Counterfactuals, numerical laws, and necessity-in-praxis

Had this essay been intended as an encyclopedic treatment of the analysis of physical laws, it would have had to touch upon many more topics. It was not my purpose, however, as I explained in the preface, to say everything that could be said, nor even everything that should be said. What I set out to do was to examine the differences between two theories. And I followed my own interests, with the result that some often-examined issues were relatively unexamined. I will, then, by way of concluding, examine three of these issues and offer a few brief comments.

I have, at several points in this book, discussed counterfactual conditionals. But I would like now to make a final observation about this class of propositions.

Suppose (adapting a famous example) that all the coins that ever were, are, or will be in my daughter Diane's piggy bank are copper pennies, and suppose that this bank has an individuating description, *XYZ*, in purely descriptive terms. Thus the universal generalization, that all the coins in an *XYZ* piggy bank are copper, is true. What, then, of the truth-value of the counterfactual conditional, "If a coin were to be added to an *XYZ* piggy bank, it would be copper"? The received answer is, "The counterfactual conditional is false, and this for the reason that the universal conditional is an accidental, not nomological, truth."

Regularists will reject the reason given for this latter answer. For a Regularist, there is no difference between accidental and nomological truths. But suppose a Regularist wants to agree that the suppositional conditional, namely, "If a coin were to be added to an *XYZ* piggy bank, it would be copper," is false. How shall he justify his choosing this truth-value?

I think that the warrant for that particular answer is easier than it is usually portrayed to be. The Regularist says that the counterfactual is false simply because not all piggy banks contain only copper coins. But why invoke a truth about *all* piggy banks rather than about the restricted class of *XYZ* piggy banks?

The proper answer to *this* latter question is, I admit, very difficult to formulate. But I do not have to be able to give it to be fairly sure that the immediately preceding justification for the Regularist's choice is right. Indeed, I am certain that it is this latter fact, about *all* piggy banks, that Necessitarians also really appeal to when *they* deny the truth of the counterfactual conditional.

I propose an experiment. Ask a Necessitarian *why* it is false that, were a coin to be introduced into an *XYZ* piggy bank (which never contains anything but pennies), that coin would be copper. At first, the answer might be: "Because although it may be true, it is not *nomologically* true that all coins in an *XYZ* piggy bank are copper." Persist. Ask now *why* he thinks the universally true proposition about *XYZ* piggy banks is not nomologically true. Now the answer will be: "Because not all piggy banks contain copper coins; some contain other kinds of coins as well: nickel, silver, aluminum, gold, etc." But having eventually arrived at this claim about other piggy banks, it seems to me that the Necessitarian's intermediary stage of invoking a nomological necessity (or rather the fact of the absence of such a necessity) is, if not gratuitous, at least dispensable. For the latter claim, about other piggy banks, could have served directly rather than mediately as the explanation of the falsity of the counterfactual conditional.

Appearances to the contrary, this argument just given does not depend on the relation between explanans and explanandum being transitive. The statement "p explains q" (where p and q stand for propositions) is a nontransitive relation. The argument is *not*:

"Not all piggy banks contain copper coins" explains "it is not nomologically true that all coins in an *XYZ* piggy bank are copper"; and hence, by transitivity, the former universal proposition explains why the counterfactual about *this* silver dime is false.

No, my point is that the apparently mediating claim about nomicity is elliptical for the denial of the nonmodal universal generalization. The falsity of the universal generalization explains the truth-value of the counterfactual directly. The introduction of the concept of nomicity is superfluous. Perhaps the concept of nomicity here plays some pragmatic role in discourse; but to admit this is not to be committed to saying that the necessity invoked need be thought to represent an ontological feature of the world.

The Necessitarian's test for nomicity, which would have it that only nomologically, but not accidentally, true universal generalizations will support a singular counterfactual proposition, seems not to work at all for the alleged parallel distinction between nomological statistical laws and accidentally true statistical generalizations. Consider the probabilistic counterfactual conditional, "If this film frame were in the world's most expensive camera, it would probably contain a latent image of a flyby picture of the surface of Venus." What grounds the truth of this probabilistic singular counterfactual? A statistical generalization of this sort: "Most of the film frames in the world's most expensive camera contain latent images of flyby pictures of the surface of Venus." Here it would seem that the statistical generalization invoked is, according to Necessitarian criteria, merely accidental. Yet this 'accidental' generalization *does* seem to support a probabilistic singular counterfactual.

There is a variety of responses the Necessitarian can make to this case, all of them, however, inimical to his position. He could try, for example, to argue (i) that no statistical propositions are physical laws. But – as I argued in Chapter 12 – quantum mechanics, at the very least, advances strong evidence that some are. Or he could argue (ii) that, inasmuch as the statistical generalization in this instance does warrant a singular counterfactual conditional, that generalization is a physical law (and is thus according to his account nomological). The trouble with this response, however, is that the generalization about the world's most expensive camera seems to share all relevant properties with those universal propositions that Necessitarians have held up as examples of merely true, accidental generalizations, for example, "All moas die before the age of fifty"; "All the screws in Jones's car are rusty"; etc. If he is not, then, to have to retract all his former examples, it would seem that the Necessitarian cannot deny that the generalization about the world's most expensive camera is merely accidental. Or finally, he might try to argue (iii) that in this example the statistical generalization (since it *is* merely accidental) does not in fact warrant the singular counterfactual. But here the reply is that the warranting relation in this case is as strong as in other examples usually adduced in these discussions. To deny it in this instance would be suspiciously ad hoc.

The upshot is that the Necessitarian's test using counterfactuals to distinguish between nomicity and accidentalness does not work. And the reason why, I suggest, is that it attempts to make a distinction where in fact there is none. There is no distinction because there are no nomological necessities: neither universal ones nor statistical ones. Let's now turn to a second issue.

Sometimes Necessitarians have objected to the Regularity Theory on the grounds that the theory is unable to accommodate *numerical* physical laws. It is pointed out, truly, that not all – indeed very few – scientific laws are of the conditional form, $(x)(Sx \supset Px)$. Most scientific laws are, rather, propositions about relations between mathematical quantities, and, inasmuch as the class of scientific laws is a surrogate for the class of physical laws, the latter may also be supposed to be comprised of a vast number of numerical formulas. These latter physical laws are propositions about relations between mathematical quantities, and their variables range over a nondenumerably infinite domain of real, and sometimes imaginary, numbers. Propositions taking their truth from *actual* occurrences – the challenge goes – could never begin to cope with such domains. At best, physical laws, construed as statements about what actually happens, could be true for only a minute number of values encompassed by any one physical law. Necessitarianism is then offered as the corrective. (See Pap 1962, pp. 303-5.)

The correction is not needed. Regularity has no trouble on this score. One does not have to 'strengthen' the mode of truth of numerical laws. Suppose we construe numerical laws as compendia of an infinite number of singular statements (indeed, such a view is the favored contemporary explication of the mathematical concept of "function"), where the constants and variables in these statements stand for numbers and physical quantities. Suppose, for the moment, just to have an easy example, that Ohm's Law, that is,

 $P14 \quad IR = E$

were true. (I stands for the value of the current; R for the value of the resistance; and E for the value of the voltage.) The singular expansion (suitably defined) of this law comprises a nondenumerable infinity of propositions including, for example,

P15 5.7893 amperes × 45.2349 ohms = 261,878.40657 volts

Now let's suppose, further, (probably not too unrealistically) that these particular values never are (at any time) instanced in the current, resistance, and voltage, respectively, of any actual electrical circuit.' What follows? Would the truth of this latter fact (i.e., the absence of instances) 'make' Ohm's Law false?

