

# THE POLISH 20<sup>th</sup> CENTURY PHILOSOPHERS' CONTRIBUTION TO THE THEORY OF IMPERATIVES AND NORMS

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## ABSTRACT

Inquiries concerning the theory of imperatives and norms prosecuted in Poland in the 20<sup>th</sup> century covered practically the whole scope of this theory. In a uniform conceptual scheme, the paper shows main results of this research done mostly within the Lvov-Warsaw School tradition.

It begins with presenting the Polish theoreticians' approach to three correlated theoretical situations containing our preferences (opposed to impulses, decisions and tendencies), accepted values and imposed obligations. The second step is discussing their views on means of verbalising these situations, i.e. by help of imperatives, evaluations and norms (opposed to consultatives, instructions and optatives) correspondingly. The paper is closed with examining the Polish logicians' trials of reconstruction of imperative-normative argumentation.

**Keywords:** evaluation, imperative, imperative-normative argumentation, norm, obligation, Polish philosophers, preference, value

The present paper contains a collection of problems connected with imperatives and norms creatively analyzed by Polish researchers of the 20<sup>th</sup> century. In this collection, I propose a uniform conceptual scheme which makes possible to compare various viewpoints from the domain of discussed problems, originally expressed in various terminological apparatuses.

For the whole paper, the convention is adopted that what is stated by the sentence ' $p$ ', ' $q$ ' and ' $r$ ' are states of affairs  $S$ ,  $T$  and  $U$  respectively.

## 1. A preferential situation

The simplest preferential situation—i.e. situation of willingness—is a situation in which the person  $A$  wants  $S$  to occur. A more complex preferential situation is a situation in which the person  $A$  wants the person  $B$  to cause the occurrence of  $S$ .

1.1. The complex of psychological phenomena culminating in the act of willing and leading to the action was provisionally analyzed by Borowski (1923). Willing was perceived by Borowski as a desire directed from the motive towards the aim, with underlying conviction that the aim is reachable.

1.2. The term “willing” (or “volition”) was thought to be non-definable by Cheliński (1925).

1.3. A more detailed conception of willing—or in his words desiring—was presented by Znamierowski (1957). He distinguished the desire from the tendency—i.e. a predisposition toward experiencing similar desires. According Znamierowski, there are the following constituents of a desire: (a) the perceptive element being impressional constituent of the preparatory tension; (b) the psychical impulse, being the core of the desire; (c) the scheme of the “movement tract”, where the desire is realizable (i.e. where the aim of desire may be reached).

## 2. Preferences versus impulses, decisions and tendencies

Willing should be differentiated from inclination, resolution, and tendency. When speaking about the person *A* that the person *A* is inclined towards *x*, we think about a certain inner impulse with its source in a certain penchant. Resolution—i.e. making a decision, an act of volition—is an instant act, contrastively to willing, which is a state that may last for a longer time. The tendency towards something is understood here as somebody’s conscious action toward *S*.

2.1. Modern Polish research on resolutions was first undertaken by Witwicki (1904). Witwicki offers a suggestion that resolutions are precisely acts of will. There are two conceptions of resolutions as regards their psychological status: idiogenetic and allogenetic. The idiogenetic conception claims that resolutions are irreducible psychological elements. The allogenetic conception reduces them to a combination of other simple spiritual phenomenon, or to a specific type of those. Witwicki supported the second conception, also as regards desires:

Desires may be fully factorized down to judgments, presented [i.e. only thought or imagined] judgments and feelings. The core of resolutions (the acts of will in a more narrow sense) shall be the judgment concerning one’s own [random, independent] action (1904, 99).

As Witwicki puts it, the allogenetic conception of resolutions bears far-reaching metaphysical consequences, especially with regard to the problem of free will: on the ground of this conception, the problem becomes the problem of free judgment.

**2.2.** Now, in contrast to Witwicki, Grabryl (1905/1906) differentiated aspiration from, in his words, “mindful” willing (and resolution being its part); the difference still exists even though there are visible similarities. The aspiration is spontaneous and may be directed at an unrealizable object; if it is realizable, it sometimes causes us to lose our inner balance. The willing, contrastively, is reflective (“conscious”), and has only realizable objects; its realization gives us the feeling of “control over ourselves”.

**2.3.** Also Borowski (1923) was an opponent of the allogenetic conception. He rejected equation of a person’s acts of will with this person’s judgment regarding his future actions.

**2.4.** Znamierowski had a different view on the psychological status of a resolution as well. He searched for sources (i.e. foundations) for binding of legal duties (1924) and analyzed relationship between evaluations and norms (1957). On both occasions, he touched upon the subject of resolutions.

The resolution (i.e. decision) was perceived by Znamierowski as a type of establishment (i.e. determination); other forms of establishment are for instance an agreement (or a joint establishment of a common regulation for an action, made by several or numerous persons) and a promise (1924). Resolution of that kind—according to Znamierowski—is not a judgment on our future act; it is an “autonomous experience” of the choice (1957, 455): it is “an experience that puts an end to the tangled situation of reflection”; this reflection is replaced with “the unwavering readiness to act, which will automatically turn into act when the condition for the act are realized” (1924, 25).

**2.5.** Dąbska (1938) referred to Witwicki’s solution agreeing that sentences that express resolutions are utterances (true or false) concerning the future.

**2.6.** Also Ajdukiewicz (1948) wrote about the manner of expressing resolution, and his findings may be, it seems, interpreted as follows:

If the sentence *Z* uttered by the person *O* expresses judgment on a future act *C* by the person *O*, a judgment which was uttered “on the basis of the experienced act of will” of the person *O*, and which is the “germ” from which later springs the act *C* by the person *O*—this sentence *Z* expresses a resolution of the person *O*.

Ajdukiewicz (1965) discusses also other attitudes towards a certain state of affairs, namely the reporting, inquiring, desiring (i.e. wishing) and commanding attitudes.

### 3. Verbalisation of preferences: imperatives

The main method of verbalizing one's will are imperatives (i.e. imperative sentences). The most general form of an imperative is the formula:

(1) Let *S* occur!

A particular case of the imperative (1) is an imperative of the following type:

(2) Let the person *B* cause *S* to occur—in conditions *W*!

A special version of the formula (2), different from it only pragmatically, is a directly addressed utterance:

(3) *B*, cause *S* to occur!

or:

(4) *B*, see to it that *S* will occur!

**3.1.** Cheliński (1925) believed that the basic method for expressing the will are utterances of the form “I want something”. As to imperatives (i.e. commands), Cheliński distinguished autonomous and heteronomous ones; the division stemmed respectively from whether the sender was identical with the executor of a certain will or not. What Cheliński underlined was the difference between the object of willing expressed in the imperative, and the imperative's aim. It mattered because sometimes the command is given not to make the receiver behave in a certain way, but to “mark” that the sender is the commander (resp. codifier).

**3.2.** According to Dąbska (1938), in the case of the imperative of the following type:

(5) Let the person *B* cause *S* to occur if *T* occurs!

“we demand the command to be carried out [...] if the preceding condition is met” (1938, 263). As Dąbska put it—the meaning of the imperative conditional clause is the meaning of the subsequent sentence, while this meaning is determined in a certain way. Therefore, this formula might be taken as a paraphrase of the imperative (3):

(6) Under the condition that *T* occurs—let the person *B* cause *S* to occur.

Dąbska pointed out that there are imperatives both complex and unconditional:

(7) Do it, if you love me!

(8) Get out, if you care for your life!

The person uttering them wants to “appeal to emotions” and “make their command more effective” via the conditional form of the sentence (1938, 263). As

Dąbska noticed, the imperative conditional sentence never take the *casus irrealis*. Therefore, it is impossible to say:

(9)  $T$  does not occur; [however,] let person  $B$  cause  $S$  to occur if  $T$  occurred.

**3.3.** When juxtaposing imperative—in particular commands—with norms, Ziembiński (1966a) noted that, in general, we have to do with commands when the person  $A$  induces the person  $B$  towards a certain action and: (a) the person  $A$  is a person different from  $B$ ; (b) the person  $B$  is present; (c) the person  $A$  induces the person  $B$  without participation of the person  $B$ ; (d) the person  $A$  has “power” over the person  $B$ ; (e) the person  $A$  induces the person  $B$  “with a certain strong suggestion”.

**3.4.** Are imperatives also performatives? The answer to this question lies in our understanding of both the “imperative” and the “performative”. Performatives were interpreted by Nowak (1968) as cultural actions (as opposed to natural ones). He believed cultural actions to include, among others, uttering “understood and understandable” verbal expressions; performatives would be in this situation cultural actions of a “higher order”, constructed over other cultural actions, especially over utterance of other verbal expressions.

