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ABSTRACTS  
FRIEDRICH WAISMANN'S LEGACY AND PRESENCE

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*Thursday, 15th to Saturday 17th of September 2016, in Vienna, Austria*

ODAI AL ZOUBI  
(University of East Anglia)

*Open concepts and family concepts: Austin, Wittgenstein and Waismann*

*Family* concepts and *open* concepts have been discussed by Ludwig Wittgenstein, Friedrich Waismann and J. I. Austin. commentators in the secondary literature tend to associate *family resemblance* concepts with *open* concepts to various degrees.

I will argue that there is no indication in the writings of the three philosophers that they identify associate the two kinds of concepts. Indeed, I will argue that we should follow their lead and treat the two types of concepts independently: there is no logical connection between the two kinds of concepts. To do this, we need first to elaborate the notions of a family concept and that of an open concept independently, and then analyze the relation between them.

My aim is threefold: first, to illustrate the richness of the discussion on family concepts, which goes beyond family resemblance concepts, the main type of family concepts philosophers typically focus on. Second, I seek to show that the analysis of open concepts goes beyond several extraordinary cases that subsequent philosophical analysis has been emphasizing. Finally, I analyze the relation between the two kinds of concepts, clarifying why there need be no necessary association between them.

BRIAN BIX

(University of Minnesota Law School)

*Waismann, Wittgenstein, Hart, and Beyond:  
The Developing Idea of the 'Open Texture' of Language and Law*

Legal scholars know of Friedrich Waismann's work because of his concept of "open texture" – which Waismann had originally called "the porosity of concepts" (die Porosität der Begriffe). The paper will follow the path of the concept of "open texture," focusing first on the concept's development out of Ludwig Wittgenstein's middle period writings, Waismann's analysis of "hypotheses," and verification notions of the Vienna Circle. The paper will then focus on how the idea became transformed when H. L. A. Hart's relocated it to the context of judges interpreting and applying statutes. Problems in Hart's discussion will be traced to a conflation in his work between word meaning, sentence meaning, and speaker meaning. Finally, the paper will explore how well the concept of open texture has held up under more recent developments in both philosophy of language and philosophy of law.

EUGEN FISCHER

(University of East Anglia)

*Linguistic Legislation and Psycholinguistic Experiments:  
Developing Waismann's Approach*

Building on some Wittgensteinian ideas from the early 1930s, Waismann developed a distinctive metaphilosophy: Through case-studies on particular philosophical problems, he identified a characteristic problem-structure and -genesis, and presented a distinctive dialogical method for dissolving problems of this kind. This method turns on exposing the need to clarify the meaning of philosophical questions or claims, and meeting this need by proposing linguistic rules and explanations which the problems' proponents are free to accept or reject. The approach combines such facilitated linguistic legislation with the explication of implicit rules of language.

This talk further develops this neglected but intriguing approach through a case-study on the 'problem of perception': It shows that this problem has the characteristic features identified by Waismann, applies his approach to it, and further develops the approach in the process. In particular, the paper discusses how psycholinguistic experiments can be used to explore content and import of relevant implicit rules, and shows how their combination with facilitated linguistic legislation in the style of Waismann

facilitates a novel resolution of the problem. On this basis, the talk clarifies potentially complementary roles for naturalistic and rationalistic methods in a diagnostic philosophy that – in Waismann's spirit – seeks to dissolve (some) philosophical problems but is not merely negative in intent.