Hardly. Construed as a material conditional, P15 would read thus:

P16 If the current in an electrical circuit is 5.7893 amperes and the resistance is 45,234.9 ohms, then the voltage is 261,878.40657 volts

P16, it is clear, is *true* if no circuit has a current of 5.7893 amperes, or if no circuit has a resistance of 45,234.9 ohms, or if no circuit instances both these values.

If anything, having noninstanced values of its variables enhances the probability of a numerical proposition's being true. But of course having noninstanced values does not guarantee the truth of a numerical proposition unless *all* its numerical variables go wanting for lack of an instance. One need not fear for Ohm's Law on this latter count. It is hardly vacuously true. Millions upon millions of its variables are instanced daily on this planet, blanketed as it is with electronic devices.

Consider, now, what would happen on this analysis to a 'pretender'-law. Suppose someone were to hypothesize (contrary to what we are here assuming to be true) that the relationship between current, resistance, and voltage is not as stated in Ohm's Law, but is rather as stated in Liar's Law, namely,

$P17 \qquad IR = 2E$

The singular expansion of this 'pretender'-law would include

P18 5.7893 amperes \times 45,234.9 ohms = 2 \times 130,939.203285 volts

Presuming, as above, that no circuit instances both these first two values, *P18*, like *P15*, will turn out to be true. But this does not mean that the 'pretender'-law, *P17*, also turns out to be true. *P18* is merely one among an infinite number of necessary but insufficient conditions for the truth of *P17*. And some of these other conditionals in the singular expansion of *P17*, rather than being vacuously true, will (assuming it is Ohm's Law that is *true*) be determinately false. In short,

¹ Should anyone think that these values might realistically be actually instanced, then construct a new example by increasing each of these figures by a factor of 10¹⁸, 10²¹, and 10³⁹, respectively. One will not find these latter values in this world.

having 'gaps' in the data base (i.e., not having actual instances for every logically possible solution of the numerical equation) does not mean we are saddled with Liar's Law.²

But gaps do present other problems. For any distribution, whatsoever, of graph points, provided that distribution is finite or denumerable, there will, theoretically, be an infinite number of *different* equations (curves) all fitting this set of points *perfectly*. If our data base is not mathematically continuous – and how could it be? – there will be an infinite number of different numerical laws all subsuming those data. No matter how many would-be 'laws' (curves) are (timelessly) eliminated by our future fillings-in of more and more gaps, (timelessly) there will always be an infinite number of different (i.e., logically nonequivalent) physical laws, each subsuming the totality of the actual past, present, and future gappy data.³

³ Serendipitously, just a few weeks after I had written the above paragraph, my daughter came to me with a problem she was having in her junior high school math book (Sobel and Maletsky, 1974, p. 72). The students had been given the task of finding 'the' formula that fills the gaps in the following mapping:

x	У		Z.
3,	4	\mapsto	5
6,	8	\mapsto	10
9,	12	\mapsto	15
5,	12	?	?
16,	12	?	?
20,	15	?	?
8,	15	?	?

Diane could not figure out why the book gives as the 'official' answer " $z = \sqrt{x^2 + y^2}$ " when she found another formula that equally well fit perfectly the first three (completed) entries in the table. Indeed, in just a few minutes, she and I found three solutions, all in some sense simpler than the official one:

z = 2y - x z = 3x - yz = 5(y - x) [footnote 3 continued on p. 192]

² I have just given "data base" a specialized definition. Here and below, by "data" I do *not* mean "data gathered"; I mean, rather, "the *actual* instances (whether known or unknown) of the logically possible solutions to a physical law." I.e., "data" designates an ontological, not an epistemological, category. I regret having to distort the standard meaning of a common term, but I do not know of any other term that precisely embodies the sense I need here.

Is the situation tolerable? We know what many persons have said about this plethora of equations all fitting the data: "Truth is simple; whichever of these is simplest, that is the true one." And, "Necessity is reflected in the ease with which the proposition may be incorporated into the corpus of science."

The reply is that these latter kinds of answers are misdirected. What persons who invoke *simplicity* as a criterion of acceptability are doing is not proposing a metaphysical test for nomicity, but a methodological rule for getting on with the job of predicting, explaining, and controlling the world.

Admittedly, this view – that all equations that fit the data, however different they may be from one another in their predictions of (timelessly) uninstanced values, are all laws – is at odds with the established view. Indeed, even most Regularists, too, probably believe that there is but *one* law, however complicated, that describes, for example, the interrelationship among the values of current, resistance, and voltage in all electrical circuits. But I think the Regularity Theory demands, and I cannot see that there would be any theoretical problems whatever in allowing, that there are as many laws as there are true propositions, each of which subsumes all the actual data, past, present, and future. Goodness knows we would not want to cite some of these laws in our day-to-day designing of electrical circuits – some of these laws are horrendously complicated, running on to miles of paper were we to try to express them in ordinary-sized type, for example – but they are laws nonetheless. Again, my point is the earlier one, that physical laws, construed as true descriptions of the singular facts of the world, must be distinguished from what are *used* as laws in scientific practice. (Also see Cartwright 1980b.)

One can imagine that a Necessitarian will want to bestow special status on one alone of these many equations, each of which fits the data:

One of these propositions is necessary: It alone would fit all those possible data that are never actualized. Were the gaps to be filled in, all but one of these equations would be eliminated, and that one is the nomologically necessary one.

[[]cont.] Obviously, each of these latter formulas gives quite different sets of values for the completion of the third (z) column.

The relevance, to my discussion above, of this exercise is clear: There is no such thing as a unique curve fitting any finite set of points. As to the opinion one should form of my daughter's mathematics text, decorum forbids an explicit suggestion.

The Regularist replies:

Let me try one last time to challenge your views. Clearly, you seem to think that one alone among this vast set of nonequivalent equations, all of which fit the gappy data, is nomologically necessary. It is that one that would be true if all the gaps were to be filled in.

But nomological necessity is not a determinate property of any member of this set. For there are as many ways to fill in the gaps as there are nonequivalent equations fitting the *actual* data. Every one, every last one, of all that infinite number of equations turns out in some possible world or other to be *the* one that fits the filled gaps. That is, every possible way of filling those gaps is realized in some possible world or other. And because those gaps, ex hypothesi, are not filled in this world, no determinate sense can be made of the supposition that this world is exactly one of those worlds and not another. Indeed, the one thing we must say is that this world is none of them. This world is not a world in which there is a single mathematical solution to the actual data.

Each world in which the data are complete, that is, without gaps, is blessed with a single law subsuming those data. But this world is not so blessed; and we just have to put up with having many logically nonequivalent laws all subsuming the same data.

To attribute nomological necessity to a proposition in this world is to suppose that certain propositions have a determinate property that, logically, they could not have. And to attribute nomological necessity to a proposition in a world blessed with gapless data is to say nothing more or less than in that world no other nonequivalent proposition subsumes those data.

The Necessitarian counterargues:

I am glad you have invoked talk of possible worlds. My point can be put very nicely in terms of possible worlds. As you say, in this world the data base is gappy. There is an infinity of different possible ways those gaps might be filled in.

But of course, in other possible worlds, these different possible ways are realized. In some possible worlds, the gaps are (partially or wholly) filled in one way, and in other possible worlds, the gaps are (partially or wholly) filled in other ways. Some of these nonactual possible worlds will be *physically accessible* from the actual world, others not. Consider the set of all those possible worlds that are physically accessible from this world. It is an infinite set. In each of these worlds (apart from the one in which the data base is completely filled in), there will be many, presumably infinitely many, formulas subsuming that world's own gappy data base. But there will be one formula, and one formula alone, *common* to all these worlds. And it is *that* unique formula that is the one that is nomologically necessary in this, the actual, world.