**3.5.** Grodziński (1930) was convinced that imperativeness and normativeness on the one hand, and performativeness of the other, are independent from each other. This means that: (a) imperative sentences are sometimes functioning as performatives, namely when the utterance of a certain command leads to the duty that must be fulfilled; (b) sometimes what was indicated in (a) does not apply, therefore the utterance of the command does not lead to an obligation of its fulfillment; (c) performative utterances are sometimes formulated as sentences of obligation; (d) not all sentences of obligation are performative utterances.

**3.6.** Contrary to Nowak, Woleński (1980a) supported the view that performative utterances do bear logical value; they are particularly true when the performative action they refer to is valid (namely, when the action did actually occur).

#### 4. The axiological situation. Evaluations

Axiological situations occur when:

(1)  $S$  is good.

or:

(2)  $S$  is evil.

Axiological situations are stated in evaluations, i.e. in evaluating sentences.

4.1. Czeżowski (1964) maintained that what matters most in evaluations is the modal functor creating sentences out of one sentence argument. It would be short of the type “It is necessary that  $p$ ” (or “What is necessary is  $S$  to occur”)—namely: “It is good that  $p$ ” (or “What is good is that  $S$  occurs”) and “It is beautiful that  $p$ ” (or “What is beautiful is that  $S$  occurs”). Different existential modes of respective state of affairs would be real equivalents of these sentences.

4.2. Ziemiński (1972) perceived evaluating utterances as utterances that express or may express approval or disapproval towards a certain state of affairs. According to him, the logical value of evaluating sentences may only be discussed from axiologically absolutist point of view. In this viewpoint, there is an axiological system which is not relativized to the personal evaluations.

4.3. This position was also maintained by Zieliński and Ziemiński (1988): evaluation is “an experience of faking an emotional stance towards certain factual or imagined states of affairs or events—and therefore of approving or disapproving something” (1988, 40–41).

## 5. A situation of obligation

Let us first consider two notions of obligation *sensu largo*. Suppose that the person  $A$  utters a sentence of the following form:

(1)  $S$  should occur.

Formula (1) is a formula of obligation—i.e. duty—which may be understood as an equivalent of formula (2) or formula (3):

(2)  $S$  will probably occur.

(3) It is necessary  $S$  to occur.

Let us differentiate these two cases as obligation-probability and obligation-necessity. Obligation *sensu stricto* occurs in a situation where:

(4) In conditions  $W$ , the person  $B$  should cause  $S$  to occur.

This might be the result of either of these:

(5) The person  $A$  obliged the person  $B$  to cause  $S$  in conditions  $W$ .

(6) In conditions  $W$ , not- $S$  is evil.

Case (5) is the thetic duty, case (6) is the axiological duty.

5.1. The connection between occurrence of duty and entitlement (i.e. claiming one's rights) and the type of duty was analyzed by Petrażycki (1907a). Petrażycki divided norms into imperative-attributive and (solely) attributive. The imperative-attributive norms are as follows:

- (7) If  $A$  should do this and that, a certain  $V$  has the right to stake out certain claims to  $A$ .

On the other hand, (solely) attributive norms take the following form:

- (8)  $A$  should do this and that and no  $B$  has [because of that] any right to stake claims to  $A$ .

According to Petrażycki, moral norms were such “no-claiming” norms; especially the norm of gospel ethics (1907b).

5.2. Znamierowski (1924) identified the formula of obligation:

- (9) The person  $A$  obliged the person  $B$  to cause  $S$  in conditions  $W$ .

with thethetic norm in form of:

- (10) In conditions  $W$ , the person  $B$  performs (or should perform) an act  $F$ .

The act  $F$  is of course corresponding with “causing  $S$  to occur”, from formula (9). Znamierowski (1957) investigated the relationship between the duty and entitlement in such a way. The fact that the person  $A$  is entitled do something, does not always burden the person  $B$  with the duty of ensuring conditions for the possibility of realization of this entitlement:

The feeling of entitlement may be fully disconnected from the feeling of duty. If according to  $P$  it is good when  $A$  is  $c_1 \dots$  or  $c_n$ , then according to  $P$   $A$  may be  $c_k$ . However, the above does not mean any ensuing somebody’s duty. Since it is good when a child spends his time reading, walking or playing, the child has the right to read. But no obligation corresponds to this entitlement, especially if the child is alone in a room—and there is no one to take the book away from his. Even Robinson in a desert island could have entitlements without anyone’s correlating obligations. (Znamierowski 1957, 258–259)

5.3. Existence of different types of duty does not mean that the term “duty” is ambiguous, as determined by Ossowska (1947):

We do not see any perceptible difference in meaning of [...] the word “should” [in different contexts]. The whole utterances including this word are undoubtedly ambiguous, but the word itself is syncategorematic, and only in phrases may it have any definite sense; one will not find its autonomous sense (1947, 144).

5.4. The context of the obligation used to be called by Ziemiński (1956) and later by Zieliński and Ziemiński (1988) “the range for the application of the norm”. In their opinion, the range for the application of the norm is the class of conditions in which the norm becomes actual; in our case, these are conditions, in which the person *B* has the obligation to cause *S* to occur. Even though he did not use these terms specifically, Ziemiński made a clear distinction between internal and external contexts. He would point to the fact that sometimes it is difficult to mark the boundary between these two types of contexts. What would Ziemiński also notice was the difference between temporal contexts; he noted that there exist obligations which call for immediate realization (e.g. obligations expressed in military commands).

5.5. Grzybowski (1961) supported the traditional view of jurisprudence: the obligatory situation consists of three parts. He interpreted it thus; these parts are respectively: (1) hypothesis “[Let us suppose that) *S* occurs”; (b) disposition “[If *S* occurs, then) *T* should occur”; (c) sanction “[If *T* does not occur, then) *U* occurs”. Grzybowski emphasized the fact that implication of (b) and (c) refer tothetic connections (as established by the legislator).

5.6. Najder (1971) wrote, that the term “obligation” may be understood in three ways, often mixed, visible in the following contexts:

- (11) The person *O* should do this and that—therefore, someone requires from the person *O* to do this and that.
- (12) This and that should occur—therefore, someone expects this and that to occur.
- (13) The object *P* should behave in such a way—therefore, it is necessary (or it is an obligation) for the object *P* (including persons) to behave in such a way.

The term “should” is usually in line of (13) in the so-called postulative definitions:

- (14) *X* should bear the property *C*.

5.7. A certain light is thrown upon the notion of duty by juxtaposing it against permission. Zieliński and Ziemiński (1988) reconstructed various understandings of “is permitted” in the so-called permission regulations. Namely, someone is permitted to do something, when: (a) in a given system there is no norm that formulates prohibition of this action; (b) the former prohibition of this act was rescinded; (c) the former range of the norm was narrowed; (d) “someone obtained competence to act in a conventional way with legal consequences following” (1988, 75); (e) there is no prohibition regarding usage of a given competence;



(f) the addressee of the norm has suitable “psychophysical capabilities” or “economical capabilities” for a given action.

## 6. The genesis of the obligation

The difference between the axiological and thetic duty lies in their respective sources. Let us suppose that the source of a given duty causes this obligation—i.e. that this duty results from that source. Thus since a given duty is a consequence of its source, the source of a given duty is the reason behind it. Let us consider the most general form of duty:

(1)  $S$  should occur.

For axiological duty, the reason for (1) would be the fact that:

(2) Not- $S$  is wrong.

For thetic duty, the reason for (1) would be the fact that:

(3) The person  $A$  wants  $S$  to occur.

When the thetic duty assumes the form of:

(4) The person  $B$  should cause  $S$  to occur.

the reason behind it is:

(5) The person  $A$  obliged the person  $B$  to cause  $S$ .

As opposed to causal and semantic necessities—behind which there are “hard” laws—if there are reasons for axiological and thetic duties, it absolutely does not “force” these duties.

6.1. Let us consider the sentence:

(6)  $X$  should bear the property  $P$ .

According to Znamierowski’s terminology (1924), this sentence may bear for instance logical, axiological or thetic duty. Let us designate these duties with markers, respectively with ‘L’, ‘A’ and ‘T’. Thus:

(7)  $X$  should<sub>L</sub> bear the property  $P$ —iff—there is a property  $Q$  such that  $X$  bears  $Q$  and the property  $Q$  is necessarily associated with the property  $P$ .

Now:

(8)  $X$  should<sub>A</sub> bear the property  $P$ —iff—it will be better (*resp.* the best) if  $X$  bears the property  $P$ .

Finally:

- (9)  $X$  should<sub>T</sub> bear the property  $P$ —iff—[there is a person  $A$ , who decided (*resp.* ordered) for  $X$  to bear the property  $P$ —or when  $X$  bearing the property  $P$  adheres to “established norms of behavior”].

Therefore, the thetic norm of acting is “a rule for incorporating” certain activities “into the system” (1924, 13). If certain action is to belong to a certain conventional system of actions, it should be this and that. Outside of this system there is a “freedom zone” (1924, 99). Znamierowski added also later that:

For the feeling of [thetic] duty to appear, one needs [...] aspiration towards a certain state of things  $s$ , an existential evaluation of this state as well as a complementary evaluation of the state not- $s$  and fear of the latter state (1957, 244).

