, I suggest that either side of the debate is right about one thing and wrong about another thing. Conciliatory views are correct about the evidential force of the higher-order evidence but ignores the evidential force of the first-order evidence. Steadfast views are correct about the evidential force of the first-order evidence but ignores the evidential force of the higher-order evidence. Both views suffer from a Level-Confusion Fallacy, i.e. to conflate the first- and the second-level of knowledge. What I suggest instead is that we ought to consider the “Level-Splitting view”. That is to allow for divergent verdicts on the first- and the second-level of knowledge.

At first sight the Level-Splitting view appears to be a happy compromise between the Conciliatory and the Steadfast view. The Level-Splitting view appears to have all the advantages and none of the disadvantages of the other views. However, it has been argued that the Level-Splitting view has some very counterintuitive consequences. I will argue that these worries are overstated since the same problem will inexorably afflict all norms. In the end, I therefore think that the Level-Splitting view is worth to take into serious consideration as a fruitful middle way in the peer disagreement debate.
ETHICS
Informed consent is a patient’s or research subject’s valid authorization of a medical intervention or research participation. The concept is usually understood as shorthand for informed, voluntary, and decisionally-capacitated consent. It can be argued that consent is invalid unless it stems from the patient’s or research subject’s “genuine,” “real,” or “authentic” desires, i.e., the basic component in preference forming. That is, that informed consent should also include an element of authenticity.

The argument assumes that the authenticity of desires can be reliably observed; if it cannot, authenticity should not be part of informed consent (as interventions with patients’ lives and liberties must be justified). Therefore, I investigate the problem of reliably observing authenticity. I conclude that it is impossible to reliably determine the status of desires in terms of authenticity.

This has been concluded before, though only of some theories of authenticity in some contexts. However, I employ a method that allows me to draw the stronger conclusion that no theory of authenticity that is present in contemporary literature on personal autonomy can produce reliably observable consequences, and that the authenticity of desires therefore cannot be part of informed consent in any contexts.

The method builds on a taxonomy of characteristics displayed by different theories of authenticity that I have developed. In that taxonomy, which takes a three-by-two shape, theories of authenticity can display sanctionist, originist, and coherentist characteristics. These are the taxonomy’s categories. In sanctionist theories, i.e., theories built on characteristics typical of sanctionist ideals, authenticity concerns the desire-holder’s attitude toward her desires. In originist theories, authenticity concerns the origin of a desire. In coherentist theories, authenticity concerns the coherence of a desire-holder’s set of desires. Furthermore, the characteristics can be either cognitivist or non-cognitivist. In cognitivist theories, authenticity is a matter of rational deliberation; non-cognitivist theories do not commit to that. These are the taxonomy’s classes. A theory can display characteristics from different categories (to different degrees), but the classes are mutually exclusive so that a theory is either one or the other.

Although I believe that my conclusions hold, the taxonomy is by itself a contribution to autonomy theory. It neatly orders theories of authenticity in contemporary literature on personal autonomy, and provides a conceptual apparatus that enables theorists to treat authenticity more systematically than before.
SARA BELFRAGE – Hur vi faktiskt bryr oss om personlig integritet

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Inom den filosofiska litteraturen, en rad andra forskningsområden och arbeten till grund för lagstiftning, har olika idéer om informationsintegritet, dvs. personlig integritet med avseende på privat information (informational privacy), lagts fram. Det handlar om teorier om när den personliga integriteten är skyddad, vad som är privat, vad som är känsligt, huruvida integritet är värdefullt och i så fall om den är det i sig eller blott instrumentellt. Det finns också en växande litteratur om integritetsskyddets relativa värde, dvs. när avvägningar görs mot annat som också tillskrivs värde såsom förbättrad hälsa, säkerhet eller ekonomisk vinning.

I detta föredrag berättar jag om vad jag kommit fram till då jag analyserat vad människor uppgivit i grupp- och individuella intervjuer som rört synen på personlig integritet när det gäller information om vård och hälsa. Jag visar hur resonemangen förhåller sig till de i litteraturen förekommande uppfattningarna – vilka idéer ansluter sig människor de facto till? Jag visar också hur de uppfattningar eller preferenser personer själva anger att de har förhåller sig till hur det de värderar skulle kunna beskrivas utifrån teoretiska skiljelinjer.

Jag vill också lyfta frågor av metodologisk karaktär när det gäller empirisk etik, eller värderingsforskning, i allmänhet och undersökningar av synen på personlig integritet i synnerhet. Jag hoppas på diskussioner om dessa spörsräk som om hur, om alls, akademisk filosofi bör bidra till att belysa de värderingar befolkningen hyser gällande moraliska frågeställningar.
This paper addresses the need for an awareness of our relatedness with the rest of the ecosystem. I argue that Confucian thought facilitates a vision of sustainability and a corrective to the crisis of mind that has separated nature from humanity, informing us on seven levels: 1. Stressing the continuity between humans acting from the ‘humane heart/mind’ (renxin 仁心) and nature, thus we are in an ethical relationship with the rest of the ecosystem (‘all things,’ wanwu 萬物). 2. Rejecting the dualistic either/or thinking (i.e. anthropocentric/ecocentric, humans/nature) that has dominated the discussion of environmental issues in the West. 3. Rejecting the view that nature has only instrumental value. 4. Taking care of the fundamental needs of the people is a premise for ecological sustainability. 5. Rejecting seeking ‘personal benefits’ (li 利) that are not ‘righteous’ (yi 義). 6. Seeing ‘unselfish’ (gong 公) behavior as a premise for becoming a better citizen. 7. Increasing the awareness of how external forces that propagate ecological destruction impede our potential to act from the ‘humane heart/mind.’

I föredraget presenterar jag ett alternativt mått som tar hänsyn till kvantitet, kvalitet och jämlikhet, och som kan användas på både positiva och negativa välfärdsvärden. Måttet uppfyller flera rimliga villkor, bland annat:

i) ett kvantitetsvillkor, enligt vilket additionen av en individ med positiv välfärd alltid resulterar i en bättre population (medan additionen av en individ utan välfärd eller med negativ välfärd alltid resulterar i en sämre);

ii) ett kvalitetsvillkor, enligt vilket en population med högre genomsnittlig välfärd alltid rankas som bättre än en population med lägre genomsnittlig välfärd, då populationerna har samma totala välfärd och samma totala jämlikhetsgrad;

iii) ett jämlikhetsvillkor, enligt vilket en population med en högre grad av jämlikhet alltid rankas som bättre än en population med lägre grad av jämlikhet, då populationerna har samma totala och genomsnittliga välfärd;

samt (relaterat till det sista):

iv) ett prioritetsvillkor, enligt vilket det alltid är bättre att höja välfärden för en individ som har det sämre än för en individ som har det bättre, givet möjligheten att höja välfärden för någon individ en bestämd kvantitet.

Avslutningsvis tar jag upp några problem med måttet. Generellt viktar måttet kvantitet högre än kvalitet och kvalitet högre än jämlikhet, vilket resulterar i vissa tveksamma rankningar.
The production and consumption of internationally traded goods plays a large role in the occurrence of climate change. The greenhouse gases that result from manufacturing certain products make up for a considerable amount of total global emissions. Such emissions, in turn, cause harm to current and future generations. This begs the question of who is responsible for the emissions and the harm they bring about. The debate on moral and causal responsibility for greenhouse gas emissions has typically focused on states and—to a lesser extent—on individual consumers. So far, an explicit investigation into the responsibility of producers, and how this relates to that of the consumer, has been lacking in this context. In this talk, I will look at the role played by those involved in global supply chains in causing harm through emissions. The aim is to establish how causal responsibility for emissions ought to be shared between different actors in the production and consumption of emission-heavy products. In order to do this, one must first establish which agents are causally efficacious with regard to emissions. An extraordinary number of persons are involved in the supply chain of any one product and an increasing number of products are manufactured in more than a single country. Processes of supplying raw materials, combining the basic material, selling the product and purchasing it take place across a large number of national borders. A second issue relates to how the actions of agents interplay at different stages of production and trade. Can we, for instance, say that the actions of consumers are causally pre-empted by the actions of manufacturing companies? Or do consumers constitute a cause in virtue of the demand they create through purchases? A final issue relates to degrees of causation: even though we can establish that agents have some causal input with regard to the emission of greenhouse gases, it is unclear whether we can ascribe relative shares, or degrees, of causal contribution to different agents.
I argue that given a plausible reading of John Williams’s *Stoner* (1965) the novel throws light on the demands and cost of pursuing a strategy for self-realisation along the lines outlined in Bk. 10 of Aristotle’s *Nicomachean Ethics* which seeks unification through the adoption of a single exclusive end. I further argue that a strength of the novel is that it does not explicitly argue either for or against such a strategy but rather vividly depicts its difficulties, appeal, and limitations thus leaving the ultimate evaluation up to the reader.
In addition to the good, the bad, and the neutral, there is an overlooked fourth category of absolute value, which provides, I shall argue, a solution to the central problem of population ethics, namely, how to avoid various repugnant conclusions. The possibility of this overlooked category of absolute value enables a new variation of critical-range utilitarianism, which is a slightly more intricate variant of total utilitarianism. Between the good and the bad levels of well-being, there is—instead of a single neutral level of well-being—a range of levels that are not good, not bad, and not neutral. This variation avoids repugnant conclusions not only in the aggregation of the value of lives in a population but also in the aggregation of the value of times in a life. Hence it delivers a population axiology without repugnance.
KARIM JEBARI & NIKLAS OLSSON YAOUZIS – A Game of Stars

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Among scholars dedicated to Search for Extra-terrestrial Intelligence (SETI), the risks and possibilities of actively contacting extra-terrestrials (METI) have been widely discussed. Yet, some fundamental philosophical problems concerning the mere possibility of translation have hardly been raised in this context. The SETI project assumes that, would an extra-terrestrial intelligent (ETI) entity choose to contact us, they would use radio signals to convey a coded message. This message would, for obvious reasons, be conveyed without context and without the possibility for meaningful interaction. However, according to the most influential research program in the philosophy of language in analytic philosophy, the meaning of an utterance is derived from its use in a context. Therefore, while radical translation, i.e. learning an unknown language, is possible, it requires contextualized interaction where semantic behavior can be observed. This has in turn some important game-theoretical consequences. A scenario analysis of the Game of Stars suggests that interstellar contact is an underestimated existential risk, as the lack of communication may lead the players into a Hobbesian Trap, where fear impels the players to mutual destruction. An informal game theoretical analysis of this unlikely but possible scenario is described.
Consider a sequence of possible populations A, B, C, ..., Z, where each member contains more people than the preceding, but their quality of life gets worse. Z represents a population, by Parfit considered repugnant, in which very many people lives a life barely worth living.

Parfit suggests that, for any pair of adjacent populations in the sequence, the first is not lexically superior to the second; but across some gap, say from P to Z, P is lexically superior to Z. He also assumes an independence condition to the effect that combining worth living lives into a population has non-diminishing value. This implies (roughly) that the value of a population is the sum of the values of the lives it contains.

In an earlier paper, I have demonstrated that, under these conditions, lexical superiority collapses into something stronger, where one life in P is lexically superior to the population Z. Another result by Arrhenius and Rabinowitz adds that, in this case, a discontinuity must set in between lives in some pair of adjacent populations.

Parfit accepts the standard objection to lexical views that there cannot be a very great difference in value between otherwise very similar outcomes. But this implication only obtains under the assumption of full comparability. Once the notion of imprecise comparability is introduced, Parfit claims, the standard objection fails. Thus, from some P in the sequence, he suggest that the succeeding populations, no matter how many people they contain, cannot be better than P, but at most imprecisely equal to P.

However, I shall demonstrate the, even under the condition of imprecise comparability, an analogue to my earlier result can be proved. Thus, if Q or later population is at most imprecisely equal to P, no matter how many people they contain, they will also be at most imprecisely equal to only one life in P. Thus, contrary to what he argues, even with imprecise comparability Parfit is forced to accept a sharp discontinuity.
NIKLAS JUTH – Ändrar genetisk modifiering av embryo deras framtida identitet och skulle det vara ett moraliskt problem?

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Sandra Lindgren – Ånger - ett försvarstal

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De flesta av oss våndas ibland över saker vi har gjort, eller kanske låtit bli att göra. Vi känner ånger som en reaktion på det vi i efterhand upplever som ett dåligt agerande, och önskar att vi hade gjort annorlunda. Då ångern är plågsam samtidigt som den inte är vidare behjälplig i att göra gamla misstag ogjorda kan vi ställa oss frågan om vi borde försöka sluta känna ånger.

En vanlig tanke är förstås att ånger spelar en viktig roll i att få oss att undvika att upprepa samma misstag i framtiden. Här kunde man dock tycka att själva sviterna av våra misstag torde räcka för oss att dra lärdom. Som bland andra Spinoza påpekat verkar ånger snarast utgöra en överflödig fördubbling av vårt lidande: Inte nog med att vi plågas av själva den eländiga situation vi genom vårt misstag har försatt oss eller andra i, ångern innebär att vi dessutom plågas över att ha begått misstaget ifråga. Det är en empirisk fråga hur effektiv själva ångern är när det gäller att undvika att upprepa misstag. Frågan jag ska försöka besvara är istället följande: Givet att vi kan lära oss av våra misstag utan att lida av ånger, finns det ändå ett värde i att känna ånger, och hur ska vi i så fall förstå det värden?

As populations grow older, the occurrence of age-related neurodegenerative diseases such as Alzheimer’s disease are predicted to increase. Notoriously hard to treat, and impossible to cure so far, Alzheimer’s disease has devastating effects on those suffering from it and their loved ones. However, a number of technologies are currently being developed, that are believed to provide great leaps in the quest for fighting age-related neurodegenerative disease. Lab-on-a-chip technologies that require only a pico-liter samples size and can cross the blood-brain-barrier may be able to detect early and pre-symptomatic biomarkers for Alzheimer’s disease; optogenetics offers unprecedented control over neural and cellular activity, growth, and repair; emerging methods for 3D printing human neural tissue may allow tailored bioprosthetics for damaged areas in the brain.

In choosing between different treatment methods, a barrage of ethical dilemmas arises, where core values may conflict both with other values and internally with themselves. For example, while early biomarker detection for Alzheimer’s disease with Lab-on-a-chip technology may enable effective treatments that ensure future independence and autonomy of the patient, it may at the same time have a negative impact on her well-being due to early medicalization, continuous monitoring, or anxiety. Here, the future autonomy of the patient seemingly stands in conflict with her current well-being. Value conflicts like these generate situations where complex trade-offs will have to be made with regard to which values to favor, when, and for whom. Furthermore, while invaluable to consider in a decisionmaking process, the myriad of ethical issues might be difficult for patients, caretakers, and medical teams to handle.

To facilitate ethically sound decision-making processes concerning which treatments to use and when, a structured framework addressing the main core values at stake for the patients is needed. I propose a set of values that such a framework should contain, and how it should be organized in order to facilitate choices in shared decision-making processes in future methods for preventing and treating Alzheimer’s disease. I argue that the framework should allow for certain values to be given prevalence depending on a number of variables, including patient groups, and prospects after successful treatment.
In this paper, I defend the view that war criminals can stop being morally responsible, in the sense of being praiseworthy or blameworthy, for past actions they were once morally responsible for. I argue that ceasing to be morally responsible for an action does not necessarily discharge all our obligations with respect to that action. In such cases, I propose that an individual is socially (but not morally) responsible. Such responsibility entails that an individual has a duty to apologise, and she may express her apology in part through experiencing negative emotions, such as guilt or regret.

Consider a Nazi prison guard who tortured numerous people in the prison camp they were guarding. Let’s assume that they had no reservations about this; they wanted to do it, and they wanted to want to do. Moreover, they were appropriately responsive to moral reasons; they knew it was wrong, all-things-considered, but ignored this reason not to torture. In short, imagine the worse kind of person who somehow remains a morally responsible agent. Some people find it hard to imagine that such a person – no matter how much they change – could cease to be morally responsible (or blameworthy) for the atrocities they committed. However, I will argue that the morally reformed war criminal only seems morally responsible because they are responsible in another sense – namely socially responsible.

I end the paper by extending individual cases of social responsibility to collective cases. As well as being individuals, we are also part of collectives. One such collective is a nation or country. Sometimes the collectives we are part of have done terrible things before we existed. Of course, we were not alive when some of these terrible things were committed, and yet some of us still feel guilt or regret for those past events. It might even be that our collective is not now morally responsible for the past event, but that does not mean it is not now socially responsible for those past events. I propose that collectives we are part of – such as our country – owe apologies for past crimes, even if they are no longer morally responsible for those crimes. Whether or not our country is no longer morally responsible for its past crimes will depend on whether our country has changed significantly (e.g. whether its values have changed significantly). And, as members of that collective, we may inherit an obligation to apologise for events before we were born.
When we forgive, we do so for reasons. One of the main challenges for forgiveness theorists is to identify reasons to forgive and distinguish them from other considerations. I argue that the only reason to forgive is a perceived change of heart on the part of the offender.

First, I show that we forgive for reasons. Try to imagine arbitrary forgiveness—i.e., forgiving for no reason. Suppose Dutch isn’t sure whether to forgive Dillon and flips a coin to decide. This is odd. Even if Dutch ceases to blame Dillon, it seems wrong to describe what he’s done as forgiving.

Second, I show that not just any reason will do. Imagine that Simon ceases to blame John because he likes John’s haircut. A nice haircut is a reason to give a compliment or to get a similar haircut oneself, but it’s not a reason to forgive. If Simon tells Hans that’s he’s forgiven John because he liked his haircut, Hans should think that Simon doesn’t understand what it means to forgive.

Third, I argue that the best way to distinguish forgiveness from similar phenomena is by the reasons that drive the victim’s change of attitude. Consider the distinction between forgiving and letting go. Suppose Ripley hears Burke make an offensive remark about immigrants during a political conversation with friends. Ripley is upset, but quickly thinks to herself, “It’s not worth blaming him. Our relationship isn’t worth the frustration of confronting him.” Ripley no longer blames Burke, but it seems clear that she hasn’t forgiven him. Her change of attitude was driven by the wrong kind of reason, by prudential concerns rather than Burke’s remorse.

Finally, I evaluate candidate reasons to forgive and argue that many are either the wrong kind of reason or else reduce to another reason of the right sort. Having identified candidate reasons to forgive, I show that some candidates reduce to others. For example, apology, remorse, repentance, and making amends are all instances of the same kind of reason, namely, a change of heart on the part of the offender. Next I show that some candidates are reasons to relinquish blame, but not reasons to forgive. For example, intention bears on the wrongness of an action, so the fact that an offender had good intentions is a reason to consider their action justified (or partially justified) rather than to forgive. I conclude by briefly discussing the significance of my argument for how we understand and practice forgiveness.
JESSICA PEPP – Assertion, Lying, and Falsely Implicating

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There is an intuitive and seemingly significant difference between lying and falsely implicating. This difference has received scrutiny both historically and recently, mostly in the context of the following two questions:

- First, how should lying be defined so as to distinguish it from false implication?
- Second, is the difference between lying and falsely implicating really significant, and if so, how and why is it significant?

Answers to the first question typically invoke assertion, claiming (roughly) that to lie is to assert something you take to be false, whereas to falsely implicate is not to assert, but merely to implicate, something you take to be false. The task then is to spell out the account of assertion that is needed for a satisfactory definition of lying. Answers to the second question divide over whether the difference between lying and falsely implicating has moral significance.

In this talk I will (briefly) review and critically evaluate the current state of the literature on these two questions. One conclusion will be that it is not clear that lying can be defined by breaking it down into the components of asserting something, on the one hand, and taking that which is asserted to be false (or not true), on the other. Another conclusion will be that there is a genuine puzzle about the significance of the difference between lying and falsely implicating. On the one hand, there is a strong intuition, born out by the widespread and seemingly morally motivated preference for falsely implicating over lying, that the difference is a moral one. Alternative, non-moral explanations of this preference are generally unsatisfying. On the other hand, compelling explanations of what the moral difference consists in are elusive. I will develop the suggestion that the distinction between lying and falsely implicating is closely analogous to the distinction between doing harm and allowing harm, and that the right account of the significance (or lack thereof) of the former would thus parallel the right account of the significance (or lack thereof) of the latter.

Finally, an effort will be made to link the two questions noted at the outset by examining the role that norms for assertion might play both in defining lying and in explaining the significance of the difference between lying and falsely implicating.
OLLE RISBERG – Consequentialism and Coordinating With Yourself and Others

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No matter our views about the ultimate plausibility of consequentialism, there is an important intuition that supports the theory: Surely, morally speaking, what really matters is simply that we make the world as good as possible. However, while this intuition seems admirably simple, it is surprisingly difficult to accommodate. I shall illustrate some of the difficulties by discussing two moral questions that in isolation have received a lot of attention, but which have rarely been considered together:

1. What ought I to do when the outcomes of my actions depend on what other actions I will in fact perform (e.g., in the future)?

