Committee on Philosophy and Law

2015-2016 Membership

Matthew J. Lister, chair (2018)
Alex Guerrero (2016)
Maria Sanders (2016)
Michelle M. Dempsey (2017)
Win-Chiat Lee (2017)
Derrick Darby (2018)
David T. Wasserman (2018)
MEMBERS OF THE COMMITTEE (7/1/2014-7/1/2015)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Start</th>
<th>End</th>
<th>Email</th>
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<tbody>
<tr>
<td>Matthew Lister</td>
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<td>6/30/18</td>
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<td>6/30/16</td>
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CHANGE IN MEMBERSHIP AS OF JULY 1, 2015

Melinda Roberts finished her term as chair of the committee as of June 30, 2015, and David C. Gray and David J. Plunkett rotated off of the committee as of June 30, 2015. As the current chair, I would especially like to thank Melinda for her excellent and diligent leadership of the committee. We welcome Luis Duarte D’Almeida and Antony R. Reeves as new members, serving from July 1, 2016 through June 30, 2019.

LISTSERV ADDRESS

law-com@apaonline.org

PHILOSOPHY AND LAW NEWSLETTER

Unfortunately, the Philosophy and Law Newsletter is, with the departure of long-serving editor Christopher Griffin, temporarily inactive. We are currently in the process of looking for a new editor and (perhaps) associate editor, and discussing plans on reviving the Newsletter, perhaps with a new focus, and in compliance with new Newsletter guidelines enacted by the board of the APA, in the near future.

COMPLETED EVENTS
Eastern Division Meetings – Washington, D.C. (January 2016)

APA Committee Session: The Procreative Asymmetry in Law and Ethics
Arranged by the APA Committee on Philosophy and Law

Chair: David Wasserman

Speakers: David DeGrazia (George Washington University)
           David Heyd (Hebrew University)
           Johann Frick (Princeton University)
           Melinda A. Roberts (The College of New Jersey)

Abstract: The procreative asymmetry consists of two claims: the misery claim, according to which it's wrong (other things equal) to bring a miserable person into existence, and the happiness claim, according to which it's not (other things equal) wrong not to bring a happy person into existence. Lawyers have difficulty making sense of the misery claim in virtue of the fact that they have difficulty making sense of the claim that it can harm a person to bring that person into existence even if that existence is miserable. The upshot is that most states reject claims for "wrongful life" off the bat (no "harm," no cause of action for negligence, no legal wrong). Moral philosophers, however, including McMahan, Harman and others, have worked out several different apparently consistent ways of explaining why wrongful life is indeed wrong. At the same time, moral philosophers have difficulty explaining the happiness claim -- explaining, that is, why it is perfectly permissible not to bring a happy person into existence. Lawyers, on the other side, have not considered there to be any particular problem explaining the happiness claim at all. (The idea that never-existing people—not just not-yet-existing people but people who will never exist at all—would have the protection of the due process clause has never been seriously entertained by any court; the constitutional abortion debate, similarly, focuses on the status of the fertilized egg, embryo, early fetus, etc., and never on any concern relating to the status of the person never conceived to begin with.)

The concept of this session, then, is to ask session participants to consider (among other things) whether there is a way to bridge this extremely deep divide between law and ethics and what sort of moral theory might pass muster among both philosophers and lawyers.

Pacific Division Meetings – San Francisco, CA (April 2016)

APA Committee Session: Author Meets Critics: Steven Ratner, The Thin Justice of International Law
Arranged by the APA Committee on Philosophy and Law

Chair: Matthew Lister

Speakers: David Lefkowitz (University of Richmond – Critic)
          Fernando Teson (Florida State University - Critic)
PLANNED EVENTS

The Committee on Philosophy and Law currently is planning on sponsoring sessions at the 2017 Eastern Division meeting in Baltimore on The Care of Fetus in 'Wanted' Pregnancies: Rights, Duties, Prerogatives, and author meets critics session for the Central Division 2017 meeting in Kansas City on the book *The Rule of Law in the Real World* by Paul Gowder, and session at the 2017 Pacific Division meeting in Seattle on the legacy of Ronald Dworkin, the enforcement of immigration law, and the Berger Memorial Prize session, honoring the paper, “Retributivists! The Harm Principle is not for You!” by Patrick Tomlin.