



WORKSHOP

28 April 2023
Fürstenbergstr. 19, 79102 Freiburg
Seminar Room

**CONCEPTUAL
ENGINEERING
AND THE
LAW**

INTRODUCTION

Conceptual engineering aims to replace imprecise, misleading, or contradictory concepts with more accurate ones. Rather than asking how a concept is being used, it questions whether it is *right* to use it that way. It offers a new way of understanding many of our disagreements: even when we mean different things by the words we argue about, we don't necessarily talk past each other. Sometimes, we engage in a fundamental dispute about what these words ought to mean, and by extension, about the best way to describe reality.

In this workshop we will consider these questions within the context of the law. Among other things, we will ask what happens when concepts turn legal, and how legal concepts evolve, change meaning, and are manipulated. We will discuss legal interpretation – including new ways of understanding the concept of legal interpretation itself. We will raise some normative questions about the right way of revising legal concepts, both in general and in particular cases.



Program



9:30–9:50 a.m.

Arrival and Registration

9:50–10:00 a.m.

Welcome and Introduction

Eran Fish, MPI Freiburg

10:00–11:00 a.m.

**Legal Interpretation, Conceptual Ethics, and Alternative
Legal Concepts**

David Plunkett, Dartmouth College

11:00–11:15 a.m.

Coffee Break

11:15 a.m.–12:15 p.m.

**Analyzing and Improving Dogmatic Concepts Should
be an Empirical Activity**

Claudia Wittl, MPI Freiburg

12:15–1:15 p.m.

Catered Lunch at the Institute

1:15–2:15 p.m.

**The Hand of Midas: When Concepts Turn Legal, or
Deflating the Hart–Dworkin Debate**

Ralf Poscher and Rafael Dalla Barba, MPI Freiburg

2:15–2:30 p.m.

Break

2:30–3:30 p.m.

**To What Extent Can and Should We Invent and Improve
Concepts in Law and in Philosophy?**

Dietmar von der Pfordten, Georg-August-Universität Göttingen

3:30–3:45 p.m.

Coffee Break

PROGRAM

3:45–4:45 p.m.

**Conceptual Change or Conceptual Manipulation?
How to Distinguish the Natural Evolution of Legal Concepts
from Their Abuse**

Marcin Matczak, University of Warsaw

4:45–5:00 p.m.

Break

5:00–6:00 p.m.

Designating Violence as Terrorism

Eran Fish, MPI Freiburg

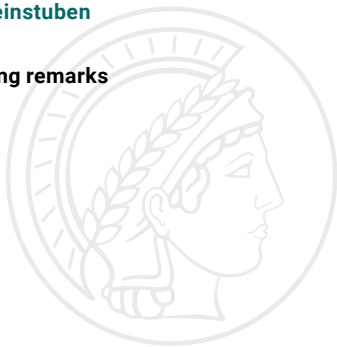
7:00–10:00 p.m.

Dinner in downtown Freiburg

Restaurant Oberkirchs Weinstuben

&

Summary, outlook & closing remarks



ORGANIZATION

TIME:

**28 April 2023
9:30 a.m.–6 p.m.**

LOCATION:

**Max Planck Institute for the Study
of Crime, Security and Law, Freiburg
Fürstenbergstr. 19, 79102 Freiburg
Seminar Room**

CONTACT:

Eran Fish, Senior Researcher, Department of Public Law, Max Planck
Institute for the Study of Crime, Security and Law
phone: +49 761 7081-226, email: e.fish@csl.mpg.de