The Regularist has his last say in the matter:

Talk of physical accessibility does not illuminate the matter in the slightest. It may give us a powerful heuristic method by which to conceive of these matters, but really it is just a translation, not an analysis, of the concepts at play here. Unless physical accessibility is to be some sort of intuitively comprehended primitive, *it* will have to be defined in terms of physical possibility, physical necessity, and the like. Or will it have to be defined in terms of nomological necessity? Either way, it will not ultimately solve the problems we have been addressing. It will only transubstantiate them.

Here in the actual world, we have, as it were, an embarrassment of riches: An infinity of nonequivalent formulas all subsume the gappy data base. We Regularists (some of us anyway) are content to accord to all these formulas the status of lawfulness. You want to single out one, known or unknown, as being 'the' physical law. It is that one alone, that, *were* the gappy data base to be filled in, would subsume all the instanced values. Clearly, this is what your possible-worlds story is designed to do; to give us a way of specifying truth-conditions for this latter counterfactual conditional.

But there is no good reason, whatever, to think that there is any one such favored solution. Why not simply allow that all formulas that fit the actual data are physical laws? Talk of physical accessibility and the like, although captivating, does not advance our ability one iota to distinguish one formula from another. It is a metaphysical distinction with absolutely no empirical manifestation. If it exists, it cannot – by its very nature – ever reveal itself to us empirically.

Some persons have suggested that the mark of this nomological necessity is simplicity: that the one formula that is simplest, among all those that subsume the actual (gappy) data, is the one that is nomologically necessary.

The trouble with this notion is that, again, it fails to provide a decision procedure. "Simplest" is not a well-defined notion. Then, too, when in our actual practice we have chosen, using some convenient if somewhat arbitrary notion of "simplest," among a few ready-at-hand alternative formulas, it must be emphasized that these choices are not even between *true* statements. Virtually without exception, the various statements that get called "laws" in science are known to be false. Hence, they cannot be nomologically necessary. If simplicity were the hallmark of nomological necessity, again, we would have no idea when a statement satisfied that condition.

Ordinary practice knowingly selects false propositions as workaday laws. It can hardly, then, be trusted to provide a guide to selecting one genuine nomological from among an infinite host of other true statements. Indeed, even if all these true statements were – per impossible – to be known, we might still much prefer to *use* a false approximation than to be saddled with the burden of calculating with a nomological of complexity beyond practical utility. That is, even if nomological statements could be recognized, we might not want to use or invoke them in our doing science. They might be too complicated for our purposes.

In short, we are unable to analyze the concept of "nomological necessity," we have no way of recognizing nomologicals, and we probably would not want to use them if they *could* be recognized. Why, then, persist in the dogmatic, useless belief that they exist? The notion is at once idle and mischievous. Why not, finally, abandon it?

Although this latter exchange will close the discussion of numerical laws, it does not constitute quite the last word in the debate. In its course, this latest dialog has made reference to the practice of science. Might it be there, in what scientists do, rather than in what they examine, that one might find nomicity? One Necessitarian, Rescher, believes so.

In Chapter 6, we saw how Rescher argues that nomological necessity can never be "extracted from the evidence," that is, can never be revealed experimentally. Yet he remains sanguine about attributing nomological necessity to certain propositions. The passage quoted in Chapter 6 continues:

Lawfulness is not found in or extracted from the evidence, it is superadded to it. *Lawfulness is a matter of imputation*. ... Men impute lawfulness to certain generalizations by according to them a particular role in the epistemological scheme of things, being prepared to use them in special ways in inferential contexts ...

Lawfulness is not a matter of what the generalizations [*sic*] *says*, but a matter of *how it is to be used*. By being prepared to put it to certain kinds of uses in modal and hypothetical contexts, it is *we*, the users, who accord to a generalization its lawful status thus endowing it with nomological necessity and hypothetical force. Lawfulness is thus not a matter of the assertive content of a generalization, but of its epistemic status, as determined by the ways in which it is deployed in its applications. (Rescher 1970, p. 107)

The necessity Rescher would accord to physical laws is neither metaphysical nor linguistic, but epistemological. It arises out of the role physical laws play in our schemes of explanation. Much

earlier in the same book, Rescher calls this property of physical laws their "coherence," but by the use of that term he does not mean simply *consistency* with one another or indeed even with the whole of the scientific corpus. Rather, he means the term to designate something stronger, what he also calls "integration into the body of scientific knowledge" (p. 16), that is, mutual support through interlocking deductive and inductive relationships. In short, "coherence" (in his specialized use), "lawfulness," "nomicity," and "integration" are all correlative terms. They connote a pragmatic aspect of select generalizations, an epistemic-cum-explanatory role in the scientific enterprise.

Rescher is certainly right in pointing out that what get used as laws by scientists in their giving of scientific explanations tend not to be 'isolated' propositions but those that 'fit' into larger schemes of theories. But the question we must ask is whether the distinction among universal and statistical generalizations – between those that get used as laws and those that do not – is the same distinction as that between nomicity and accidentalness. The answer will have to be: No. For when we examine Rescher's necessity-through-use, we find that it bears little resemblance to the traditional Necessitarian's nomological necessity and is ill-suited to offer the solutions Necessitarians have perennially demanded of nomological necessity.

The first, but by no means least, problem in Rescher's proposal to identify nomicity with elevated epistemic status in the scientific corpus is that nomicity has always been conceived to be a timeless property of propositions. In contrast, the body of scientific laws, that is, those propositions used by practicing scientists as laws, varies from time to time and, to a lesser degree, from place to place. Is nomicity thus to change, too, from time to time and place to place? Rescher is silent on this point. His theory seems geared to a static science rather than a dynamic one. But science is not fixed.

A nomicity that changes from time to time and place to place is totally unacceptable according to traditional Necessitarian accounts. After all, the nomological necessity of copper's conducting electricity is not supposed to be something that first occurred in the eighteenth century when conductivity was discovered. Copper is the sort of stuff that, if it conducts electricity necessarily, has *always* done so. But if the class of nomologicals is not to change in lockstep with the evolution of scientific practice, can we construct a timeless nomicity out of the

flux of practice? The prospects are minimal. It will not do, for example, simply to say that a proposition is nomologically necessary if it is ever (in the past, present, or future) used as a scientific law and is not nomologically necessary if it is never so used or if it is firmly rejected as a law. The trouble is obvious: Many propositions that at one time are firmly entrenched as scientific laws (e.g., all flammable material contains phlogiston; all planets travel in circular orbits; electromagnetic radiation is a transverse wave propagated in a medium) are later just as firmly and resolutely regarded as nonlaws. A given proposition, then, might (timelessly) have contradictory properties, namely, being nomologically necessary and being not nomologically necessary. To construct a consistent, nonarbitrary theory of timeless nomicity, one would have to invoke a Science Completed. But were we to do that, we should never – because we cannot foretell the remote future developments of science – be able reasonably to regard ourselves as knowing of any proposition that it is nomologically necessary.

The difficulty with grounding a timeless necessity in the flux of practice is hardly the end of troubles. A second, no less serious, difficulty arises.

Can a nomological necessity, conceived to be an epistemological feature of propositions, assume the role that has traditionally been regarded as the preserve of an ontological necessity? Rescher writes as if it could:

To explain a fact scientifically is thus to adduce reasons to show why *this* fact obtains rather than some one among its possible alternatives. This requires going beyond establishing that the fact *is* actually the case to showing that (in some sense) it *had to* be the case – that it was *necessary* and inevitable, that it should be so – or at least *probable* and "to be expected."

