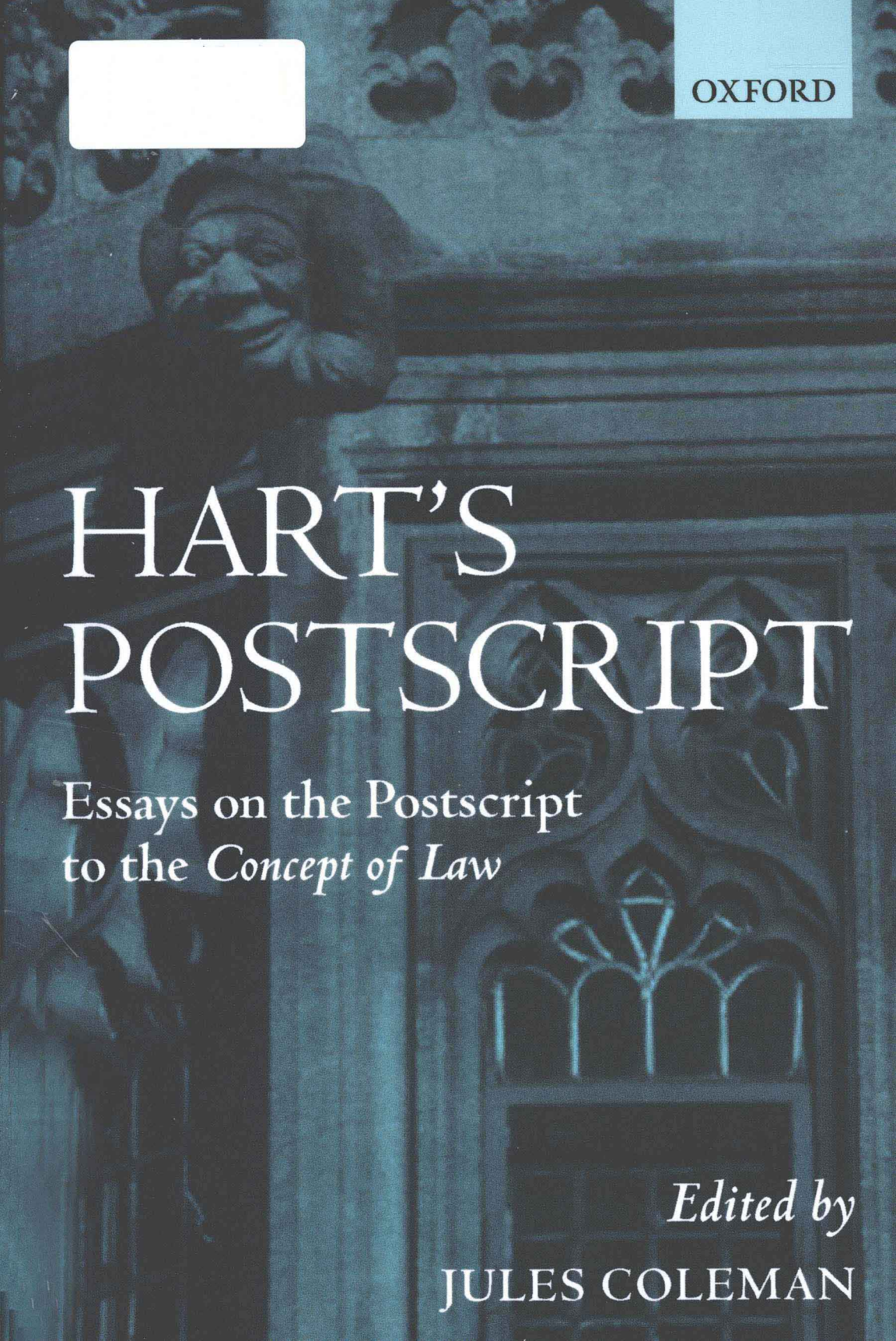
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HART'S
POSTSCRIPT
Essays on the Postscript
to the Concept of Law
Edited by
JULES COLEMAN