2. What ought I to do when the outcomes of my actions depend on what actions other people will perform?

There is a serious problem which arises when we try to answer these questions in a way that coheres with the consequentialist intuition. The problem is due to the fact that performing a given action $A_1$ might be necessary but insufficient for achieving the best possible outcome. To achieve the best outcome, it may be that another action $A_2$ must also be performed. When this holds, there is a powerful argument for thinking that $A_1 & A_2$ ought to be performed: Performing $A_1 & A_2$ is simply what we have to do to ensure that the world is as good as possible.

Suppose furthermore that the possible outcomes compare in value as follows:

$$(A_1 & A_2) \triangleright (\neg A_1 & \neg A_2) \triangleright (A_1 & \neg A_2) \sim (\neg A_1 & A_2)$$

In other words, suppose that the best outcome is that both actions are performed; that the second best outcome is that neither action is performed; and that the worst outcomes are the two outcomes in which only one of the actions is performed.\(^1\) Suppose also that none of the actions are performed in the actual world (i.e., that the second best outcome obtains). When this holds, there is a powerful argument for thinking that each of $A_1$ and $A_2$ ought not to be performed: Performing $A_1$ would only make the world worse, so we certainly should not perform it; and the same thing can be said about $A_2$.

These conclusions are puzzling in combination. How can it be true that we ought to perform $A_1 & A_2$ even though we ought not to perform $A_1$ and ought not to perform $A_2$? I show that these conclusions are not only puzzling: given two further assumptions (namely, an agglomeration principle for ought and a weak version of ought implies can) they entail a contradiction. I also explain that many of the coordination-related problems from the literature, involving both coordinating with oneself and with others, share this general structure. In light of this, I argue that a unified solution to these problems is preferable to the piecemeal approach that has been most common in the debate.

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\(^1\) Cases of this kind involving multiple agents are discussed in depth by Donald Regan, *Utilitarianism and Co-Operation* (1980). Cases of this kind involving only one agent take center stage in the debate between actualists and possibilists; see for example Michael Zimmerman, *The Concept of Moral Obligation* (1996: ch. 6).
Francis Howard-Snyder has objected to objective act-consequentialism on the grounds that it contradicts the principle that ought implies can. Her example involves a game of chess: you cannot defeat a chess champion in a game of chess; similarly, she claims, you cannot produce the best consequences. In both of these cases, we lack the ability to carry out the act. But then, by the principle that ought implies can, it is false that you ought to produce the best consequences, and so objective act-consequentialism, she claims, must be false as well.

In this paper, I discuss Howard-Snyder’s objection and some replies in the literature. First, I argue that Howard-Snyder’s objection is plausible only on a specific way of formulating objective act-consequentialism – as (a) a type of general instruction rather than (b) a list of particular acts that it instruct us to carry out, or (c) a biconditional plus explanatory relation.

Second, I argue that even when formulated as a general instruction, objective act-consequentialism is defensible, since modal verbs such as can and ought are multiply ambiguous. There is both a physical and a control sense of can, as well as an objective and subjective sense of ought. Moreover, there are two corresponding and plausible ought implies can principles: that objective ought implies physical can, and that subjectively ought implies control can. Objective act-consequentialism, I claim, should be formulated as saying only that we objectively ought to produce the best consequences; where this is also something that we physically can do. Consequentialism so formulated does not conflict with any ought implies can principles.
'Special permissions’ are moral permissions to do what is ordinarily morally prohibited (Statman 2006). Positions allowing special permissions can be termed ‘exceptionalism’. A related term is ‘threshold deontology’. Such positions are introduced when a normative position with a deontological structure faces extreme situations in which the theory yields counterintuitive results.

There are well-known problems with threshold deontology and some standard arguments against it. One is lack of coherence, another is arbitrariness. If consequences justify certain measures in extreme situations, why could they not justify the measures taken in less extreme situations as well? Nevertheless the position is prevalent enough to warrant comments like the one of Cass Sunstein and Adrian Vermeule, that ‘modern deontologists typically subscribe to a consequentialist override or escape hatch, one that makes otherwise impermissible actions obligatory if necessary to prevent many deaths.’

In the years around 1970, the idea of an environmental apocalypse (due to population growth or chemical pollution) was prominent. A number of authors argued that extreme emergency measures were morally justified given the perceived extremity of the situation, e.g. the ‘lifeboat ethics’ of Garrett Hardin. This is an instance of exceptionalism, and some radical environmentalist positions are consistent with exceptionalism. At times, concerns of this developing into ‘ecofascism’ have been raised. Radical environmentalism, and in particular environmentally motivated instances of ‘justifiable wrongdoing’ has not been much discussed, let alone propagated, in academic philosophy. Young (2001) argues that some acts of ‘ecosabotage’ might be justified according to a version of constrained utilitarianism. Turner (2006) is critical to the consequentialist approach and points out that the arguments used by advocates of ecosabotage are not consequentialist but rather analogous to self-defense.

Only very occasionally, however, the themes of environmental ethics and exceptionalism are brought together. For instance, e.g. an intergenerational ‘self-defense’ argument regarding climate change has been discussed by Gardiner (2010). In this paper I argue that exceptionalist arguments are as viable in environmental ethics as in other fields, and I outline a threshold deontological non-anthropocentric ethics.

References


In some jurisdictions, adolescent consent to life-prolonging medical treatment is treated as normatively conclusive, while refusals of such treatment are not. In such jurisdictions, a court or someone with parental responsibility possesses the power to authorize medical treatment even when an adolescent validly refuses. In several Canadian provinces a minor under 16 years of age may be treated over her valid refusal of treatment if a court rules that the treatment is in her best interests. In England and Wales, a minor who is considered competent to refuse life prolonging medical treatment may be treated against her valid refusal if a person with parental responsibility consents, or a court rules that the treatment is in her best interests.

What might justify treating the refusals of adolescents as less normatively weighty than their consents? We investigate this question by examining three views that attempt to justify it. The first two are versions of transitional paternalism, on which the asymmetry is justified because the normative power an adolescent has to consent to life-prolonging medical treatment is shared with another. The third view seeks to justify the asymmetry on the grounds that, because the limitations on the power adolescents have are grounded in their best interests and occur early on in life as part of a period of preparation for an autonomous life, the limitations do not interfere with the ability to live a self-directed life. Therefore, they are justified.

These views focus in on the nature of adolescent autonomy and its limitations. We reject all three views. None of them is suited to supply a compelling justification for limitations on adolescent refusals of life-prolonging treatment. What these views fail to provide is a reason to limit refusals of this magnitude and importance while at the same time accounting for the validity of adolescent consent. Against these views, we argue that adolescent well-being involves distinct goods, and that these justify the asymmetry. Among the goods that might be relied on to justify the asymmetry are autonomy and a sort of carefreeness or a measure of freedom from making certain, impactful decisions. This view explains why both consent and refusal have an important role in medical decision making involving adolescents.
OLLE TORPMAN – Moral Uncertainty and Subjectivization of Intertheoretic Comparability

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A recent debate in ethics concerns so-called moral uncertainty. This debate deals with the question of what is rational to do for a morally conscientious person – i.e. a person who is primarily concerned with overall moral obligation – when she is uncertain which moral theory is true. Among the debaters, there is a dispute about whether intertheoretic comparisons – i.e. comparisons of the cardinal rankings of actions provided by different moral theories – are possible or not. The issue of intertheoretic comparability is considered relevant to moral uncertainty, since what is the morally conscientious thing to do under moral uncertainty is supposed to be dependent on whether intertheoretic comparisons are possible. If intertheoretic comparisons are possible, it seems appropriate to perform the act whose expected moral choiceworthiness is highest. If intertheoretic comparisons are impossible, then maximizing expected moral choiceworthiness would be impossible, and it would instead seem reasonable to follow the prescriptions of the most credible moral theory, or something along that way.

Interestingly, the question about intertheoretic comparability has so far been widely understood as an objective issue – about whether or not such comparability is in fact possible (similarly to how moral theories are typically regarded in the field of normative ethics). In effect, the principles that have so far been proposed on how to act under moral uncertainty have all been objective in this regard. However, as I argue in this talk, the objective perspective is implausible considered within the context of moral uncertainty. The question of intertheoretic comparability should rather be understood as a subjective issue – about the agent’s credences concerning intertheoretic comparability (similarly to how moral theories are regarded within that same context). Indeed, it is a fact that agents are sometimes just as uncertain about intertheoretic comparability as they are uncertain about moral theories, and principles for decision-making under moral uncertainty should be sensitive to this fact. I argue that only the subjective perspective on intertheoretic comparability allows for this sensitivity. Moreover, only the subjective perspective is capable of providing the action-guidance that the moral uncertainty debate is looking for: It offers a principle for choice-making under moral uncertainty that can deal with cases where the agent justifiably believes that intertheoretic comparisons are possible/impossible, as well as cases where the agent is uncertain whether intertheoretic comparisons are possible or not.
RYAN WINES – Filling the Alleged 'Gap' in Kant’s Derivation of the Categorical Imperative

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In the second part of the *Groundwork of the Metaphysics of Morals*, Kant claims to derive content for the categorical imperative by analyzing the concept of a categorical imperative as such (GMS, 420-1). This analysis renders the Formula of Universal Law formulation of the categorical imperative (FUL), which commands us to act only on those maxims that we could at the same time will as universal laws. This argument is generally taken to be a reformulation of a similar passage in *Groundwork I* (GMS, 402).

Bruce Aune has objected that there is a gap between two principles in Kant’s argument, the first being “Conform your actions to universal law” and the second being “Act only on maxims that you can will as a universal law.” (1979, 30). According to Aune, the first principle lacks “practical import,” but the second principle does not. The first principle says “do whatever the law tells you is good to do,” but without determining what this goodness consists in. The second principle does tell us this: the goodness of a maxim consists in the possibility of its being willed as universal law.

Commentators have adopted various strategies for addressing this alleged gap. However, Allen Wood expresses the general consensus that Kant’s argument, as it stands, is a failure: “Do either FUL or FLN follow merely from CI or from the idea of a categorical imperative or objectively grounded principle? The answer to this question unfortunately is, No, they do not.” (1999, 81).

This paper argues that Kant’s argument succeeds once the starting point and ending point of his argument are clarified. Kant’s argument begins with the concept of a categorical imperative. Generally, an imperative represents the necessitation of the will by an objective law of reason (GMS, 413), and specifically, the categorical imperative represents the absolute necessitation of the will by the moral law (GMS, 420-1). Kant’s argument ends with the Formula of a Law of Nature formulation of the categorical imperative (FLN). The formulation furnishes the form or nature of a teleologically organized moral order, the Realm of Ends (GMS, 436). Thus Kant’s derivation of content for the categorical imperative should end with just such a teleological form in FLN. This paper shows how such a teleological form can be derived from the concept of a categorical imperative, thus removing the alleged gap.
FEMINIST PHILOSOPHY
The nature of geopolitical structures during recent years has brought a new wave of migrants, asylum and nationality seekers to Europe, something that was not seen in previous cases of postcolonial migration. Politics of multiculturalism - claiming that minority cultures or ways of life are not sufficiently protected only by ensuring the individual rights of their members – try to manage these cultural, ethnic and religious diversities with special group rights or privileges. But claims justified by culture may oppose the individual rights established within States adhering to a liberal political model based the recognition of individual rights; this opposition becomes especially evident where circumstances concern women and children, the most vulnerable members of these groups. This phenomenon increased the urgency to find an answer to the question posed in 1997 by feminist philosopher Susan Moller Okin: “Is multiculturalism bad for women?”.

The politics associated with multiculturalism is often problematic for these so-called weakest members of minorities, for example, when considering the degree to which these members of a minority have agency - defined as the ability to act free of external constraints. It can be considered as a constraint any «physical, psychological, financial, sexual and emotional pressure».

This paper aims to identify the problematic nature of agency in circumstances where women and children use their culture to justify actions, within States adhering to a liberal political model based the recognition of individual rights. I will question the relationship between agency and coercion, examining how this changes in micro and macro contexts of deep inequality and how agency of the most vulnerable members is affected. I will also ask to what extent the public policies of liberal States should consider issues affecting women.

In a historical context where national and communitarian-identity concepts are increasingly strengthened, the debate on justice about gender and culture in pluralistic societies becomes very complex and requires a multi-faced analysis.
MARTINA REUTER – Did Women Contribute to the Invention of Autonomy?

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In his influential *The Invention of Autonomy* (1998), J.B. Schneewind examines the Early Modern history of moral philosophy up until Immanuel Kant. He emphasizes the unprecedented novelty of Kant’s categorical imperative, but argues that we must interpret Kant’s invention in the historical context of the philosophical problems he attempted to solve. Schneewind traces the Early Modern development as a history of morality as self-governance, which gradually “reject the inequality of moral capacity among humans that was a standard part of conceptions of morality as obedience” (1998, 6). Thus, the modern development is guided by an egalitarian spirit, which questions previous hierarchies.

Schneewind’s detailed study has many philosophical and scholarly merits, but one crucial blind spot. He does not discuss the fact that hierarchies of moral capacity were most often gendered and that the element of obedience was often doubled in the case of women, who were required to obey external moral authorities as well as male authorities in their immediate social settings. Schneewind’s story shows how the tendency to exclude the theoretical question of gender goes hand in hand with the exclusion of women thinkers. Though he gives a broad picture of the canon of moral philosophy, including “minor” thinkers such as Marquis de Sade, he does not include relevant female moral philosophers, such as Catherine Macaulay or Mary Wollstonecraft, who would have brought with them an explication of the question of gender.

My aim in this paper is threefold. First, I discuss how implicit biases may affect interpretations of the history of philosophy. Research on implicit biases has shown that people who hold explicit and sincere egalitarian views may simultaneously hold implicit biases, which affect their evaluation of the performances of members of disadvantaged or marginalized groups. I argue that Schneewind’s story about the invention of autonomy is a telling example of this tendency. Second, I present some core aspects of Wollstonecraft’s moral philosophy and discuss in what sense they can be claimed to contribute to the invention of moral autonomy.

Finally, I ask if Schneewind’s overall story about the invention of autonomy would have changed if he had included the question of gender and discussions of women thinkers. This question is crucial, because if it is the case, it shows that the exclusion of gender from the history of philosophy is not “only about gender”, but has a profound impact on the interpretation of general philosophical topics such as the invention of autonomy.
QASIR SHAH – Are Sex and Gender Social Constructs? An exploration of Judith Butler’s ideas

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The nouns ‘sex’ and ‘gender’ when applied to humans in ordinary usage would appear to cause little problem for most people. In common parlance, sex is dichotomised as male or female on the basis of reproductive function, whilst gender follows the dimorphic lines of masculinity and femininity. This paper explores Butler’s contention that both sex and gender are cultural constructs and it will see how she arrives at this conclusion. To gain a better understanding of the conceptualisation of the terms sex and gender, Butler’s contentions will be tested empirically with reference to psychological, and biological perspectives, and philosophically in relation to Toril Moi’s theory of the ‘lived body’. It is argued that what Butler seeks is to challenge and thus to free humanity from the heterosexual patriarchal hegemony with its fixed notions of sex and gender, and to transcend the heterosexual/homosexual binary, to reach a position where we would all just be people with various bodies with a spectrum of desires. For Butler, if men and women are seen as fundamentally different and separate then true equality is impossible. This has led her to see gender not as an expression of what one is, but rather as something that one does. She further argues that when one sees sex as cultural, the sex/gender distinction will “turn out to be no distinction at all”. Both become the product of the same discursive norms. Sex is no longer the basis of gender but its effect. Butler is a modern day Nietzsche, challenging a genealogy: the heterosexual hegemony. In order to do so she has to subvert people’s understanding of what sex and gender are. Most people would find the idea that sex and gender are simply social constructs quite preposterous when presented with biological and psychological evidence to the contrary. But perhaps when one goes beyond the initial shock of Butler’s thesis and reflects upon her ideas and possible methods, her ideas will result in a more challenging and illuminating experience. (330)
HISTORY OF PHILOSOPHY
ERIK ÅKERLUND – Densitet hos några barocktänkare

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Hur redogör man för ett fenomen som densitet, eller för skeenden som förtätning och förtunning (exempelvis vid fasövergångar)? Dessa frågor behandlades på olika sätt av tänkare under slutet av 1500- och början av 1600-talet, utifrån deras olika filosofiska ramverk. I föredraget presenteras några olika ingångar till frågorna: senskolastikers (Francisco Suárez), atomisters (Johannes Chrysostomos Magnenus, Pierre Gassendi), senskolatiska atomisters (Rodrigo de Arriaga) och slutligen René Descartes, som väl har svårast att redogöra för detta. Frågan om densitet, respektive förtätning och förtunning, visar sig vara ett fruktbart ämne att titta närmare på – så skall det i alla fall argumenteras – där begrepp rörande materia, utsträckning, plats, rum, kvantitet och tyngd kommer samman. Frågorna är också under denna tid nära kopplade till centrala frågeställningar rörande relativ rörelse och acceleration, något som kan utgöra en nyckel för att förstå Descartes redogörelser på området.
JOHAN BOBERG – Kant on Erkenntnis and Wissen

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Scholars of the work of Immanuel Kant routinely complain that the old Kemp Smith translation of Critique of Pure Reason systematically elided the distinction between Erkenntnis and Wissen, by translating both terms as “knowledge,” and thus inserted ambiguity at the very heart of the Kantian system. Contemporary Kantians know better, they say, and now distinguish between “cognition” and “knowledge.”

The crucial problem with the old translation was, we are told, that is misconstrued Erkenntnis, which actually falls short of knowledge. This because (i) Kant allows for “false Erkenntnis” (A58/B83, A709/B737), which is taken to suggest that Erkenntnis in fact is neutral with respect to truth, and hence we cannot be dealing with knowledge here; and (ii) Kant seems to be saying (A320/B376-7) that intuitions and concepts are species of Erkenntnis (characterized as “objective perception”), and since only judgments (according to Kant) are bearers of truth, Erkenntnis cannot mean “knowledge.” As a result, “cognition” is generally taken to be a more suitable translation, designating any conscious object-related representation. Having thus downgraded Erkenntnis, many interpreters find in Kant’s concept of Wissen the proper counterpart of the contemporary notion of knowledge as justified true belief, since Wissen, according to Kant, (i) has an objective ground (justification), (ii) is true, and (iii) is held to be true (belief).

I argue that this interpretation fails. With regard to Erkenntnis, since a careful look at the sources suggests that (i) “false Erkenntnis” for Kant, following Georg Friedrich Meier, designates something that merely has the appearance of being knowledge, and (ii) Kant never meant to say that intuitions and concepts on their own suffice for Erkenntnis. Erkenntnis could surely be said to correspond to “knowledge” in the ordinary English sense of the word. Furthermore, I argue that Wissen should be read against the backdrop of the standard Aristotelian-Scholastic distinction between two forms of proof: certain, demonstrative proofs (scientia, Wissen), on the one hand, and probable, dialectical proofs (opinion, Meinung), on the other. Wissen corresponds to the Latin notion of scientia, and did not just mean “knowledge,” but knowledge in a qualified sense, namely, certain knowledge of conclusions to which we assent when they are proven from our prior knowledge of the premises.
In Plato’s *Timaeus*, the human body is made by lesser gods, not by the Demiurge himself (41b ff.). Apparently, human beings are copies made on the basis of a model, which is eternal and indeed an archetype for all species of living things (30c). Thus we have the following two issues: 1) Why does the Demiurge create only the immortal part of the human soul, refusing to create also the human body? 2) What exactly is the model according to which lesser gods create the human bodies?

Concerning (1), it is most helpful to take into account the relation between cause and effect: ‘It is unlawful for the best to produce anything but the most beautiful’ (30a6-7). Since humans are mortal and not the most beautiful generated beings, they should not share the same cause with immortal generated gods. However, a part of their soul is immortal and responsible for the best human activity (i.e. discursive thought), therefore it is legitimate to suppose that it is the Demiurge himself that is the cause of this part.

The second issue is more complicated. For, on the one hand, the eternal model includes all animal species like Human, Horse, Shark, Sparrow etc. However, if this is the case, it is not entirely clear in which sense an immaterial and timeless model includes species that their comprehension presupposes notions like ‘earth’, ‘water’, ‘flying’, things that are the result of the Demiurge’s work with his material. And on the other hand, we are specifically told that the model for the creation of the human head is the round shape of the sensible universe (44d3-6), while the rest of the human body is created according to the purpose it serves (i.e. it is just a servant of the head - 44e).