STEFAN GOLTZBERG  
(Université libre de Bruxelles)

*How useful is Talmudic reasoning to cast light on Waismann's  
verifiability notion?*

The Talmudic literature is expressed in a casuistic formulation (Moscovitz 2002, Simon-Shoshan 2012), which highly relies, like Roman law in Antiquity (Daube 1956), on paradigmatic examples or samples (Goodman 1976) rather than abstract concepts, the latter being increasingly used in the Medieval Roman law (Berman 1983, van Caenegem 2002). Still, in spite of this typically pre-modern wording, the discussion by the Gemara (commentary in Aramaic) of the language of the Mishnah (written in Hebrew) is extremely technically advanced (Weiss Halivni 1991, Steinsaltz 2014) and much remains to be learned from it. One of the most widespread devices of the Gemara's hermeneutics is to wonder whether each word of the Mishnah is determinate or indeterminate. *Davka* means in Aramaic “precisely” or “determinate”, whereas *lav davka* means “not necessarily”. Waismann's notion of Porosität rendered into English as open texture is helpful in order to understand better the Talmudic hermeneutics. On the other hand the technique of the Gemara, based on the pervasive distinction between determinate (*davka*) vs indeterminate (*lav davka*) of the Mishnah will throw a new light on the way Waismann's concept of open texture (Waismann 1945) was understood in legal interpretation (Schauer 1991 & 2013).

MIRJA HARTIMO  
(Norwegian University of Life Sciences)

*Friedrich Waismann and Edmund Husserl's philosophy*

Husserl's reading marks on Waismann's *Einführung in das mathematische Denken: die Begriffsbildung der modernen Mathematik* (1936) show that he was interested in the philosophical consequences Waismann drew from Gödel's incompleteness results. In the summer of 1936 Husserl for the first time mentions in writing the

incompleteness of the *exactness* of pure mathematics. If this is thanks to him having read Waismann, the texts written in the fall of 1936 and afterwards, in particular the Galileo paragraph (§9) added to the Crisis in the fall of 1936 and the *Origin of Geometry* could be inspired by Waismann. While the Galileo paragraph is a meditation on the grip of the ideal of complete axiomatization on us, the *Origin of Geometry* brings the role of the language to the fore. The latter also seeks for the pre-Euclidean experience on which to ground the new apriori science. A slight change in Husserl's approach to foundations can be detected: instead of viewing an axiomatic system as a normative goal of exact sciences, he now regards axiomatics as a mere instrument for exact sciences. Husserl however did not turn into relativism, as the *Origin of Geometry* and its aspiration to find eternal truths shows.

ULRIKE HEUER  
(University of Leeds)

*Motives and Interpretation*

In his essay "Will and Motive" Waismann argues that we should understand "actions as part of the [motives]" that explain them. He claims that the explanation of an action in the light of its motive is not a kind of causal action explanation. I will look at his arguments for these claims, as well as the alternative view of motivational explanations as interpretations that he proposes.

GÉZA KÁLLAY  
(Eötvös Loránd University)

*"I wanted to hear your judgement": Waismann, Kafka and Wittgenstein on the Power and Powerlessness of Language*

First I will make an attempt at evaluating Waismann's Kafka-essay from the point of view of the literary critic: what is the value of his interpretation if we compare it with other readings of *The Trial* and which schools of literary criticism can be felt behind it? How do his views on causality relate to Kafka's writing technique, which is famous for suspending causal relations in the narration of events? Then I would like to turn the tables and approach Waismann's notion of proposition and statement from the point of view of Kafka's attitude to Urteil, 'judgement', both from the grammatical and the moral point of view. Since Waismann's indebtedness to Wittgenstein's leg-

endary, especially the *Tractatus* and Wittgenstein's Notebooks will be brought into the discussion. The concluding part of the paper will ask how proposition, sentence, judgement, ethics, cause, effect, and the question of the meaningfulness of human life might be related in the above mentioned writings of Waismann, Kafka and Wittgenstein.