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OXFORD
UNIVERSITY PRESS

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ISBN 0-19-924362-X

Preface

The Concept of Law is the most influential and important book in the analytic tradition of jurisprudence written in the second half of the twentieth century. The quality of the work it has spawned—from Joseph Raz's *Authority of Law* to Ronald Dworkin's *Law's Empire*—is testimony to its genius. That a field of inquiry that was once nearly barren is now talent-laden is its lasting legacy. Unfortunately, Hart did not pursue many of the themes that he brought to attention in the book; subjecting them to critical inquiry, and further developing and extending the argument, was left to others. None of Hart's critics has been more influential than Ronald Dworkin. Early in his career Dworkin focused his critical energies on some of the claims most central to Hart's theory, for example the rule of recognition, judicial discretion, and the separability of law and morality. Even in these critical reflections, Dworkin was laying the foundation for his own general jurisprudence: a jurisprudence that builds on the perceived shortcomings in Hart's view in much the same way that Hart's theory builds by filling in the gaps he located in Austin's account.

Over the last ten years of his life, Hart undertook to produce a response to Dworkin's objections and to explore some of the more recent developments in jurisprudence in the years since the publication of the book. By the time of his death, only his response to Dworkin was sufficiently well developed to see the light of day. Consequently, the book's editors, Joseph Raz and Penelope Bullock, published an edited and revised version of Hart's response as the Postscript to the second edition. The Postscript represents Hart's final reflections on his substantive and methodological commitments as well as on Dworkin's objections to both. The Postscript is important not just because it sets out Hart's response to Dworkin but also because it provides us with a tool for interpreting the original text.

Hart pursued several themes in the Postscript. Among the most important of these are: (1) the extent to which his theory of the concept of law has a semantic basis—whether Hart's positivism is rooted in a criterial semantics; (2) whether Hart sees himself as an exclusive or an inclusive legal positivist; (3) whether his analysis of the concept of law is descriptive or normative; that is, whether jurisprudence—or his particular version of it—is in the first instance an activity of moral/political philosophy.

The essays collected here, written by some of the world's leading legal theorists, address these issues. Joseph Raz, Timothy Endicott, and Nicos Stavropoulos explore the alleged semantic foundations and commitments of Hart's jurisprudence. Jules Coleman, Scott Shapiro, Andrei Marmor,

Ben Zipursky, and Kenneth Himma explore the nature of Hart's commitment to the conventionality of law and the compatibility of that commitment with other of his commitments—especially his claim that the function of law is to guide conduct. Stephen Perry, Brian Leiter, Liam Murphy, and Jeremy Waldron discuss aspects of Hart's methodological approach to jurisprudence, especially its nature and limits. These essays are not only essential reading for anyone working in contemporary analytic jurisprudence. They represent the efforts of the contributors fittingly to honour Hart's memory as well as his contribution to their scholarship.

J. L. C.
New Haven, Connecticut

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1

Two Views of the Nature of the Theory of Law
A Partial Comparison

JOSEPH RAZ

In *Law's Empire*, Ronald Dworkin has advanced a new theory of law, complex and intriguing. He calls it law as integrity. But in some ways the more radical and surprising claim he makes is that not only were previous legal philosophers mistaken about the nature of law, they were also mistaken about the nature of the philosophy of law or jurisprudence. Perhaps it is possible to summarize his main contentions on the nature of jurisprudence in three theses. First, jurisprudence is interpretive: 'General theories of law . . . aim to interpret the main point and structure of legal practice' (*LE*, 90).[1] Second, legal philosophy cannot be a semantic account of the word 'law'. Legal philosophers 'cannot produce useful semantic theories of law' *(id.)*. Third, legal philosophy or jurisprudence 'is the general part of adjudication, silent prologue to any decision at law' *(id.)*.

Of these, the only surprising aspect of the first thesis is that it should be thought new and different from what many contemporary legal philosophers took themselves to be doing. An interpretation of something is an explanation[2] of its meaning. Many if not all legal philosophers think of themselves as explaining the essential features of legal practices, and explaining the relations between them and related phenomena such as other forms of social organization, other social practices, and morality. H. L. A. Hart explained in the Postscript to *The Concept of Law* that his aim was 'to give an explanatory and clarifying account of law as a complex social and political institution with a rule-governed (and in that sense "normative") aspect'.[3] In other words, he was seeking to interpret the complex social institution the law is. If Hart and others did not make as extensive a use of 'interpretation' as Dworkin does, this is in part because fashions dictate the use of terms, and because they may well have wished

I am grateful to Andrei Marmor, Grant Lamond, Penelope Bulloch, and Timothy Endicott for very helpful comments on a draft of this article.