My suggestion is that we should consider the pattern for the creation of the human body as something that is also designed by lesser gods. They design it, in accordance with a) the Demiurge’s will to create something as good as possible; b) eternal Forms (e.g. Forms of geometrical shapes); c) generated things (e.g. the shape of the universe); and d) restrictions imposed by Necessity (48a ff.). When we read about an eternal model of living things, we should take it as the ‘Form of Life’, somewhat along the lines of the Form of Justice in the *Republic*: being one and the same thing, its manifestation diversifies depending on the various situations in which it occurs.
HENRIK LAGERLUND – Was There Such a thing as the Renaissance? A Sketch of Historiographical Nihilism

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In this talk, I will develop an approach to the history of philosophy that I, for lack of better words, will call Historiographical Nihilism. It is the view that historical periods are mere conventions and do not correspond to anything real. It ultimately holds that all historiographical concepts are exactly that, namely, mere concepts (or words) that artificially divide up the individual occurrences or events that make up the past (or what we call history). It is the historian who imposes these concepts or this artificial order onto past events. I will in this talk use the Renaissance as an example of such a concept (or word), and I will argue that as far as philosophy is concerned there was nothing like what we have come to call the Renaissance.
In recent decades, Plato scholarship has seen a development, one that has also lead to a dangerous divide. The so-called literary reading of Plato has, rightly, highlighted the way in which the dialogues are complex literary compositions that have to be treated as unitary holes. In the case of Plato, one cannot merely extract an argument. The interlocutor’s person, the dialogical situation and other literary devices in use have to be taken into account. But the literary approach sometimes overlooks the fact that the dialogues have clear philosophical goals, thus obscuring Plato's argumentative intentions. The divide has grown into opposition of the so-called argumentative-philosophical reading and literary reading. This presentation will show how an early Platonic interpreter, Olympiodorus, conceives of Platonic methodology of doing philosophy. He argues, in a surprisingly contemporary fashion, that the distinctiveness of his method lies in context- and person-sensitivity. But in Olympiodorus' view there are epistemological-metaphysical foundations behind this methodology. In his eyes, argumentative-philosophical and literary are parts of the same project, parts that cannot be studied nor understood in separation. Person-relative methodology grows out of a commitment to discussants as individuals, of understanding of rationality as social, and out of the Platonic theory of the epistemic resources of a philosophical discussion.
I Faidros trekker Sokrates flere steder et skille mellom lek og alvor i bruken av ord. Etter sin andre tale, også kjent som Palinoden, hevder Sokrates at utover det at en dialektisk metode kom til uttrykk i den, bør talen i all hovedsak betraktes som en lek, og altså ikke særlig alvorlig. (265c) Men når vi vet at en god del substansiell filosofi nettopp forekommer i denne talen—om sjelens natur, om formene, om menneskelig erkjennelse—, blir vi tvunget til å tenke over hvor alvorlig vi egentlig skal ta denne tilsynelatende strikte dikotomien. Også senere i dialogen kommer Sokrates tilbake til lek-alvor dikotomien, denne gangen i forbindelse med en betraktning av det skrevne ord, som i hans øyne ikke kan regnes som annet enn lek i sammenligning med en levende samtale. (276a–278b) Legger vi dette til grunn, skal vi da forstå det slik at Platon betrakter sin egen tekstproduksjon som en lek og ikke særlig alvorlig? Igjen tror jeg at en refleksjon over denne muligheten tvinger oss til en revurdering av det dikotomiske skillet. Selv Sokrates antyder at ting ikke er så klare som han har laatt de se ut som, og bidrar i teksten til å kludre til distinksjonen når han karakteriserer sin og Faidros’ samtale om forskjellige typer av ordbruk som en lek og forlystelse.

I foredraget vil jeg se på hva som menes med “lek” i Faidros, i tillegg til å undersøke hva slags rom filosofien har for lek. Jeg vil argumentere for at filosofi bør betraktes som en lek med ord, men da riktig nok som en alvorlig lek.

Vid sidan av detta huvudtema presenterar Rosmini i *Nuovo Saggio* även en språkteori, som överensstämmer med Mills i dennes tretton år senare utgivna *A system of logic*. Som påpekats av Searl ("Proper Names and Descriptions", i *The Encyclopedia of Philosophy*), är det ofta Mill som förknippas med äsikten att egennamn saknar konnotationer. Det är till Mill som Kripke hänvisar i en historisk bakgrundsteckning till sin teori om direkt referens (*Naming and Necessity*). Att Rosmini skrev på italienska har troligen bidragit till att det är föga känt att den ”Millska” teorin redan finns i *Nuovo Saggio*.

LOGIC & PHILOSOPHY OF LANGUAGE
To persuade, annoy, or convince someone by saying something are examples of what J.L. Austin called *perlocutionary acts*. Perlocutionary acts are things done by saying something. Austin claimed, while *illocutionary acts* are things done in saying something. In comparison with illocutionary acts, perlocutionary acts have received relatively little attention. And how to formulate the distinction more precisely remains contested. In accordance with standard event-causal analyses of actions, perlocutionary acts are commonly viewed as composite creatures, comprising the cause (the speech-act) and some subset of its consequences (such as someone’s being persuaded). The perlocutionary act-description is, on the standard view, conceived as a re-description of the speech-act in terms of its effects.

Recent work in action theory urges us to question this view and instead take perlocutionary acts to be *transactions*. This is to take the surface grammar of a description such as ‘A is persuading B’ to be revelatory of the logical structure of the thought expressed. On this view, if A is persuading B then it follows logically that B is being persuaded by A. One indivisible fact, the fact of the transaction between A and B, supports both the active and passive forms of description. Any attempt to decompose such descriptions by arguing that they cast a net around distinct events, is, the transactional view argues, bound to fail.

I want to argue that the transactional view gives us a fresh start in the study of perlocutions. For example, the distinction between the illocutionary and perlocutionary dimensions of speech can now be formulated in terms of utterances standing in different relations to the illocutionary act and the perlocutionary act respectively. The utterance is *constitutive of* the illocutionary act, whereas the utterance is the *means by which* the perlocutionary act is performed. The transactional view also allows for a different and more appealing understanding of the idea that an utterance may have all sorts of effects on its addressee. The addressee might fail to be convinced, or amused instead of annoyed. Since transactions essentially involve the other party being affected in some way, the addressee needs to cooperate and be susceptible for the perlocutionary transaction to go through.
Semantics dispositionalism is the view that someone’s meaning something by a word, or possessing a certain concept, etc., is constituted by their being disposed to do something, e.g., infer in accordance with a certain rule. The most serious obstacle to such theories is the fact that there seem to be many and very disparate exceptions to such theories. People may fail to infer as required, for instance, because of inattention, drunkenness, confusion, or because of some deviant philosophical theory or logic, or for some entirely non-psychological reason, e.g., some neural glitch. My version of dispositionalism is an inferentialist account stating possession conditions on concepts, and I exemplify with the simple case of conjunction. I argue that the theory is attractively simple and non-ad hoc in spite of eschewing “ceteris paribus” clauses. The psychological exceptions, I argue, can be handled merely by taking the stimulus condition to involve (1) the person’s considering making the inference and (2) her not having any reason against making the inference. The non-psychological, neural exceptions are handled by requiring that the inferential disposition be manifested sufficiently often. I make this condition more precise and argue that it accommodates some important intuitions about concept possession.
JOHN CANTWELL – The indicative conditional is (almost) the material conditional

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Traditional accounts (Grice, Lewis, Jackson) that hold that the indicative conditional of natural language has the truth conditions of the material conditional typically try to explain the massive data to the contrary by a radical pragmatism. Such accounts are hard set to explain why, given that the indicative conditional has the truth conditions of the material conditional, speakers are both systematically unwilling to assert conditionals they believe true, and willing to assert conditionals they believe false. I argue, contrary to accepted wisdom, that there is a sense in which indicative conditionals have the truth conditions of the material conditional, but that the difference between them is still to be found in their semantics, not in their pragmatics. The account—that draws on Lewis'/Perry's/Stalnaker's treatment of de se belief—ensures that speakers normally assert indicative conditionals they believe true, and reject indicative conditionals they hold false.
NILS FRANZÉN – Evaluative Discourse and Emotive States of Mind

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Expressivists maintain that evaluative discourse expresses desire-like states of mind in similar way to how ordinary descriptive language expresses beliefs. Mark Schroeder (2008) calls “this the basic expressivist maneuver”. A fundamental problem for this notion is the following. Conjoining an ordinary assertion that p with the denial of being in the corresponding belief-state that p famously gives rise to Moorean infelicity:

(1) # It is raining but I don’t believe that it is raining.

If the basic expressivist maneuver is on the right track, conjoining evaluative discourse with the denial of being in the desire-like state of mind that is presumably expressed by such discourse, should give rise to similar infelicity. As several theorists have pointed out, this does not seem to be the case:

(2) Murder is wrong but I don’t disapprove of it.
(3) Murder is wrong, but I’m not against it.
(4) Murder is wrong, but I’m in favor of doing it.

Unlike (1), neither of (2)-(4) are infelicitous (Atlas, 2005, pp. 225–230; Finlay, 2005; Woods, 2014). This problem is, I think, specific instance of a general concern. Metaethical expressivism is, at bottom, a thesis about a part of natural language. However, the arguments that has been offered for it are largely non-linguistic in nature (cf. Yalcin 2012). Natural language has been taken to offer little support for the expressivist’s hypothesis.

In this talk, I aim to address the problem of the “Missing Moorean infelicity” for expressivists, and more generally to argue that that a kind of expressivism can be supported on linguistic grounds. I argue that the kind of mental states ascribed by ‘find’ in English fits the expressivist’s bill. Conjoining evaluative assertions with the denial of being in the corresponding find-state of mind triggers Moorean infelicity:

(5) # Murder is wrong, but I don’t find murder wrong.

On the basis of the fact that it is unintuitive to ascribe truth and falsity to find-states I argue that these are noncognitive and emotive in nature. Similarly to how the infelicity of statements like (1) are taken to show that regular assertions express beliefs, the infelicity of statements like (5) can be taken show that evaluative discourse express find-states of mind.

Bibliography


What do we disagree about when we disagree about logic? Suppose that a classical logician and an intuitionist disagree about the universal validity of the Law of Excluded Middle (LEM: \(A \lor \neg A\)). The classical logician accepts (1), while the intuitionist accepts (2):

\[
\text{LEM DISAGREEMENT}
\]

(1) LEM is valid.

(2) It is not the case that LEM is valid.

What is it that they disagree about? The simple answer—that they disagree whether LEM is valid—is complicated by the hypothesis that logic is normative. As Frege put it, logic is a ‘normative science’, which ‘prescribes universally the way in which one ought to think if one is to think at all.’ If logic is normative, then the disagreement between the intuitionist and the classical logician does not concern the descriptive question whether LEM is valid, but the normative question whether one ought to accept all instances of LEM.

If logic is normative, then meta-ethics—the study of the semantics, metaphysics and epistemology of normativity—turns out to be of fundamental relevance to the philosophy of logic. One of the central questions in meta-ethics concerns whether there are any straightforwardly objective normative facts or properties ‘out there’ in the world. And skepticism about a straightforwardly objective normative reality is widespread. This skepticism generalizes: if logic is normative, and one is an anti-realist about normativity, one must be an anti-realist about logical validity also.

But anti-realism about logical validity raises a semantic puzzle. If there are no facts about logical validity, then neither the classical logician nor the intuitionist can be factually mistaken; their disagreement is factually faultless. This is often taken to mean that both (1) and (2) are true. But since (1) and (2) are inconsistent, how can both be true? One prominent response to this puzzle is put forward by contextualists, who claim that the truth-values of normative judgments vary with a speaker’s context of utterance; a second prominent response is put forward by relativists, who hold that the truth values of normative statements must be relativized to contexts of assessment; and a third prominent response is put forward by expressivists who claim that normative statements do not express beliefs, but non-cognitive, non-representational attitudes of some kind.

This paper investigates the application of these three prominent semantic approaches to logical disagreement. I will argue that none of these semantic theories is able to provide an adequate account of what we disagree about when we disagree about logic. I go on to consider the implications of this result for both the philosophy of logic and for meta-ethics.
Despite the fact that the concept of culture is quite important for various philosophical endeavors (see, e.g., Machery et al. 2004, 2009, Martí 2009, Bloom & Keil 2001), its conceptual nature have not been much discussed in philosophy. Also, despite the hypothesized link between cultures and cognition “Cognitive science has also neglected culture, but in recent years, that has started to change” (Prinz 2016).

If the concept of culture has been ignored by philosophers then ‘organizational culture’ is not even considered by philosophers. The concept, however, is well discussed in the social sciences and some of the conceptual discussions in the social sciences offer an interesting starting point for a conceptual analysis. Roughly we can interpret organizational culture as a concept referring to the culture of a particular organization (cf. Needle 2015: 225f). This, of course, does not imply that the culture is homogenous (cf. Cameron & Quinn 1988).

By involving organizational culture into the conceptual analysis of culture (rather than focusing only on the latter) the analysis benefits for at least two reasons:

Firstly, statements involving culture are arguably ambiguous over these two sense, e.g., if we talk about ‘American culture’ (ignoring that ‘America’ is ambiguous, supposing that it indicates the United States of America) this can read as indicating culture simpliciter, i.e. the culture that has great influence all over the western hemisphere, or it can be read as indicating organizational culture, i.e. the culture within the United States of America. These different reading offer different scopes of analysis, whose partial over-lap allows for further analysis.

Secondly, there is a discussion in the social science of whether there can be sub-cultures within an organization, or if such supposed sub-cultures are merely topic specific parts of the organizational culture. For example, can there be a safety culture that is a distinct culture with an organization, or is the safety culture is merely a description of a part of the organizational culture that has to do with safety (cf. Guldenmund 2000)?

These kinds of questions allow us to approach the conceptual analysis of culture with more fruitful examples. On the basis of such examples I will offer a preliminary analysis of the concept of culture with the aim of supplying a definition of the main concepts and a few principles (such as a similarity and an identity criterion for cultures).

References


Intriguing fact about the liar’s paradox is its steadfastness: despite wide variety of solutions provided it is still a part of ongoing debates. The reason behind that is what the acceptance of each of the solutions pertains to: no account seems to give satisfactory outcomes. In my investigation, I provide a solution on Fregean lines, using his tripartite linguistic division and principle of indeterminacy of reference (the latter claims, that for a sentence to have truth value all of its proper names must have reference).

The solution is generous in its outcomes, since it a) doesn’t claim inconsistency of the concept of truth b) doesn’t appeal to hierarchical structures of languages c) doesn’t have unwanted implications to traditional logic, i.e., does not make use of “the third truth value” or dialetheist approaches d) accepts the meaningfulness of the liar’s sentence e) allows the existence of self-referential propositions (to deny the existence of such propositions is a popular contemporary approach to liar’s).

Considering Frege’s tripartite distinction between wording (syntax), meaning (semantics) and reference (truth value) of sentence I claim that sense can be viewed as a functional rule assigning wording its truth value. Now let us take liar’s sentence “this sentence is false”. First, we want to distinguish uses of term “sentence”, which can be taken to refer to any of the levels of the distinction, i.e., wording (as in “this sentence is in six words”), meaning (as in “sentence A speaks nothing about arithmetic”) or to its truth-value (as in “sentence B is false”). Then I show why functional rules involving wording and meaning can be well-defined, but those involving truth-value can’t.

Finally, I show that such account lets us hold that in natural languages concept of truth is, contrary to orthodox (Tarskian) approach, consistent. Apparent inconsistency rather stems from the use of empty proper names.
Following the work of Kaplan, Kripke, Perry and Donnellan, so called NaiveRussellians like Salmon, Soames and Braun hold that:

(S) The content of an utterance \( u \) of a sentence \( S \) of a language \( L \) is a Russellian proposition; i.e. a structured proposition whose basic components are objects and properties.

\( (DR_n) \) Names are directly referential terms; i.e. the content of ‘\( n \) is \( F \)’ with respect to a context \( c \) is the singular proposition \( <o, \Phi> \) where \( o \) is the referent of the name \( n \) with respect to \( c \) and \( \Phi \) is the property expressed by the predicate \( F \) with respect to \( c \).

\( (G) \) A sentence of the form ‘\( n \) believes that \( S \)’ is true with respect to a context \( c \) iff the referent of the name \( n \) with respect to \( c \) believes the proposition expressed by \( S \) with respect to \( c \).

I will call this ‘the Naive Russellian theory’.

It suggests itself that within the Naive Russellian theory also \( (DR_o) \) is true.

\( (DR_o) \) The content of ‘\( n \) believes that \( S \)’ with respect to a context \( c \) is the singular proposition \( <<o, p>, \text{BELIEVE}> \), where \( o \) is the referent of the name \( n \) with respect to \( c \), and \( p \) is the proposition expressed by \( S \) with respect to \( c \).

However, in this talk, I will argue that together with \( (DR_n) \) and \( (G) \) this leads to unacceptable consequences.

The argument runs as follows. If \( (DR_n) \) and \( (DR_o) \) are true, then (1) expresses the same proposition as (2).

(1) Ralph believes Goldbach’s Conjecture.

(2) Ralph believes that every even number greater than two is the sum of two primes.

Together with \( (G) \), it follows that (3) is true if and only if (4) is true.

(3) Peter believes that Ralph believes Goldbach’s Conjecture.

(4) Peter believes that Ralph believes that every even number greater than two is the sum of two primes.

But, as the following considerations show, this leads to unacceptable consequences.

Assume that Peter is a normal English speaker who does not know that Goldbach’s Conjecture says that every even number greater than two is the sum of two primes. Nevertheless, Peter could be disposed to sincerely and reflectively utter (1). Together with the following (Kripkean) disquotational principle, it would follow that (3) is true.

\( (DP) \) If a normal English speaker is disposed to sincerely and reflectively utter ‘\( S \)’, then he believes that \( S \).
But since Peter does not know that Goldbach’s Conjecture says that every even number greater than two is the sum of two primes, (4) could be false. If (DR₁₁), (G) and (DR₁³) are true, then we cannot explain this, since, according to (DR₁₁), (DR₁³) and (G), (3) is true if and only if (4) is true. This is the Goldbach Puzzle.

I will argue that within the Naive Russellian theory the solution to the Goldbach Puzzle cannot be to reject (DR₁³). It will follow that we have to abandon the Naive Russellian theory. Concluding, possible alternatives to the Naive Russellian theory like Crimmins’ and Perry’s hidden-indexical theory are discussed.
Belief change theory studies how an ideal rational agent should change her belief state when she is exposed to new information. The research in this field has traditionally had a strong focus on two types of changes: contraction in which a specified sentence has to be removed from the original belief state, and revision in which a specified sentence has instead to be consistently added. Alchourrón, Gärdenfors and Makinson (AGM) in their seminal paper performed pioneering formal work on these two types of changes. In the AGM theory of belief change, the agent’s belief state is represented by a set of sentences from some formal language $L$, usually denoted by $K$. The new information is represented by a single sentence in $L$. Belief revision and contraction are formally represented by two operators from $P(L) \times L$ to $P(L)$, each of which is axiomatically characterized with a set of plausible postulates (AGM postulates).

In this contribution, we will study a generalized version of belief revision operation, namely non-prioritized multiple revision. Multiple means that in this case the input is a set of sentences instead of a single sentence. Non-prioritized means that in this scenario the new information has no priority to the original beliefs. There are many different kinds of multiple non-prioritized revision. In this paper we will investigate one of them which could be called choice revision and has been less concerned with in the literature. It is formally represented by an operator $\ast_c$ on belief set $K$ with finite set $s$ of sentences as its inputs. Intuitively, $K \ast_c A$ means to choose the most plausible sentences from set $A$ and add them to the original belief set $K$ in a rational way.

We will propose some plausible postulates on the choice revision and study the derivability relations between them. The operation $\ast_c$ has the interesting characteristic that the standard select-and-intersect method used in AGM approach is not in general applicable. In order to develop a construction of choice revision, we therefore need to choose another strategy: we will propose and investigate two modellings for choice revision based on descriptor revision and multi-believability relations respectively and prove the associated representation theorems. Finally we will have a look at some relevant work and compare them with our work.
METAPHYSICS
In his (2014), Goldman suggests, in an attempt to naturalize metaphysics, that results in cognitive science can be used to influence the credence of metaphysical theories. His views partly depend on philosophically contentious debunking-arguments, according to which the evolved nature of our cognitive system should lead us to embrace anti-realism about certain phenomena (because our intuitions primarily track fitness, not reality).

In my talk I argue for two theses related to, but importantly different from, Goldman’s view: (I) that certain metaphysical disputes provide helpful evidence for theories in cognitive science – or, weaker - constitute good starting points for formulating testable empirical hypotheses about cognitive structures, and (II) that cognitive science, rather than directly affecting the credence of specific metaphysical theories, can help us understand and critically evaluate some of the methods employed by metaphysicians. Both (I) and (II) can be established without relying on classical debunking arguments, and so bypass criticisms directed towards such arguments.

More specifically, I argue that philosophical disagreements can sometimes serve as empirical evidence of cognitive contradictions rooted in a plurality of core-cognition systems competing for the same cognitive function (each of which results in different representational outputs). The existence of such contradictions is well described in empirical literature, but focus has traditionally been on simple cases in perceptual cognition (see Carey 2011 for an overview), not on metaanalysis of philosophical disputes. My suggestion is that certain intuitional impasses - locations in the philosophical dialectics where proponents of different theories are engaged in little more than a war of intuitions – are (often) symptoms/evidence of core-cognitive conflicts.

I offer an analysis of central disagreements in the literature on personal identity along the above lines. According to this analysis the intuitions supporting bodily and psychological theories of personal identity stem from different cognitive systems that use different cues to form judgements about the identity of agents. The result is not a proven thesis, but an empirical hypothesis concerning the nature of particular cognitive structures. Not only is such an hypothesis scientifically interesting, it also constitutes an important starting point for meta-philosophical reflection about the intuition-pump-method.

