

Durkheim, Emile. 1953. "The Determination of Moral Facts." Pp. 35-62 in *Sociology and Philosophy*. New York: Glencoe Press.

1.1 Introduction

In this essay, Durkheim provides an overview of his general approach to the study of morality as both a matter of "opinions and intuitions" (explicit beliefs) and "factual" (enacted practices and mental representations) phenomena. He begins (p. 35) by noting that a science of morality must separate the factual from the normative. Furthermore, the study of the former domain must by necessity come before any serious consideration the latter. Thus, the *scientific* study of moral facts has to come before the work of *evaluation* proper: "[t]he first of these problems, which is theoretical, must necessarily precede the second." The essay is divided into two major sections: "theses" and a more discursive "discussion" section which was obviously meant to be delivered orally. Each of the major sections is divided into three parts. In the "theses" section, Durkheim aims to establish three main points:

1.1.1 Duty and desirability in moral facts

First, in the opening section, Durkheim argues that morality "appears to us as a system of rules of conduct" (p. 35). However, he notes that there are other practical areas of life that are also rule-governed. What is it that makes moral rules distinctive from other rule-governed areas of behavior? Durkheim argues that what makes moral rules distinctive is—following Kant—the fact that they are followed not as a matter of practical or instrumental expediency (i.e. the capacity to get things done or achieve results or what Habermas [1984] refers to as "action oriented to success"), but as a matter of *duty*: "they are obeyed simply because they command." In other words, moral facts produce action in conformity to their prescriptions (or proscriptions) not based on a cost-benefit calculus or on a forward-looking "logic of consequences" (March and Olsen 1989). However, Durkheim argues, *contra* Kant, that "the notion of duty does not exhaust the concept of morality." He notes that while all moral acts are accompanied by a subjective sense of duty, moral action is also accompanied by an intrinsic orientation toward the inherent *desirability* of the ends that are seen as being furthered by the act. Acts which are not seen as intrinsically good *and* desirable cannot qualify as moral according to Durkheim. He thus concludes that *both* "desirability and obligation are the...characteristics which it is useful to stress without denying the existence of others."

1.1.2 Moral facts are collective not individual

Second, having established that both desirability and duty are the two main components of moral action, Durkheim goes on to establish that all moral acts, are by necessity of a *collective* nature. He notes that "[t]he qualification 'moral' has never been given to an act which has individual interests or the perfection of the individual from a purely egoistic point of view, as its object" (p. 37) Because morality is never attached purely to individuals motives and interests, Durkheim concludes two things: first morality can only have "as object the group formed by the associated individuals" (p. 37) and second, because societal interests are seen as being qualitatively different from individual interests from the point of view of morality, then society has to be considered, at the level of moral representation, a level of organization "*qualitatively different from the individuals that compose it*" (p. 37, italics in the original). This allows Durkheim to suggest that because all moral action and feelings surpass individual interests, then any definition of "the good" has to be equally collective. This does

not mean that the definition of the good as that which furthers the collective necessarily sets up a perennial conflict between what is good for the group and what is good for the individual. The reason for this is that under certain circumstances—the ones that Durkheim would consider “healthy” rather than “pathological” (Durkheim 1982)—what is morally desirable for the individual will coincide with the collective good. In this way Durkheim is able to incorporate the eudemonistic [utilitarian/Benthamite] critique of Kantian ethics into his own “sociological-naturalistic” standpoint. Furthermore, the *authoritative* aspect of society (the feature emphasized by Kant) is also accounted for in this formulation, insofar as the collective is seen as the source and seat of the authority of moral representations. This moral authority is ineluctably connected to the coincidence between society and *the sacred* which is defined as that which is both authoritative (in eliciting awe and respect and being set apart) and *good* (in providing the individual with a model of that which is most desirable).