[1] *LE* refers to Ronald Dworkin, *Law's Empire* (1986). Page numbers in parentheses are from this 1986 edition.

[2] Except that interpretations through performance (of music, a play, etc.) display rather than explain the meaning of what they interpret.

[3] H. L. A. Hart, Postcript, *The Concept of Law* (1994), 239.

to avoid being associated with theories that, in their eyes, misconstrued the nature of interpretation.[4]

Dworkin's conception of legal philosophy surprises not in regarding its task as interpretive, but in the arguments he deploys to support it, in particular the argument he dubbed the 'semantic sting'.[5] The argument purports to establish the second thesis, that is, a theory of law cannot be an explanation of the meaning of the word 'law'. Until Dworkin published his semantic sting argument, many, including myself, took this second thesis to be as firm and as uncontroversial as anything in legal philosophy at the time. It was, therefore, surprising that Dworkin saw a need to argue for it, and even more surprising that he thought that in doing so he was rebutting the conceptions of legal philosophy endorsed by many philosophers who did not think of themselves as in the business of explaining the meaning of the word 'law'.[6]

It seemed that no one need pay much attention to the semantic sting. It may be a sting, but an idle one. It stings no one. Thus, Hart starts his reply by simply denying that the argument applies to his theory:

> Though in the first chapter *of Law's Empire* I am classed with Austin as a semantic theorist and so as deriving a plain-fact positivist theory of law from the meaning of the word 'law', and suffering from the semantic sting, in fact nothing in my book or in anything else I have written supports such an account of my theory. Thus, my doctrine that developed municipal legal systems contain a rule of recognition specifying the criteria for the identification of the laws which courts have to apply may be mistaken, but I nowhere base this doctrine on the mistaken idea that it is part of the meaning of the word 'law' that there should be such a rule of recognition in all legal systems.[7]

But one must wonder why Dworkin did not take this answer, of which, as I pointed out, he was aware, as sufficient. Hart himself must have puzzled over this, and, as the rest of his reply in the Postscript shows, he realized that the matter is not that straightforward.

[4] In one of the best studies of Hart's work, D. N. MacCormick has described Hart's internal point of view, reliance on which was central to his methodological innovation, as 'hermeneutic'. See *H. L. A. Hart* (1981), 37–40. I remember a conversation with Hart in which it was clear that he saw nothing wrong with the description. He was more ambiguous about the attractiveness of the word.

[5] His other argument, consisting in a new and challenging account of the nature of interpretation, shows not that other theorists did not see their accounts as explanations of the meaning of—i.e. as interpretations of—social practices, but that they did not share his understanding of interpretation. I will not discuss Dworkin's own account of interpretation in the present essay.

[6] By the time the book was published, Dworkin was aware of the fact that Hart and others did not think of themselves as explaining the meaning of 'law'. Nevertheless, he persisted in thinking that that was exactly what Hart was doing. Cf. Dworkin, *Law's Empire*, *supra* n. 1, at 418 n. 29.

[7] Hart, *The Concept of Law*, *supra* n. 3, at 246.

In this essay my aim is to explain (1) why Dworkin was wrong to think that Hart and others were concerned with the meaning of the word 'law'; (2) why nevertheless if the semantic sting is a good argument against explanations of the meaning of the word 'law' it is also a good argument against any explanation of the concept of law, including that which Hart provides; and (3) why it is a bad argument. My reason for this last conclusion will be different from Hart's. Hart's response is to deflect the argument: it may sting, but I (Hart) am not its target. I agree with Dworkin (though not entirely for his reasons) that if the argument is good then Hart's explanation of law is stung by it. I do not think, however, that the argument is valid. I will then (4) explain some mistakes that may have led Dworkin to endorse his third thesis about the nature of legal philosophy, namely the thesis that jurisprudence is a silent prologue to any legal decision.

I. PHILOSOPHY OF LANGUAGE IN THE SERVICE OF LEGAL PHILOSOPHY

At its most fundamental, legal philosophy is an inquiry into the nature of law, and the fundamental features of legal institutions and practices. Yet some writers think that it is, at least in part, an inquiry into the semantic meaning of words, or of some words, such as 'law' or 'rights'. Why do they think so and to what extent are they right?