References


EINAR DUENGER BØHN – Composition as Identity: what it is and some things it entails

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The thesis of *Composition as Identity* (CAI) is the claim that a whole is identical with all its parts collectively. So, for example, my body is the same thing as all the sub-atomic particles arranged as it. CAI is a highly controversial thesis, often dismissed as incoherent. In this talk, I will show how CAI can be true and some things it entails. I begin by sketching a general theory of identity, from which I derive the classical theory of composition, showing how it is identity. I then reply to some standard objections to such an account, before I sketch some interesting consequences of it with respect to the possibility of emergent properties. Interestingly, it turns out that CAI might be committed to versions of panpsychism and pannormism, the views according to which consciousness and normativity, respectively, are properties of basic entities of reality.
There are many philosophical fields that are relevant to frequently discussed themes in both medical ethics and bioethics. One such field is metaphysics and the question of personal identity. In this debate, there are two main rival views: The view that we are essentially persons and that our persistence conditions are psychological in nature (the Psychological View or Neo-Lockean view), and the view that we are essentially animals and that our persistence conditions are biological (Animalism). These different metaphysical views – it is often argued – have very different implications in many ethical issues that concern the beginning and end of life, such as for example the use of advance directives, the moral standing of a foetus and the possibility harvesting organs for transplant.

Both Animalism and Neo-Lockean theories of personal identity have intuitive appeal in their implications: Psychological theories are well-equipped to explain, for example, why a whole-body transplant would save my life, whereas animalist accounts have great appeal because it is difficult given all we know about nature and evolution – to deny the claim that we are essentially animals. In this presentation I will explore the possibility of combining these intuitive appeals. I will argue in favour of the view that we are essentially animals (the claim that I suggest is the very intuitive force behind animalist theories of personal identity), but I will reject the further claim of the animalist that this fact determines our persistence conditions. I will instead discuss the rarely noted possibility that some (but not all) animals may persist by virtue of their psychology. I will also suggest that this possibility has been neglected in the debate because of what could be interpreted as an anthropocentric bias in the personal identity debate.
For any true sentence S one can form the question “Why S?”, potentially answered by “Because T.”, where T is a collection of true sentences. But a why-question, such as “Why are the dishes dirty?”, might be answered in different ways, e.g.:

A. “Because we just used them to eat our lunch.”
B. “Because there is some oil and starch stuck to them.”

(A) is a causal explanation, pointing out an event that caused the dishes to become dirty, while (B) points out a more fundamental fact, in virtue of which, the dishes are dirty. This talk is concerned with the second type of answer, which is usually called a metaphysical explanation. Such explanations are often used to motivate grounding relations, e.g. through a tracking relation. I introduce the notion of fundamentality explanation, and suggest a characterization by which such explanations can be classified as physical, metaphysical, analytical, etc. This approach supports a conception of grounding as a genus with several species, each of which is characterized by a modality. Here are three examples of how the characterization classifies:

1. If it follows from the meaning of “dirty dishes” that any dishes with oil and starch stuck on them are dirty, then (B) is an analytical explanation.
2. The follow-up question “Why is there oil and starch stuck to the dishes?” has a physical explanation along the lines that the dishes, oil and starch consist of certain types of molecules interacting with each other through electromagnetic forces.
3. However, causal explanations like (A) do not satisfy the conditions for being fundamentality explanations. Thus, I urge for caution when transforming successful accounts of causal explanation into accounts of any of the species of fundamentality explanations.

Grounding is meant to support a general philosophical technique used e.g. in the debate on physicalism, where one might defend the view that mental facts are grounded in physical facts. By varying the modality, one can vary the strength of such a claim. Accordingly, I propose physio-psychological physicalism as a plausible physicalist theory.

Moreover, based on the characterization, I put forth a general method for giving an M-explanation of an M-necessary truth, where M is an arbitrary modality. For example, “Crimson is a determinate of red.” satisfies the conditions for being a metaphysical explanation of “By metaphysical necessity, for all x, if x is crimson then x is red.”.
Recent metaphysics has seen a great deal of interest in the notion of *grounding*. Grounding is supposed to be an irreflexive, asymmetric and transitive relation of non-causal determination underlying many “in virtue of” and “because” explanations in metaphysics and other areas of philosophy.

One reason that grounding has been taken to be so important in metaphysics is that it has generally been conceived as an extremely intimate relation, closely tied to the essences of things and generating reductive explanations where the grounded is “nothing over and above” its grounds. In this vein, Kit Fine writes that “There are [...] many other explanatory connections among truths. But the relation of ground is distinguished from them by being the tightest such connection. [...] It is the ultimate form of explanation.”

In this talk, I want to draw attention to a phenomenon I call “opaque grounding” -- grounding connections without any accompanying relation of essential involvement or metaphysical analysis -- that would be in conflict with this popular line of thinking about grounding. I will show how certain fairly widespread metaphysical theories are naturally interpreted in terms of opaque grounding claims, and examine some implications these claims would have for the general theory of grounding.
This paper investigates two interesting presuppositions of Whittle (2016)’s argument that we are not in a position to know the principle $\text{SIZE} \rightarrow \text{FUNCTION}$, or even the nearby principle $\text{SIZE}^* \rightarrow \text{FUNCTION}$.

$\text{SIZE} \rightarrow \text{FUNCTION}$: For any sets $A$ and $B$, if $A$ is the same size as $B$, then there is a bijection from $A$ to $B$.

$\text{SIZE}^* \rightarrow \text{FUNCTION}$: For any sets $A$ and $B$, if $A$ and $B$ have the same cardinality, then there is a bijection from $A$ to $B$.

I argue that at least the latter principle is true, and that we can know it.

It is crucial to Whittle's argumentation that we can make judgments about what is true in a world where the sets $\{0, 1\}$ and $\{2, 3\}$ exist, but no function between them exists. In particular, we are supposed to be able to judge that, in the world in question, the sets $\{0, 1\}$ and $\{2, 3\}$ are the same size although no bijection between them exists.

The first of Whittle's presuppositions is that the metaphysically impossible world in question is conceivable. Yet, for there to be a (bijective) function from one set to another is plausibly nothing over and above the first set's being (bijectively) mappable to the second. This is a dispositional property of the first set. As the titular phrase “functionless desert landscapes” suggests, then, the Quinean metaphysicist enamored of desert landscapes need not include functions in her ontology at all. Further, bijective mappability dispositions are solely a matter of the sizes of the relevant sets. So it's unclear that Whittle's impossible world is conceivable.

Setting that aside, Whittle's second presupposition is that the method of considering metaphysically impossible worlds helps to determine whether two propositions describe the same feature of reality (see Rayo (2013)). Whittle claims that it is, while Wilson (201X) has argued that grounding entails non-trivial counterpossibility. But I argue that we need to take care, lest we subscribe to a too powerful method in Whittle's test.

References


On the assumption that there are properties and relations besides objects, and instantiation is a genuine relation, an infinite regress naturally arises: a is F iff a instantiates F-ness iff a and F-ness instantiate instantiation iff etc. This paper is an attempt to explain why the regress of instantiation arises in the first place and explore some consequences of the explanation. The explanation I propose rests on the theory of ascription that I develop. The theory of ascription comprises the following tenets:

(ASC$_1$) The act of ascription should be distinguished from the event of ascription. The agent who ascribes R$^n$ to $x_1,...,x_n$ is responsible for the event which is the ascription of R$^n$ to $x_1,...,x_n$ in the same way as he or she who drowns Paul is responsible for the drawing of Paul and he or she who moves the ball toward S is responsible for the movement of the ball toward S.

(ASC$_2$) The event of ascription is telic: it can culminate or succeed.

(ASC$_3$) The ascription of R$^n$ to $x_1,...,x_n$ succeeds iff R$^n$ ($x_1,...,x_n$). And R$^n$ ($x_1,...,x_n$) because of the success of the ascription of R$^n$ to $x_1,...,x_n$.

(ASC$_4$) The ascription of R$^n$ to $x_1,...,x_n$ succeeds iff the ascription of instantiation to $x_1,...,x_n$ and R$^n$ succeeds.

(ASC$_5$) Let us R$^n$ be a n-place relation distinct from instantiation. Then, the ascription of R$^n$ to $x_1,...,x_n$ is the production of a trope of R$^n$ between/in $x_1,...,x_n$.

(ASC$_6$) Each of the infinite ascriptions of instantiation that happen iff the ascription of R$^n$ to $x_1,...,x_n$ happens is the production of a trope of R$^n$ between/in $x_1,...,x_n$.

(ASC$_3$) and (ASC$_4$) together account for the genesis of the regress of instantiation. The idea behind them is that, if the ascription of R$^n$ to $x_1,...,x_n$ succeeds, then $x_1,...,x_n$ receive R$^n$; and $x_1,...,x_n$ receive R$^n$ iff $x_1,...,x_n$ instantiate Rn. (ASC$_3$) and (ASC$_4$) account for (ASC$_3$) and (ASC$_4$). The following are some of the consequences of the theory of ascription: the regress of instantiation is harmless; instantiation is not a non-relation tie but a genuine relation; instantiation does not have instances; we can answer Bradley’s vexed question: what is the difference between a relating relation and a relation which does not relate? R$^n$ relates $x_1,...,x_n$ iff R$^n$ successfully ascribes to $x_1,...,x_n$. 

FRANCESCO SPADA – Ascription and the Regress of Instantiation

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The notion of a “non-uniform” modal epistemology has attracted some attention in the epistemology of modality literature. Non-uniformism has been characterised as the view that there is more than one source of modal justification and is to be understood in contrast to uniformism, which is the standard view that all modal justification has one and the same basic source. Despite the increasing interest in non-uniformism, it is not clear exactly what kind of thesis it is and what consequences there are to adopting it, and there is not much of an argument in favour of it. In this talk I aim to clarify two things: First, what the line of conflict between uniformism and non-uniformism is. Second, what a defence of non-uniformism requires. In a nutshell, I argue that the issue is really one of explanatory scope as a desideratum in theory-selection and that a sturdy argument in favour of non-uniformism should proceed from the claim that it is independently plausible that the phenomenon to be explained by a modal epistemology, i.e. modal knowledge, is fragmented in an epistemically relevant way. I also briefly suggest two very different ways in which such an argument could be mounted: on the one hand in terms of a metaphysical difference, on the other in terms of a difference between different conceptions of ‘justification’.
EVAN WOODS – A Many-One Identity Solution to the Problem of the Many

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The problem of the many threatens to show that there are many more than one person reading this using your eyes, that there is never a single cat on any mat, and that, in general, there are far more ordinary objects than you might have thought. I present and motivate a solution to this problem which uses many-one identity.

The problem of the many arises from the seeming incompatibility of three claims:

ABUNDANCE: There are many candidates for being identical to a cat, say.

PARITY: If any one of the candidates is identical to a cat, then they all are identical to distinct cats.

CONSERVATISM: There is just one cat on the mat.

If all three are true on their natural readings, then there are many cats, and just one cat. Conservative solutions must give some way to accept CONSERVATISM. Thus, conservative solutions must deny either ABUNDANCE or PARITY, or else offer readings of those principles on which they are not really in conflict with one another and some reading of conservatism. I utilize Einar Bøhn’s (2009) account of many-one identity to present a solution to the problem according to which the many candidates are many-one identical to a single cat. This allows me to maintain CONSERVATISM and ABUNDANCE while rejecting PARITY.

I argue that this solution has several advantages. First, it straightforwardly and literally captures the widely-shared intuition that the many candidates are the same cat. For instance, Peter Geach (1980: 216) holds that “none of [the] lumps of feline tissue is the same lump… as another, [but] each is the same cat as any other.” David Lewis (1999: 177ff.) holds that the candidates are many, but “almost one” cat. And Thomas Sattig (2010) holds that the many are represented as one.

Second, some, e.g. Lewis (1993) and C.S. Sutton (2014), have argued that solving the problem of the many requires counting by some relation other than identity. However, the present proposal maintains that we count by identity, the relation we all know and love.

Third, the present proposal is more ideologically parsimonious than some other accounts. For instance, E.J. Lowe (1982, 1995), Mark Johnston (1993), Ólafur Jonsson (2001), and Nicholas K. Jones (2013, 2015) solve the problem by appeal to a relation of constitution, thought to be a relation other than identity. The present proposal employs only identity, a relation we’re all already committed to.
In a recent book, *Embodied Philosophy in Dance: Gaga and Ohad Naharin’s Movement Research*, 2016) Einav Katan discusses the dancing body as a means of expression. She relates its expressiveness to the attunement that dancers have acquired towards their own physical, perceptual as well as emotional capacities, through the practice of Gaga (“Gaga” is Israeli choreographer Naharin’s movement language and workout, for dancers as well as for ordinary people). In Katan’s analysis, the dancer’s intentionality is directed to “the procedure of doing rather than to its external purpose” (p. 79) – she doesn’t stretch out for a glass as much as she tries to “comprehend the physical dynamics of grasping a glass” (p. 80). The intentionality in question here is bodily or motor intentionality, a notion introduced by Merleau-Ponty in *Phenomenology of Perception* (1945), and closely related to that of the bodily schema. It is the bodily schema that accounts for the dynamic unity of the living body, where our previous experiences and actual skills have their roots. This also implies that the spatiality of the body is “situational” rather than positional (PP 116): it is open to an indefinite range of positions defined by the tasks that we might potentially engage in. Merleau-Ponty develops his understanding of this primordial spatiality – neither objectivism’s space of physical things, nor a Kantian pure form of sensibility – in the discussion of “anthropological” or cultural spaces (PP 333 f), based on pathological case studies as well as perceptual experiments by e.g. Max Wertheimer and Albert Michotte (Merleau-Ponty, *Le Monde sensible et le Monde de l’expression*, 2011). In this paper, I will explore further the role that bodily intentionality plays in aesthetic expression, in terms of the particular – aesthetic – spatiality that is opened up by dance, anchored in concrete space but yet creating another, imaginary realm.

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There has been debate among contemporary phenomenologists and phenomenologically inclined philosophers of mind in recent years about the perspectival nature of perception, and how to account for the three-dimensionality of what we see. To take a popular example, consider a spinning coin: one might wonder how to explain what and how we perceive when we perceive the coin at an angle (see e.g. Kelly 2005; Noë 2012). One might debate about e.g. whether we ever actually see the coin as elliptical, or how to account for the way that all the different possible angles of the coin form part of one whole experience of the same coin, but what is typically not up for debate is the basic idea that perception is necessarily perspectival in some way. This is typically taken to mean that perception necessarily involves some context: perception is always from the “point of view” of a perceiver. But what these discussions seem to assume is that this context is primarily a matter of relative spatial orientation. Even when discussing the difference between e.g. distance as a standardized spatial measurement (e.g. 200 ft) and distance as we perceive it on a Merleau-Pontyan phenomenological account (e.g., something I would need to walk towards in order to see better — Kelly, 2005), the presumption is that a “point of view” is characterized by its spatiality.

I argue that Merleau-Ponty’s sense of a “point of view” is a much richer notion, one that includes not just the subject’s orientation in space but also her orientation in historical time, in culture, in personal history and values. In the *Phenomenology of Perception*, Merleau-Ponty describes the relationship between the world and the experiencing subject as an “intentional arc,” writing that “perceptual life… is underpinned by an “intentional arc” that projects around us our past, our future, our human milieu, our physical situation, our ideological situation, and our moral situation, or rather, that ensures that we are situated within all of these relationships.” (*PoP*) In this paper, I will explore what a Merleau-Pontyan “point of view” looks like, and what consequences this richer notion of a “point of view” has for his theory of perception. I will argue that, for Merleau-Ponty, the perspectival nature of perception means that each individual has privileged access to unique aspects of the world in virtue of their particular socio-cultural and personal situation. I will conclude with a discussion of some epistemic, social, and moral consequences suggested by this model of perspectival perception.
It is well known fact that the great German philosopher Martin Heidegger made one great mistake. That mistake was joining to the NSADP in May 3 1933. He never publicly apologized or explained his action. After the war Heidegger was accused of indoctrinating students with Nazi propaganda. Freiburg University formed its own Committee on De-Nazification and Heidegger was obligated to give verbal report related to Nazi-indoctrination accusation. This report has been published only in English in 2002 as “Heidegger on the Art of Teaching”. This unique historical document reveals valuable information about Heidegger’s educational principles. There is no other context or text, where Heidegger present so widely his ideas on education in general and especially on higher education. Even Heidegger’s inaugural speech in 1933 is not so informative on his philosophy of education.

Whether or not Heidegger was a Nazi-indoctrinator as a university teacher, is not our research question. Our question: How did Heidegger defended himself and his educational principles as Das Man. Our point of view is to study Heidegger as Das Man. How the great philosopher who created the notion of Das Man would himself speak like Das Man? Nevertheless, as acting and speaking like Das Man in this context, Heidegger creates interesting notions on modern university. These notions are ever more actual in today when the foundation of Bildung university is collapsing.

Our analyzing method is phenomenography combined with philosophical (Gadamer) and critical (Habermas) hermeneutics. In order to do phenomenographic study on Heidegger’s text, one must have good knowledge both on Heidegger and phenomenography. That is why one presenter (Leena Kakkori) is Heidegger scholar and other presenter (Rauno Huttunen) is phenomenography scholar. Outcome of our analysis is finding of 103 meaning units which are divided into four non-hierarchic main categories of descriptions: 1) Heidegger’s conceptions on education in general (41 meaning units), 2) Heidegger’s conceptions university (34 meaning units), 3) Heidegger’s own teaching principles (18 meaning units) and 4) Heidegger’s defensive claims against the indoctrination accusation (10 meaning units). In this presentation we talk about Heidegger’s conceptions university and his own teaching principles (categories 2 and 3). Category 2) we have divided into four sub-categories called 2.1) University and Theory; 2.2) Grammar, Poetry and Rhetoric; 2.3) Teacher-student relationship and 2.4) History of university.
The primary aim of this paper is to argue that a particular form of suicide can be seen as a radical rejection of the mode of existence dictated by modernity. Herein, modernity which is usually spoken of as a temporal epoch is regarded as an ethos — “as a mode of relating to the contemporary reality”\(^1\) in Foucauldian sense. An exploration of this ethos which imposes life as the most essential and unconditional affirmation and death as the absolute opposite of life allows me to analyze the extreme pathologization of suicide in modern society.

In order to grasp why modernity glorifies life in opposition to death, I critically reconsider the peculiarity of modern form of power from a Foucauldian perspective. As Foucault states in modern society “it is over life, throughout its unfolding, that power establishes its dominion;”\(^2\). Therefore, in modern society in which power administers life, death becomes “power’s limit”\(^3\). On this limit, suicide gains its peculiarity, that is to say, in a society in which technologies of power centers life, self-killing remains exceptionally an ungovernable issue. I argue that the extreme pathologization of suicide in modern society is both the cause and the result of its exceptional ungovernability.

More importantly, I reflect upon the potential of suicide to resist the first and the most essential order of modernity which says live. To emphasize the criticality of this potential of resistance immanent to suicide, I posit a hypothetical category of philosophical suicide which refers to an existentialist denial that sees nothingness in being and being in nothingness. In this paper, philosophical suicide is considered as a potency which could be killed only by itself. Thus, this particular form of suicide is suggested, in this study, as a radical potential to resist the mode of existence dictated by modernity.

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3 Ibid.
CHARLOTTA WEIGELT – Fenomenologin och kausalitetens problem

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Samtidigt har emellertid fenomenologin själv, återigen med början redan hos Husserl, utvecklats i en genetisk riktning, vilket har motiverats av övertygelsen att den så kallade statiska fenomenologin (som utgår från den ”färdiga”, konstituerade världen) väcker frågor rörande tid, historia, konstitution, osv., som den själv är oförmögen att besvara. Men vad exakt är en genetisk analys om den inte får åberopa sig på kausala relationer? Om den lyckas undvika att så att säga falla tillbaka in i en ”mundan”, det vill säga empirisk och kausal förklaring av subjektivitet och mening, så verkar det som att den i stället löper risken att förvandlas till ett stycke spekulativ metafysik, och mer precis överta Hegels föreställning om en rent immanent och teleologiskt strukturerad ”andlig” historia. I detta föredrag ställer jag frågan om inte fenomenologin stöter emot sina egna gränser när den ger sig själv uppgiften att spåra den genetiska constitutionen av världen och jaget. Jag kommer att särskilt uppmärksamma Heideggers försök att undkomma de problem som nämns ovan genom ett återvändande till den antika, och i synnerhet den aristoteliska förståelsen av kausalitet, i syfte att försöka förstå vad det skulle kunna innebära att tänka kausalitet på ett icke-antropomorf sätt, det vill säga utan att i tysthet utgå från en idé om det mänskliga subjektets förmåga att gripa in i och bearbeta sin omvärld.
PHILOSOPHY OF LAW
ÅSA ÅGREN – Rationalitetsbegreppet och miljöbalkens rimlighetsavvägning

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**Beslutsfattande och rationalitet**

I rättsvetenskaplig teori är utgångspunkten att domstolarna använder sig av den så kallade juridiska metoden i sina prövningar för att fatta legitima beslut. Juridisk metod bygger på att det finns rättskällor som kan ge domarna den vägledning som behövs för att de ska kunna ta sina beslut, exempelvis förarbeten som ger vägledning i hur lagstiftningen ska tolkas. Även i de fall då rättskällorna är bristfälliga och inte ger vägledning ska domarna i sina prövningar komma fram till beslut. Frågan är vad domarna utgår ifrån i dessa fall.


