



**Ignorance, Agnotology, and Uncertainty: Drivers for Doctoral Research**  
*9 November 2022*

The PhD School and Centre for European and Comparative Legal Studies invite all PhD students within the discipline of jurisprudence to a course on

**Ignorance, Agnotology, and Uncertainty: Drivers for Doctoral Research.**

Course description:

**Introduction**

“It is very difficult to find a black cat in a dark room” an ancient proverb warns. “Especially when there is no cat”.<sup>1</sup> Stuart Firestein likens scientific research to a collective fumbling and stumbling in the dark, a process that stands in stark contrast to the popular perception of the scientific method as a systematic search for knowledge. While this disjuncture is particularly sharp in scientific research, this picture also bleeds into research projects with legal, regulatory and governance challenges at their core. We are encouraged to define tight research questions that ‘fill in gaps’ in existing knowledge, whether these are wrought of new developments or revisit past debates. Yet, in the practice of pursuing such research, however, it often becomes clear that the compelling questions are different than those that served as the point of departure. ‘Adjacent possibles’ loom into view,<sup>2</sup> and the research process refines ignorance into higher quality ignorance that yield further or more specific unknowns. The gap between what PhD projects are perceived to be, and what they prove to be in practice is often the source of anxiety for PhD candidates who feel that their projects are not ‘on track’.

There are also different taxonomies of ignorance that help and hinder this process. Robert E Proctor suggests: ignorance as a native state; ignorance as lost realm or selective choice; and ignorance as strategic ploy or active construct.<sup>3</sup> Donald Rumsfeld famously set out a different typology of ignorance as an uncertainty-generating ploy in relation to the question of WMDs in Iraq: There are known knows (things that we know we know); there are also known unknowns (there are things that we know that we do not know); there are the unknown unknowns (what we don’t know that we don’t know). Noam Chomsky drew a distinction between two kinds of issues: problems (which appear to be within the reach of approaches and concepts that are moderately well understood) and

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<sup>1</sup> Stuart Firestein, *Ignorance: How It Drives Science* (OUP 2012) 1.

<sup>2</sup> Steven Johnson, *Where Good Ideas Come From: The Seven Patterns of Innovation* (Penguin 2011).

<sup>3</sup> Robert Proctor and Londa L Schiebinger (eds), *Agnotology: The Making and Unmaking of Ignorance* (Stanford University Press 2008) 4–26.

mysteries (that remain as obscure to us today as when they were originally formulated).<sup>4</sup> These are but three examples, but they indicate the complexity of ignorance, which we are tightly intertwined with as researchers.

### **Dual-purpose of the Course**

As legal, regulatory and governance researchers and scholars, our engagement with uncertainty, agnotology, and ignorance is at least two-fold. The first, and more straight-forward, parallels the challenges that confront scientists. Ignorance can serve the life-blood of the research enterprise, but ignorance is not a monolithic entity as the typologies presented above suggest. The first purpose of this course is to sift out fertile forms of ignorance from those that are potentially paralysing for a doctoral thesis. Thus, the first objective of this course asks how ignorance can be harnessed to drive legal-, regulatory-, and governance-oriented doctoral research projects.

The second purpose of this course is perhaps more important: how should we respond from legal, regulatory, and governance approaches to uncertainty, agnotology and ignorance? This question looms large over policy-oriented research, across different fractal levels, simply because we must engage with imperfect or incomplete information. That our view of the world is opaque, or occluded, has become the default position from the vantage-point of ignorance but legal, regulatory and governance research projects nevertheless have to clarify policy positions despite these obstacles.

### **Three interfaces between PhDs and ignorance, agnotology and uncertainty**

There are three interfaces between uncertainty, agnotology (the cultural production of ignorance), and ignorance that are worth setting out and tackling in this course. The first concerns the PhD process, and the attitude of the scholar undertaking it, and this involves becoming more comfortable with immersion into states of uncertainty and ignorance. By highlighting the states of uncertainty and ignorance under which research is actually conducted, this course seeks to alleviate some of the anxiety inherent within the popular perception of research as a systematic and orderly construction of knowledge.