The first point to emphasize is that our question is about the relevance and role of questions about the meaning of words in legal philosophy, not about the relevance of all questions of meaning. 'Meaning' is sometimes used to mean point or value. 'What is the meaning of law?' can mean 'What is the point or value of law?' This is what 'meaning' means in 'the meaning of life'. Alternatively, meaning is often used to refer to content. 'What did he mean?' means something like: 'What did he say?' 'What was the content of his utterance?' 'What is the meaning of this law?' can mean 'What is the content of this law? Or what is its significance, its aims or likely consequences?'[8] When referring to semantics I will use the term narrowly to refer to the study of the meaning of words, phrases, sentences, and other linguistic elements.[9]

[8] When I remarked that interpretation is the explanation of the meaning of its object, I used 'meaning' broadly to include non-semantic meaning. Explaining the meaning of words ('bachelor' means an unmarried male, etc.) is never an interpretation, and explaining the literal meaning of sentences only given some special circumstances.

[9] In that narrow sense of 'semantics', one needs more than semantics to answer questions of content. That when he said 'I wish I were dead' he meant that he is very unhappy, and cannot see a way out, is not something we can learn from the meaning of the words or the sentence uttered (by itself) nor from rules for its use (alone).

How, then, did Hart see the relevance of semantics, and philosophy of language generally, to legal philosophy? He thought of it as central to his investigation. His philosophical outlook was formed at the time when many regarded Russell's theory of descriptions as a paradigm of philosophical explanation. The theory of descriptions 'solved' the problem of the reference of definite descriptions while avoiding the need to postulate fictional or other non-existing objects. The statement 'The present king of France is bald' is not *about* a non-existing king (and how can we tell whether the non-existing king is or is not bald?). It is simply the false statement that there is one and only one person who is both king of France and bald.

Eventually, Russell's account was challenged by Strawson, and later by others. The truth of Russell's account does not matter. What matters is that it showed how logical analysis can solve an ontological mystery. Moreover, the mystery was deemed highly relevant to the philosophy of law, for law is overpopulated by mysterious objects such as rights and duties, corporations and states, and many more. This was the point at which, for Hart, Russell's theory touched base with Bentham's account of fictions, and of rights, etc. In short, the motivation was an endorsement of naturalism (though not under that name) according to which the only things there are (or the only things whose existence has duration) are things located in space, knowledge about which is gained from the natural sciences, or at any rate is subject to correction by them. Naturalism created the problem of how to understand legal notions such as rights, duties, and corporations. Logic provided the answer, or more precisely it provided the programme—that is, the faith—that the answers will be found in that way. The same motivation and the same hope dominated the work of many legal philosophers in the middle of the twentieth century.

But logic is not semantics, nor is it the philosophy of language, you may say. However, soon after Russell's important work the emphasis shifted from logic to language and to the philosophy of language. The notorious linguistic turn in twentieth-century philosophy led to a reinterpretation of logic, which to a degree came to be absorbed in either mathematics or the theories of language. We can see how the theory of descriptions is part of the theory of language; in Chomskyan terminology it shows that the surface structure of sentences including definite descriptions is not their deep structure.

In the early years of his career, Hart sought to find help particularly in the then brand-new theory of speech acts, developed by J. L. Austin.[10]

[10] In part the same approach was supported by Wittgenstein's reflections on the variety of language games. For Hart's comment on those years, see *Essays in Jurisprudence and Philosophy* (1983), 2–3.

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Hart believed that various problems with explaining responsibility would be dissolved once we allowed for non-assertoric use of language.[11] He also believed that the problems about the ontological standing of legal 'things' such as law, rights, and corporations, which troubled Bentham and many others, can be dissolved with the judicious application of speech-act theory.[12] By the time Hart published *The Concept of Law* many of these hopes had receded. But his faith in the benefits for legal analysis of learning the lessons of speech-act theory is manifested in his way of understanding legal statements as statements from what he called the internal point of view.