**6.2.** Cheliński juxtaposed obligations established (by someone) with non-established ones (1925). The latter were in his opinion those obligations expressed in logical, ethical and aesthetic norms. Commands and requests (connected by the will to “provoke another person’s behavior via influencing their psyche”) are differentiated by the “normative element”, which is present in commands and absent from requests. Cheliński defines it as “the norm formed in the consciousness of the giver of the command, determining the addressee’s behavior”. The giver of the order is therefore at the same time a codifier: he “dominates” the addressee of the order. The person who requests something expresses “conditional” willing: Do this and that, if you want to do it! By the way, Cheliński differentiated between commands and demands—the latter did not possess the “normative element”.

**6.3.** Elzenberg maintained (1933) that the notion of duty, at least the axiological one, is a primary, “indivisible” notion:

I do not see any possible interpretation of this term in which it would be just an abbreviated description of some psychological, biological or social facts; it also does not just lyrically EXPRESS certain psychological states, as exclamations do (1933, 11–12).

**6.4.** Kotarbiński (1934) saw four types of necessity: deterministic, logical, technical (without actually using this very term) and practical. The deterministic necessity is according to him characteristic for those “resolutions and actions following them [which] are not free [...] because they result from earlier, unambiguous, causes” (1934, 475). The logic necessity appears when we deal with such a thesis, “the rejection of which [...] would lead to contradiction” (1934, 475). The technical necessity is according to Kotarbiński “effect of obstacles beyond one’s

strength or skills” (1934, 474–475). Finally, the practical necessity is “compulsion to act”: the necessity to choose a certain way in order to avoid unpleasant consequences of a different choice. Among practical necessities (e.g. thetic obligations), Kotarbiński devotes particular attention to legal and moral obligations.

**6.5.** Dąbmska (1938) states that there also exist such imperatives which do not have any corresponding norm, e.g.:

(10) Buy two bottles of milk!

What is meant by the norm here is “a general sentence that states one ought to or ought not to act in a certain way” (1938, 264). Sporadically, a given imperative does have such a corresponding norm. Hence, imperatives such as:

(11) Do not bear false testimony!

are equivalent (of course not logically, as then it would be automatically assumed that they bear logical value *sensu stricto*) to sentences of these types respectively:

(12) One should not bear false testimony.

Occasionally, the imperative is not in conformity with the norm, and what follows, with an appropriate evaluation. We command someone to “Do not-*x*!”, while accepting the norm “One should do *x*”.

**6.6.** In the beginning (1946), it seems that Czeżowski maintained that norms (i.e. rules of action) equal appropriate evaluations of this action:

(13) It should be so that the person *O* performs an act *C* (i.e. performing the act *C* is the duty (i.e. obligation) of the person *O*)—iff—the act *C* of the person *O* is right (1946).

Czeżowski defined the rightness of an act thus:

(14) An act *C* of the person *O* is right—iff—means to, objectives and results of the act *C* of the person *O* are good (i.e. they have the highest possible value).

Later, Czeżowski would moderate his viewpoint on relations between evaluations and norms; he may have been wrong to state that the rightness of an act results in a duty to perform it and not the other way round (1964b).

In Czeżowski’s opinion (1970) there are two criteria of duty of an act: teleological and formal. The teleological criterion is in fact a more detailed axiological justification of an act. According to this criterion, performance of an act *C* is an ethic duty if the means to, objectives and results of the act *C* are good. By contrast, to characterize the ethical duty of an act *C* by the means of the formal criterion—is to provide a norm that commands the act *C* to be performed.

6.7. The diversity of types of obligation with regard to their justification were analyzed in a detailed manner by Ossowska (1947). She juxtaposed the anormative sense of the “duty” against the norm-creating sense. For the anormative sense, Ossowska explicitly distinguished two types of relation expressed by it: a causal and a semantic one—and therefore it would be a causal or semantic necessity.

6.8. Tatarkiewicz (1966) was in favor of the position which located the source of all obligations in values. He would express this position by claiming that norms are “implicated” by proper evaluations.

6.9. Zieliński and Ziemiński (1988) wrote:

In jurisprudence, it is easy to confuse descriptive utterances, evaluating utterances and directives—whereas the word “justification” assumes in fact intrinsically different sense for each of these types of expressions (1988, 5).

Therefore, one must make a distinction between regarding the sentence as true, the evaluating utterances as appropriate (right), the norm as binding and the performative—as valid. Justification of a norm as a binding one might be called “vindicating [this norm]”. What should be distinguished are: (a) argumentation (convincing others); (b) justification; (c) proving. According to Zieliński and Ziemiński, a norm of action is established usually basing on silent factual assumptions. Norms may have—according to Zieliński and Ziemiński (1988)—axiological sources. Thetic justification is yet another method of providing justification to the norm.

Most generally speaking, an adequate thetic justification of a norm established by someone would consist in our readiness to prove that the addressee of the norm is subordinate to the codifier—who may cause significant evil or refuse what is good; also, we would have to demonstrate that the codifier is authorized to established norms for given addressees in a certain field of behavior—that is, that they have power (narrowly understood) over the addressees of the norm. (Zieliński and Ziemiński 1988, 154)

This might happen with or without the addressee’s permission. Investigating the authority of the codifier leads to investigation of other people and brings *regressus ad infinitum*. The norm may be overruled by persons who are or are not competent to do that (e.g. in case of a “revolution”). Sometimes, the overruling equals establishing a new norm which does not conform to the former.

## 7. Criteria of obligation's factuality

Let us consider a situation, in which:

- (1) In conditions  $W$  the person  $B$  should cause  $S$  to occur.

Let us consider more detailed versions of the situation (1):

- (2) The person  $A$  obliged the person  $B$  to cause  $S$  to occur in conditions  $W$ .
- (3) In time  $T_0$  the person  $A$  obliged the person  $B$  to cause  $S$  to occur in conditions  $W$ .
- (4) In time  $T_0$  the person  $A$  obliged the person  $B$  to cause  $S$  to occur in conditions  $W$  and in time  $T_1$ .

In case (4), time  $T_0$  is earlier than time  $T_1$ . The necessary conditions for the thetic obligation from formulas (1)–(4) to really occur—or to be factual—are:

- (5) The person  $A$  is able to cause it so that if in conditions  $W$  the person  $B$  does not cause  $S$  to occur, the person  $B$  will meet with evil  $Z$  from the person  $D$ .
- (6) In conditions  $W$  the person  $B$  is able to cause  $S$  to occur.
- (7)  $P$  does not occur at time  $T_0$ .
- (8)  $P$  is implementable.

The factuality of an obligation must be differentiated from its validity and effectiveness. The obligation is namely valid when its contextual conditions occur; let us notice that absolute obligations are always valid. In turn, an obligation is effective when its addressee fulfilled it. The factuality—or binding—of the obligation should be differentiated also from its realization.

**7.1.** According to Znamierowski (1924), the imperative and particularly the command is establishing a rule of action for the addressee by the sender (i.e. the giver of the order). Znamierowski maintained that for the command to be more than solely “attempt at commanding”, the command must “reach the addressee” (1924, 45). For the addressee the most significant matter is whether to submit to a given norm or not. In the first case, the norm will be judged as right, in the second, as wrong. Znamierowski pointed out that three conditions have to be fulfilled for a given norm to be right from the viewpoint of the addressee; they are the motives for submitting (i.e. yielding) to this norm: (a) the acts ordered by the norm are good; (b) the creator of the norm is an authority; (c) the receiver of the norm is under pressure (internal or external) and “complying with the norm is the least evil behavior” (1924, 37).

**7.2.** In Cheliński (1925), we read that the command comes into force only from the moment when all the conditions of its execution are realized; this includes the

addressee learning about the command. The author also points out that a necessary condition for a situation of obligation to occur—which pertains particularly to a command—is not the existence of the addressee, but the conviction of the sender (the giver of the command) that the addressee exists or may appear. Similarly, another necessary condition is not the addressee being actually informed about the content of the command. The sender must only strive to inform the addressee.

**7.3.** The *thetic* (and more precisely *legal*) duty was identified by Kotarbiński (1934) with the necessity to act in a certain way; otherwise a sanction may be imposed. The moral duty is according to Kotarbiński linked to the special sanction: in case of a breach of a moral norm, the punishment is shame of possible contempt of respectful people (hence the pricks of conscience).