SERGEI KASATKIN

(Samara Academy of Humanities & Samara Law Institute of FPS of Russia)

*"Open Texture" in Law and Philosophy: Hart and Waismann*

The presentation discusses connections between "open texture" doctrines of Friedrich Waismann and Herbert Hart. It criticizes a traditional view that (1) Hart's doctrine is mostly limited to the eponymous subchapter of his 1961 treatise, *The Concept of Law*, and (2) its main concept or idea is borrowed from Waismann (his essay *Verifiability* 1951 (1945)). Basing on some historical and methodological considerations the author substantiate a different view according to which (1) Hart's "open texture" doctrine has an earlier dating (starting from his 1949 / 1953 texts), being a part of his wider conception of linguistic and legal indeterminacy, (2) the key methodological basis of Hart's doctrine (apart from jurisprudential sources) has rather been a more general conception of language, linguistic meanings and philosophical explanation, developed in analytic linguistic philosophy by J. L. Austin and L. Wittgenstein. Therefore (3) what Hart mostly borrows from Waismann is not a whole conception, but a vivid metaphor of "open texture" (successfully stating Hart's largely established positions) and, possibly, one of Waismann's arguments (a potential vagueness due to a limited foresight).

EDOUARD MACHERY

(University of Pittsburgh)

*Open texture and conceptual analysis*

Waismann famously claimed that many words have an open texture. Roughly, there are possible situations where, even if we knew all the relevant facts, the meaning of the word does not determine what to say. In this talk I will examine the consequences of Waismann's claims about open texture for conceptual analysis.

JUHA MANNINEN  
(University of Helsinki)

*The "Diktat für Schlick",  
Presented by Waismann for Schlick's Circle Early in 1935.*

The "Diktat für Schlick" has been seen as Wittgenstein's dictation to Waismann and more recently as Wittgenstein's dictation to Schlick, in any case as a dictation by Wittgenstein. I will defend the thesis that it was not a dictation by Wittgenstein, but a dictation by Waismann, or, more specifically, a dictation to Schlick and others within Schlick's Circle. In this I will join Joachim Schulte. Both Schlick's and Rose Rand's shorthand manuscripts were made while listening to this dictation. There are remembrances of earlier years, but then I found something that makes it possible to see the date of presentation early 1935, reflecting fresh communications with Wittgenstein during his visit to Vienna at the Christmas of 1934.

THOMAS OBERDAN  
(Clemson University)

*'Our Common Method' in Logik, Sprache, Philosophie*

Friedrich Waismann's "Logik, Sprache, Philosophie" was initially conceived as an exposition of the leading ideas of Ludwig Wittgenstein's *Tractatus* in 1929. As Wittgenstein's discussions with Moritz Schlick, Waismann, and other members of the Schlick Circle soon revealed, a straightforward exposition of the *Tractatus* could never do justice to the ongoing evolution of the author's thinking. Accordingly, Waismann's work was re-conceived as a discussion that included Wittgenstein's recent amplifications and modifications, organized around the leading themes of the work's title. Soon, however, the scope of the work was further expanded and changed as Wittgenstein continued to produce new insights and ideas that frequently qualified or superseded earlier ones. Schlick, too, contributed to the project so that what began to emerge, in Waismann's words, was 'our method', a common approach to philosophical problems shared among Wittgenstein, Waismann, and Schlick. The work was no longer just a summary of Wittgenstein's evolving ideas but the development of an independent philosophical viewpoint to which Waismann and Schlick had each made original contributions. The result was the "common property" of all three authors – Wittgenstein, Waismann, and Schlick. But while scholars have traced many of the ideas of "Logik, Sprache, Philosophie" to their roots in Wittgenstein's writings, there

has been little effort to identify Schlick's contributions beyond those referenced in the text. These references, however, end in 1932, omitting his later and much more developed treatments of logic, language, and their importance in philosophy. In the interests of correcting this oversight, Schlick's contribution to "our common method" in his later essays and unpublished manuscripts will be discussed.

GRAHAM PRIEST  
(City University of New York)

*Waismann on Fiction and its Objects*

In the early 1950s Waismann wrote essays entitled "Fiction" and "A Note on Existence". These were subsequently published in his *Philosophical Papers* (Reidel 1977). In these papers he makes various claims concerning fictional objects. The point of the present paper is to discuss what he says here. I will argue that the core claims of each paper are mistaken.