His view on this point derives as much from the attempts by Stevenson, and later R. M. Hare, to apply linguistic analysis to moral utterances as from the persisting influence of J. L. Austin. Both Stevenson and Hare made their respectively emotivist and prescriptivist accounts of moral utterances more plausible by allowing that, apart from pure assertions and pure expressions of emotions (in Stevenson's case), or prescriptions (in Hare's case), there are utterances that combine both. Hart's legal statements from an internal point of view are one such case of a hybrid statement: stating how things are under the law, while endorsing or expressing an endorsement of the law at the same time. The problem Hart sought to solve in this way was the problem of the relations between law and morality in the face of two philosophical beliefs: first, his doubts about the objectivity of ethics and of all evaluative judgments, and second, his belief in the objectivity of law. The objectivity of the law is accounted for by his social-practice-based explanation of the existence of the law and its content. The non-objectivity of morality and of all evaluative judgments is compatible with the fact that the evaluative component of legal judgments (which according to Hart need not be a moral evaluation) is their (as it were 'subjective') expression of an endorsement of (rather than assertion of the value of) the law.[13] This enables Hart to remain true to a naturalist view of the world, and to an empiricist epistemology, and yet to reject the reductive accounts of legal statements advocated by Bentham and his followers, including both American and Scandinavian realists, who regarded statements of law as factual statements about commands, or sanctions, and so on.

There are probably no general lessons to learn from the story I have

[11] 'The Ascription of Responsibility and Rights', 49 Proc. Aristotelian Soc. 171 (1948/9), later disavowed by him.

[12] 'Definition and Theory in Jurisprudence', repr. in *Essays*, *supra* n. 10.

[13] My claim is not that Hart's analysis of legal statements and utterances is incompatible with belief in the objectivity of value and of morality. It is that the plausibility of the analysis depends on the rejection of the objectivity of value and morality. Once their objectivity is admitted there is no reason for accepting Hart's analysis rather than the view that legal statements and utterances are just like all other statements.

told, but it strikes me as a sad one. Very little seems to have been gained in all of Hart's forays into philosophy of language. The problems with the explanation of responsibility, legal agents such as corporations, the nature of rights and duties, the relations between law and morality—none of them was solved nor their solution significantly advanced by the ideas borrowed from philosophy of language. Moreover, the reason for that was not that Hart borrowed bad ideas from the philosophy of language, nor that he did not understand properly the ideas he borrowed. Essentially the fault was in the philosophical analysis of the problems which speech-act theory and other ideas from the philosophy of language were meant to solve. Hart's failure on all the points I mentioned resulted from his adherence to naturalism and to empiricist epistemology, and his rejection of evaluative objectivity.

You may feel that I have been disingenuous in overlooking, or disregarding, the most obvious source of the dependence of jurisprudence on philosophy of language, namely the web of issues to do with interpretation. Interpretation, however, is a bigger subject, belonging to the theory of understanding of action, of cultures, and of their products. It is not a topic that philosophy of language by itself can explain. Still, interpretation gives rise to problems with which philosophy of language can help, notably the problems arising out of vagueness.

None of this means that legal philosophers can avoid philosophy of language, or that they cannot be led into error by supporting misguided views in semantics. But possibly philosophy of language and semantics can help primarily by providing clarifications where misunderstanding of language or its use may lead to an error. By and large, as long as in one's deliberation about the nature of law and its central institutions one uses language without mistake, there is little that philosophy of language can do to advance one's understanding.

II. IS THE QUESTION OF THE NATURE OF LAW A QUESTION OF THE MEANING OF LAW?

It is time to turn to our first topic: does the question about the nature of law itself—that is, when taken in its most general form—call for significant help from semantics? As mentioned, until recently many writers, myself included, assumed that it does not. Hart and Dworkin were among the clearest in repudiating the idea that it does. However, recently Stavropoulous[14] has offered a revisionist interpretation of Dworkin, argu-

[14] See N. Stavropoulos, *Objectivity in Law* (1996), 129–36. For a conflicting view, see K. Kress, 'The Interpretive Turn' 97 Ethics 834, 855 ff. (1987).

ing that his theory can be understood as an explanation of the meaning of 'law', and Dworkin may have come to accept the same or a similar view.[15] That view is not without initial plausibility. After all, a theory about the nature of law attempts to elucidate a concept, the concept of law, and what is the elucidation of a concept if not an explanation of its meaning? And what could that be if not the explanation of the meaning of the concept-word?[16]

