



Philosophical Foundations of Language in the Law (Philosophical Foundations of Law)

By *Andrei Marmor, Scott Soames*

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This collection brings together the best contemporary philosophical work in the area of intersection between philosophy of language and the law. Some of the contributors are philosophers of language who are interested in applying advances in philosophy of language to legal issues, and some of the participants are philosophers of law who are interested in applying insights and theories from philosophy of language to their work on the nature of law and legal interpretation. By making this body of recent work available in a single volume, readers will gain both a general overview of the various interactions between language and law, and also detailed analyses of particular areas in which this interaction is manifest.

The contributions to this volume are grouped under three main general areas: The first area concerns a critical assessment, in light of recent advances in philosophy of language, of the foundational role of language in understanding the nature of law itself. The second main area concerns a number of ways in which an understanding of language can resolve some of the issues prevalent in legal interpretation, such as the various ways in which semantic content can differ from law's assertive content; the contribution of presuppositions and pragmatic implicatures in understanding what the law conveys; the role of vagueness in legal language, for example. The third general topic concerns the role of language in the context of particular legal doctrines and legal solutions to practical problems, such as the legal definitions of inchoate crimes, the legal definition of torture, or the contractual doctrines concerning default rules.

Together, these three key issues cover a wide range of philosophical interests in law that can be elucidated by a better understanding of language and linguistic communication.

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Editorial Review

Review

I believe this book is of tremendous interest and it is to the credit of OUP that it published it, thus allowing further dissemination of knowledge. Alessandro Capone, Australian Journal of Linguistics

About the Author

Andrei Marmor was Professor at Tel Aviv University from 1990 to 2000 and has been professor of philosophy and professor of law at the University of Southern California since 2003. He is the Director of the USC Center for Law and Philosophy and Editor in chief of the Journal of Ethics & Social Philosophy. He has authored and edited numerous books, including *Law in the Age of Pluralism* (OUP, 2007), *Interpretation and Legal Theory* (2nd ed., Hart Publishing, 2005), and *Positive Law & Objective Values* (OUP, 2001).

Scott Soames is the Director of the School of Philosophy at the University of Southern California, and was formerly Professor of Philosophy at Princeton University for 24 years. He is the Editor-in-Chief of The Princeton Series in the Foundations of Contemporary Philosophy and serves on the advisory boards of *Analytica* and *Philosophical Perspectives*. His works include *Beyond Rigidity: The Unfinished Semantic Agenda of 'Naming and Necessity'* (OUP, 2002), *Reference and Description: The Case against Two-Dimensionalism* (Princeton University Press, 2005), and the two-volume *Philosophical Analysis in the Twentieth Century* (Princeton University Press, 2003).

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