

Fusion of Descriptive and Normative Propositions. The Concepts of 'Descriptive Proposition' and 'Normative Proposition' as Concepts of Degree

SVEIN ENG

ABSTRACT. I introduce the concept of 'fused descriptive and normative proposition.' I demonstrate that and how this concept has a basis in reality in lawyers' propositions *de lege lata*, and I point out that and why we do not find fused modality in language *qua* language, morals and the relationship between parents and children. The concept of 'fused descriptive and normative proposition' is of interest in a number of contexts, *inter alia* in relation to law, cf. the debate about the status of lawyers' propositions *de lege lata* ("exactly what kind of propositions are lawyers' propositions about what is the law?"), and in relation to philosophy, cf. the debate about the relationship between 'the is' and 'the ought.' As a consequence of the reality basis and interest of this concept, I see the concepts of 'descriptive proposition' and 'normative proposition' as the extreme points on a graduated dimension, from the purely descriptive to the purely normative

*University of Oslo
Department of Public and International Law
Karl Johans gt. 47
N-0162 Oslo
Norway
E-mail: svein.eng@jus.uio.no*