But what is the word the meaning of which is explained by the explanation of the concept of law? It is not an explanation of the meaning of the word 'law', which applies to many things, scientific laws, mathematical laws, divine laws, and others to which the concept of law, the one the explanation of which legal philosophy is after, does not apply. But, it may be claimed, the explanation of that concept of law is *part* of the explanation of the meaning of the word 'law' or 'the law'. Perhaps the explanation of the meaning of the word 'law' consists in a list of all the different kinds of law to which the word applies, the laws studied by jurisprudence being among them, and jurisprudence studies that part of the meaning of the word. Alternatively, perhaps the word has different, albeit cognate, meanings, and jurisprudence explains one of them. Perhaps. Though it is interesting to note that it may be otherwise. It may be that the word is univocal, and is susceptible of a general explanation: 'laws', let us say, being general rules of some permanence, or general rules giving rise to a degree of necessity ('given the law, it must be thus and thus'). 'The law' may refer to the situation obtaining under some system of laws. If so, then the law studied by jurisprudence is just one instance of law, a species of law, and does not merit special mention in the explanation of the meaning of the word 'law'. In the definition of a genus we do not refer to its species.

Perhaps concepts need not be associated that closely with words after all. The following is a 1985 example of the use of the word 'concept' I found in the *OED*: 'We aim to sell a total furnishing concept based on the "one pair of eyes" principle.' This illustrates a contemporary use of the word to mean something like 'a general notion or idea, esp. in the context of marketing and design; a "theme", a set of matching or coordinated items, of e.g. furniture, designed to be sold together. Chiefly advertisers' jargon.' Plainly, we are not interested in this use of the notion. But the chief meaning of 'concept' is not unrelated. It is, in its logical and philosophical use, 'an idea of a class of objects, a general notion or idea'—or so the *OED* tells us. There is nothing here about necessarily having a distinctive word,

[15] To judge from conversations with him, and from a draft of an unpublished reply to Hart's Postscript.

[16] I should make it clear that this is not Dworkin's reason for regarding the question as a semantic one. I will come to his reason later.

which in at least one of its meanings expresses that concept and nothing else. The context, rather than the use of a word, may be part of what indicates that the concept of law being talked about is the one we are interested in. The context, rather than any special linguistic device may—or may not—indicate whether the law talked about is that of a state rather than a moral law, etc. While we can do little with language without words, we can express in words concepts and ideas for which we have no specific words or phrases.[17]

We may suspend the question whether the explanation of the concept of law explains the meaning of any word. Possibly in explaining concepts we encounter many of the problems we face in explaining semantic meanings. What, then, counts as an explanation of a concept? It consists in setting out some of its necessary features, and some of the essential features of whatever it is a concept of. In our case, it sets out some of the necessary or essential features of the law.

Broadly speaking, the explanation of a concept is the explanation of that which it is a concept of. But this statement has to be qualified, and clarified. Different concepts can apply to the same object or to the same property: equilateral triangles are also equiangular triangles, and the property of being an equilateral triangle is necessarily such that whatever possesses it also has the property of being an equiangular triangle. Each concept picks out its object or property via a different aspect of it. An explanation of a concept involves explaining the feature through which it applies to its object or property, but also explaining more broadly the nature of the object or property that it is a concept of. This does not mean providing a comprehensive explanation of the nature of that of which it is a concept—explanations are context-sensitive. An explanation is a good one if it consists of true propositions that meet the concerns and the puzzles that led to it, and that are within the grasp of the people to whom it is (implicitly or explicitly) addressed.

You may say that, taken in that sense, explanations of concepts, inasmuch as they include explanations of (the puzzling aspects of) what the concept is a concept of, are more than just explanations of the concepts involved, narrowly conceived. However, Hart and others, when they offered explanations of the concept of law, or the concept of mind, or others, understood conceptual explanations in that wider sense; and therefore, to understand and evaluate their methodology I will use the notion as they did.

It is essential to remember, however, that *having a concept* can fall well short of a thorough knowledge of the nature of the thing it is a concept of.

[17] Even when we count words with several meanings as several words, one for each meaning.