**Miljöbalkens rimlighetsavvägning**

Här är miljöbalkens rimlighetsavvägning (2 kap. 7 § miljöbalken) specifikt av intresse. Detta är en avvägningsbestämmelse som förenklar att domar och miljödomstolarna utrymme att väga miljöintressen mot ekonomiska intressen. Även om det finns andra avvägningsbestämmelser i det svenska rättsystemet är bestämmelsen unik i flera hänseenden, exempelvis omfattar dess prövning olika normssystem, det miljömässiga, det ekonomiska och det rättsliga.

**Rationalitet och rimlighetsavvägningarna**

Rimlighetsavvägningen är av särskilt intresse vid en granskning av rationalitetsbegreppet i de rättsliga prövningarna. De avvägningar som domstolarna gör kan inte förstås utifrån den traditionella juridiska metoden. Här kan sägas att bestämmelsens utformning är vag och liten vägledning kan fås från rättskällorna.

Fokus ligger här på domarnas föreställningar om rationalitet och målet är att få mer kunskap om beslutsfattandet vid de aktuella avvägningarna. Beslutsfattandet tar sin utgångspunkt i tre olika rationalitetsföreställningar, ekonomisk, ekologisk och rättslig, eftersom de olika normsystemen som de aktuella avvägningarna omfattar inkluderar olika föreställningar. Syftet är att få mer kunskap om är hur interaktionen ser ut mellan de ekonomiska intressena och miljöintressena i mark- och miljödomstolarnas rimlighetsavvägningar.
TOMMASO BRAIDA – Is administrative detention of stateless people based on a principle of responsibility for identity?

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Under Article 5§1(f) of the ECHR, migrants may be deprived of liberty only to prevent unauthorised entry into the national territory or for the purpose of expulsion. The ECtHR is called upon to determine whether the conditions of the applicants’ detention can be regarded as “inhuman or degrading treatment” within the terms of Article 3 of the Convention, taking into consideration, among other criteria, the specific vulnerability inherent to the category of asylum-seekers, which is due to the absolute uncertainty of their condition. For the same reason, specific vulnerability should be inherent to the condition of stateless as well.

According to the ECtHR well-established case-law, administrative sanctions can be qualified as ‘criminal’ provided the so-named ‘Engel criteria’ are met, among which: if administrative sanctions show a deterrent and punitive scope, they are assessed as being ‘criminal’ in nature, and the guarantees provided by the ECHR to criminal penalties become applicable.

In light of this, this paper asks what is the nature of the administrative detention of irregular migrants in light of common European stagnating expulsion policies? The purpose of the system of administrative detention doesn’t seem to aim at curbing irregular immigration, consisting instead of a symbolic “confinement” of a temporary phenomenon with a view to contain it. The inconsistency between the explicit and implicit aims of migration detention produced a hotbed for inefficiency and violations of human rights.

Stateless persons are often subjects to administrative detention for one or more years, they are subject to violations of their right to a nationality, and to several other human rights. Given their specific vulnerability, shouldn’t administrative detention for unlimited time be qualified as afflictive, therefore criminal in nature? If it is so, “a person who is not considered as a national by any State under the operation of its law”, when incarcerated, would be subject to a criminal measure on the grounds of her identity. This is clearly inconsistent with the principle of materiality (responsibility for act or omission) implied by the principle of legality (Art. 7§1 CEDU, Art. 49§1 EU Charter).

The upshot of this situation is that if stateless persons are subject to systemic violations of human rights on the basis of their lack of nationality they should be granted international protection according to 1951 Geneva Convention. Hence, this paper suggests that the right to international protection could be complementary to the international prohibition of the creation of stateless.
DALE BROWN – Is Granting Executive Clemency to Those Who Kill During Non-Confrontational Acts of Self-Defense Enough?

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For a defendant who is morally, but not legally justified in killing his or her would-be attacker in a non-confrontational setting, appealing to executive clemency is a partial solution at best. Some mitigating factors include the type of clemency employed (e.g., pardon, commutation, reprieve, etc.), the geographic location in which the act was adjudicated, as well as the current social and political atmosphere. Part one of this paper provides a brief overview of the self-defense doctrine and the archetypical cases which motivate our present inquiry into the issue of clemency efficacy. Part two examines and refutes a pro-clemency argument put forth by Martin Veinsreideris. Part three provides further reasons as to why clemency fails to provide qualified defendants sufficient post-conviction relief, especially in light of the potential for major fluctuations in social and political norms.

Despite the statutory variations within the doctrine of self-defense, we can assume that the main prongs of the doctrine include (a) reasonableness, (b) necessity, and (c) imminence. Particularly with respect to the imminence prong, a certain set of cases motivate our present inquiry: those in which most people would intuit that the defendant in question is morally justified in killing his or her would-be attacker during an act of non-confrontational self-defense, yet where the law demands a conviction. In other words, it is perfectly clear that there is a lack of imminence in these cases, yet most agree that the defendant ought to have acted as they did in neutralizing the would-be aggressor. This causes a dilemma for our legal system, which I have termed the Norman Moral Dilemma.1 Interestingly, there are at least three main types of cases to which this dilemma applies: battered women, battered children, and prisoners subject to violence.

Myriad solutions have been posited by academics and legal practitioners alike as to how to best deal with these sets of cases involving the Norman Moral Dilemma. This paper evaluates one such proposed solution. In the article, “The Prospective Effects of Modifying Existing Law to Accommodate Preemptive Self-Defense by Battered Women,” Martin Veinsreideris claims that instead of changing substantive law, we should appeal to executive clemency as an effective means of post-conviction relief. This paper seeks to refute this argument by rejecting the premise that an appeal to executive clemency is an effective means of post-conviction relief for Norman Moral Dilemma cases.

1 Although this monicker is a clear reference to State v. Norman, it is meant to encompass similar such cases, as noted below.
Indeterminate sentencing is a sentencing practice where the offender is sentenced to a range of potential imprisonments with the actual release date determined later, typically by a parole board. Although indeterminate sentencing of this sort is taken to be morally problematic from a retributivist point of view, Michael O’Hear (2011) has provided a new model for indeterminate sentencing that is grounded in the communicative version of retributivism developed and defended by Antony Duff (e.g., Duff 2001). Drawing from Duff’s concept of imprisonment as a back-up sanction, O’Hear argues that indeterminate sentences can be conceptualized as delayed release and are justifiable as retributive responses to willful and persistent violations of prison rules. In his proposed view, a parole board may delay an inmate’s release if and only if they’ve found that the inmate has engaged in persistent and willful violations of prison rules (O’Hear 2011, 1266ff). It should be noted that delayed release does not mean that incarceration can be indefinite. Rather, delayed release is only permitted within the parameters set by the indeterminate sentence. These parameters should equally be based on considerations of retributive proportionality. Granted that retributive judgements cannot be precise, O’Hear’s account accepts that deserved censure can be expressed as a range, such as six-to-nine years, and that delayed release within this range is permitted as a form of retributive response to persistent and willful violations of prison rules (2011, 1264-1269).

In this presentation I argue that the communicative theory is not easily combined with indeterminate sentencing along the lines that O’Hear envisions. I raise two challenges to O’Hear’s argument. First, if delayed release is justified as a retributive response to persistent and willful violations of prison rules it is not obvious why the inmate must be released when the maximum term set by the indeterminate sentence has been served. Instead it seems that this argument, rather than favoring indeterminate sentencing of the sort O’Hear suggests, opens up for the possibility of indefinite prison sentences, which is deemed problematic from a retributivist point of view. Second, O’Hear fails to address why violations of prison rules, even if willful and persistent, are serious enough to warrant imprisonment, even though the original crime was so. In particular I argue that there are reasons inherent to the communicative theory which suggests that many of the examples of prison rule violations given by O’Hear should not merit imprisonment.
The general starting point for this presentation is my monograph *Critical substantive validity testing of legal norms. The example of homes for care or residence* (2016). I have elaborated a legal analytical tool for critical substantive validity testing of legal norms. The tool is a conversion of Kaarlo Tuori’s critical legal positivism and his conception of legal validity (*Critical Legal Positivism*, 2002) and Jürgen Habermas’s method rational reconstruction (“What is Universal Pragmatics?” in *Communication and the Evolution of Society*, 1979) into practical use in legal philosophy. The tool won support in application on the example of homes for care or residence (or institutions).

The specific starting points for this presentation are two research results in my earlier research, partly the identification of the relation of power (my terminology) as a prevailing relation between the levels of the law as mediated in the legal practice(s) and by the legal actor(s) through legal concepts, legal principles and patterns of legal argumentation in their actor-specific text(s), partly the identification of a certain relationship between the identified relation of power and the prevailing relation of criticism between the levels of the law as mediated in the legal practice(s) and by the legal actor(s) in their actor-specific text(s) through the language of the law in the levels of the law.

The purpose of this presentation is elaboration of the relation of power as a relation between the levels of the law, which shall complement the legal analytical tool for critical substantive validity testing of legal norms as regards the relations between the levels of the law. It shall be used in reconstruction of the legal actor’s practical knowledge of legal concepts, legal principles and patterns of legal argumentation in the sub-surface levels of the law. Focus is on power inherent in the levels of the law. The relation of power shall constitute the basis for elaboration of the relationship between the relation of power and the relation of criticism between the levels of the law. Focus is on power effect(s) created by the levels of the law.

The elaboration of the relation of power and the relationship between the relation of power and the relation of criticism provides an alternative critical approach for analyzing the relationship between law, power and criticism in legal science. It is an example of the performance of a critical-practical-legal theory.
My first tenet is that it is vital to keep law (in Swedish rätt) and juridical thinking (in Swedish juridik) apart. Law is the content of legal rules and the systems of legal rules. Juridical thinking is the handling of law by lawyers, and juridical thinking is the topic of this presentation.

A wood-carver fashions things out of wood. Pieces of wood form the object of his work, the matter he works with. In order to perform this work he needs tools: a saw, a chisel, sandpaper, etc. He also has in his mind certain ideas about what makes good wood-carving. For both the material tools and the standards of good wood-carving he has a certain terminology – the (technical and evaluative) language of his craft.

By analogy, the lawyer has his object, the matter he works with – the law. The difference between the wood-carver and the lawyer is that the latter’s matter is ideas expressed in language. Like the wood-carver the lawyer, in addition to that, has a language of his craft, technical as well as evaluative. Logically, the language of the law and the language of juridical thinking are two different languages. But while the tools of the wood-carver are material things, the tools of lawyers are ideas as well. For that reason the distinction between the law-language and the juridical language is often blurred. To a certain degree they may overlap one another extensionally, but the very distinction between them is clear.

My second tenet is that juridical thinking has two foundations, one of an intellectual (juridical-technical) nature, the other one of an evaluative nature.

In accordance with the first tenet I make a distinction between concepts with a law-stating function (law-concepts, concepts of law; L-concepts for short) and concepts with a juridical-operative function (concepts about law, juridical, or jurisprudential, concepts; J-concepts for short).

In accordance with the second tenet I distinguish within the category J-concepts between two main groups: technical-juridical concepts and ideological-juridical (or evaluative-juridical) concepts. The former are concerned with the purely intellectual handling of the law, and do not comprise any other value than that of intellectual stringency. The latter, on the other hand, contain as their most important ingredient a valuating attitude towards the juridical handling of the law. This distinction mirrors the basic and important fact that juridical thinking is an inextricable amalgamation of technical devices and evaluative ideas.

Within the category technical-juridical concepts at least the following four types are essential:

1. Concepts that help us to structure the law in a logical and functional way. I call them morphological J-concepts. Examples: “Legal system”, “legal rule”, “(pre)requisite-legal consequence”, “right”, “duty”, “competence (or power-conferring) rule”, “primary” and “secondary rule” and the normative modalities “shall”, “ought”, “may”, and “must not”.

2. Concepts that help us to indicate the phenomena to which the law is applicable, and also to separate from each other the areas of application for different legal systems – concepts that indicate the “topology” of the law. I call them topological J-concepts. Examples: “Legal case”, “operative fact”, “sphere of operation (of a legal rule)”, and “collision” and “competence (between legal rules)”.
3. Concepts that help us to speak clearly and articulately about the relations between law and action – be it lawful or unlawful actions. I call such concepts praxeological J-concepts. Examples: “follow” (“observe”, “comply with”) a legal rule”, “application of law”, “qualification”, and “evaluation of evidence”.

4. Concepts that help us to describe in a precise manner the methods of the professional-juridical handling of the law (in the first place application of law and legislation). I call such concepts methodological J-concepts. Examples: “source of law” and the principles guiding legal reasoning such as “literal”, “linguistic”, “subjective”, “intentional”, “teleological”, and “consequentialist interpretation”.

Lawyers do not only need concepts by the help of which they can handle law technically. They also examine law from an evaluative view-point – and, indeed, should do so. It is a matter of comparing actual law and law-handling to certain standards of good law and law-handling. For that purpose certain instruments are needed. Such instruments consist of fruitful and precise concepts, ideological-juridical concepts. Among them we find concepts like “Rechtsstaat” (“law-state”), “the Rule of Law”, “legal certainty”, “legal equality (before, in, and through the law)”, “legal security”, and “legal accessibility” – all of which are fundamental to our juridical culture. (These concepts are investigated in my book From Rechtsstaat to Universal Law-State, Springer, Law and Philosophy Library 109, 2014.)
HÅKAN GUSTAFSSON – Faktaresistent rättsteori eller kontrafaktisk rättsfilosofi?

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ett, å ena sidan, vanligt sätt att karakterisera juridiken och det rättsliga vetandet, är att framhäva dess förmåga till diskursiv hegemoni, varigenom den sk ’verkligheten’ (det sociala, värderingar, faktabeskrivningar osv) filtreras och återskapas med rättsliga begrepp och juridisk metodik. Denna kognitiva dissonans brukar återges med begreppen ’förrättsligande,’ ’rättsliggörande,’ ’juridifiering’ men också, utifrån systemteoretiska synsätt, genom begrepp som rättens enhet eller kognitiva/normativa slutenhet. I det förra fallet innebär det att rätten avgränsar bort sådant som kan anses vara av relevans och medför att tolkningen enbart blir av strikt juridisk karaktär, vilket innebär en negativ inverkan på den ursprungliga konflikten ’verkligheten’. I det senare fallet upprätthåller rättsystemet s tabilitet och enhet via interna selektiva mekanismer, dvs genom binära koder såsom relevans/irrelevans, rättsligt/icke-rättsligt etc, för att bemöta och förstå omgivningen ( ’verkligheten’).

Man skulle med moderna högaktuella mediala termer, med viss överdrift, kunna hävda att rätten – som diskurs, vetande och system – i viss utsträckning är faktaresistent. Och det på två sätt, dels att rätten har svårt att förstå eller inkorporera vissa fakta, men dels att rätten just därigenom producerar en viss rättsliggjord verklighet (eller, den upprättar, en viss ’sanningsregim’).

Men ett, å andra sidan, kritiskt och legalstrategiskt förhållningssätt har inom rättsfilosofin också tagit som uppgift att utmana den vedertagna rättsliggjorda verklighetsbilden. Detta innebär ett epistemologiskt ifrågasättande av den gängse juridikens olika kategorimisstag (den liberala myten om individens autonomi, till exempel), men också en epistemologisk inspiration i att införa realitetsmoment i rättsfilosofin, med andra ord att medvetet dejuridifiera vetandet och påvisa hur en verklighetssyn kan och kunde vara annorlunda.

Denna kritiska rättsfilosofi – med utgångspunkter i t.ex. strukturella, intersektionella och socialkonstruktivistiska perspektiv – frammanar därmed de kontrafaktiska möjligheterna i tolkandet. Det söker den kognitiva associativa förmågan i att ta samhälleliga fakta på allvar och exponera dem inom ramen för det rättsliga vetandet.
JAN KELLGREN – Den avgörande tidpunkten i juridiken: en förbisedd, men central, fråga

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En central fråga för alla regler som relaterar till förhållanden i en yttre verklighet, t.ex. att något ska ha hänt eller vara på ett visst sätt, är när det ska ha varit på detta vis. Jämför t.ex. uppsåtsbrott, som förutsätter ett uppsåt i ett tidsmässigt samband med en straffbelagd handling.

Inom beskattningen är legalitet, förutsebarhet och låg risk i ekonomin viktiga målsättningar. Det talar för att förhållanden i samband med en transaktion (eller egentliga strax innan) är viktiga – för om det är förhållanden efteråt som avgör beskattningen så kan ju den som gör investeringen inte förutse beskattningen och måste då kräva högre förväntad avkastning, för att göra investeringen.

Emellertid finns stora osäkerheter runt det nämnda och i flera fall tar juridiken fasta på förhållanden långt efter en eventuell transaktion, t.ex. när utgifter och inkomster ska periodizeras till kostnader och intäkter. Det förekommer också s.k. eftersyn (dvs. att transaktioner m.m. bedöms i efterhand, när man ”vet hur det gick”) – vilket utmanar legalitetsprincipen. Inom vissa andra rättsområden är det istället aldeles klart att bedömningen bör ske just så nära in på en domstolsavgörande som möjligt, vilket naturligtvis går ut över förutsebarheten i vanlig mening, men ändå kan vara motiverat.

Klart är att den som ska tillämpa en regel måste avgöra var till dess avgörande tidpunkt ligger – och det framgår mycket sällan explicit. Lagstiftaren har ett likartat behov i av att avgöra var den avgörande tidpunkten ska placeras. Ytterst synes frågan böras besvaras av argument från etiken och rättssystemets grundläggande ändamål och värden – men det är alls inte självklart hur de ska besvaras. Det är också viktigt att avgöra om regler har subjektiva (insikter eller avsikter) eller objektiva (hur det är eller var, mer ”objektivt”) rekvisiter, för det kan vid varje given tidpunkt finnas en skillnad mellan dessa. I många fall är subjektiva rekvisiter mer rättssäkra.

Men när den avgörande tidpunkten väl är klarlagd väntar nästa fråga: Vilken betydelse tillmätts händelser efter denna tidpunkt? I redovisningen finns särskilda regler om detta; de svårtolkade reglerna om händelser efter balansdagen. Troligen saknas motsvarigheter i andra sammanhang. Klart är dock, att det är centralt att skilja mellan förändrade förhållanden (efter den avgörande tidpunkten) och sådana efterkommande händelser som (be-)visar hur det var vid den avgörande tidpunkten. Gränsdragningen är mycket svår. Hur bör man t.ex. se på s.k. transaktionskedjor, där den första transaktionen f.n. bedöms i viss mån i ljuset av de efterkommande, trots att dess avgörande tidpunkt egentligen ligger vid tidpunkten för själva transaktionen. Ibland finns också s.k. framtida villkor, som alltså måste uppfyllas i efterhand. Också dessa är i viss mån problematiska.

Här finns en mängd svåra frågor, av stor betydelse för rättssystemet och det ekonomiska livet. Jag vill problematisera, jämföra och diskutera olika tänkbara lösningar. Grunden är egentliga (förutom juridiken och dess här rätt komplexa logik) etiken, men här kommer vi också in på kunskapssyn m.m.
While rarely successful in practice, the necessity (or choice-of-evils) defense has in recent times has been enmeshed in academic debate. In the jurisdictions which allow it, as well as the Model Penal Code (MPC), the choice-of-evils defense is a legal justification which allows an actor to commit an otherwise illegal act if such an act would cause a lesser evil than if the actor did not act. This common formulation—the idea that an act must be a lesser evil—is disquieting to me. It would only seem right that for an illegal actor to be justified, the actor must have picked the least of all possible evils. This article will argue that on normative utilitarian grounds, the formulation of the defense on necessity should only justify the least evil action in each situation. Not only is this the morally correct thing to do (and one would hope the law tracks morality), it is the practical thing to do. As it stands currently, the necessity defense rarely triumphs in court in the rare circumstances that it even reaches jury deliberation. Section one of this paper will lay out the historic utilitarian justifications for necessity from the common law reformer Jeremy Bentham to the MPC-era legal reformer Glanville Williams. Having shown that the modern formulations of the choice-of-evils derive from utilitarian hands, section two will spell out why the only moral choice is the least evil. It is here the philosophical groundwork of the defense will be laid bare. Once this is argued, section three will contend with critics in the literature, such as Larry Alexander, who hold that the least evil is too strict a standard. After any dissenters are adequately dealt with, section four will propose a new formulation of the defense of necessity and show why it is not only more morally sound but also more practically sound. One would hope that by creating a more refined form of the defense, it will gain more traction in the courts and not be so summarily dismissed. All that said, by restricting the necessity defense to only least evils, it will be more morally sound and practically useful.
BRIAN LEITER – Justifying Academic Freedom: Mill and Marcuse Revisited

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Abstract TBA.
Enligt den svenska filosofen Christopher Jacob Boström (1797-1866) är världen till sitt väsen överinnlig eller andlig. Denna strikt idealistiska och rationalistiska/förnuftiga filosofi utgör enligt dess upphovsman ett skarpt brott mot varje annat filosofiskt system (inbegripande Kant, Fichte, Schelling och Hegels respektive system) som historien hitintills vilka samtliga är "behäftade med något realistiskt och empiriskt".\(^1\)

Boströms system har enligt dess upphovsman på grund av sin befrielse från realism och empiri den fördelen framför andra system att detta system kan undvara den osäkra och endast skenbart säkra empiriska verkligheten vid en analys av världorsdningen, varvid Boström, utan att vilseledas av empiriska fördorar, kan tolka och förklara världen systematiskt och koherent. Omdömenas giltighet och sanning är således en funktion av omdömenas logiskt möjliga placering i hans system snarare än dessas korespondens med externa (sinnliga, empiriska eller positiva) fakta (såsom exv. stöd i positiv lag för gilitheten av ett rättsfilosofiskt omdöme).