**7.4.** Dąbska wrote about the presupposition of fulfillability without using this specific term. In Dąbska's viewpoint, sometimes the addressee of a given obligation is not capable of realizing the object of obligation or the presupposition of fulfillability is then not fulfilled; it might be so because the addressee is obliged by an another obligation not to realize the abovementioned object. This is proven by the fact that sometimes norms concerning a certain obligation are formulated, even though "one knows that only in certain conditions or even never will the obligation be realized" (1938, 264). Dąbska was also aware that one of the necessary conditions for the obligation to be effective is its accuracy; in particular, the sender must in the given situation of obligation be convinced that they have proper causative power.

**7.5.** Ossowska (1947) distinguishes real obligations (expressed according to her in norms-rules of obligation) from ideal obligations (expressed in norms-rules of ideals). An instance of the former:

(9) If  $A$  should<sub>1</sub> be  $B$ , then  $A$  may be  $B$ .

An instance of the latter:

(10) It might be so that:  $A$  should<sub>2</sub> be  $B$  and  $A$  cannot be  $B$ .

**7.6.** In Ziemiński's viewpoint (1956) expressions such as:

(11) You should have gone there.

are evaluations, and not norms. He believes that an inherent presupposition of an obligation is the presupposition that the object of this obligation is not present here and now. In turn, we do not say:

(12) Stop digesting this food!

Such utterances would signify that we suppose that we admit of conscious control over own digestion. Contrastively, a norm pertains in essence to such behaviors of the addressee which are thought to be his (conscious) action. One should remember that the border between our behavior—understood as action—and behavior which our will does not control is vague.

As Ziemiński (1964) and later Zieliński and Ziemiński (1988) pointed out, the expression “binding norm” is ambiguous. Those who argue over the “existence of the norm” should therefore first define whether they mean the social effectiveness of the norm (whether it is adhered to) or the reasons for it to be followed; it might also be that they argue over the material substrate of the norm, or over the “social fact”—the fact that this substrate affects those who are capable of its appropriate interpretation—or over the probability of sanctions being imposed if the norm is not adhered to. They should also settle for an interpretation of the “change of the norm”, “overruling of the binding norm” and “establishing a new norm” (1988, 167). For the imperative:

(13)  $x$ , cause  $S$  to occur!

and its respective norm:

(14)  $x$  should cause  $S$  to occur.

Ziemiński (1972) indicated the following presuppositions (i.e. assumptions which should be true if the imperative is to be “reasonable” and the giver of the order “rational” and not “pathological”, the latter meaning that he is aiming for something else than  $S$  to become real):

- (15)  $S$  does not occur now;
- (16)  $S$  would be the future state of affairs;
- (17)  $S$  is realizable;
- (18)  $x$  knows what to do to cause  $S$  to occur;
- (19)  $x$  is capable of causing  $S$  to occur, and is capable of causing not- $S$  to occur;
- (20) the giver of the order has “power” over  $x$ , i.e. he might effectively influence  $x$ ’s behavior;
- (21) the giver of the order is in possession of an axiological justification of imperative (13) or norm (14).

7.7. A detail description of binding of norms was made by Lang (1962). The phrase:

(22) The norm  $N$  is binding.

is ambiguous and it can refer to one of the following situations:

- (23) The norm  $N$  needs (or should) be applied—or one conforms to the norm  $N$ .
- (24) The norm has certain value (or validity, meaning).

In case of (23), the phrase (22) is a norm about a norm; in case of (24), the phrase (22) is an evaluation concerning a norm. Analysis of the formulas (23) and (24) led Lang to the conclusion that they cannot serve as *definienses* for the phrase (22), because such a solution would be *circulus in definiendo*. Finally, Lang proposed to define the phrase (22) by means of the phrase:

- (25) The norm  $N$  belongs to a certain system of law.

On the other hand, the phrase:

- (26)  $x$  conforms to the norm  $N$ .

is paraphrased by the phrase:

- (27)  $x$  regards the norm  $N$  as a criterion of evaluation of  $x$ 's own action.

Lang distinguished binding of norms characterized in such a way from their existence (in the basic sense of “existence”). To say that the norm  $N$  exists (in this sense)—is the same as—to say that the norm  $N$  (as a certain utterance) is formulated by somebody, independently of the fact whether the norm  $N$  belongs to a certain system of law.

Binding differs also from legal force. Legal force concerns judicial acts (or sentences of the court) and it means:

- (a) their unindictability (in case of formal legal force);
- (b) their imperturbability by means of changing them by organs of administration of justice (in case of material legal force).

**7.8.** Ziemia and Ziemiński (1964) enumerated the following understanding of the sentence that states that a norm is binding:

- (28)  $x$  established the norm  $N$  and did not overrule the norm  $N$  (when  $x$ —are either we in relation to ourselves or someone in relation to other people; it is someone “who has such a social position that norms established by him are sufficiently often respected”); this binding is “thetically justified”;
- (29) according to a certain evaluation, we should act as the norm  $N$  indicates; this binding is “axiologically justified”;
- (30) a breach of the norm  $N$  is “often enough” negatively responded to in a given community; this binding is “behavioristically justified”.



7.9. A binding norm, as Zieliński and Ziemiński relate (1988), is either: (a) a norm which is appropriately substantiated (justified); or (b) a socially effective norm—“appropriate changes in human behavior occur because of it, and alternatively also that indicated desired states of the matter might be attained via these behaviors”, and it is known as well “when the breach of the norm results in sanctions” (1988, 72) or when is it really adhered to. According to Zieliński and Ziemiński, one should differentiate actualization of a given obligation set out by the norm and concretization of this obligation. In turn, finding application must be differentiated from the binding the norm.

7.10. From Gizbert-Studnicki’s (1983) perspective, the criterion of rationality of a “directive speech act” is that the sender: (a) wants the addressee to behave in a way indicated by the directive; (b) believes that the addressee may behave so; (c) believes that without the directive being uttered, the addressee would not behave in this way.

7.11. A longer list of conditions was compiled by Laskowski (1998), who stated that the “semantics of the imperative mood” assumes the form of:

(31) Cause *S* to occur!

and consists of these features: (a) the sender wants *S* to occur; (b) the sender aims at prompting the addressee to cause *S* to occur; (c) at the moment when the command is uttered, *S* is not occurring; (d) the addressee is capable of causing *S* to occur; (e) the addressee knows that (d); (f) the sender is “socially superior” towards the addressee (as regards command; in case of advice—this condition is redundant, in case of request—the relation is reversed); (g) causing *S* to occur is possible; (h) the addressee is a living creature able to understand the directive.

## 8. Gradation of obligation

The force of a duty is a derivative of forces of reasons behind this duty. In case of the axiological duty, its force depends on the place which the object of the duty has in the assumed hierarchy of values. It is especially so that the greater the evil brought by not-*S*, the stronger the duty to cause *S* to occur. Considering thethetic duty—its force depends on: the level to which the sender wants this obligation, the level of firmness of the imperative revealing this wanting, and the level of “power” that the sender has over the addressee. These factors are independent of each other.

8.1. Cheliński (1925) referred to the intensity of wanting as “the will’s tension”, and noticed that the force of this tension is independent of the potential to realize

the object of the willing: “wishful thinking” might be much stronger than wanting an act which is from this point of view rational (i.e. the object of which is realizable).

**8.2.** The duty, at least the axiological one, has no types or levels according to Elzenberg (1933):

If someone says that one object should be “very much” and another “a little”—both utterances would be wrong (1933, 14).

## **9. Verbalization of the obligation: norms**

For the following to occur:

(1) The person *A* obliged the person *B* to cause *S* to occur.

the obligation must be verbalized. Obligations are verbalized by means of imperatives, norms or declaratives. They are formed as follows, respectively:

(2) Let the person *B* cause *S* to occur!

(3) The person *B* should cause *S* to occur.

(4) The person *B* causes *S* to occur.

The main way of verbalizing (thetic) duties are norms.

**9.1.** Twardowski (1905/1906) maintained that all norms, including the ethical ones, are of hypothetical character. In other words, they might always be interpreted as the following formula:

(5) If *x* wants to attain *T*—*x* should cause *S* to occur.

The “scientific” justification of such formulas was seen by Twardowski in norms such as:

(6) If *p*, then *q*.

**9.2.** Znamierowski (1924) juxtaposed imperatives, norms and declaratives; or as he called them—imperative phrases, normative phrases and declarative sentences (declarations); he did that on the basis of their relation to facts: (a) imperative phrases “project” certain facts; (b) normative phrases “indicate” certain facts; (c) declarative sentences “state” certain facts. Furthermore, the author was against reducing norms to commands. Znamierowski opposed also the idea that each norm is in fact hypothetical. Finally, he acknowledged the following formula to be a verbal expression of obligation:

- (7) According to  $P$ , in the situation  $S$  (the only and determined, or in an individual situation of the type  $T_1$ , or in any situation of the type  $T_1$ ) the state of affairs  $R$  (the only and determined, or a particular case of the type  $T_2$ , or any of the type  $T_2$ ) should (or has the right to) exist (1957, 263).