People have a concept if they can use it correctly in normal circumstances.[18] Having a concept in that sense is compatible with a shallow and defective understanding of its essential features, and of the nature of what it is a concept of. Hence, while some ordinary explanations of a concept may aim at making people competent users of it, a philosophical explanation has different aims. It assumes that they are competent users, and it aims at improving their understanding of the concept in one respect or another.[19]

Should explanations of concepts set out necessary and sufficient conditions for their application? Sometimes this stronger condition is objected to on the ground that one can rarely state necessary and sufficient conditions for the application of interesting concepts. This objection seems to me to spring from exaggerated expectations of what necessary and sufficient conditions can provide, leading to unjustified pessimism about their availability. They can, for example, be very vague. Possibly it is a necessary and sufficient condition of being a good person that one is like Jesus. But this explanation of the concept, even if true, is not necessarily instructive and helpful. Possibly, in order to know in what ways Jesus was a good person, one needs an understanding of the concept in the first place. Explanations can more often than is sometimes supposed provide necessary and sufficient conditions for the application of the concept. Nevertheless, it is a mistake to believe that all good explanations must do so.

First, some essential characteristics of some concepts are neither necessary nor sufficient conditions for their application. They may be defeasible conditions for their application. Second, to insist that conceptual explanations provide necessary and sufficient conditions is to concentrate excessively on the distinctive features of concepts, overlooking the importance of other features. An explanation of 'a human being' as 'a rational animal (i.e. one belonging to a species of rational animals)' may well provide necessary and sufficient conditions for the application of the concept. But it is false to conclude that human beings' rational nature is 'more important' or more crucial to their understanding than the fact that they are sexual animals, for example, even though they are not unique in their sexuality as they are in their rationality.

[18] Perfect command of a concept implies being able to use it correctly in all possible circumstances. But not only is that a condition which in fact few achieve, it gives rise to theoretical difficulties. One who has perfect command of a concept can make mistakes in its application or use. But the boundary between a mistake about the concept and a mistake about its application is vague, as is its theoretical nature.

[19] These remarks about the difference between philosophical explanations of concepts and the conditions for having concepts are consistent with and parallel C. Peacocke's distinction between possession and attribution conditions for concepts: *A Study of Concepts* (1992), 27–33.

A third doubt about the suitability of the necessary-and-sufficient-condition requirement for good explanations is that it misses out on an important part of the explanatory task. Conceptual explanations not only explain the conditions for correct application of a concept ('an act of torture is an infliction of pain or suffering for its own sake or to obtain some benefit or advantage') but also its connections with others ('torture is worse than murder'). We explain concepts in part by locating them in a conceptual web. These aspects of conceptual explanations can be said to be statements of conditions for the application of the concept only by stretching the idea of a condition for application.

Finally, the fourth objection to the necessary-and-sufficient-condition view of conceptual explanation is that it results from a false picture of what explanations seek to achieve. In particular, it is associated with the view that, while one can partially explain a concept through necessary or through sufficient conditions for its application, only a list of necessary and sufficient conditions will provide a complete explanation. But concepts can have more than one set of necessary and sufficient conditions for their application, and they may have many other conditions that do not readily fall into place as part of sets of necessary and sufficient conditions. If there were a complete explanation it would consist of the minimal finite list of essential features of the concept, possession of which entails possession of all its essential features. There need not be such explanations regarding all concepts. There is certainly no reason to aspire to provide them. They may resemble telephone directories in being long lists devoid of interest. Explanations are of puzzling or troubling aspects of concepts, and they are therefore almost always 'incomplete'.

One important point reinforces the previous one. There is no uniquely correct explanation of a concept, nothing which could qualify as *the* explanation of the concept of law. There can be a large number of correct alternative explanations of a concept. Not all of them will be equally appropriate for all occasions. Appropriateness is a matter of relevance to the interests of the expected or intended public, appropriateness to the questions which trouble it, to the puzzles which confuse it. These vary, and with them the appropriateness of various explanations. The appropriateness, aptness, or success of explanations presupposes their truth. But the truth of an explanation is not enough to make it a good explanation. To be good it has also to be appropriate, that is (a) responding to the interests of its public and (b) capable of being understood for what it is by its public (should they be minded to understand it).

The relativity of good explanations to the interests and the capacities of their public makes them ephemeral and explains why philosophy has a never-ending task. It also helps explain away the impression that philosophy is forever engaged in a fruitless debate on unsolvable questions. The

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