

ÖSTERREICHISCHE LUDWIG WITTGENSTEIN GESELLSCHAFT
AUSTRIAN LUDWIG WITTGENSTEIN SOCIETY

ZWÖLFTES INTERNATIONALES WITTGENSTEIN SYMPOSIUM
TWELFTH INTERNATIONAL WITTGENSTEIN SYMPOSIUM

**Philosophie des Rechts,
der Politik und der Gesellschaft**

einschließlich eines Seminars:

Methodik und Prinzipien der gegenwärtigen – und einer
wünschenswerten Wittgenstein-Ausgabe

**Philosophy of Law,
Politics, and Society**

including a seminar on:

Methods and Principles of the present,
and of a desirable Wittgenstein-Edition

KURZFASSUNGEN

ABSTRACTS

7. AUGUST – 14. AUGUST 1987
IN KIRCHBERG/WECHSEL, Niederösterreich

AUGUST 7th – AUGUST 14th, 1987
IN KIRCHBERG/WECHSEL (near Vienna), LOWER AUSTRIA

THE NORWEGIAN WITTGENSTEIN PROJECT

Ingemund Gullvåg, Claus Huitfeldt, Kjell S Johannessen, Tore Nordenstam, Viggo Rossvær

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(1) PRESENTATION OF THE PROJECT AND ITS ROLE IN THE EFFORTS OF MAKING WITTGENSTEIN'S NACHLASS AVAILABLE FOR RESEARCH

(Gullvåg, Johannessen, Nordenstam, Rossvær):

The chief objective of the NWP is to make Wittgenstein's Nachlass in its entirety available in machine-readable form. About half of the Nachlass now exists in that form in the NWP (including the extensive material transferred from the Tübingen project after its conclusion in 1980). The project has been going on for six years, and has been funded mainly by the Norwegian Research Council.

(2) A BRIEF INTRODUCTION TO THE TRANSCRIPTION METHODS, THE SOFTWARE AND EDITORIAL PRINCIPLES FOR THE MACHINE-READABLE VERSION OF WITTGENSTEIN'S NACHLASS IN THE NWP (Huitfeldt):

A code system provides references to texts and text segments, a means of indicating peculiarities which cannot be rendered by ordinary computer character sets, and singles out search objects. A filtering programme provides for print-outs at different levels of complexity. Indexing programmes produce indexes and wordlists for use in documentation of and research in texts. A search programme is being developed especially for the project.

(3) DISCUSSION.

Dr. Michael Hartney

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Abstract: AUTHORITATIVE ACTS, DEONTIC STATUS AND LEGAL RULES

Many difficulties in legal philosophy are caused by an inadequate or ambiguous concept of a rule. For a logician, a rule is a kind of sentence (or the meaning of such a sentence). As such it is atemporal. But this is not the concept of a rule which we need in legal philosophy, because legal rules are not atemporal.

I will present a concept of a rule which is connected to the notions of "deontic status" and "authoritative act". The *deontic status* of an action is its being obligatory, forbidden, permitted, etc. In social systems such as law, the deontic status of an action is the consequence of an *authoritative act* (which is typically a speech act). I will suggest that a legal rule is an abstract entity which we interpose between an authoritative act and the deontic status of actions. This will allow me to develop an adequate ontology of rules.

I will show how this concept of a rule manages to resolve some of the difficulties in the legal theory of the Austrian legal philosopher, Hans Kelsen. Reference will also be made to the concept of a rule implicit in Wittgenstein's discussion of rule-following in the *Investigations*.