Znamierowski (1957) compiled a list of obligations which may be treated as consisting of three types of obligations (or respectively norms): indicative obligation, constructive obligation and obligation of competence. Indicative norms state “what should be done in a certain situation” (1957, 501), without indication regarding how to do it. Constructive norms do not state “that an action is to be performed, but how it is to be performed” (1957, 504). It seems that they might be identified with norms of action—about which Znamierowski wrote that they are norms “which indicate what actions should (or have the right to) be undertaken” (1957, 344). Norms of competence indicate that “ $O$  has in the situation  $S$  the obligation or right to make a decision regarding the binding of the norm  $N$ ; this decision might either give, lengthen or remove the binding force of this norm” (1957, 507).

**9.3.** Cheliński (1925) pointed to the variety of the “symptoms of the commanding will”—it is expressed via gestures, imperatives, norms etc.; on the other hand he also noticed how ambiguous these “symptoms” may be, as it is for instance with an imperative which might be used among others “for signifying a request, a demand or an advice”. Moreover, its subject matter might be signaled by the “tone of the voice” or “face expression”.

**9.4.** The difference between norms and descriptions (i.e. declaratives) consists according to Kotarbiński (1931) in the fact that “norms order, prohibit or permit without claiming anything, and the descriptions do claim certain things”. Kotarbiński noted that the formula:

- (8) The person  $O$  should cause  $S$  to occur.

may be interpreted in the two following ways:

- (9) It is recommended that the person  $O$  causes  $S$  to occur.  
 (10) Causing  $S$  to occur was recommended by someone to the person  $O$ .

In the case of (9), we mean that certain action was recommended to the person  $O$ , and in the case of (10), the point is stating that someone issued such a recommendation for the person  $O$ .

**9.5.** According to Elzenberg (1935) duties (norms) are drawn by values (evaluations). We may consider:

- (11) If the state of affairs *S* is honorable (perfect, noble), then the state of affairs *S* is a due state (i.e. it should exist or come into existence).
- (12) If the state of affairs *S* is a due state, and the person *O* is capable of realizing the state of affairs *S*, then the person *O* has an obligation to realize this state of affairs *S*.

Elzenberg would later (1938) consider the issue of whether it is legitimate to reduce a duty to a command (the legitimacy of imperativism). In accordance with imperativism:

- (13) The person *A* should undertake the action *D*— iff—there is a person *B* (different from the person *A*), who commands (or orders) the person *A* to undertake the action *D*.

Consequently, in order to learn about our duties, we should acquaint ourselves with appropriate commands (or orders). As maintained by Elzenberg, there are three versions of imperativism:

- (14) “A sentence that supposedly states a duty [i.e. a sentence of duty is simply a command”: “You should do this” means as much as “Do this!” (1938, 24).
- (15) “You should do this” means as much as “You are ordered so by someone of authority [e.g. God]” (1938, 25).
- (16) A justification of a duty to do this and that is a command to do this and that given by a person of authority.

Elzenberg believed that none of these versions of imperativism may hold.

**9.6.** Wallis-Walfisz (1937) hold that norms may be verbalized in three ways, namely by the means of: (a) imperative sentences (e.g. “Do not kill!”); (b) declarative sentences with special norm-forming functors, such as “one should”, “it is necessary”, “it is fitting”, “it would be polite to...” (e.g. “One should meet one’s obligations”); (c) declarative sentences without the functors mentioned under (b) (e.g. “In a hanged man’s house, one does not speak about the rope”). Moreover, formulas of the type (c) are ambiguous. They carry one meaning when they describe a certain state of affairs, and another in which they are abbreviations of respective formulas of the type (b); for instance, sentence given as example in (c) is an abbreviation for “In a hanged man’s house one should not speak about the rope”. Formulas of the types (b) and (c), in the second meaning, are mutually reducible to formulas of the type (a).

Wallis-Walfisz differentiated normative sentences “that always are of general nature” from sentences he called “commissions”, “which are of temporary nature and the importance of which ends with its execution”. The fact whether a given formula is a norm or an imperative is—in line with Wallis-Walfisz—not influenced

by the fact whether it is directed at a certain (one)  $x$ , or all  $x$ 's (belonging to a certain set of more than one element).

9.7. Dąbska (1938) distinguished from among obligations, and more precisely speaking, imperatives as their verbalizations, individual and general obligations; however, she understood them more broadly: as either limited or unlimited as regards “the given time, place and person” (1938, 265).

9.8. Ossowska (1947) assumed her own, rather reductionist stanza towards duties. In fact, she proposed to reduce obligations to their verbalizations:

For us, the norm shall not be [...] an ideal living in a separate world of obligations, or a “phantasm” or projection, as Petrażycki regarded it. It shall be a certain expression (1947, 127).

From Ossowska's viewpoint, utterances of duty are synonymous or equivalent to (perfectionist) evaluations; or they are based on such evaluations.

With regard to norms uttered in imperative sentences (orders or prohibitions), Ossowska points out that there had been attempts at reducing legal norms to “commands directed at institutions that are supposed to ensure that these commands are adhered to”. This reduction had been criticized by Petrażycki (1907b), Znamierowski (1924) and Elzenberg (1938).

9.9. The fact that the shape of the statement—the grammatical form or presence of particular functors—does not decide whether it is an imperative, a norm or an evaluation, was underlined by Rudziński (1947). Particularly, for a given statement to establish an obligation (or, to be a norm) and not only, for instance, “descriptively state that someone has an obligation towards someone else” (and to be therefore a judgment of the norm)—it must be uttered in an appropriate “social situation”.

9.10. Ziemiński maintained (1956) that a model verbalization of the obligation should have all elements of a situation of obligation clearly indicated. There are—following Ziemiński (1972)—three objects that the norm (of action) must indicate: (a) the addressee of the norm; (b) circumstances, in which the norm is binding (by the way, if they are not indicated *expressis verbis*, the norm is binding in any circumstances); (c) behavior that is the addressee's obligation. Practically speaking, such statements are often of elliptic character.

Ziemiński (1966b) commented thus on the three possible methods of expressing the norm—imperative, duty-like and (supposedly) descriptive: (a) the imperative

form is secondary; as he also pointed out that imperative sentences are used for other different purposes; (b) the duty-like form is ambiguous, i.e. either it indicates a way to behave to someone, or it states that someone is bearing a certain duty; (c) the descriptive form is misleading, i.e. it is in fact camouflaged duty-like form *sensu stricto*. Ziemiński (1972) believed also that the essence of norms, at least of norms of action, is the suggestion (ordering or prohibiting) given to someone about certain ways of behavior. Technical directives of the following structure were taken by Ziemiński (1966b) to be a specific type of norms:

(17) If you want  $T$  to occur, you should cause  $S$  to occur.

These norms are connected with sentences that state dependence:

(18) If  $S$  occurs,  $T$  will also occur.

**9.11.** Grzybowski (1961) warned against the (legal) norms not being distinguished from imperatives; the former may only refer to the past, the latter—to the future.

**9.12.** In Lang's approach, the norm "formulates [...] a rule or principle of action", i.e. it is "a duty-like expression which determines, ordinarily in a correlative manner, entitlements and obligations" (1962, 102) usually for defined subjects. The meaning of the norm is "a pattern of obligatory or permitted behavior (action)" (1962, 103). The norm consists of:

- (a) a norm-forming functor of the type "should (not) be" or "may be" ("has the right to be" / "has not the right to be")—"with positive or negative sign";
- (b) an expression indicating a pattern of action of the shape: "in circumstances  $W$ , the person  $O$  will act in the way  $Z$ " (1962, 103).

**9.13.** The following condition was imposed upon the procedure of rational reduction by Woleński (1966): if we reduce the formula  $F$  to the formula  $G$ , the formula  $G$  should be "clearer" than the formula  $F$ . As Woleński thought also that imperatives to which people attempt to reduce norms are generally speaking less "clear" than respective norms—he thought that imperativism is of no sense.

**9.14.** Out of two paraphrases of conditional norms:

- (19) If  $p$ , then it should be that  $q$ .
- (20) It should be so that if  $p$ , then  $q$ .

Ziemia and Ziemiński (1964) choose paraphrase (20), i.e. the so-called deontological paraphrase, as the most accurate.

**9.15.** “Normative phrases” are according to Studnicki (1968) used either in a weak (or reporting) way or in a strong (or establishing) way. In the first use, they give an account of certain normative states of affairs. In the second use, they perform the establishing function, i.e. they establish certain normative states of affairs—or they perform the reporting function, i.e. they give an account of those states of affairs; the second function is identical to the one performed by weak normative expressions; the first function proves that the usage of such phrases is arbitrary. Special rules decide whether a given normative expression is used in a strong way.

**9.16.** Imperativism was thoroughly and critically analyzed by Najder (1971). He analyzed two versions of imperativism:

- (21) Each evaluating sentence is reducible to a certain imperative sentence.
- (22) Each evaluating sentence implies a certain imperative sentence.