CRAIGE ROBERTS & STEWART SHAPIRO  
(Ohio State University)

*Open-texture, analyticity, model theory, and natural language semantics*

The purpose of this paper is to articulate and evaluate Waismann's notion of open-texture, from the "Verifiability" paper, and some of the themes in his "Analyticity" series. We contrast those notions with the more well-known accounts of analyticity articulated by the logical positivists, Rudolf Carnap in particular, the rejection of analyticity by W. V. O. Quine, and its subsequent defense by Grice and Strawson. One underlying theme is how far open-texture reaches. Do we follow Waismann and restrict it to empirical predicates, or is the phenomenon more general, applying even in science and mathematics? Our goal is to explore the extent to which the Waismannian insights bear on the enterprise of natural language semantics and of the model-theoretic notion of logical consequence. Does the fact that contemporary model theory, and many of the models for lexical semantics, allow no room for open-texture tell against those enterprises, as they are currently practiced?

FREDERICK SCHAUER  
(University of Virginia)

*Waismann, Language Strata, and the Problem of Technical Language*

In “The Linguistic Technique” (1953), Friedrich Waismann offered a series of strong criticisms against the celebration of ordinary language that was philosophically fashionable at the time. As part of his critique, Waismann made oblique reference of multiple but overlapping linguistic communities, and to the consequent difficulty or impossibility of designating any language as truly ordinary. This claim built on an earlier claim in “Fiction” (1950) that the very idea of fiction was understood differently in different linguistic environments, and the even earlier claim in “Language Strata” (1946) that there existed multiple different types of language even within some linguistic community. This paper explores the implications of these insights for understanding the idea of technical language, using normative language as an example, and legal language as an even more concrete example of a technical or specialized language serving distinct purposes within the environment of law. The paper ends by connecting the special tasks performed by legal language with Waismann’s idea of open texture, and idea made famous, even if not entirely accurately, by H. L. A. Hart in *The Concept of Law*.

RADEK SCHUSTER  
(University of West Bohemia)

*From Language Games to Language Strata:  
Waismann's Emancipation from Wittgenstein*

Waismann is said to have learnt much from Wittgenstein. After their break-up in Cambridge, he moved to Oxford where he developed his own philosophy, which however remains strongly influenced by Wittgenstein. The aim of this talk is to reconsider the process of Waismann’s emancipation from Wittgenstein. The main thesis that will be defended is that in his late work Waismann continued to develop and apply the method of philosophizing which was invented in the course of the collaboration between him, Schlick and Wittgenstein, and which they called “unsere Methode”. After Schlick’s assassination and Wittgenstein's having been “led astray”, Waismann remained the only one who was able to utilize this innovative method seriously.

QIANG XU  
(Wuhan University)

*Language Strata: Development and Wittgenstein's Influence*

This paper will consider Waismann's concept of *language strata* as a semantic web that is centered on *open texture*. We will consider the five semantic 'knots': *open* and *closed texture*, *multi-valued logic*, *completeness* and *incompleteness*, *verification*, and *truth*. As a new vision of language, *language strata* aims to reverse the traditional method of analyzing philosophical problems from a 'specific' to a 'general' perspective. The inner logic of different strata is complicated and homogeneous in nature; philosophical problems arise when two stratum coincide in the same proposition. Waismann's idea of *language strata* originated from his conversations and collaboration with Wittgenstein during the 1930s. Waismann first attempted to construct a semantic web of *language strata* in the mid-1930s; he gradually formed the view in the late 1930s, developed the concept through the 1940s, and finalized *language strata* in the 1950s. We argue that language strata was significantly influenced by Wittgenstein's thoughts in the 1930s; the concept of language strata was based on thoughts presented in Waismann's discussions with Wittgenstein concerning 'hypothesis' and 'verification'.