... Scientific explanation proceeds by *subsumption under laws*, by placing the item to be explained as a somehow special case within a framework of generalizations that are taken to state how things must operate within a certain range of phenomena (1970, p. 11)

Note the admixture in this passage of psychological terms and metaphysical ones: On the one hand, "to be expected"; on the other, "had to be the case," "inevitable," and "must operate."

It may be plausible to argue that the epistemic necessity of the generalizations we actually use in giving explanations accounts for our psychological expectations. To say that all *As* are *Bs* is epistemically necessary may be just another way of saying that a person who *knows* that this

proposition is 'integrated' into the fabric of science *expects* all *As* to be *Bs*. Epistemic necessity and psychological expectation may well be closely allied. (Perhaps the connection is even analytic.) But psychological expectation is not metaphysical necessity. The shift between "to be expected" and "inevitable" is not, in this context, merely a shift between two psychological terms, but is also a shift between a psychological term and a metaphysical one. Throughout, the two categories – the psychological and the metaphysical – are confounded.

"Nomological necessity" or "theoretic coherence" in Rescher's view arises out of the conscious, deliberate, rational practice of scientists. However he might choose eventually to explicate this notion, it is clear that it will have to be a relation one of whose terms will designate a set of persons, whether individual scientists, groups of them, or perhaps the entire scientific community. In any event, this explication of nomicity will have as a consequence that to attribute nomicity to a proposition is, at least in part, to say something about *us*. (Or, if not literally to *say* something about us, then at least to presuppose that our existence should *figure* somehow among the truth-conditions of that proposition's being nomological.) Few Necessitarians have ever thought that the necessity of physical laws is a fact (however partial) about *us*. Consider Rescher's own example: "All elms ... must shed their leaves in the fall" 1970; p. 11). Only Idealists and Pragmatists would think that this proposition is not about us at all, but only about elms, leaves, autumnal days, and exfoliation.

Rescher is himself aware of the Idealist aspects of his theory and is forthright about them (Rescher 1970, section titled "Lawfulness as Mind-Dependent," pp. 113-21):

- 1. The natural world comprises only the actual. This world does not contain a region where nonexistent or unactualized possibilities somehow "exist." Unactualized hypothetical possibilities do not exist in the world of objective reality at all.^[4]
- 2. Nor do unactualized possibilities somehow exist in some Platonic realm of worldindependent reality.

⁴ Contrast with von Wright: [*p* (a generic state of affairs) may be] "A potency or latent possibility of the world" (1977, p. 20). This later quotation, recall, was examined in the section titled "Actualized and unactualized dispositions" in Chapter 8.

3. The very foundation for the distinction between something actual and something merely hypothetically possible is lacking in a "mindless" world. Unactualized hypothetical possibilities can be said to "exist" only insofar as they are *conceived* or *thought of* or *hypothesized*, and the like. For such a possibility to be (*esse*) is to be conceived (*concipiendi*). (pp. 118-19)

Rescher obviously shares with the Regularist the inability to 'locate' nomological necessity *in re*. But, unlike the Regularist, he is not prepared to abandon the notion that physical laws are nomologically necessary. And thus he 'locates' the necessity in *us*.

A [universal] generalization like "All cats are vertebrates (i.e. have backbones)" *if not taken to formulate a law* makes a claim whose correctness is doubtless unaffected if we postulate a mindless universe. But if the [universal] generalization is construed in a lawful sense, as asserting that cats *have to* have backbones, with some sort of nomic necessity the story is quite different. For lawfulness "lies in the eyes of the beholder," since the lawfulness of a [universal] generalization consists in its being treated and classified and used in a certain way. (1970; p. 116. Glosses added)

Could nomicity thus explicated, lying "in the eyes of the beholder," possibly do what Rescher requires of nomicity? Could it, for example, account for the modal aspect of the 'having to' in "all cats *have to* have backbones"?

The suggestion strikes us as implausible. All cats, to the best of our knowledge, have backbones. But whether they do or not has nothing to do with us, not even with our engaging in scientific research and theory construction. Although we may discover this fact about cats, surely it was 'there' antecedently to be discovered. Why should the case be any different when it comes to ascertain whether cats *have to* have backbones? Why should this be a question requiring for its answer a fact about us? Surely – like their having backbones – their *having to* have backbones, if indeed it is a fact at all, is a fact about cats, not about us.

According to Rescher, in this world, cats do *have to* have backbones. But that is because *we* have done some science. In another possible world, as like this world as is consistent with no one's having got around to looking at feline anatomy, cats, although just like actual cats in that they all *do* possess backbones, do not *have to*. In not having to have spines, Rescher's fictional cats would be like Popper's actual moas who, Popper tells us, did not *have to* die before the age

of fifty (see Popper 1959a, pp. 427-8). But Popper, although himself like Rescher a Necessitarian, would hardly want to explain the moas' escape from necessity as having anything to do with paleontologists coming on the New Zealand scene lately and making (or failing to make as the case may be) theoretical claims about fossil remains. Popper, we may be sure, would be loath to make each moa's premature, nonnecessary demise (and each cat's not having to have a backbone) a fact about what *we* have failed to do.

There probably is no argument that is finally decisive against the extraordinarily strange consequences of Rescher's theory. And the reason is that there is probably no finally conclusive argument against Idealism itself. If one is going to identify truth with consistency, for example, or nomological necessity with 'most favored status' among consistent propositions, one *can* insulate such theories from refutation. It is much harder, however, to argue plausibly that such notions solve traditional problems. On two counts – in its view of a static science and its concomitant difficulty in explicating a timeless nomicity; and in its identification of metaphysical necessity with epistemological necessity and its concomitant implausibility in making nomological necessity an artifact of our actions – Rescher's theory seems only to aggravate the traditional problems, not solve them.

There is a third difficulty as well. And although relatively minor, it bears remarking. Rescher does not observe the twofold distinction I have insisted upon between 'real' laws and the instrumental 'laws' actually used in the day-to-day practice of science. By failing to observe this distinction, he creates still another impediment to the acceptance of his theory. For he makes truth a necessary condition of nomicity. But although truth characterizes 'real' laws, it does not characterize many of the 'laws' used by scientists. These latter propositions, as I have said (Chapter 1), are virtually all false. Thus almost none of what scientists use as laws would turn out to be nomological. But if one were to relax Rescher's necessary condition of truth, one would have the paradoxical consequence that just about every proposition that is nomologically necessary is false. Statistically, nomological necessity would be more a companion property of falsity than of truth.

I agree with Rescher that nomicity cannot be located *in re*. Where I differ is in believing that nomicity must, then, be located somewhere else. If it is true that all elm trees shed their leaves, then *this* tree sheds its leaves because it is an elm tree. We do not have to attribute nomological necessity to this just-invoked universal generalization to ground the explanatory

relation. It suffices that all elm trees shed their leaves. My finger hurts because I cut it, and because cuts usually (/always) hurt. One understands this, an explanation has been given, without strengthening the generalization with a species of necessity. One need not think of cuts as 'necessarily' hurting to understand that cuts (in general) hurt and that this one (in particular) hurts.