According to Najder, the following facts speak, among others, against imperativism in the version (21): (a) evaluating sentences are grammatically speaking indicative sentences—therefore, they bear logical value as opposed to imperative sentences; (b) sometimes a person who is ready to approve of a certain evaluation is not ready to submit to a command corresponding to this evaluation, and the other way round; (c) it would be difficult to establish what kind of commands were standing behind ethical evaluations concerning the past, as well as behind aesthetic evaluations. Imperativism in version (22) would breach the so-called Hume’s guillotine, which states that duties are never entailed by description. The fact that imperativists are eager to breach this rule stems from their not noticing that an element of duty hides in their seemingly clearly descriptive premises. It hides for instance in phrases such as “to want something” or “to aim at something”. On the other hand, the imperative component is often included into sentences seemingly purely descriptive, and it is more obvious than in evaluating sentences. In contrast to imperativists, Najder supported the viewpoint that imperatives are based on evaluations and not the other way round.

**9.17.** Pelc (1971) would underline the fact that a given statement, for example the word “silence” might, regardless of its grammatical status, retain its meaning even though it is used as an indicative, an imperative or a question.

**9.18.** According to Wolter and Lipczyńska (1980b), the function of imperative sentences is to explain to their addressees “how one should or should not behave”, whereas the function of normative sentences is to express “indication of a certain behavior”. Imperative sentences are useful when it comes to uttering norms, and also for requests or wishes. In turn, normative sentences must be distinguished from sentences describing norms, which state for example in which conditions is

a given norm binding, what kind of addressees it has, etc.

**9.19.** In Świrydowicz's approach (1981), the most general scheme for the normative formula is the following:

(23) When (a)  $x$  is  $A$  and  $W$ , then (b) let  $x$  realize  $B$ !

In this scheme: 'x' represents individual names of particular persons, 'A' is a general name (or nominal function) of an indicated person, 'B' is a general name (or nominal function) for the behavior of this person, and 'W'— is a sentence (or sentential function) that states that a state of affairs independent of the discussed person occurs; part (a) is the predecessor, part (b)—the consequent of the norm. The functor "when... , then..." is a functor creating norm, with its first argument in the sentence, and the second in the commission. All the variables—therefore variable 'x' and any variables standing in eventual functions 'A', 'B' and 'W'—may be properly quantified. For example, formula (23) may assume the form:

(24) For any  $x$ : when ( $x$  remains in the relation  $R$  to a certain  $a$ ) and (for any  $y$ : when  $P$  $y$ ), then  $x$  should realize that ( $x$  will remain in the relation  $S$  to a certain  $b$ ).

**9.20.** Gizbert-Studnicki (1983) presented the following as the actually employed methods of verbalizing obligations: (a) performative ("I command you to do this and that"); (b) imperative ("Do this and that!"); (c) modal ("You should do this and that"); (d) declarative ("I want you to do this and that"); (e) interrogative ("Could you do this and that?"); (f) prognostic ("You will do this and that"). He saw the performative and imperative shapes as clearly declarative; as far as it concerns the declarative, interrogative and prognostic ones, he claimed that the content of directives thus expressed is determined by the content of these sentences, and the context of the utterance only indicates whether it should be treated as a directive, or as a statement, question or prognosis. This might be explained as follows: statements of the type (d)-(f) are treated as utterances that have general meaning in a zero context, which may be later described with greater detail; alternatively, sometimes these utterances have one (basic) sense ascribed (respectively: declarative, interrogative or prognostic), which may be later modified by some contexts of the utterances. Gizbert-Studnicki preferred the second interpretation. All in all, as he noticed, in some situations any declarative sentence may be used to express a directive.

**9.21.** Zieliński and Ziemiński (1988) enumerate the following types of directive utterances: (a) norms of action; (b) technical (teleological) directives, which "order to do something if one wants or one has to cause a certain state of affairs"



(1988, 60); (c) “rules of sense, which construct certain conventional activities, e.g. game rules, linguistic semantic rules, rules of legal proceedings etc.” (1988, 61). Additionally—this action is not instinctive, but “depending on the acting person’s will” (1988, 58). Zieliński and Ziemiński state clearly that a legal norm should be distinguished from a legal prescription, i.e. “the verbalization of a legal norm” (1988, 75). In fact, the regulations need decoding and interpretation in order for the form of a legal norm to be attained.

Zieliński and Ziemiński enumerate the following methods for formulation of norms of behavior: (a) in the shape of an imperative mood; (b) in the duty shape—that “someone in certain circumstances should do something, is supposed to do something, must do something” (1988, 68); this shape might be categorical or hypothetical; (c) in the shape of an ostensible description (which in fact has a default expression preceding the description: “Let it be that...”); d) in the shape of deontic sentence, i.e. a sentence “stating whether a given act is ordered or permitted” (1988, 70). Utterances concerning norms might be both descriptive (e.g. referring to its verbal form, origin, legitimacy) and evaluating (e.g. stating that the prescription is unclear and ineffective).

**9.22.** Opałek (1990) proposed to recognize the following formulas as model normatives, optatives and evaluations:

- (25) Is it established as due—for  $x$  to behave in such and such way.
- (26) May it be thus and thus.
- (27) The object  $S$  bears positive/negative value.
- (28) [The fact that]  $p$  bears positive/negative value.

**9.23.** Zieliński (1992) listed these methods of indicating duty: (a) via extraverbal behavior (e.g. by marking the “wanted” path); (b) via extraverbal signs (e.g. nautical signal flags); (c) via imperative sentences; (d) via sentences of duty (in the categorical or hypothetical form, mutually translatable, by the way); (e) via modal sentences (with the word “must”); (f) via (seemingly) descriptive sentences; (g) via deontic sentences (with words such as “ordered”, “permitted”, “allowed”, “optional”, “indifferent”, “obligatory”); (h) via performative sentences (with the initiating word “herewith”). Zieliński maintained the position that the best, since direct, method to verbalize the norms is the method (h); others do that in an indirect way, often performing also various different functions which are not easy to distinguish from the normative function.

## 10. Norms and consultatives, instructions and optatives

Norms, and sometimes imperatives, verbalize not only (thetic) duties, but also information that brings advices (or consultations). Instructions are a specific type of advice; they include among others doctor's recommendations in medical therapy, culinary recipes, maintenance, production and assembly descriptions of various objects. The instruction might be expressed as follows:

- (1) If the person *B* wants to attain *T*, then the person *B* should cause *S* to occur.

We should differentiate between imperatives and optatives—i.e. constructions shaped thus:

- (2) May *S* occur.

We essentially use optatives when we express our willingness (or wish) for a certain state of affairs, regarding the occurrence of which we have no influence, and neither has the person we are speaking to—or the influence is in both cases limited.

10.1. Already Twardowski (1901) differentiated between commands and wishes, and both of them (as certain mental actions) from sentences expressing them.

10.2. Cheliński (1925) juxtaposed orders, “establishing norms obligating one of the parties by the sheer will of the other party”, with agreements, “establishing norms by unanimous acts of will of both parties”.

10.3. Dąbmska (1938, 266) has in turn stated that recommendations are not obligations *sensu stricto*, and in particular not commands.

10.4. Ossowska (1947) would write in general terms:

The term [“should” has] [...] different hues; sometimes it [...] sounds more imperatively, sometimes [...] it is an expression of wishes or advices (1947, 174).

10.5. Gizbert-Studnicki (1983) recognized as utterances included in the “directive discourse” among others: norms, principles, regulations, commands, encouragements, wishes, suggestions, propositions, requests, supplications, advices, warnings, recommendations, guidelines, cautions and admonitions.

10.6. Zieliński and Ziemiński (1988) juxtaposed optative utterances, i.e. “expressing a wish for a given state of affairs to appear, last or disappear in the future” (1988, 56) with evaluations and directives.

Optative statements:

(3) May it be thus and thus.

are foremostly formulated when there is even a slight possibility for the wish to fulfill.

10.7. Opalek (1974) maintained the position that the so-called directive utterances have special “directive sense”—different from the cognitive (or descriptive) meaning, characteristic of descriptive utterances (or logical sentences), and irreducible to this meaning. The cognitive meaning of an utterance is here identified with its extension (i.e. its logical value) or intension (i.e. their assigned judgments). According to Opalek, the difference stems from the fact that descriptive utterances are “reproductive” in character (i.e. they bear sense due to a relation with something external); contrastively, directive statements are “productive” (i.e. they create their own sense which may not be reduced to extension and intension).

Opalek points to a significant pragmatic function of directive utterances: “the ability to influence human behavior” and ability to express “volitional experiences”; however, both of these perform also an informational function, which must be effective in order for the utterance to perform evocative function (the utterance must be understood to perform the latter).