Sett i förhållande till den under 1800-talet allt tydligare utvecklingen av en positivistisk rättsvetenskap, enligt vilken rättsvetenskapens giltighet prövas mot de rättsvetenskapliga satsernas grund i positiva rättssatser snarare än dessas logiskt möjliga plats i ett filosofiskt system blir det allt tydligare att en klyfta riskerade skapas mellan rättsfilosofi och rättsvetenskap; en klyfta mellan rättsvetenskapens vetenskapliga grund och rättsvetenskapen själv.

Givet det faktum att Boström erkänner att den rationella rätten (filosofiska lagen) måste göras positiv för att få en bindande verkan i sinnliga (empiriska) samhällen, så är den filosofiska rättsläran, systemet, beroende av den empiriska verkligheten för att bli socialt gällande. Med andra ord måste det filosofiska systemet av logiska rättsliga möjligheter omvandlas till ett faktiskt system bestående av faktiska lagar. Sett ur ett rättspositivistiskt perspektiv blir osinnliga, filosofiska, systemet beroende av det sinnliga, positiva, rätten istället för tvärtom.

I presentationen avser författaren att belysa de rättsvetenskapliga konsekvenserna av den Boströmska rättsfilosofins lära om förhållandet mellan rationell rätt och positiv rätt genom en analys av förhållandet mellan rationell och positiv rätt med utgångspunkt från frågor om den boströmska idealismens läror och rättspositivismens respektive läror om dels rättens materia, form och innehåll dels dessa kategoriers logiska, materiella och juridiska förhållanden till varandra.

\(^1\) C.J. Boström och Hans Philosophi, s. 481.
PATRICIA MINDUS – Funktionellt medborgarskap i jakten på en allmän teori om medborgarskap

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This paper argues that the transcendental-pragmatic reappraisal of the so-called ‘linguistic turn’ opens the door for more substantial contributions from both political and legal theory than the ones offered so far by the proponents of ‘discourse ethics’. Habermas, for instance, assumes that the shift from semantics to pragmatics is the natural follow-up of the linguistic turn, after the Humboldtian emphasis on the communicative - along with the cognitive and expressive - role of language. This emphasis gets lost, in his view, in the German and French adaptations of theological hermeneutics to continental phenomenology, as well as in the Anglo-saxon turn to logical semantics and mathematics as the explanatory model of the articulation between language, thought and world. Surprisingly, Habermas argues that in both cases, the focus of these traditions on language reduces philosophy to the search for conceptual meaning and neglects the role of social validation in philosophical enquiry. ‘Discourse ethics’ thus rehearses a pragmatic turn that can account for social mediation in thought and language, under the claim that philosophy must not only search for the truth conditions of assertions, but also for the communicative conditions of agreement among speakers. But Habermas immediately casts this ‘pragmatic turn’ in terms of a dialogue that is as meaningful as it is conducted among equals. His view of philosophical enquiry is that of an ‘ideal position’ where speakers are equally entitled to utter their views according to criteria which are linguistically pre-given. He never concedes that replacing the assertoric way of doing philosophy with a dialogical one must include a specific analysis of how power imbalances within the linguistic community affect the socially-constituted search for meaning. These inequalities must be grasped before communicative action can be suggested as a legitimate model of philosophical enquiry. Hence, in order to know how the linguistically constituted lifeworld of discourse is construed we cannot simply resort to ‘discourse ethics’. We need to employ the tools of political and legal philosophy in order to understand how discourses of power, authority, legitimacy and decision succeed in establishing the rules of communication and in determining who can speak to and for whom.
One of the characteristics of the institution of citizenship is its function to distinguishes between insiders and outsiders. Namely, those considered insiders are conferred with specific rights and duties denied to outsiders. Although citizenship is usually acquired as a birthright (ius soli/ius sanguinis) countries usually admit the possibility of acquiring citizenship through naturalization for outsiders having a special bond with the country (long-term residents, spouses, orphans of unknown parents, etc.). However, since 1984 a new access way to naturalization has become increasingly popular: ‘ius pecuniae’. The term refers to different states programs that ensure naturalization in exchange for an economic transaction (donation, investment...) and that provide an extra and fast way to naturalize for those who can afford it, allowing outsiders to become insiders by using (copious amounts of) money.

The booming of ius pecuniae programs has led to an increasing number of scholars interested in the topic. Thus, especially since 2012, well-known scholars, mainly, from sociology, political science and law have been interested in understanding the phenomenon and many have also elaborated normative arguments for and against the use of ius pecuniae programs. Yet most authors do not have a background in philosophy and normative ethics that the topic requires. The current state of the art is plagued by conceptual confusion, unverified assumptions and a general lack of insight into the nature of the phenomenon (e.g., we currently have no generally accepted definition). In this paper, I suggest taking a philosophical approach to ius pecuniae. The aim is to elucidate what ius pecuniae is and what it is not.
JULIETA A. RÁBANOS – A strange (conceptual) loop: who really makes the Law in the end (or in the beginning)? A brief analysis of the concept of Law (and the concept of Authority) through the eyes and the words of legal positivism and legal realism

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The question about what is Law or what Law means is not just one of the most controversial questions in legal theory and legal philosophy, but is also maybe one whose controversy would never come to an end. To reject doing an ontological analysis and try focusing in a conceptual-only one, unfortunately, does not diminish the uncertainty: it remains not only in terms of its content, but also in terms of its status. Is there only one concept, the concept, of Law? Are there many? Should the criteria to choose one of them be one of usefulness, or only one of personal preference?

Here, I will try to offer a conceptual-only analysis of Law, through its relation with the concept of Authority. For doing this, I will consider some views regarding the topic as they are held by some legal positivists and legal realists, in particular their views about Law and legal systems, and their relation with social facts concerning (particularly) the issuance by an authority.

I will argue that, even if it could be true that legal positivists and legal realists hold the concept of Law as intrinsically connected with the concept of Authority, they might be not only using a slightly different concept of Authority but also (even if they are using the same or a similar one) they might be identifying different authorities altogether. I will further argue that, in the centre of these differences, hides what I think that is the very core of the discussion: the rapport between issuance and interpretation (between law-makers or legislators and interpreters or adjudicators). In this sense, legal positivism and legal realism seem to mainly place “authority” in one of these two sides of the question, relegating the other play a secondary (albeit important) role but with other different status.

It will be my main aim to suggest that these views of legal positivism and legal realism considered here do not offer an adequate answer to this rapport between issuance and interpretation. Because of this, because of their apparently flawed definition of Authority, I will suggest that their concepts of Law can be seen as flawed in the same sense, and that they are prisoners of a strange (conceptual) loop.
Legal interpretation theory and constitutional theory do not often communicate with each other. However, the overlapping of issues addressed by these disciplines is of common occurrence. One of these issues is the so-called judicial review of the legislation (JRL).

In broad strokes JRL is the competence of the courts to examine if some legislation and/or its application infringes constitutional norms. In some legal systems courts have the competence to expel the unconstitutional norm from that particular legal system acting as a negative legislator. In others, it prevents the courts to apply legal norms because its effects are unconstitutional. These two models are commonly referred to as the Austrian model and the American model respectively.

From the side of constitutional theory JRL has been examined and criticized for its seemingly undemocratic implications. How can we make sense that a legal provision enacted by a democratic organ, i.e., parliament, can be controlled by an undemocratic organ, i.e., courts?

This is the main claim of the counter-majoritarian difficulty (CMD). The CMD brings to light the following problem: to the extent that democracy entails responsiveness to popular will, how can we attest for the judiciary, whose members are unaccountable to the people and can overturn laws? At the core of this objection lies the problematic tension between a non-democratic institution, such as the judiciary power, and democratic government.

But is this so? In this paper I claim that when the CMD is directed at the American model of JRL it misses its mark because there is no democratic-undemocratic tension.

In order to back up this claim this paper analyses the CMD from the standpoint of a realist theory of legal interpretation. A realist theory of legal interpretation introduces the distinction between general legal norms and particular legal norms. The former are statutory or precedent-base legal norms. The latter are the result of the interpretation of general legal norms when being applied by the judge.

It also acknowledges the indeterminacy of law and it claims that a general legal rule can have several meanings, i.e., particular legal rules. This means that an individual case can have more than one solution. Because generally there are no meta-rules that bind the judge to interpret general legal norms, the selection of the meaning is the result of the decision-maker exercising discretion. Hence the creation of the particular legal rule is not the result of democratic process: it is the creation of the judge.

I claim that in the case of the American model there is no democratic tension because both of the organs engaged in this process are non-democratic and thus the CMD loses strength to the point of not being suitable to criticize this type of JRL.
The presentation concerns the results of my thesis that I am to defend at 28th of April. The thesis concerns the law/fact distinction in law. The interest it takes in the distinction is not practical, but conceptual. It more specifically concerns the questions: “What is it that is conceptually assumed about something when it is categorized as ‘of law’ or ‘of fact’?” and “What is conceptually assumed about the law when law is distinguished from fact by the use of the law/fact distinction, and in particular—how is this assumption compatible with legal positivism?” It approaches the question both descriptively and normatively.

Descriptively, it sets out to structure the existing scholarly discussions on the law/fact distinction into different conceptions, which are exemplified and analyzed. It finds that the existing conceptions of the law/fact distinction connects this distinction to the application of law to non-law; but also that the law/fact distinction cannot be reduced into the distinction between law and non-law. Further, it finds that the vast majority of conceptions of the law/fact distinction entails a conceptual assumption of the law that is not compatible with legal positivism.

The thesis further presents a new theory of the law/fact distinction, which accounts for the conceptual assumptions found in the existing conceptions and which is compatible with legal positivism. In order to do so the extended concept of law is introduced. On the extended concept of law, law is defined as Primary and Secondary Rules, Legal Representations of the Non-law (adjudicated facts) and Legal Conclusions. Thus, the theory stands out from earlier conceptions of the law/fact distinction in that it conceptualizes the adjudicated facts as part of the law, rather than as something distinct from law. Adjudicated facts are conceptualized as legal representations of the legally relevant non-law. An adjudicated fact entails that the court shall proceed as if it corresponds to the actual state of the non-law. Further, an adjudicated fact is claimed to be, directly or indirectly, conditional for a legal conclusion. Hence, it is claimed that it can be subsumed under a legal rule.
The theory of legal positivism has been much discussed over the years, and able writers have defended competing versions of it. These writers disagree not just about details, but also to some extent about the interpretation of the main tenets of legal positivism: the social thesis, the separation thesis, the thesis of social efficacy, and the semantic thesis. As a result, there is some uncertainty about the scope of legal positivism. There is, in particular, the question of whether the social thesis applies not only to the level of the sources of law, but also to the level of the interpretation and application of law. In this article, I am going to argue (i) that we should conceive of legal positivism as a theory about the sources of law, not as a theory about the interpretation and application of law, (ii) that this is how paradigmatic legal positivists like Hans Kelsen and H. L. A. Hart understood legal positivism, and (iii) that if legal positivists adopt the view expressed in (i), they can easily avoid Ronald Dworkin’s well-known semantic sting objection.
Idén om naturen som ett objektivt observerbart *annat*, utanför människan, har länge kritiserats av forskare från olika discipliner och flera gånger har naturen därför proklamerats vara död. När vi pratar om naturen är den alltid från början inbäddad i en social och kulturell diskurs. Detta innebär att juridiken aldrig kan bygga på en idé om en naturens grundnorm utanför det politiska och vi kan därför inte förvänta oss att juridiken ska rädda planeten. En objektiv miljörätt som enbart implementerar vetenskapliga fakta är inte möjlig. Snarare riskerar det att leda till en förtäckt avpolitisering av miljöfrågor som döljer groende politiska konflikter.

Samtidigt som det finns ett behov av att undvika avpolitisering av naturen innebär klimatkrisen och massutrotningen av arter att juridiken aldrig kan bygga på en idé om en naturens grundnorm utanför det politiska och vi kan därför inte förvänta oss att juridiken ska rädda planeten. En objektiv miljörätt som enbart implementerar vetenskapliga fakta är inte möjlig. Snarare riskerar det att leda till en förtäckt avpolitisering av miljöfrågor som döljer groende politiska konflikter.


I min presentation diskuterar jag juridiken kring licensjakten på varg i det komplexa landskap som den är en del av. Därmed hoppas jag kunna synliggöra rättsliga tillkortkommanden och komma med nya idéer om hur man kan göra rättsliga undersökningar.
This paper aims to indicate how the claim of hermeneutics has become a legitimizing element of judicial decision. The single authority, derived from the text and its origin, in order to find and justify a "right answer" in judicial practice is not enough to legitimize the role of the judge as the person who concretizes the law; hence it is necessary to place confidence in the hermeneutics to build a concrete legal legitimacy in his speeches. The evolution of the state, the concept of fundamental rights, the vagueness of the legal language and the consequent need to interpret and justify rationally rules and court decisions are elements that aim to recognize the need for a hermeneutic model of law in modernity. For this it is necessary to retake the sense that called "optimistic" hermeneutics (starting with authors like Schleiermacher and Gadamer) which considers useful to the extent that can correct the chaos that eventually generate the multiple and arbitrary interpretations (opposite position or "pessimistic"). Thus hermeneutics involves, first, overcoming a purely grammatical to spend model to one of dialogue and confrontation of prejudices in which the text is not a finished text or definitive, in this scenario the psychological interpretation becomes investment of rhetoric allowing hermeneutics search author intent, which is not always present in the text; secondly, hermeneutics allows dynamic interpretation model that puts the interpreter face to face with the text generating a meaningful relationship building where the same interpreter provides elements that ultimately affect the outcome. Hermeneutics view like this is an exercise in which builds who plays both the correct answer in the context of an exhibition of prejudice, which can be preserved or removed once the process of dialogue with the other end. This process is a limit to the eventual judicial arbitrariness, while allowing more debate, control and variety in the interpretive process.
WANNA SVEDBERG – Straffrätten i kollision - varför, och hur gör vi då med de självkörande fordonen?

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EVA-MARIA SVENSSON – En retrospektiv studie av rättsfilosofin i Sverige under de senaste tjugo åren

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Det epistemologiska perspektivet handlar i denna retrospektiva studie om hur de frågor som ställts och ställs inom rättsfilosofin om hur rätten förstås och var dess gränser sätts har förändrats under de senaste tjugo åren. Vad räknas till rättsfilosofin idag och hur relaterar det till situationen för tjugo år sedan. Studien kommer i ett första skede att begränsas till en arena (Svenska sektionen av IVR:s årliga konferenser). Hur såg den rättsfilosofiska forskningen inom rättsvetenskapen ut för tjugo år sedan och hur ser den ut idag? Vilka vetenskapliga verk har bidragit till att förskjuta gränserna för disciplinen eller till att bevara gränserna som tidigare? Vilka forskningsinsatser har varit betydelsefulla för ämnets utveckling?


I gränssättningsarbetet gör olika aktörer anspråk på att definiera vad rättsfilosofi är. Gränserna för vad som tillhör ett ämne är själva föremålet för »stridigheterna«. Gränsarbetet kan se olika ut. Resultatet blir att »riktig rättsfilosofi« skiljs från annat, vilka frågor som hör hemma inom ämnets domäner bestäms liksom vilken typ av kunskapskällor som är relevanta och vilka teorier och metoder som är legitima. Det handlar om att definiera ut sådant som inte anses höra hemma i ämnet rättsfilosofi eller, tvärtom att definiera sådant som anses tillhöra ämnet.
Sweden has experienced a migration wave that subsequently inheres the risk of people of different ethnic origins being subjected to victimization. This includes those people travelling between EU-member states, many of which support themselves by begging in public space. The crimes that these “socially vulnerable EU citizens” are exposed may be motivated by “hate” for different attributes that are protected in Swedish hate crime law, such as ethnicity. Although, it is likewise possible that crimes are motivated by other attributes that are not protected, for example the act of begging. This study used thematic analysis to explore 28 socially vulnerable EU citizens’ who support themselves by begging in public space in Malmö-Sweden and their exposure to (hate) crime and how well established hate crime praxis functions to protect the minority population. Study participants claimed that their ethnicity but rather their group belonging as “beggars” together with a label as “None-Swedish” mainly do not motivate their victimization. The study results gives us an indication that it is important for researchers not to focus on individual motives and specific group’s consequences of victimization but rather use an intersectional perspective to study groups’ vulnerability. This knowledge has practical implications for the criminal justice system but also the development of hate crime theory.
PHILOSOPHY OF MIND
Let “physicalism” denote the view that every state, event, property, or process constitutive of what something is like for a subject is identical to some physical state, event, property or process. This view has struck critics as “objectively unreasonable” (Chalmers), but even defenders have acknowledged that the view can seem “absurd” (Papineau), “crazy” (Perry), or just incapable of doing justice of the phenomena (Armstrong). (For a recent discussion, see e.g. Sundström 2017, ‘How physicalists can—and cannot—explain the seeming “absurdity” of physicalism’, in PPR). Suppose that what David Chalmers calls the “easy” problems of consciousness have been solved, problems of explaining how various physically identifiable events (including subject’s reports of what things are like for them) are correlated and causally connected. This would seem to leave intact the “hard” problem of explaining how the physical gives rise to the subjective.

In this talk, I propose a new independently motivated physicalist-friendly explanation of why a solution to the “easy” problems of consciousness seem to leave the hard problem intact, or of why the idea of identification offers intuitive or more precisely imaginative resistance even in light of evidence which would be convincing in other domains. If this explanation is correct, this resistance is to be expected given physicalism, and so provides no evidence against it.

The suggestion builds on the following three principles:

IMAGINATIVE RESISTANCE: We encounter imaginative resistance when we lack mechanisms for (co-)identification involving different modes of representation.

AVAILABILITY: We have mechanisms for cross-modal identification where and only where information available in different modes of representation have tended to be richly correlated such that information in one mode has reliably supported expectations concerning information in other modes.

INTROSPECTIVE INSULATION: Experience simply does not afford richly coordinated streams of information about the physical (neurophysiological) states, events, etc. that physicalists identify with subjective states, events, etc. through introspection, on the one hand, and extrospective modes of perception guiding our intuitive grasp of physical reality, on the other.

I defend the first two principles with reference to their capacity to explain variations in resistance in a variety of cases of cross-modal identification, i.e. cases where we accept or reject the identification of what is perceived or imagined in one modality with what is perceived or imagined in another.
MADELEINE HYDE – What links the rationality and cognitive phenomenology of deliberation?

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Subscribers to cognitive phenomenology generally think that our sensory states are not unique in having ‘something it is like’ for an agent to undergo them, but that cognitive states too can have a certain phenomenal character. Focusing just on what it is like for an agent to deliberate, I will argue that there is a typical and prominent phenomenal aspect to deliberation: namely, feeling some degree of uncertainty.

Moreover, I will claim that we can place appropriateness conditions on this phenomenal uncertainty that comes with deliberating. The interesting link to rationality comes once we look deeper into why we think that it is appropriate to feel uncertain when undergoing certain deliberations as opposed to in comparative cases. The link concerns whether or not an agent deliberates in a way that is manifestly reasons-sensitive. As it turns out, reasons are at the bottom of both a familiar understanding of when a deliberation is rational, as well as being what plausibly sets our common-sense appropriateness conditions on the phenomenal uncertainty an agent commonly experiences when deliberating.
JAN SCHEFFEL – The unsolvability of the mind-body problem liberates the will

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The mind-body problem is analyzed in a physicalist perspective. By combining the concepts of emergence and algorithmic information theory in a thought experiment employing a basic nonlinear process, it is argued that epistemically strongly emergent properties may develop in a physical system. A comparison with the significantly more complex neural network of the brain shows that also consciousness is epistemically emergent in a strong sense. Thus reductionist understanding of consciousness appears not possible; the mind-body problem does not have a reductionist solution. The ontologically emergent character of consciousness is then identified from a combinatorial analysis relating to system limits set by quantum mechanics, implying that consciousness is fundamentally irreducible to low-level phenomena. In the perspective of a modified definition of free will, the character of the physical interactions of the brain's neural system is subsequently studied. As an ontologically open system, it is asserted that its future states are undeterminable in principle. We argue that this leads to freedom of the will.
In this paper, I argue that joint actions can be lucky. The cases I have in mind exhibit the following structure: each participant believes that the intentions of each support the joint action in a modally robust way. These beliefs turn out to be false. However, due to lucky circumstances, the discordance between these intentions never emerges. The discussion of these cases yields one positive and one negative upshot. The positive upshot is that the participants' intentions (but not their beliefs about these intentions) are modally unconstrained. Hence, while each participant needs to believe that the satisfaction of her intention is possible and that the intentions of each will persist under a range of counterfactual circumstances, this doesn't actually have to be the case. The negative upshot is that it is broadly mistaken to presuppose that jointly acting agents must pursue the same joint goal under conditions of common knowledge.
ALVA STRÅGE – Can neuroscience refute folk psychology?