I have concluded with this theory of necessity-through-use because I think it is important to see how much this recent attempt at rehabilitation diverges from traditional Necessitarian accounts. There is, certainly, some fundamentally correct insight in Rescher's enterprise: What gets used as laws has much to do with such matters as simplicity, fruitfulness, and degree of integration with other claims (theories, hypotheses, assumptions). Very few of the infinity of universal and statistical generalizations prove interesting or useful. Most, even those that are true, are epistemic deadwood. [Utility increases with large extension and small intension. It is much more useful to be told that all metals conduct electricity than to be told (only) that aluminum conducts electricity; although the latter is in its turn more useful than to be told that a cube of aluminum measuring 1.34 cm along each edge and having a temperature of 42° C conducts electricity.] But standing high on the scale of utility and being used as a scientific law is not the same as being nomologically necessary. Traditionally, Necessitarians have invoked nomic necessity to explain why the world not just is, but has to be, the way it is. This kind of necessity cannot – in spite of Rescher's claims – arise as an artifact (epiphenomenon?) of the way we do science. Elm trees lose their leaves. Either they 'merely do' (i.e., they do), or they 'have to' (i.e., they must). But if they must, they must because of some way the world is; not because of something you or I, or the community of botanists, do by grouping various propositions into cohesive, mutually supporting, wholes. If Necessitarianism is to be advanced, at least let it be on ontological, not epistemological, grounds. Better yet, one should approach that theory with extreme wariness.

Postscript: cosmic coincidences

At one time in the history of Western thought, it seemed mysterious that the world could 'get' from one instant of time to the next. Persistence in time was something in need of explanation. How could mere inactive matter existing *now* bring it about that matter should exist after now? The existence of matter seemed to require an active agent, and that matter-now should 'give rise' to matter-later seemed incomprehensible. Matter-now seemed no more capable of creating matter-later than matter was capable of creating itself in the first place. And thus God, a necessary being, was seen as the active creator, not just in having brought the world into being in the first instance but in re-creating (i.e., conserving, sustaining) the universe from moment to moment.

Today, few persons would be moved by such a (transcendental) argument: The Thomistic presupposition that prompts it has fallen by the wayside. It is not so much that our science has changed (although, of course, if *has* changed, enormously and profoundly), but more that our metaphysics has changed. The existence of matter is not now quite the mystery it once was. Persons today are far more prepared to allow that matter should have existed for all eternity; equally, they entertain with equanimity the hypotheses occasionally advanced by scientists that particles of matter either 'spontaneously' appear in the world or 'coalesce' out of energy. In any event, the problem of how matter manages to keep itself in existence, how it 'gets from' now to later, just simply is a dead letter today. Indeed, the very question, and its answer, have been turned about. For it is fashionable today to *define* endurance in terms of a succession of 'instantaneous time-slices': "What it *means* for an object *x* to endure from t_1 to t_2 is (roughly) that there should exist a series of objects very similar to *x* along a continuous spatial path connecting t_1 and t_2 ." Whether by convention, by neglect, or by fashion, or perhaps because we have grown tired of asking a question for which there seems to be no rational answer, we no

longer ask what it is that brings it about that there is such a series, what it is about matter that allows matter existing at one instant to be succeeded by matter existing at a latter instant. We have reached the point where we want to say: "That's just the way the world is. Matter-now is succeeded by matter-later." We feel no need to postulate necessary creators, occult powers, or mysterious creative (or conservationist) forces in this case.

And so it should be, too, with lawfulness. There is no more nomological necessity in some sample of water having a vapor pressure of 41.8 Torr at 35° C than there is in the fact that the chipped teacup on my desk should be succeeded by a chipped teacup. The latter sequence-kind (chipped teacups-now giving rise to chipped teacups-later) is hardly a necessary feature of this world; it is just the way this world *is*. But if we have been able to dispense with the awful mystery of the endurance of teacups, then might we not – equally – be able to dispense with the invented mystery of nomicity?

On a lovely fall afternoon recently, I was driving north along Gaglardi Way approaching the intersection with the Lougheed Highway. Five red cars, of various manufacture, were lined up in a row on Lougheed stopped at the red light. When they eventually drove off, they did not seem to be traveling in a convoy (three of the five turned left), and I was quite prepared to consider the congregation of five red cars as nothing more than an eye-catching coincidence.

But although five red cars assembled in one spot might be dismissed as a mere coincidence, ten such would strain one's credulity mightily.¹ And no one would be prepared to allow that a column of cars, a thousandfold in length, all red, could be a coincidence. Large-scale coincidences cry out for explanations that reveal the contrivance, planning, or deliberation behind the phenomenon. (Of course, if *all* cars were red, there would be nothing remarkable about there being an unrelieved monotony of hue in a column of 1,000 cars. But then the reason why all cars should be red would need explaining. It was, of course, no coincidence that all early Model T Fords were black: They were black because Henry Ford ordained that they should be.)

There are probably more than 10^{60} electrons in the universe, and all of them, we may suppose, have precisely the same electrical charge. Now although I am prepared to allow that five red cars in a row might be dismissed as a coincidence, can I allow that 10^{60} items with precisely the same electrical charge is likewise a coincidence?

The improbability increase exponentially.

Modern microphysics tries to explain away this last seeming coincidence: Electrons all bear the same charge because they are constituted of subparticles *x* and *y*, and all *x*s and *y*s have properties φ and ψ , respectively. And the incipient coincidence of all *x*s and *y*s having properties φ and ψ , respectively, is explained by discovering some further subsubparticles, *u* and *v*, all having properties *F*' and *F*", respectively. But this regress cannot go on forever; it has to stop *somewhere*. Then what do we do?

One thing we might do is swallow deeply and then say, "Well, that's just the way the world is. All these untold billions upon billions of sub- ... -subparticles all share the same properties, F_1 , ... F_2 ; and nothing, nothing at all, accounts for this fact."

Faced with the prospect of having to say this, many persons find the sheer *contingency* of the actual world utterly fantastic: "If it wasn't God (a super Henry Ford) who designed all this and saw to it that all these countless particles are qualitatively identical, then *something* has to account for it. That 10^{60} things should all be alike in their properties cannot *rationally* be deemed 'just a coincidence.'"

Having abandoned God, the next best thing to do is to invoke a depersonalized necessity: "Ultimate particles bear identical properties because *they have to*." This claim certainly has the form of a claim that would lessen the degree of contingency.

This 'having-to' just posited cannot, of course, be a *logical* 'having-to.' (That brand of rationalism is, I take it, permanently dead.) It must then be some weaker species, some nomological necessity. But does postulating nomological necessity to explain-away what would otherwise quite literally be a cosmic coincidence really help?

At some point, we have our backs to the wall. It seems to me reasonable to think the wall to be at the point where we say, "Well, these countless particles all have the same properties because that's just the way this world is." Others prefer to think of the wall as being one step further removed: "The world is the way it is because it has to be."² Frankly, I just cannot convince myself that this world *has to be* this way; it just *is*.

² In saying this, these persons do *not* mean: "It has to be that the world is the way it is." This latter proposition is a *logical* truth.

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Index

Examples, test cases, and case studies are gathered under the entry "case studies."

Linguistic items, other than sentences, for example, "indexicals" and "variables," are to be found under the entry "terms."