## 11. Imperative-normative argumentation

The “logical consequence” in the narrower sense of this term one understands as the relation between the antecedent and consequent of a logically true implication — which has therefore a tautological scheme, i.e. a scheme of entirely true sentences. If a certain sentence ‘*p*’ is true, and the sentence ‘*q*’ logically follows the sentence ‘*p*’, then the sentence ‘*q*’ “inherits” the truth from the sentence ‘*p*’. “Logical consequence” in this sense does not occur between imperatives, since they do not bear any logical value *sensu stricto*: they are neither true nor false. However, the sense of “logical consequence” and “logical value”, respectively, might be extended so that it would ensure the “inheriting” of properties of imperatives and norms. This applies to all characteristics taken into consideration when judging the wishes and duties expressed via imperatives and norms.

11.1. Nuckowski (1903) believed sentences of duty (or “practical judgments”, as he called them) to carry logical value. He wrote that they state “the duty of the presence of the predicate in the subject”.

11.2. First attempts at the construction of imperative logic we may find in Borowski (1924). Speaking more precisely, they are certain elements of what he called praxeological algebra. Its basic notions are among others: the act, lack of act, abandonment of an act, a reverse, substitute and alternative act towards a given act, a successful (or unsuccessful) act and—what matters most for the theory of imperatives—an acceptable act (“the zone of freedom”), a prohibited and an ordered act (identified by Borowski with duty).

This provisional system was to be followed by Bautro’s system, signaled (1934), but finally probably not constructed, or at least not published.

11.3. Both in his (1924) and (1957) work, Znamierowski maintained in a consistent way the position that one may speak about the truth of norms. However, he understood the “truthfulness” in a special way:

(1) The norm  $N$  is true—iff—the norm  $N$  is binding.

11.4. Kotarbiński (1929) differentiated norms in proper sense of the word from the so-called normative sentences. Norms *sensu stricto* are “utterances of the type of commands, advices, warnings etc.” (1929, 445). They are neither true nor false (1931); they may not be justified or avoided (in the sense of proving respectively their truthfulness or falsity). “They might be only combated or propagated” (1929, 446). In turn, normative sentences are sentences of the following type:

- (2) For this and that to happen, such and such active behavior is necessary.
- (3) For this and that to happen, such and such active behavior is enough.
- (4) Such and such behavior would be awful.
- (5) To behave so and so in this situation would be honest.

The first two normative sentences are material, the two latter—emotional. Moreover, from among normative sentences we might distinguish general sentences (concerning all possible cases of behavior) and individual (concerning on certain single eventuality). And in turn, normative sentences are in contrast with the norms *sensu stricto* true or false; they might also be justified or avoided.

Kotarbiński believed that it is necessary to construe a calculus of imperative sentences (1947); in terms of such a calculus, one needs to reconstruct inferences in which the premise is a description and the conclusion is an imperative sentence; it would also include an explanation of why reverse structures, i.e. with the imperative sentence as the premise, and the description as the conclusion, are felt to be incoherent. Kotarbiński suggested that correct inferences of the first kind might be ultimately presented as inferences operating with descriptive sentences only.

According to the general rule of descriptive paraphrasing of imperatives, proposed by Kotarbiński (1966), every imperative, recommending a certain action to achieve a certain state of affairs, has an equivalent in a sentence (in logical sense) stating suitability of this action for achieving this state of affairs. Such an approach avoids the so-called paradox of imperative disjunction. On the ground of sentential calculus, we have: if  $p$ , then  $(p \text{ or } q)$ . The problem arises of possibility of inferring the imperative:

(6) Post the letter or burn it!

from the imperative:

(7) Post the letter!

According to Kotarbiński, the conjunction “or” in imperative contexts indicates the possibility of free choice between actions recommended by arguments of our disjunction—in aspiring to achieve a certain state of affairs. The paraphrase of the imperative (6) would be the sentence:

(8) Posting a letter is suitable for achieving a certain state of affairs or burning a letter is suitable for achieving this state of affairs.

Let us suppose that the imperative (7) recommends a suitable action for achieving the state in which a given letter will be delivered for its addressee. If so, it is not true that for achieving this aim, we can choose between posting a letter and burning it.

**11.5.** Sztykgold claimed that “so far no one has gathered the theses of formal logic which would find application in the theory of norms” and that “no one has established conditions for the equality of norms” (1936); he must have overlooked Borowski’s attempts. He himself maintained that all the theses of the propositional calculus apply to norms, since the norms have their equivalents of the “truth and falsehood criteria”, namely the “rightness and wrongness criteria”. He would use the theory of relations in the domain of norms, because he was convinced that the relation of entitlement, significant here, is the reverse of the relation of duty (i.e. the relation of entitlement is definable via the relation of lack of duty, and the relation of duty—via the relation of lack of entitlement).

**11.6.** Dąbska adopted a stance on the semantic status of sentences of duties, and she claimed that “accepting or rejecting imperative categorical sentences out of necessity depends on emotional and not cognitive factors” (1938, 265–266).

**11.7.** Since norms are translatable to imperatives, and the latter are not undergoing qualification with regard to truth and falsity (understood literally)—also norms have no logical value, claimed Wallis-Walfisz (1937).

11.8. Furthermore, Petrażycki (1939) believed that when discussing norms (and evaluations), not “the criterion of concordance with reality” applies, but e.g. “the criteria of rationality and irrationality, rightness and wrongness”. He divided sentences (and “positions” expressed therein) into, firstly, objective-cognitive, describing what exists, and subjective-relative, in which “we discuss our subjective relation towards something existing or imagined”; he included “critical” sentences, i.e. evaluations and “postulate” sentences (or the “requirements”) in the latter. Evaluations express emotions directed at something that existed or exists (or is imagined as such); requirements contain emotions directed at (un)realization of something that is not yet there. In Petrażycki’s opinion, the traditional logic ignored evaluations and requirements, hence it was a “lame” logic. For it to become an adequate theory, it would have to include these too and become a “positional logic”, the theory of all the theory of all sentences (or positions). One ought to remember that different positions may be expressed in one sentence simultaneously.

11.9. Similarly, according to Ossowska (1947), norms are not judged with the truthfulness/falsity criteria understood in the sense applied to sentences in logical sense of the word. The logical value of the norms might consist in their rightness/wrongness. Only and all the norms binding/concerning everyone are right.

11.10. Rudziński (1947) perceived the norm’s binding or non-binding (treated as a relation between the norm and its addressee) as a feature analogous to the logical value of descriptives. Also the principle of excluded middle would exist in the normative system: if a given norm bears sense, it is binding (in this system) or not. The logical value *sensu stricto* might be referred to when discussing judgments of norms (or obligations), and in particular, hypothetical judgments of logical relations between different norms.

Rudziński underscored the fact that the same norm might be justified in many ways; via a reference to the “very value of recommended behavior”, or the “fact that it was established” by a given codifier.

11.11. It is sometimes said that evaluations are not only the reasons behind the norms, but sometimes norms are simply equal to some evaluations. According to Lande (1948) this viewpoint is faulty.

11.12. A proponent of the viewpoint that the norms (or “normative sentences”), i.e. “sentences stating what a human being should do, has the right to do or might do or not do”, do have logical value, similarly to “theoretical sentences”—was Kalinowski (1953). This viewpoint was for him a starting point for constructing a formalized deductive system of normative sentence-forming functors with

two name-forming arguments; examples might be: “ $x$  should (not) do  $y$ ”, “ $x$  is permitted (not) to do  $y$ ” and “ $x$  might (not) do  $y$ ”.

**11.13.** According to Ziemiński (1956), the expression:

(9) The norm  $N$  is binding.

has at least three possible meanings. The particular meanings are:

(10) The norm  $N$  is binding<sub>1</sub> iff the norm  $N$  has thetic justification in a certain act of stating (i.e. due to an authority or power of the codifiers).

(11) The norm  $N$  is binding<sub>2</sub>, iff the norm  $N$  has axiological justification in a certain evaluation (i.e. what the norm orders is good and what the norm prohibits is evil).

(12) The norm  $N$  is binding<sub>3</sub>, when the norm  $N$  is realized in cases where it finds application.

Ziemiński (1964) would strongly emphasize the fact that for a given duty many different evaluations may be indicated as justifications; when attributing such and such a reason to someone, we extrapolate our own preferences, and we suppose that the giver of the norm is a rational, and consistent, person.

**11.14.** Sztykgold’s and Rudziński’s considerations were critically evolved by Lang (1960). He was interested, among others, in the problem of negating norms—by means of sentential as well as nominal negation. He distinguished negation of norms from negation of binding of norms. Lang treated negation of binding of norms as equivalent of sentential negation of norms, the last negation itself not being a norm. Lang (1962) belonged, otherwise, to adherents of the view that norms have not logical value. He wrote:

Norms serve not to describe reality, but to regulate human action, i.e. to actively form social reality (1962, 103).