The second interface concerns the substance of the PhD project with ignorance and uncertainty. Many legal, regulatory and governance research projects engage with legal fragmentation, politics, climate, and technology: uncertainties and ignorance come with the territory in these areas. At a superficial level, there must be a “Goldilocks’ just-right” level of uncertainty and ignorance to fuel a doctoral research project. The presence of relative certainty and stability in an area would the field a poor candidate for doctoral research; too great levels of uncertainty and ignorance would amount to a thesis project essentially confronting a ‘mystery’ in Chomsky’s distinction where limited progress is likely to be made within the limited time-frame of a PhD. By examining uncertainty, agnotology and ignorance as core factors in a research project, this course will help PhD candidates to frame their thesis questions in a way that could strike the balance between stagnation and frustration. For those PhD candidates further along in their projects, this course seeks to engage with the common denominator factors by providing a range of tools and approaches relating to the study of uncertainty, agnotology and ignorance.

Finally, there is the specific case of agnotology (the cultural production of ignorance) as an engine for policy contestations and post-truth politics. Such types of curated uncertainties and ignorance present more specific problems for legal, regulatory and governance research that has evaded

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<sup>4</sup> Noam Chomsky, ‘Problems and Mysteries in the Study of Human Language’ in Asa Kasher (ed), *Language in Focus: Foundations, Methods and Systems: Essays in Memory of Yehoshua Bar-Hillel* (Springer Netherlands 1976).

systematic study under such terms. What are the vested interests lurking in agnotology, are these possible to readily identify and overcome, and what is at stake with the production and dissemination of ignorance in relation to law, regulation and public policy? The tobacco industry's obfuscation of scientific evidence has been connected to those who peddle in doubt relating to anthropogenic climate change, and has notably examined by Robert N. Proctor, and by Naomi Oreskes and Erik M Conway. While these are the best-known examples, are there distortions or obfuscations of knowledge that afflict an area of study in PhD projects that are currently being conducted? Are there lessons that can be learnt from these case studies that can be applied to overcome such ignorance-generating and uncertainty-perpetuating processes?

Taken together, there are promising gains for exploring ignorance and uncertainty, and their creation and maintenance, in the context of PhD research at the Faculty of Law that will be of direct relevance to a wide range of PhD candidates and research projects.

### **Readings drawn from (indicative only):**

Noam Chomsky, 'Problems and Mysteries in the Study of Human Language' in Asa Kasher (ed), *Language in Focus: Foundations, Methods and Systems: Essays in Memory of Yehoshua Bar-Hillel* (Springer Netherlands 1976).

Adrian Currie, 'Existential Risk, Creativity & Well-Adapted Science' (2019) 76 *Studies in History and Philosophy of Science Part A* 39.

Daniel A Farber, 'Uncertainty' (2010) 99 *Georgetown Law Journal* 901.

Stuart Firestein, *Ignorance: How It Drives Science* (OUP 2012).

Steven Johnson, *Where Good Ideas Come From: The Seven Patterns of Innovation* (Penguin 2011).

Naomi Oreskes and Erik M Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (Bloomsbury 2011).

Robert Proctor and Londa L Schiebinger (eds), *Agnotology: The Making and Unmaking of Ignorance* (Stanford University Press 2008).

Cass R Sunstein, *Laws of Fear: Beyond the Precautionary Principle* (Cambridge University Press 2005).

Cass R Sunstein, *Worst-Case Scenarios* (Harvard University Press 2009).

### **Course Information**

- **Time:** 9 November 2022, 10:00-17.30
- **Venue:** University of Copenhagen, Faculty of Law, Njalsgade 76, DK-2300 Copenhagen S, Room 6B.4.04 (Building 6B, 4 floor, Room 4). [A guide on how to find Campus is available at our website via this link](#) and [a map of campus is available here](#)
- **ECTS:** 1
- **Wi-Fi:** University of Copenhagen is connected to Eduroam, which allows students, researchers and staff from participating institutions to obtain Internet connectivity across campus and when visiting other participating institutions.
- **Registration:** No later than **20 september 2022**. [Please register via this registration form](#).
- Any questions about the course may be directed to Associate Professor Hin-Yan Liu: [hin-yan.liu@jur.ku.dk](mailto:hin-yan.liu@jur.ku.dk)