Symbols may be found under the entry "symbols".

a priorism, 6

abstract/concrete objects, 98 accident, 95, 95 n6, 101-3, 121-2, 173, 177, 178, 186, 188 Ackrill, J.L., 125 n5 action, 124, 153 actuaries, 182-3 agency, 171 alternative conceptual schemes, 82-3 n4 analytic connection, 16 n2, 150, 198. see also conceptual analysis antecedent conditions, 5, 11, 38, 67, 95, 100, 104, 117, 119, 120, 123, 127, 130-6, 142-3, 147 n7, 157 irreproducibility of, 172 anthropomorphism, 43, 119, 129, 136 Aquinas, St. Thomas, 118, 202 Aristotle, 122, 125-6 arithmetic. 6 assumptions, simplifying, 6-10, 147 n7 atomic number, 16 n2, 25-6 n9 Autonomy theory, 39, 100, 107, 108, 116, 127, 128, 136-7, 139, 142, 144, 153-5, 157

Bacon, Francis, 148 n8, 152

Bannister, Roger, *see* case studies, Bannister's four-minute mile

Bar-Hillel, Yehoshua, 82 Barrett, William, 159-60, 165 Beauchamp, Tom, *vii* Beauchamp, T., and A. Rosenberg, 39 n2, 107 Bennett, Jonathan, 62 n1 Berk, A., 7 Blanshard, Brand, 124 Born-Oppenheimer approximation, 8 Bradley, Raymond, 122 Bradley, R., and N. Swartz, 3 n2, 49 n2, 122, 138 brain-states, 164 Bridgman, Percy, 6 n4 Buber, Martin, 41 n3 Buchdahl, Gerd, 38

Calder, Nigel, 146

Carnap, Rudolf, 6 n3, 12 n9, 81, 85, 88, 91 n2, 146 n5, 158 n11, 167 n16 Cartwright, Nancy, 4, 192 case studies accelerating electrons, 28-9 backbones of cats, 199-200 Bannister's four-minute mile, 94, 95 buying shoes, 148, 166-7 centaurs, 24 n7 charge on electrons, 203-4 chess playing in a cyclical world, 160-3 choosing a fit punishment, 149 choosing mortality tables, 126-8, 134-6, 140, 147, 148-53 Churchill's reputed intemperance, 93-4 coffee drinking, 146-7 coin flippings in a cyclical world, 34-5 coins in a piggy bank, 186-7 color of cars, 203

case studies (cont.) color variation among isotopes, 159 conditions for ignition, 158-9 decay of radium atoms, 36 drug-induced blurring of vision, 68-70 electrode potential, 159 elm trees, 198, 200-1 elusive elves, 164 emeralds changing from green to blue, 111-13, 114 expansion of metals, 76 fifth-graders' ice cream preferences, 177-8 furnace thermostat, 27 hidden structure of water, Putnam on, 25 n9 life span of moas, 99, 199-200 mass of wholes and parts, 99 Molasses Disaster, 75, 75 n7, 77 New York City, temperature in, 33 n14 Ohm's versus Liar's law, 189-91 recording of Balbastre's 'Piano Quartet', 58 repeating an experience, 159-60 river of Coca-Cola, 51-6, 57, 60, 62, 75-6, 77, 90, 99, 101-2, 166 temperature dependent on shape, 159 tomorrow's sea battle, 122 unknown weaver of a Salish basket, 96 various attempts to swim Lake Superior, 62-6, 73-5, 76-8, 79-80, 89-90 winning the Nobel Prize and the Miss America Pageant, 96, 97 world's most expensive camera, 188 causality, vi, 23 n5, 35, 39-40, 73-4, 112, 125 agency, 171 backwards causation, 23 n5, 143, 175 n1 causal agents, 119 causes versus motives, 116 Manipulability theory, 67 central nervous system, 171 ceteris paribus conditions, 70. see also pervasiveness chaos, 37, 168 Christian apologists, 117 Christian theology, 109-10

Churchill, Winston, see case studies, Churchill's alleged intemperance circularity, 54, 102 classes, 30, 174, 184-5 reference classes, 181 n5 Cohen, J.S., 8-9 Compatibilism, 117 complexity, 153, 195 compulsions, see habits versus compulsions conceptual analysis, 48-9, 54, 71, 103, 108, 124, 130, 172-3, 177, 194, see also analytic connection modality of the results of, 109 role of intuitions in, 57 confirmation. 6 n3 confirming instances, 83, 152, 154 selective confirmation, 108 n1, 152, 154 conscious behavior, 153 constant conjunction, see physical laws, regarded as constant conjunctions contingency, 12, 21, 22, 25, 45-6, 51, 52, 74, 82-3 n4, 108, 109, 110, 131, 132, 138-9, 204 future contingents, 122, 150 contrapredictive, 147 Copenhagen interpretation of quantum mechanics, see quantum mechanics, Copenhagen interpretation Copi, Irving, 54 n8 Cornell, James, 75 n7 cosmic coincidences, 203-4 counterfactuals, 21-22, 28, 68-70, 77, 79, 80, 91, 111, 112, 121-2, 139, 158, 178, 186-9, 194 curve fitting, 6, 183, 191-2, 191 n3 data base, 164, 191-5 specialized definition of, 191 n2 determinism, 11, 31-6, 115, 116-40, 151, 154, 171, 174, 184, chapter 10 (viz. 116-140) contrasted with Necessitarianism, 131,

131 n8 logical versus physical, 122-3determinism for physical laws, 32-6 determinism (*cont.*) Principle of, defined, 32 Principle of, the modality of, 33-6 Principle of, regarded as a methodological precept, 142, 184 for scientific laws, 32 dilemma, 52-3, 55, 130 dispositions, 91-104, 176, 177 flammability, 92-3, 100 fragility, 100 solubility, 91 Dretske, Fred, 30 n11 Dualism, 41-2, 41 n3 Ducasse, Curt, 38, 40, 67

empirical knowledge / empiricism, 13, 16,

25 n9, 32, 39, 67-76, 77-8, 100, 104, 108, 113-14, 114-15, 121-2, 133, 139, 154, 157-8, 172, 194 Encyclopedia of Unified Science, 146 endurance of material objects, 202-3 epistemology, 11, 12, 21, 39 n2, 51, 139 equivocation, 137 ethics, 3 n1, 128, 130 events, 7 n5, 30, 125, 139 event-kinds, 104, 158-9, 181 individual, 7 n5, 28 individuation of, 28 one of a kind, 64-6, 65 n4, 72-3, 77, 79, 89-90, 127-8, 147 random, 122, 130 science as dealing with kinds of, 7 n5, 27-9 sequences of, 23, 136, 174-6, 175 n1, 178, 184 evil, problem of, 117 evolution, 154 Excluded Middle, Law of, 83 n4 Existentialists, 125 expectations, 197-8 experiment, 67-70, 78, 157, 172, 187, 195 experimental set-up, 176-7, 178 explanation, 4, 5, 10, 27, 44, 113-15, 132, 137, 176, 183, 185, 187, 192, 195-200 normic model, 6

extrasensory intuitions, 100 n9

failure versus doom, 62-78

falling under a physical law, 22-36, 111-15, 117, 127, 129, 135, 136, 142, 144, 146, 154, 157, 158, 171, 184, 191-5
falling under non-equivalent physical laws, 193-4
falsification, 5, 11, 200
Faris, J.A., 83
forces, 112
Ford, Henry, 203
forecastability, *see* predictability
free will, 11, 13, 116-68, 171
conditions for, 155, 165-8
evidence of, 161-6
impediments to, 167
marks of, 165

Gasser, F., and G. Tavard, 8

geometry, 6, 6 n3 Giere, Ronald, 176 n2 God, 37-8, 37 n1, 107-110, 117, 118, 137, 152, 202, 203, 204 His omnipotence, 108-110 Goodman, Nelson, 19-21, 111-12 grammatical form, 23, 45 prenex normal form, 54 n8

habits versus compulsions, 165 n14

Hanson, Norwood R., 24 n7, 172 Hempel, Carl, 27, 83, 124 Hobbes, Thomas, 124 Honderich, Ted, 124-5 Hook, Sidney, 124 human behavior, 154 Hume, David, 38, 39, 39 n2, 107-8, 110 Huntington, H.B., and R.K. MacCrone, 155 n9 hypothesis, 152, 154