**11.15.** Czeżowski identified the norm with a sentence stating “the duty of a prescription or a binding rule” (1964b, 144). In his viewpoint, normative sentences usually possess logical value. Normative sentences of the type (a) state a duty; normative sentences of the type (b) “declare the state of affairs ordered by a norm-giving instance” (1964b, 144).

**11.16.** Ziemia and Ziemiński (1964) maintain the position that if the deontic logic is to find usage in the jurisprudence, it must be a theory of consequences for the norms perceived as sentences, which are devoid of logical value, i.e. which are neither true nor false. This theory must not be just a theory that explains how

one norm follows other on the basis of one sentence, even though the logic of consequences must somehow refer to such a theory regarding the norms themselves. Let us assume that the general form of the norms is as follows:

- (13) It should be so that  $p$  (where declarative sentences constitute the range of variability of ' $p$ ').

The interpretation of consequence in the domain of norms would then be as follows:

- (14) The norm "It should be so that  $p$ " is followed by the norm "It should be so that  $q$ ", when  $S$  is followed (in particular logically) by  $T$ .

To avoid paradoxical consequences in such an interpretation, one should remember about one reservation: even though a breach to the norm  $N$  is followed by a breach to the norm which is the reason behind the norm  $N$ —behavior in accordance with the norm  $N$  is not followed by adherence to the norm which is the reason behind the norm  $N$ .

**11.17.** Ziemiński (1966b) distinguished among others two types of normative consequence—instrumental and axiological: (a) the norm  $N_1$  is instrumentally followed by the norm  $N_2$ , iff not-realizing of the norm  $N_2$  is the reason for not-realizing of the norm  $N_1$ ; (b) the norm  $N_1$  is axiologically followed by the norm  $N_2$ , iff the good disturbed by the norm  $N_2$  not being realized is bigger than the good disturbed by the norm  $N_1$  not being realized.

**11.18.** According to Studnicki (1968), an equivalent to the logical value in "normative phrases" is whether certain normative states of affairs fulfill or do not fulfill these expressions (i.e. whether these normative states of affairs occur).

**11.19.** Ziemia (1968) perceived the main function of the deontic logic systems as the precization of legal terms and reduction of "inconsequences in the intuitive using of some methods of inference". A signal for inadequacy of certain notions proposed on the grounds of these systems, against notions used daily in law, are paradoxical theses, i.e. theses true for these systems only, false as interpretations of some common beliefs.

Ziemia (1969)—as well as Wolter and Lipczyńska (1980b)—see the deontic logic as logic calculi with constants such as "obligatory", "permitted" and "allowed"; so they operate not directly on imperatives, but on sentences about imperatives. The particular proposed systems of this logic differ from each other among others about whether the deontic constants have names as their arguments (therefore, are certain acts obligatory) or perhaps they have sentences as their arguments (therefore, perhaps certain states of affairs are obligatory).



The first deontic calculi come from von Wright and Kalinowski (1953). Ziemba thought von Wright's systems to lack a satisfactory interpretation of constants used in these systems and related calculi (e.g. calculus of deeds and changes), as well as the sense of relativizing the truthfulness to a "certain occasion", or the notion of the norm breach and of consequence in the field of norms. Ziemba proposes his own deontic system called "deontic syllogistics", a certain extension to the calculus of quantifiers. Ziemba thinks one of the advantages of his deontic syllogistics to be the fact that the range of variables is constituted here by a set of people (and not acts, as in Kalinowski and Hintikka), and that the language of this system allows for formulation of general sentences of this form: "Every  $X$  has the duty to be  $Y$ ".

Since the "logical consequence" is defined for contexts in which one says that a sentence is admitted as true because another sentence was perceived to be true, according to Ziemba (1983) there might be no logical consequence between norms (considered as synonyms to respective imperatives). Hence the normative logic exists only so far as it may be reduced to deontic logic.

**11.20.** According to Najder (1971) the natural course of an argumentation including imperatives reads as follows: imperative (imperative sentence) — norm (sentence of obligation) — evaluation (evaluating sentence):

(15)  $x$ , do this and that!—because  $x$  should do this and that — because this and that is good.

**11.21.** Kalinowski (1972) carried out a critical and very instructive review of different systems of the logic of imperatives and norms.

**11.22.** An utterance such as:

(16) It is true that  $x$  should cause  $S$  to occur.

is—according to Opałek (1974) sensible, when it states one of the two:

(17) The order " $x$  should cause  $S$  to occur" was given.

(18) The order " $x$  should cause  $S$  to occur" is reasonable, right or useful.

**11.23.** Woleński (1980) supported the position that the answer to the question "Have norms got any logical value?" depends on whether we consider the norms *sensu stricto*, or *sensu largo*, thus these consequent norms of the type:

(19) It should be thus and thus.

(20) It should be thus and thus—on the ground of a certain normative system.

According to Woleński, "there are rather no doubts about the truthfulness of the latter", but he rejects the notion that the former may have any logical value, as

a non-cognitivist. Therefore, the logic of the norms *sensu stricto* might not be identified with the deontic logic, which is primarily the logic of truth-value.

Woleński (1982) enumerates “permission”, “order”, “prohibition”, “obligation” (i.e. “order or prohibition”) and “indifference” as basic notions of the deontic logic. Logical relations between sentences “The act *A* is ordered”, “The Act *A* is prohibited”, “The Act *A* is permitted” and “The act not-*A* is permitted” might be according to Woleński (1983) represented in a logical square isomorphic towards a square that represents logical relations between categorical sentences. The logic of duty — as a codification of a non-contradictory normative system — would be an extension of deontic logic.

To (Kotarbiński's) question on the negation of the norm Woleński answers with a negative: “There is no such thing”; as a consequence—in the normative logic there is no counterpart of the law of excluded middle, because one may not formulate it in this language.

**11.24.** Wolter and Lipczyńska (1980b) stated that an analogue for the logical value would be for norms their binding of non-binding.

**11.25.** Zieliński and Ziemiński (1988) judge the deontic logic thus. The following strategies are used for these matters: (a) one constructs the deontic logic analogous to the modal logic and assumes that it would to a certain extent convey the structure of legal reasonings; (b) one constructs the logic of norms *sensu stricto*, and use it to reconstruct the inferential rules that govern the way in which we hold certain norms to be binding (in a certain system)—and one tries to retain here as many “found natural intuitions” as possible. The disadvantage of the first strategy is that the level of applicability of the obtained theory to the facts in the field of norms is very much limited. The disadvantage of the second strategy is that it is based on a doubtful assumption that “the notion of a set of binding legal norms equals a very systematized system of legal norms” or on the assumption of the ideal rationality of the lawgiver.

**11.26.** Kalinowski (1990), differing here from Ziemia (1983) treats the deontic logic (understood as the logic of norms) as “logical basis” for common, everyday legal reasonings. He maintains additionally, that the theses of the logic of norms, just as the theses of the classical logic—refer to reality, but to a different aspect of it—namely to certain “normative relationships”. Thus the so understood “legal logic” is juxtaposed against the logic of persuasion (or convincing) and the “logic” of interpretation of legal texts.

11.27. Laskowski (1998) recognizes imperative sentences as non-factual ones (i.e. they do not state the existence of any situations), which demand the listener to perform some necessary actions necessary for the content of these sentences to become true. The condition for their sensibility (i.e. the sensibility of an order, a request or a wish) is that the situation which they determine does not exist yet. Deontic (volitional) modality (“signaling the desired action”, revealing the “intentions of the speaker”) is (in the Polish language) expressed via: (a) the imperative mood; (b) the lexical means (cf. expressions “must”, “may”, “is allowed to”, and “needs to”—and “let”, “hopefully” and “perhaps”).

\* \* \*

The review of results of research on the theory of imperatives and norms done in Poland in the 20<sup>th</sup> century firstly and foremostly presented in this paper, indicates, firstly, that the research covered practically the whole scope of this theory. Secondly, it shows that the research went in two directions complementing each other; it aimed at the possibly most precise description of intuitions driving competent users of imperative and normative utterances (and its derivatives); additionally, it wanted to construct adequate calculi kept in logical reins by these intuitions. Research went significantly far in those directions, sometimes on the roads prepared by Polish own research tradition (most prominently, by the Lvov-Warsaw School tradition), sometimes on the roads prepared by thinkers from other countries.

What we discovered was that these two directions were usually parallel, and crossed at certain points only. One of the “external” reasons behind this—undesirable from the theoretical point of view—state of the matter is the World War II and its consequences of the first half of the 20<sup>th</sup> century; it broke the continuity of the Polish thought. There was also an “internal” reason: unfortunately, Polish community did not manage to gather and commit themselves to the task of removing—or at least minimizing—a flaw which always looms over such research; I mean here the ambiguity and “poly-terminologicality”. Such chaos has been hindering and still hinders progress in finding explanations for many issues within the theory of imperatives and norms.

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