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Some have argued that neuroscientific research points in the direction that the ways in which we normally understand each others mental lives and actions, and hold each other responsible for these things, are deeply unjustified practices. According to the neuroscientific model of human cognition and action, we seem to be determined by biological and physical factors not possible for us to control, facts that seem unaccounted for in our responsibility practices as they appear today. This means that our moral and legal practices are unjustified and in need of revision. Let’s call the people supporting this view revisionists.

In response to this, others have argued that the evidence provided by neuroscience is entirely irrelevant to the question of whether our moral and legal responsibility practices are justified or not. For example Stephen Morse claims that the criminal law “is a thoroughly folk psychological enterprise that is completely consistent with the truth of determinism or universal causation”. (Morse, 2013, p. 27) Let’s call the people supporting this view conservatives.

The revisionist argument can be spelled out as follows:

(P1) Moral and legal responsibility practices are based upon a folk psychological understanding of people’s mental lives and their actions.

(P2) Neuroscience give us reasons to think that folk psychology is a seriously mistaken theory.

C: Neuroscience give us reasons to think that our moral and legal responsibility practices are unjustified.

Folkpsychology as I use it here is the psychological theory constituted by the platitudes about the mind that ordinary people are inclined to endorse. Revisionists and conservatives agree about (P1), but the conservatives denies the truth of the conclusion. The disagreement seems, hence, to concern (P2): the claim that folk psychology is a “seriously mistaken theory”.

My aim in this talk is to present a novel suggestion regarding the location of the basic source of this disagreement. I will argue that the root of the disagreement in the debate has to do with criteria of explanations. More specifically, it lies in an implicit disagreement of what criteria an explanation of human cognition and action must fulfill in order to be (1) an explanation at all, and (2) a better explanation than another one.

References

According to a common view of human agency, desires determine at least some, if not all, of the ends that agents set for themselves. This seems to be the view that is expressed by a well-known quote from Hume's *A Treatise of Human Nature*: "Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them" (1978, 415).

Criticisms of the instrumental conception of practical reason and of the Humean theory of motivation are not new (see, for example, Hampton 1998; Korsgaard 1998; Lebar 2004; Wallace 2006). However, no one seems to challenge the assumption that desires are directed towards ends, which are thus at least suggested, if not immediately determined, as ends for agents. Some writers go as far as to regard desire as a certain type of goal (Castelfranchi 2014, 103); treat desires and ends as interchangeable terms (Darwall 2001, 136); argue that having a goal (that is, an end) is just desiring (Smith 1987, 54); or simply define an end as something desired for itself (Black 1994, 75).

In my lecture, I argue that the view that desires can determine, or even suggest ends, independently of reason, is false. Hence, desires cannot fulfil the role that is ascribed to them in the instrumental conception of practical reason and in the Humean theory of motivation. I make two distinct claims. First, I argue that desires cannot by themselves, without the help of reason, identify ends for an agent. Furthermore, this is true even if reason is supposed to serve merely an instrumental role, that is, to determine the means to an end. Hence, only reason can explain the teleological aspect of agency. Second, I argue that even if an agent can rely on (instrumental) reason in order to determine the means to an end and acts in light of his or her desire, this desire does not *per se* determine the end for the agent. Furthermore, ends that are determined in light of desires are not necessarily identical with the objects of desires, and hence these ends are not even suggested by those desires. In fact, in many cases the end is to remove those desires, rather than to "serve and obey" them. Hence, only reason can determine our ends, and thus explain the teleological aspect of agency.

**References**


PHILOSOPHY OF RELIGION
Advocates for the view called Anti-theodicy argue that the enterprise of formulating theodicies ought to be rejected. One reason for this is that one is immoral by being insensitive to the victims of suffering when formulating and advocating theodicies. Another reason is that the whole project presupposes an anthropomorphic conception of God. In this paper, I present a fictive story about Gary who is put before a court accused of not intervening when a friend suffers intensely. Those who know Gary say that Gary is a great, resourceful and very knowledgeable friend who would intervene and comfort his friend unless he had a reason for not doing so. I then formulate an analogy arguing that if one is immoral when defending God by formulating theodicies, then one is immoral when defending Gary. However, surely one is not immoral when defending Gary. Therefore one is not immoral when defending God. I then go on to another reason advocated by anti-theodicists, namely that theodicies presuppose an anthropomorphic conception of God. According to this line of reasoning God is not a thing in the world but rather considerably different than Gary. I argue that if God is much different then Gary and cannot be described in terms of being maximally knowledgeable, powerful and morally good, then one would lose some grounds for hoping that God exists.
Would an immortal life be better for an agent than a mortal life? Bernard Williams (1973) answers this question with a “no”, by arguing that either the agent would eventually and irrevocably suffer from severe boredom, or the agent would have to undergo changes to the extent that the individual that she eventually becomes would be so different from her that she would not recognize that individual’s goods as hers. These contentions have been questioned and discussed by many philosophers, including John Martin Fischer (2012), who argues that certain kinds of immortality could be appealing to human beings. Michael Cholbi (2016) challenges Fischer’s claims and argues that mortal lives are generally superior to immortal lives.

My aim here is, firstly, to show that Cholbi’s argument against Fischer fails. Secondly, I will argue that the versions of immortality that Fischer advocates are not necessarily the most appealing. I will identify a number of conditions that an immortal life may or may not meet, and I will contend that determining what kind of immortal life that would be best for an agent depends on whether or not the agent has certain specific traits of personality. I will then argue that even if we would know that an agent has a specific personality, there are some factors that make it extremely difficult to assess whether the best possible version of an immortal life for that agent would indeed be better for her than an ordinary mortal life. My qualified guess here is that while there are a few people with a very specific set of personality traits for whom immortality might be better than mortality, the majority of us are better off as mortals.

References


POLITICAL PHILOSOPHY
According to John Rawls’s *Liberal Principle of Legitimacy*, it is a necessary condition for political legitimacy that the exercise of political power is *justifiable to all citizens*. Further, it has to be justifiable even assuming the fact of reasonable pluralism: i.e. the fact that citizens disagree on fundamental matters of philosophy, religion, and the good life. The challenge for a proponent of this principle, who is neither an anarchist nor a libertarian, is to explain how to interpret this requirement of legitimacy so that it implies the legitimacy of liberal policies and institutions. How can justifiability to all be achieved, and the legitimacy of core liberal policies and institutions preserved, if reasonable pluralism is the case?

Presently, the received view among Rawlsians is that the principle has to be interpreted in a way that significantly qualifies the idea of justifiability to all. It has been suggested that only justifiability to the subset of the citizens who are *reasonable or qualified* matters (Estlund 2008), and even that the relevant constituency is a *hypothetical* and highly idealized group of reasonable citizens (Quong 2011). Though these moves may be able to avoid making the principle imply anarchistic or libertarian conclusions, they come with a serious cost. This cost is that they depart from, and effectively abandon, the feature of the view that made it appealing in the first place: that it makes legitimacy depend on justifiability to *all those over whom political power is exercised*.

By heavily qualifying and restricting who are to be included in the group referred to by the notion of “all citizens”, these interpretations of the Liberal Principle of Legitimacy in effect admits that the ideal of justifiability to truly *everyone* over whom political power is exercised cannot be achieved. This not only makes the view less appealing, but it also seem to give an advantage to the alternative libertarian interpretation (Gaus 2011; Vallier 2014) which stays closer to the ideal of justifiability to all in the original sense of the idea.

I argue that Rawlsians can preserve the intuitively appealing idea of justifiability to truly everyone by adopting a different understanding of what justifiability to a particular person amounts to. The reason as to why it may seem as if we may have to abandon the ambition of achieving justifiability even to the illiberal or unreasonable ones is an unmotivated assumption that justifiability to a person is dependent on that person’s beliefs and epistemic situation. Once we abandon this idea, and construe justifiability in a different way, we can avoid a serious drawback of the currently dominant interpretation. This, I argue, result in a more plausible understanding of the Liberal Principle of Legitimacy.
According to a recent account of group discrimination, the disadvantageous treatment of individuals, qua members of socially salient groups, is (prima facie) wrong because it harms these individuals: it makes them worse off than they would have been, had they not been such members. The account’s reliance on a comparative, counterfactual, welfarist concept of harm has not been sufficiently examined, as of now. I argue that it makes the account vulnerable to some – though not all – of the problems that are familiar from debates about the concept of harm. I then develop a hybrid, partly non-welfarist concept of harm that can help the account avoid these problems. This hybrid concept is structurally similar to harm concepts used in other contexts, e.g. debates concerning the Harm Principle, or the Non-Identity Problem.

One upshot of my arguments is that the thus improved analysis of group discrimination and its wrongness also helps us re-engineer our concept of harm in a way that proves consistent with its use in other contexts. I suggest that this “bottom-up” strategy of conceptual engineering points towards a more general way of salvaging the contested concept of harm as both useful and analysable.

Another upshot is that we should rethink the moral status of practices that are worrisome from a meritocratic (anti-discriminatory) perspective, such as affirmative action (e.g. giving priority to black applicants in order to decrease workplace segregation), reaction qualification (e.g. giving priority to younger applicants in order to appease ageist customers), and statistical profiling (e.g. giving priority to non-female applicants on grounds of statistical generalisations about gendered caregiving patterns). I argue that the improved harm-based account of the wrongness of discrimination gives us the tools to both acknowledge and handle these worries.
Reflective equilibrium is a most common ideal for normative justification. If a principle coheres with intuitive judgments at all levels of generality, which have been elicited by relevantly described hypothetical cases, then it is said to enjoy the strongest possible support. But understood in this way, as a coherentist ideal of justification, reflective equilibrium is unsatisfactory: it is just too disconnected from the practices in which it reasonably should play a guiding role. Imagine that after having tested various alternative principles, a theorist concludes that the principle of equality is best supported – any tension has been resolved by giving up contrarious particular judgments or by accommodating their concerns in revised versions of the general principle. The principle thus is in reflective equilibrium. But is it therefore justified?

Consider a real-life case, such as the climate negotiations under UNFCCC, where representatives of 197 nation states discuss what is a fair distribution of the burdens and benefits of climate change mitigation. The agents bring to the table a series of normative complaints: that investments made prior to the date when climate change was publicly recognised as a major political problem should be compensated for; that basic needs should be protected from the adverse effects of climate change; that economic development should not be jeopardised in the efforts to mitigate climate change; that the benefits of a technological transition should benefit their country; etc. Would the egalitarian principle in any way guide this group of agents?

In this paper, I will argue that the standard way of searching for reflective equilibrium leads to practically inept normative principles. It produces barebone ideas about what matters, which are poor guides to action in real-life cases, where there is a need for something that is less abstract and better connected to concerns on the ground. The obvious rejoinder, of course, is that normative justification is about truth, not action guidance. The latter is an issue that is related to the implementation of normative principles, which is an issue that is fully separated from justification and basically a philosophically uninteresting practicality. I will counter this by highlighting how normative justification is intimately connected with implementation and action-guidance. The upshot is that reflective equilibrium is a futile ideal of normative justification.
ÅSA BURMAN – Are social entrepreneurs moral? Questioning two fundamental assumptions in social entrepreneurship

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Social entrepreneurship, as a phenomenon and as a research field, is growing rapidly. According to Ashoka - the most well-known organisation in the field - a social entrepreneur is an individual with ethical fiber who has an innovative systems-changing idea, and who manages to implement and scale it. Examples include Muhammed Yunus (Grameen Bank), Jimmy Wales (founder of Wikipedia), and Johan Wendt (founder of Mattecentrum) providing free math tutorials to Swedish school children. Other organisations like Kinnevik-owned Reach for Change emphasises the business component and views a social entrepreneur as someone who solves a social problem through business methods, thus mixing a business logic with a social logic.

I will question two fundamental and implicit assumptions in the field of social entrepreneurship; first, that social entrepreneurs are per definition moral; and second; the tendency to view the moral from a utilitarian perspective. The aim of the critical part of the paper is both to draw attention to and criticize implicit assumptions that shape and limit the field in some respects, such as failing to distinguish between the social and the moral and building on a sometimes crude and mistaken understanding of theories in moral philosophy. This part of the paper thus serves to lay the foundation of a more constructive piece in clearly distinguishing between the social and the moral, as well as adding different moral theories to the discussion.

In the more constructive piece, where moral theory is viewed as extrinsic to social entrepreneurship, I argue that a deeper and more complex understanding of different moral theories - adding Kantianism and virtue ethics to the discussion - can help social entrepreneurs to navigate common moral dilemmas. In some cases, it will turn out that what social entrepreneurs perceived as genuine dilemmas were only apparent while some decisions that they did not regard as that problematic might in turn show up as genuine dilemmas. In other words, the overall aim of this paper is to introduce a central discussion of moral philosophy into social entrepreneurship and to introduce moral philosophers to the field of social entrepreneurship.
G. A. Cohen has summarized his “egalitarian campaign” against John Rawls’s conception of justice as defending the claim that “equality constitutes distributive justice”. Pace Rawls and other defenders of a moral division of labor between institutions and individuals, Cohen defends the idea of an egalitarian ethos, which (most assume) requires talented persons to a) choose a (sufficiently) productive occupation and b) to do so at a rate of compensation that does not upset equality. If people were truly committed to the difference principle, the economic incentives usually thought to be sanctioned by it would thus be superfluous and, additionally, not be deemed just. Cohen’s position is arguably attractive since it makes the ideally just society more equal than other views, and it is distinctive since it is based on Cohen’s equality-based view of what distributive justice is.

I argue that there is a prior puzzle in Cohen’s conception of justice, which creates a dilemma that strips his view of either its attractiveness or distinctiveness. If Cohen maintains that distributive justice is equality, then he can at most defend b), and possibly a) in circumstances where taking a more productive job would lead to equality. But if distribution is equal, this conception of distributive justice cannot yield a duty like a). Put in general terms, Cohen faces an indifference challenge, since he cannot say that an equal distribution where all have more of the currency of justice is preferable over an equal distribution where everyone have less. And in relation to the idea of an ethos, talented individuals might have a duty not to bargain their way into inequality-generating incomes, but they cannot have a duty of justice to use their talents at a more productive level, whether they receive extra compensation or not. He can only make the weaker claim that if they decide to work productively they cannot demand incentives for doing so.

I review and reject a number of ways for Cohen to avoid the dilemma, before suggesting a novel take on how we should think of the idea of an ethos. Instead of viewing the ethos as realizing Cohen’s equality-based conception of justice, we could see it as a kind of “rule of regulation” based on several values, including some kind of maximizing principle. This means Cohen could retain the equality-based conception of distributive justice, and still defend an ethos that requires both a) and b).
Over the past couple of decades, liberal neutralists have argued that marriage in its current form unjustifiably favors some life choices over others: it is restricted to two persons, to romantic or sexual relationships, and to lifelong or presumptively lifelong relationships. Indeed, the legal recognition of any personal relationships may unjustifiably disadvantage those who are not in such relationships.

One reason for legal recognition that would be consistent with liberal neutrality is the protection of the interests of children to be continuously and capably cared for. Empirical studies suggest that children do better in families than in institutions but that we have little reason to prefer any particular family structure, not even two parents over one, when controlling for socioeconomic status. However, at least some of these studies fail to consider families where the parent or parents are not available for inclusion because they are either dead or otherwise impossible to contact. These parents typically do not care well for their children.

If children's interests should motivate policies around family structure, then one important factor is resilience or stability. This is typically found in numbers: two parents are better than one and three are better than two. There is a limit to how many people children can have a close emotional bonds with. Development psychology indicates that this upper limit is not at two or three people, however, but possibly at five or so. A group of around five adults would be less vulnerable to losses and would decrease each adult's work load of caring and providing and so enable more support for children.

Larger families could also have other benefits. They allow more and richer adult-adult interaction, including in the way of romantic and sexual relationships. Families may therefore be more resilient and self-sustained, and provide its members greater benefits in terms of community and social satisfaction. Many two adult families suffer from deficits in these regards. Large families would also mean that more people can be parents with fewer children, facilitating decreased population and so decreased pollution and use of natural resources.

In summary, there are many reasons for why governments should promote larger families, in terms of the number of adults. At least some of these reasons are consistent with liberal neutrality.
This paper will analyze the global failure of the social contract approach in setting liberal democracy as the framework for global justice in theory and in practice. Since World War II, ‘liberal democracy’ and its theoretical framework of cosmopolitan political liberalism have been set as the ideals and goals for global development. Their core values and principles can be found in many UN declarations as well as in MDGs and SDGs in development policies.

Despite the heavy push from the West, we currently see various formulations of authoritarian neo-liberalism on rise across the globe. Not only in the South, but also in the North, political liberalism and liberal democracy have been losing their normative power. Even in Europe as well as in the US we have seen populism, right wing extremism, and (religious) neo-conservatism rising and leading towards more authoritarian leadership that nevertheless is run with the principles of market economy, i.e., economic liberalism. Instead of focusing on enlightened citizenship, enhancement of critical thinking, valid and sound reasoning based on solid facts and consistent consideration of various sides of political issues; in political decision-making, we now see widespread rejection of scientific and factual information as well as sound argumentation. Opinions are formed and choices are made based on information that strengthens one’s own belief systems, no matter how unreliable these sources may be.

In this presentation, I will first analyze the failure of liberal social contract theory in setting principles for global justice. Second, I will consider how to bring ‘enlightened citizenship’ back to the political framework and revive public reason that is based on autonomous moral agency rather than majority rule in democracy.
This presentation outlines John Stuart Mill’s views on unionism as moral problem. It starts by presenting Mills economic analysis of unions, and then proceeds to explain his moral approach. For Mill, unions perform an important social role, but there are normative and economic constraints that must be kept in mind while they are doing so. I will then focus on three core normative issues for Mill’s account, and both suggest some problems for his views and some solutions. The *insider-outsider problem* is the problem that union members can create negative economic externalities for others, such as the unemployed, by bettering their own positions. Mill’s solution to this problems is to extend union membership, which seems reasonable as a policy, but leaves unresolved a second problem, which is the *distributive problem*. I will discuss two issues regarding this problem. First, how to conceptualize the distributive problem, and second, tentatively, how to solve it. However, Mill’s ideal of the labor market is a future without unions, where the economy is populated by worker-managed cooperatives, and the conflict of interest between employer and employee has evaporated. I will argue that even if Mill’s hopes were to be fulfilled, there would still remain a useful social role for unions, since they have other functions than negotiating wages. Unions also provide a form of separation of power in the workplace. In this way unions solve what I shall call the *contestability problem*. 
In this work, I introduce a classical natural law approach to the non-identity problem, and claim that there are duties to ensure an environment worthy of future generations.

Over time, the global sea-level is expected to rise around seven meters, as global warming causes the West Antarctic Ice Sheet to melt. The Intergovernmental Panel on Climate Change (IPCC) predicts that this will happen gradually. Most of the rise will not occur in our century, but over the course of more than a thousand years. Climate change may also cause the Thermohaline Circulation to shut down, cutting off the Gulf Stream to Western Europe, but the IPCC doubts that this will take place before 2100. Predictions like these raise serious ethical questions about distant future generations. Do we have moral duties with regard to their environment? How can and should such duties be formulated and how extensive are they?

The non-identity problem constitutes a fundamental rejection of such intergenerational duties. This philosophical problem puts in question whether we can act morally wrong in relation to future people. It proceeds from the observation that since the identities of future persons depend on our actions, e.g. the choice to live sustainably or not, future persons cannot be rendered worse off by our giving rise to any particular world in the future. Many ethical theories therefore seem to imply that we would do nothing wrong by leaving behind an unsustainable environment. Such a conclusion excludes the existence of intergenerational duties and is counterintuitive.

I argue that a natural law approach allows us to make an original as well as promising argument in favour of intergenerational duties. Natural law’s requirement to respect basic values provides an account of wronging that avoids pitfalls of contractualism’s respecting persons, as well as the utilitarian approach to maximize value. At the same time, the natural law solution to the non-identity problem speaks against using public institutions on future people’s behalf. It is a “paralysing” conclusion, as a common assumption is that the practical problem of climate change should be solved politically. I refer to this as the institutional non-identity problem.
Most criticism of John Rawls’ (*A Theory of Justice* 1971) work focuses on showing that his conception of justice as fairness is wrong. Another criticism is that it obscures important forms of injustices.