Idealism, 198-200 identity, qualitative, 204

incommensurability, 82-3 n4 indeterminacy, quantum, *see* quantum mechanics inference, 5, 9-10, 56, 67, 85-8, 109, 132 n9, 143, 148, 150, 154, 168, 195 cross-inductive, 75 'domain-condition', 87 models of, 6 modus ponens, 143 unstated premises, 131-6 infinite regress, 133 'inheritability' of nomicity, 132 initial conditions, *see* antecedent conditions interpretation, *see* observation versus interpretation introspection, 162

Jewish High Holiday service, 37

journals, scientific, 7-9, 7 n5, 11

Kahneman, Daniel, 80

Kant, Immanuel, 165 n14 Kemeny, John G., 14, 33, 33 n14 Keynes, John Maynard, 167 n16 Kneale, William, 40, 50-7, 113 Kuhn, Thomas, 5 Kyburg, Henry, 19-20

language

as promoting metaphysical theories, 41-2 extensional, 91 n2 formal language L, 82 Laplace, P.S., 32, 143, 144, 144 n3, 145, 146, 151, 154-5, 156-7, 182 laws. see also physical laws; scientific laws governing, 11 legal, 112 legislated, 37-8 moral, 37 n1, 81, 86 natural, 3 n1 social, 120, 172 various kinds distinguished, vi Lewis, David, 80 Lewis, H.D., 130 Lin, C.D., 8 logical atomism, 39 logical priority, see priority, logical

Mabbott, J.D., 130 McKinnon, Alastair, 108 n1 McNutt, J.F., and G.W. McCurdy, 8 macroscopic level of description, 144-5, 154 Madden, Edward, 91 marvels, 110-13, 115 Marx, Karl, 135 n10 mass defect, 99 material equivalence, 87 material objects, see endurance of material objects material substance, 39, 104 Materialism, 3 n1 mathematical formulas, 14. see also physical laws, numerical Mechanism, 153 metaphysics, 13, 30, 41-2, 179, 180, 182, 183, 185, 197-8, 202 meter, standard, see standard meter methodological rule, 32, 156, 162, 192 micro level, 144-5 micro structure, 25-6 n9 Mill, J.S., 6 n3, 80 n1, 110, 119, 156-7, 167 n16 Millikan, R.C., 9 n6 Mills, A.P., 9 miracles, 11, 107-110 Hume's definition of, 107 Mises, Richard von, 122 modal fallacy, 132 modality, see (i) physical laws, modal status of; (ii) determinism, modality of the Principle of; and (iii) conceptual analysis, modality of the results of Molnar, George, 38, 40, 50-7, 113 Monte Carlo method, 9, 9 n6

Montesquieu, Baron de, 118

moral responsibility, 13, 36, 116, 128, 130, 171

natural kinds, *see* terms, natural kinds natural rights, 3 n1 Necessitarianism, *vi*, 38-43, 50-204 *passim*

necessity arising out of praxis, 196-7 as mind dependent, chapter 13 (viz. 186-201) epistemic, 121, 195-201 epistemic versus ontological, 197-201 fractional, 176, 181 n4, 185 law-bestowing, 12, 46 logical, see truth, necessary truth natural, see necessity, nomological nomological, 12, 38-9, 46, 49, 50, 53-5, 66-76, 72 n6, 76-8, 101, 113, 132, 134, 185-201 pragmatic role in discourse, 192, 195-201 physical, 46-9, 46 defined relative versus absolute, 58, 87, chapter 4 (viz. 44-9) timelessness of, 198-200 Nerlich, G., and W. Suchting, 54 n7 Newton, Issac, 23 n5, 182 Nicod instantiation, 83 Nominalism, 30, 31 Noncontradiction, Law of, 83 n4, 110 novelty, 13, 148, 159, 165, 165 n15 as lessening uniformity, 167 as a metaphysical category, 166 numbers, 16, 189

observation versus interpretation, 164

occult forces, 182 n5 Operationalism, 6 n4 'ought' and 'can', 128

packing relation

converse of the *QFE*, 84 intermediate between material implication and logical implication, 87-8 Pagels, Heinz, 120-1, 122 Pap, Arthur, 19, 91, 189 parts and wholes, 99-100 Pearson, Karl, 119 Penelhum, Terence, 41 n3 perception, 154 pervasiveness, 69-70, 78, 114, 152, 178-80 physical lawfulness, alleged necessary conditions for, 12, 29, 30-1, 33,

33 n14, 35, 39, 46, 48, 50-1, 53, 89-90, 101, 114, 141-2, 171, 173, 179 conceptual, not an empirical, issue, 16, 172-3 conditionality, 22-5, 31 contingency, 25-6, 31, 51 freedom from singular terms, 15-22, 51 generality, 5, 7 n5, 14, 14 n1, 50, 53 n6 nomicity, 31 truth, 3-12, 20, 50, 190 physical laws. see also laws; scientific laws contrasted with scientific laws, see scientific laws, contrasted with physical laws falling under physical laws, see falling under a physical law formal/material modes, 38, 47, 61 modal status of, 12, 30-1, chapters 4-5 (viz. 44-61), 71-2 necessary conditions for physical lawfulness, see physical lawfulness, alleged necessary conditions for number of, 12-13, 12 n9, 113, 115, 127, 145-6, 155, 167 numerical, 33 n14, 81 n2, 189-95 proprietary, 34, 36, 184 regarded as constant conjunctions, 108, 110, 125 regarded as rules, 120 statistical, 5, 124, 171-85 subject matter of, 30-1 time-limited, 109 n2, 110-12 physical possibility, chapters 4-11 passim, see also possibility, defined, 46, 51 dependent on description, 28-9, 61, 92 truth as a sufficient condition of, 28, 51, 102 unrealized, 28, 51-61, 91-104 varying inversely with necessity, 49, 91, 102, 104 Physicalism, 3 n1, 153 Platonic realm, 198 Poincaré, Henri, 6 n3 Popper, Karl, 5, 38, 54 n7, 70-1, 96, 100, 120, 121, 133-4, 176-7, 181 n5

possibility logical, 52, 109 as mind dependent, 198-9 physical, *see* physical possibility versus actuality, 198-9 possible world semantics, 137-9 possible worlds, 12, 23 n5, 34, 52-4, 92 n3, 95 n6, 98, 110, 112, 133-4, 137-9, 159, 179-80, 193-4, 199 accessibility between, 163, 193-4 alike in their actualities, but differing in potentialities, 100 constructed out of state-descriptions, 82 cyclical worlds, 34-5, 160-3, 168 differing in degrees of uniformity, 158-9 having the same history as the actual world, 157 lacking spatial or temporal relations, 35 n15 restrictions on the set of, 53-4, 54 n7, 70, 79-81, 88-90 specified by state-descriptions, 81 varying in the outcomes of counterpart unique projects, 88-90 varying only in numbers of individuals, 88 potentialities, 91-104 practice of science, 6, 54, 113, 114, 192, 195-201 prayer, 110 predictability, 32, 35, 128, 128 n7, 141-55 dependent on description, 147-53 dependent on past instances, 144, 145-54 necessary conditions for, 143-4, 145-6 prediction, 4, 66, 78, 108 n1, 112, 115, 137, 176, 183, 185, 192 kinds of, 143-4 Prescriptivist theory, 37-8, 107, 109 n2, 116, 136, 139 Principle of Identity, 122 Principle of predictability, see predictability Principle of repeatability, see uniformity of nature Principle of the possibility of forecastability, see predictability

Principle of the uniformity of nature, see uniformity of nature Prior, A.N., 125 n5 priority logical, 135-6, 137-9, 140, 142-3, 144, 154, 157, 177 temporal, 136, 141, 143 probability, 6 n3, 10, 61, 76, 190, 197 Frequency theory of, 176, 181 n5 Propensity theory of, 176-7, 181 n5 relative frequency, 176, 178 short versus long run, 178-9 propensities, 91 n1, 176-7, 181 n5 properties, 30 analytic, 16 n2 conjunctive (bundle), 22-4 contingent, 98-9 contingently connected (paired), 22-5 contradictory, 197 dispositional, see dispositions essential, 98-9 individual, 22-4 intentional, 98 manifest, 91, 96, 97, 100 modal, 132, 134 physical, 99, 191 propensities, see propensities relational, 176-7 propositions, 3, 3 n2, 82, 139 categorical, 24-5, 48, 72-3 conditional, 24-5, 48, 189 convertible, 179-80, 180 n3 'degenerate' conditionals, 24 n7 'elementary', 85 n6 existential, 51-61 general, 14, 14 n1, 21 n4, 56 identity, 122, 125. see also terms, identity predicates kind-statements, 57 quantified, 14 n1 singular, 14 n1, 55-61, 77, 81, 82, 84-90, 96 n8. 189 statistical, 15 universal, 14, 84-90, 150-3 vacuously true, 139 Putnam, Hilary, 25 n9

quantifier-free-equivalent (QFE), 83-4 quantum mechanics, 35-6, 144, 145, 155, 175, 188 Copenhagen interpretation, 172 Quinton, Anthony, 15, 16, 21 randomness, 34, 122, 184. see also events, random Rationalism, 146, 204 Realism as regards the external world, 82-3 n4 as regards universals, 30, 31 reducibility Absolute Reductionism, 81 of one kind of proposition to another, 39, 81-90 of one scientific theory to another, 81 n3 Regularity theory, vi, 36, 38-43, chapters 5-13 *passim* (viz. 50-204) genesis of, 107 its foremost paradox, 127, 155-6 Reichenbach, Hans, 75, 120, 121 religious bent of mind, 118 religious writings, 37 repeatability, Principle of, see uniformity of nature Rescher, Nicholas, 70-1, 132, 195-201 rules, see methodological rule; physical laws, regarded as rules Russell, Bertrand, 40, 82, 84-5, 85 n5, 87 Ryle, Gilbert, 41 n3, 122 Scheffler, Israel, 20, 41 Schlegel, R., 12 n9, 146 n5 Schrödinger, Erwin, 144 science completion of, 146, 197 dynamic versus static, 196-7 natural versus behavioral, 154 practice of, see practice of science scientific laws. see also laws; physical laws as approximations of physical laws, 10-11, 29, 108 n1, 181-2, 194-5

of chemistry, 120, 121, 172

contrasted with physical laws, chapter 1

(viz. 3-13), 19, 21, 108 n1, 113-15, 141, 143 n2, 181, 192, inconsistent sets of, 10 Kepler's laws, 19 necessary conditions of, 10, 32, 108 n1, 114, 115 Newton's laws, 19 Ohm's law, 189-91 of physics, 150, 172 regarded as instruments, 11, 200 regarded as truth-valueless, 5 subject matter of, 30 scientific theories, see theories, scientific Scriven, Michael, 4, 116 n1, 147 self-refuting reports, 162 sense experience, 100 n9 sentence tokens/types, 82 sentences, formal analysis of, 103 Shoemaker, Sidney, 165 n15 simplicity, 108 n1, 114, 192, 194, 201 simplification, 81 simplifying assumptions, see assumptions, simplifying singular expansion of a proposition, 189, 190. see also quantifier-free-equivalent skepticism, 150 Sobel, M., and E. Maletsky, 191 n3 social sciences, 172, 181-4 standard meter, 18 standard second, 18-19 state-descriptions, 81-90, 91-2, 91 n2 closure of. 85-8 defined, 81 redundancy in, 85 n6 Steinmetz, Charles P., 155 n9 Stern, Chaim, 37 Strawson, Peter, 17, 35 n15 Suáez, Franciso, 118 substance, see material substance Swartz, Norman, 23 n5 Swinburn, Richard, 108 n1, 120, 121 symbols \rightarrow , 24 n6 ⊃, 24 n6 ⊿, 46 □. 131

Taylor, Richard, 23 n5, 73-4 terms assificatory, comparative and quantitative concepts, 158 compound predicates, 151 constants, 20, 34, 81, 86, 189 count nouns, 180 n3 demonstratives, 22 descriptive, 15-22, 28, 33 n14, 65 n3, 81, 81 n2, 180 n3, 181, 186 determinables, 158 determinate property, 193 generic names, 176 n2 'grue', 19-21, 111-12 identity predicates, 17-18, 22, see also opositions, identity indefinite descriptions, 94-7 indexicals, 22 individuating descriptions, 34, 35-6, 65 n3-4, 92, 111, 113, 148, 149, 166, 186 logical, 15 mass nouns, 180 n3 mathematical, 15 metaphysical, 197-8 modal qualifiers, 42, 44-5 natural kinds, 26 n9, 93 ordinal predicates, 15-17, 21 primitive vocabulary, 82 proper names, 17, 28, 176 n2 psychological, 197-8 quantifiers, 84, 87. see also propositions, quantified Quine's neologisms, 17, 22 quotation marks, 110 n3 relations, 82 restricted/unrestricted, see terms, descriptive spatial coordinates and relations, 18-22 temporal coordinates and relations, 18-22 truth-functional connectives, 81 vacuous occurrence of a predicate, 21 n4 variables, 20, 189, 190 theories, scientific, 6, 7, 9, 33, 115, 196, 199, 201, see also scientific laws

electromagnetic radiation, 81 n2 optics, 81 n2 phenomenological thermodynamics, 81 n2 quantum mechanics, see quantum mechanics reducibility of, see reducibility of one scientific theory to another statistical mechanics, 81 n2 unified, 146 three-body problem, 19 n3 time-slice, 155 n9, 202 time without change, 165 n15 Todd, William, 80 training of scientists, 7 'Tristram Shandy' Paradox, 82 truth, 3, 9, 10 n8, 12, 114, 181, 194, 200 closeness-to-the-truth, 4, 10 Diodorean theory, 136 fitting the facts, 138-9 logical, see truth, necessary truth necessary truth, 12, 23, 25 n9, 44, 53, 74, 109, 132, 134, 137-9, 204 n2 objective truth, 5 semantic (truth-making) relation, 122, 125, 135, 136, 139 simplicity as a criterion of, 192 timeless truth, 152, 154 truth-grounds, 125-6 vacuous truth, 190 uniformity of nature, 32, 80 n1, 142, 155-68 alleged identity with Determinism, 156-68 contrasted with Determinism, 158-68 degree of, 158-9 regarded as a methodological rule, 156

universe

age of, 133 mindless, 198-200 supposed finitude of, 16, 82

Vanderbilt II, Cornelius, 92

variety, 13, 120-1, 167, 167 n16 Doctrine of limited variety, 167 verbal behavior, 153 Verificationism, 74, 163

Waismann, Friedrich, 21-2 Walker, Marshall, 37 n1 Wittgenstein, Ludwig, 39, 40, 84-8, 85 n5, 85 n6 Wollheim, Richard, 3 n1 Wright, G.H. von, 38, 40, 67-8, 70, 98, 119, 198 n4 Wright, John, 39 n2