For example, Iris Marion Young (*Justice and the Politics of Difference* 1990: 21) argues that the focus on the distribution of wealth, income, and positions “tends to obscure the institutional context within which those distributions take place, and which is often at least partly the cause of the patterns of distribution of jobs and wealth”.

Similarly, Charles Mills (“Ideal Theory” as ideology 2005, *Contract and Domination* 2007, *Rawls on Race* 2009) argues that Rawls’ use of ideal theory and focus on distributive justice obscure important injustices in contemporary societies. Mills (2005) claims that because ideal theory uses an idealized social ontology that abstracts from relations of structural domination, exploitation, and coercion, it is difficult to use this framework to describe injustices that involve these types of relations. In support of this claim, Mills (2009) goes through more than 2000 pages of Rawls’ major works and notices that if all mentions of racism and race would fit on about six pages.

Although the expression “to obscure” is often used colloquially, there are few attempts to explain what it means and why it is a legitimate ground for criticism. The little that has been written suggests that it’s a relation between beliefs and social facts. Tommie Shelby (Ideology, Racism, and Critical Social Theory 2003) mentions that being obscuring is one way an ideological form of social consciousness can be epistemically defective. Similarly, Jason Stanley (*How Propaganda Works* 2015: 198) have recently defined ‘flawed ideologies’ as a set of beliefs that prevent us from gaining knowledge about (i.e., obscure) important features of reality. The primary harm according to Stanley is that these beliefs prevent us from gaining knowledge. On this view, the problem with Rawls’ *A Theory of Justice* is that it may cause people to adopt beliefs that prevent them from forming true beliefs about other important social facts.

A defender of Rawls can rightly object that the fact that a book may cause readers to forget about certain injustices isn’t enough to dismiss it. It’s up to the reader to remember that in the real world there are important social injustices that need to be sorted out. Rawls’s can’t be held responsible for a reader’s inability to remember the racial injustices that mar American society.

In this talk I’ll propose an alternative interpretation of obscuring that focuses on utterances made in an appropriate context. Shifting focus from beliefs to utterances makes it possible to use insights from pragmatics and speech act theory to examine whether truthful utterance can be said to obscure a social fact. I’ll use Mary Kate McGowan’s (*Conversational Exercitives and the Force of Pornography* 2003) theory of conversational exercitives to argue that the utterances of political philosophers can and do (in some contexts) constitute speech acts that determine the set of appropriate and inappropriate topics in political philosophical contexts. I’ll claim that if an utterance makes it inappropriate to call attention to certain important social facts, then the utterance obscures these social fact.

I’ll end the talk by calling attention to some consequences of the change of focus.
ATTLA TANYI – Consequentialism and Its demands: The Role of Institutions

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Consequentialist morality imposes obligations on individuals that can be very demanding. Can this morality be so demanding that we have reason not to follow its dictates? According to many, it can. This paper takes the plausibility and coherence of this objection – the demandingness objection – as a given. Our question, therefore, is how to respond to the objection. We put forward a response that we think has not received sufficient attention in the literature: institutional consequentialism. This is a consequentialist view that requires institutional systems, and not individuals, to follow the consequentialist principle. We first introduce the demandingness objection, then explain the theory of institutional consequentialism and how it responds to the objection. In the remainder of the paper, we defend the view against the objection that institutional consequentialism cannot alleviate worries about demandingness on the global level. Global issues such as poverty, peace, or the protection of the environment generate burdensome responsibilities, yet, there seem to be no global institutions to carry them out. It seems, then, that it is left to betteroff individuals to devote most of their resources to humanitarian projects. We argue against this objection that there are several global institutions that can be used for the purposes of fulfilling consequentialist requirements. In our current institutional world order including the state system as well as transnational institutions consequentialist demands on individuals are mitigated. Institutions that are sufficiently well functioning spread thin the burdens of compliance across a greater number of parties and reduce the burdens on those who are disposed to shoulder their share of the consequentialist task. They also reduce costs by clearly allocating responsibilities and coordinating the manner agents implement them. Finally, they ease motivational strains by providing assurance that responsibilities will be mutually honoured. In ending the paper, we evaluate in some detail two more radical proposals: that we need a world government to successfully deal with the most pressing global concerns or, to the contrary, that we should switch to a diffuse system of regional organization (‘neo-mediavilism’) instead of building large, centralized state structures. Although we find positives in both proposals, we ultimately argue against them on consequentialist grounds.
THEORIA KEYNOTE SPEAKER
One sense of the word 'reason' appears in Hume's remark "'Tis not contrary to reason to prefer the destruction of the whole world to the scratching of my finger'. Here 'reason' means the same as 'rationality'; it is the name of a property that can be possessed by people. A quite different sense of 'reason' appears in 'David has no reason not to prefer the destruction of the whole world to the scratching of his finger'. Here 'reason' is a mass noun that corresponds to the count noun 'a reason'; it is used to describe a normative relation that can obtain between a person (such as David) and an action or an attitude (such as a preference).

Philosophers frequently confuse these two senses of 'reason': the rational sense and the normative sense. Indeed, the distinction between rationality and normativity is not well understood. I aim to clarify it.
VALUE THEORY
JAN S. ANDERSSON – Subjektivism vs expressivism: en meningslös match?

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I en uppsats riktar James Dreier kritik mot ett förslag från Michael Smith om meningens hos värdeutsagor. Enligt Smith betyder ”x is good” detsamma som ”x is such as to be approved of by those who share our moral viewpoint under suitable conditions”. Denna teori liknar den subjektivistiska självbiografiska teorin som antar att värdeutsagor är påståenden om talarens moraliska gillande. Smith betraktar teorin som en variant av ”subjective definitional naturalism”. Dreiers kritik av MST kan sammanfattas så här:


I mitt föredrag gör jag en tolkning av subjektivismen som gör det möjligt för denna att undgå Dreiers kritik. Jag menar också att denna tolkning gör att vi inte behöver betrakta subjektivism och expressivism som rivaliserande teorier. Subjektivismen kan ses om en teori om värdeutsagors semantik medan expressivismen är en teori om deras pragmatiska funktion. Man kan då vara subjektivist i semantiken och expressivist i pragmatiken.
Moral error theory is the thesis that moral thought and discourse aims at truth but systematically fails to secure it. In this talk I discuss two arguments for error theory.

According to the first argument – which I refer to as the argument from authority – morality lands in error because moral requirements have authority regardless of whether any agent making the requirement can be identified. Joyce (2011:523) argues that moral discourse presupposes non-institutional desire-transcendent reasons and non-institutional categorical imperatives, while all genuine desire-transcendent reasons and categorical imperatives are institutional. I challenge this argument by, first, exploring the possibility of interpreting moral practice as an institution, differing from other normative frameworks like etiquette and chess not in kind, but only in scope and degree, and, second, suggesting that the authority of morality enters pragmatically into moral conversations so that normally when we make moral statements, we operate under the assumption that all parties to the conversation give practical weight to moral requirements and reasons, and give moral considerations precedent in practical intra- and interpersonal deliberation.

According to the second argument – which I refer to as the argument from normative irreducibility – morality lands in error because moral thought and discourse involves a commitment to irreducibly normative favoring relations while it is far from clear that there are, or can be, such relations (Olson 2016:401). Olson (2014:124) suggests that moral claims are or entail claims about irreducibly normative reasons. He defends this claim by responding to Finlay’s (2006, 2008) relativistic account of moral thought and discourse. I challenge Olson’s argument by challenging his response to Finlay. Even granting that irreducibly normative favoring relations are, or would be, queer, moral claims do not entail claims about queer relations unless they entail claims about irreducibly normative favoring relations, and it is unclear that they do.

References


RAGNAR FRANCÉN – A new account of moral disagreement

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When A thinks that, say, stealing is morally wrong and B thinks that stealing is not morally wrong, they disagree. At least, this is a commonly shared intuition about moral disagreement. There are two dominant kinds of explanations of this intuition. The absolutist account explains it in terms of beliefs with conflicting cognitive contents: A and B believe propositions that cannot both be true. This account presupposes that the cognitive content of moral beliefs is invariant between different judges and contexts in such a way that, always when A believes that \( \varphi \) is morally wrong and B believes that \( \varphi \) is not morally wrong, they have beliefs with mutually inconsistent contents. This presupposition is highly controversial and philosophers who have argued that it should be rejected (e.g., non-cognitivists and contextualists/relativists) have instead suggested the attitude account, according to which moral disagreements should be construed as disagreements in attitude: A and B have clashing practical attitudes, e.g., desires that cannot both be satisfied. This account presupposes that moral judgments are always accompanied by or consist of the relevant kinds of attitudes, a presupposition which is also highly controversial and rejected by many philosophers.

Suppose that we find the arguments against both presuppositions at least prima facie plausible. Then we have reason to look for an alternative account of moral disagreement which commits to neither presupposition. In this talk I will present a new account of this sort, building on the idea that moral judgments have practical direction in the following sense: even if it might not be the case that our moral judgments always motivate us to act in accordance with them, they are judgments that we can (or can fail) to act in accordance with. For each moral rightness- or wrongness-judgment there are ways of acting that are in accordance (in line) with the judgment, and ways of acting that are in disaccordance (in conflict) with the judgment. I argue that moral disagreements can be understood in terms of people having moral judgments with conflicting practical directions.
MATS INGELSTRÖM – A Dilemma for Well-being Measurement

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Many today hold that psychometric subjective well-being (SWB) measurements can be valid measures of well-being. I want to clarify and challenge this position by posing a dilemma for proponents of the validity of SWB-measures.

Broadly speaking, there are two competing accounts of the nature of measurements: *measurement-realism* and *measurement-nominalism*. According to measurement-realism, measurements aim to identify/discover real nonnumerical properties or relations that are characterized independently of the measurement procedure. Chang and Cartwright explains this account as: "For the realist, measurement is an activity aimed at discovering the true value of a specified quantity that exists independently of how we measure it, and the question of the correctness of method is certainly not vacuous." (2008, 368–369). Measurement-nominalism is the rejection of measurement-realism. On this account, the measured properties or relations are not characterized independently of the measurement procedure. Instead, measurements define or regulate the usage of a concept within a scientific field.

Briefly, my argument runs as follows:

1. Either measurement-realism or measurement-nominalism.

2. If measurement-realism, then the problem of nomic measurement (Chang 2004) must be handled. The problem arises since we cannot directly observe the quantity we are interested in, but instead we need to rely on indirect observation. How can we know that the indirect observation provides accurate information about the true value of the quantity we are interested in? The problem of nomic measurement is a general problem for psychometric measurement, but it is particularly serious for SWB-measures because ‘quantity of well-being’ is not a theoretical concept internal to the field in which it is measured. Rather, it is a concept that already plays a significant role in value theory and policy evaluation. The most promising way of avoiding the problem of nomic measurement is to abandon measurement-realism and opt for some form of measurement-nominalism.

3. If measurement-nominalism, then it is difficult to account for different explanations of the phenomena of response-shift (Oort et al. 2009; McLimans et al. 2013). A plausible account of well-being should be sensitive to different explanations of response-shifting. Furthermore, if SWB-measures are not aiming at discovering the true quantity of people’s independently characterised well-being, then the evaluative relevance of SWB-measures is less clear than proponents often seem to assume. The most promising way of accounting for response-shift and to guarantee the evaluative relevance is to abandon measurement-nominalism and opt for some form of measurement-realism.

References


The choices we make now can have an impact on our lives in the future. One challenge for making such future-affecting choices rationally is that our attitudes – preferences, beliefs, and values – may well change over time, perhaps as a result of our very choices now, so that the utility we will assign to a future state of affairs is different from the utility we now assign to it. How can we make prudentially rational and authentic decisions in light of such diachronic preference conflict?

In my talk, I discuss various candidate principles for prudential and authentic (true to the self) choice in cases of diachronic conflict, and argue that their appeal is rooted in different conceptions of the self. First, on an experiential conception of the self, on which we are fundamentally subjects of first-personal experience (see Paul 2015), distinct from any particular preference or value we happen to hold, the following principles seem appealing:

- **Preference Neutrality:** Prudence requires giving equal weight to any present or future preference regarding an outcome at \( t \) when assigning utility for the outcome at \( t \).

- **Concurrent Preference Priority:** Prudence requires assigning utility to an outcome at \( t \) on the basis of the preferences one will have at \( t \).

Second, on an evaluative conception, according to which it is our values or ideals that define who we are (see Brink 2011), the following principle will seem to be right:

- **Ideal Egalitarianism:** Prudence requires giving equal weight to any seemingly equally well-supported present or future ideal-based preference regarding an outcome at \( t \), regardless of when it is held, when assigning utility the outcome at \( t \).

Third, I argue that while both of these approach capture something of who we are, what matters most in the context of decision-making is the practical conception of the self, according to which it is our commitments that define who we really are (Bratman 2009, Korsgaard 2009). By their very nature, commitments involve taking a stance on future attitudes, and don’t allow for temporal neutrality. Indeed, from this perspective, the very talk of a ‘future self’ and a ‘present self’ and related intrapersonal analogies of interpersonal relations are highly misleading. So if we take this view of the self, we should endorse something like the following principle as governing diachronic conflicts:

- **Present Commitment Priority:** Prudence requires assigning value to future outcomes on the basis of (reasonable) present commitments to future outcomes, if they exist, regardless of possibly different future preferences, ideals, or commitments for concurrent outcomes.

I claim that this principle yields right verdicts about all the cases I discuss in the paper. To be authentic, we must sometimes act in ways we won’t endorse in the future.
Non-naturalister om normativitet anser att det finns (instantierbara) normativa egenskaper, och att dessa egenskaper är metafysiskt diskontinuerliga med naturliga (eller deskriptiva) egenskaper. Samtidigt råder utbredt enighet om att det normativa supervenierar på det naturliga, på så sätt att inga metafysiskt möjliga objekt eller världar kan skilja sig åt i normativt avseende utan att skilja sig åt i naturligt avseende.


Referenser


SARA PACKALÉN – Subjectivism, assertoric content, and disagreement

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By subjectivism I intend the following semantic thesis concerning normative language. Let \( c \) be the context of utterance and let \( s_c \) be the speaker of the context of utterance. Furthermore, let \( F \) be a predicate of action. Semantic clauses for normative sentences then have the following general form:

\[
\begin{align*}
\text{1) } & \, \left[ F\text{-ing is wrong}\right]^c = 1 \iff s_c \text{ disapproves of } F\text{-ing} \\
\text{2) } & \, \left[ F\text{-ing is right}\right]^c = 1 \iff s_c \text{ approves of } F\text{-ing}
\end{align*}
\]

‘Disapproval’ and ‘approval’ are supposed to be placeholder terms for some suitable ‘pro-’ and ‘con-’ attitudes, characterizable in non-normative terms.

The subjectivist semantic clauses have three characteristics. First, assuming that approval and disapproval in themselves are non-normative properties, the right hand sides of the equivalences contain only non-normative terms. Hence, subjectivism is a naturalist position in that the truth-conditions for normative sentences are given in non-normative terms. This sets subjectivism apart from non-naturalist semantic frameworks, according to which the truth-conditions of normative sentences contain irreducibly normative terms. Second, according to subjectivism, normative sentences have truth-conditions in the same way as descriptive, non-normative sentences. This sets the position apart from expressivist positions, according to which normative sentences do not state facts about the world or the speaker’s views but rather express an attitude or a state of mind of the speaker. Third and finally, normative sentences are indexical according to subjectivism in that the truth value of normative sentences vary with the context of utterance and in particular with the speaker. This final feature is the source of the semantic problems that are the focus of this paper: the modal problem and the problem of genuine disagreement (Schroeder, 2008: 16-17).

If subjectivism is true we can give a uniform naturalist and truth-conditional semantics for both normative and non-normative language. (I’m here making the assumption that such a semantics can be given for non-normative language.) Arguably, this feature is virtuous enough to take the position seriously and attempt to solve the problems arising from the indexicality.

I begin by presenting the two problems and explain why they arise. I go on to present a two-dimensional solution to the modal problem, suggested by Davies and Humberstone (1980). That solution is based on a distinction between two kinds of meaning: assertoric content and compositional semantic value. I argue that their solution succeeds in solving the modal problem and that subjectivism is a viable theory of assertoric content. I also argue that an additional feature of the account is that it allows for a solution to the problem of genuine disagreement.

References


EIRIK JULIUS RISBERG – Empathy, Moral Judgement, and Moral Disjunctivism

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Over the past decade, there has been a surge in interest in the question of what role empathy plays in moral reasoning. Michael Slote, for instance, has argued that empathy is the “cement of the moral universe” (2010: 4). Yet, while empathy has received much attention in the on-going discussion between moral internalists and moral externalists over moral motivation, the role it plays in our moral reasoning – in moral judgement – has, as Antti Kauppinen (2013a) notes, not received nearly as much attention. Attempting to rectify this oversight – and against critics, which takes empathy to be an aberration of moral reasoning (e.g. Prinz 2011) – Kauppinen (2013a) has argued that regulated empathy can and does play an important role, both in explaining and vindicating moral judgement.

However, while it may be easy to see how empathy plays a causal role – and perhaps even an explanatory role in moral reasoning – it may be harder to defend the claim that empathy also vindicates our moral judgements. On the face of it, and as several critics have pointed out (e.g. Prinz 2011), empathy is easily corruptible and seems to favour those near and dear. Against this, however, Kauppinen has argued that rather than to shun empathy, the answer is “to use it wisely” (Kauppinen 2013a: 32): if we do so, “we will reflectively endorse those moral convictions that result from ideal-regulated empathy” (Kauppinen 2013a: 32).

The process of regulating empathy and of approximating a wide reflective equilibrium however, are both processes of tempering or countering the emotional response that characterizes empathy, i.e. of curtailing empathy with reason. Thus, while empathy may still play a role in moral motivation, it seems that the process of emotion regulation and obtaining a reflective equilibrium are processes that run counter to the attempt to vindicate the role of empathy in making moral judgements. The problem, as Kauppinen says elsewhere (2014), is “fitting together the representational and practical aspects of moral judgement.” Attempting to solve this problem he defends what he calls moral disjunctivism, according to which we must distinguish between moral intuitions – “spontaneous and compelling non-doxastic appearances of right or wrong” – and judgements, “which are ordinary beliefs about a moral subject matter” (Kauppinen 2013b: 1-2). While an interesting attempt I argue that treating moral intuitions and beliefs as disjunct phenomena, the proposal severs the relation between empathy and moral judgement.

References


The aim of this talk is to defend the notion of “risk-free” cardinal utility. A risk-free cardinal utility measure is constructed without making any assumptions about risky prospects being ordered. Instead, it is assumed that differences between risk-free outcomes are ordered. Many moral philosophers assume (and some explicitly state) that utility cannot be cardinalized without making assumptions about how risky prospects are ordered. I will explain why this is not correct, and I will show that risk-free cardinal utility can be used to illuminate debates in normative ethics.
Philosophers have recently begun taking up the question of how to act when you’re uncertain about basic normative principles. One challenge is the **regress problem**: If, whenever I am uncertain about some norm, I cannot act on that norm straightaway but must account for my uncertainty by means of some higher-order norm, then practical reasoners seem doomed to consider an infinite series of higher-order norms before reaching any decision. This paper proposes a solution. First, I distinguish two aspects of the regress problem, a **problem of ideal rationality** (how an ideally rational agent should choose when she is uncertain about norms at every order in an infinite hierarchy) and a **problem of non-ideal rationality** (how ordinary agents, who cannot form rational beliefs about the whole infinite hierarchy, should approximate ideal rationality). I then argue that philosophers who think that the requirements of rationality are sensitive to an agent’s normative beliefs should nevertheless concede a weak version of the “normative externalist” thesis urged by critics like Brian Weatherson, according to which at least some norms are incumbent on an agent regardless of her normative beliefs or evidence. If some sufficiently thin principle, e.g. that agents rationally ought to choose options with maximal expected choiceworthiness, have this “external” status, then the regress problem reduces to an epistemic problem, e.g. of estimating the expected choiceworthiness of options. This does not resolve the ideal problem, but suggests that it can be subsumed into a more general epistemological problem of higher-order evidence. Concerning the non-ideal problem, accepting an externalist norm like “maximize expected choiceworthiness” suggests a useful analogy with a problem faced by consequentialists under empirical uncertainty: My limited power to predict the consequences of my actions forces me to adopt heuristics to approximate those consequences. But since I ought to adopt the best heuristics, and cannot fully predict the value of a given heuristic, I must adopt second-order heuristics to select among possible first-order heuristics, and so on. But this problem is tractable: An agent begins with standing beliefs about which of her options has highest expected utility and about the expected marginal cost and value of further deliberation, then updates these beliefs as she deliberates until she judges that the marginal cost of further deliberation exceeds the marginal value, at which point it is rational to stop deliberating and act straightaway. This means that there is no need for non-ideal agents to perform the impossible task of contemplating an infinite hierarchy of meta-heuristics. I argue that, given a commitment to weak normative externalism, the same story can be told about the regress problem for normative uncertainty, resolving the non-ideal aspect of the problem outright.
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