1.1.3 A sociological-naturalist treatment of morality does not imply agreement with the status quo

Third, Durkheim dismisses the criticism—leveled at him during his lifetime and repeated uncritically even today—that his sociological naturalism implied a “conservative” standpoint toward moral issues, such that “it subjugates the mind to the prevailing moral opinion” (p. 38). Here Durkheim introduces an important distinction, which as has been argued more recently by Rawls (2003; 2004) has been ignored in most Durkheim scholarship, leading to critical misunderstandings of his theoretical and political positions. This misunderstanding has served to strengthen the “Durkheim as conservative” myth that he tried to combat during his lifetime and which was revived by Coser and criticized by Giddens. This is the distinction between *collective beliefs* and *collective representation-generating practices*. As Durkheim argues, his sociological naturalist analysis of morality cannot be accused of a conservatism that supports whatever patterns of *opinion* and *belief* are currently popular by circularly defining them “good” and “authoritative.” The reason for this is that he is not concerned with socially distributed beliefs, because these don’t have the capacity to really constrain behavior: “[t]he society that morality bids us to desire is not the society as it *appears* to itself, but the society as it is or is becoming” thus belief and opinion cannot be the centerpiece of any analysis of morality in society because “general opinion...may be an inadequate view of the underlying reality. It is possible that opinion, weighed down by survivals, lags behind the real condition of the society” (p. 38). Thus, for Durkheim, the appearance/reality distinction taken from traditional epistemology and metaphysics is mapped to the difference between socially patterned *beliefs* (the way society “appears” to itself) and the *real substratum* that supports these beliefs, which are none other than concrete, “witnessable” patterns of social practice generative of collective representations (Rawls 2004; Schmaus 1994).

1.2 The definition of moral facts

In the second part (“discussion”) of the essay, Durkheim elaborates on the three points established in the first part (“theses”). This section is divided into three subsections. Durkheim uses the first subsection to establish four main points:

1.2.1 Moral representations as both subjective and objective

First, Durkheim argues that as with other “social facts” moral reality partakes of both an objective and a subjective aspect. While the objective aspect is common to a given group and specific to it, the subjective aspect may present all manners of idiosyncratic variation. Thus, “each individual

moral conscience expresses the collective morality in its own way” (p. 40). Durkheim further notes that “no individual can be completely in tune with the morality of his time” and drawing on his conception of the “dualism” of human nature (Durkheim 1964), he adds that “there is no conscience that is not in some ways immoral.” Biographical accidents related to hereditary (genetic) constitution and education will dictate that each individual display his or her own unique “moral style.” Durkheim however relegates individual variation in morality as a matter of “psychological” interest and notes that he will be concerned exclusively with the group-specific aspect.¹ In a similar way, and in tune with his sociological-naturalist standpoint, Durkheim announces that he will ignore purely *philosophical* disquisitions on the nature of morality. While he acknowledges that “a moralist has a far greater sensibility than the average man to the dominant trends of his time, and consequently his consciousness is more representative of moral reality” (a methodological standpoint later to be echoed by Marxist cultural theorist Lucien Goldmann in relation to artistic creation), he refuses “to accept his doctrines as *explanations*, as scientific expressions of past or present moral reality.” Instead, and consistent with the sociology of knowledge elaborated in *The Elementary Forms*, Durkheim conceives of *philosophical theories* of morality as having the same status as “opinions and beliefs” they are the *explanandum* and not the tools with which to craft an accurate explanation (Rawls 2004). Durkheim further reiterates that he will not be concerned with matters of the *evaluation* moral facts, noting that it is necessary to first have a naturalistic understanding of moral reality before one begins the task of practical evaluation (p. 41).

1.2.2 Defining moral facts

The *second* major point that Durkheim establishes in the first sub-section of the “discussion” section relates to the “methodological” approach that he takes in studying moral reality. He notes that in order to proceed one must first come to a preliminary agreement as to what are the *defining characteristics* of the phenomenon in question (as argued in *The Rules*). For the case of morality, Durkheim settles for thinking of moral reality as being composed of a system of binding rules and “maxims” that govern behavior. However, since “all utilitarian techniques” are also governed by “analogous systems of rules” it is not sufficient to characterize morality as a “rule system.” Instead, Durkheim argues (using a metaphor from chemistry), we must employ a [methodological] “reagent that will force moral rules to demonstrate their specific character.” The “reagent” that Durkheim decides to employ for purposes of revealing the defining feature of moral practices consists of looking at examples of the consequences of *rule violations*. It is Durkheim’s wager that by looking at the violation of rules, the difference between “moral rules” and “rules of technique” will come to the fore (this is precisely the same methodological precept followed by Garfinkel [1964] in his famous “breaching experiments”): “w]e shall put these various rules to the test of violation and see whether from this point of view there is not some difference between moral rules and rules of technique” (p. 42).

Durkheim argues that as a matter of course, the violation of any rules brings with “unpleasant consequences.” He distinguishes two major types of consequence: “those that follow mechanically from the act of violation” (like contracting a sexually transmitted disease as a result of having unprotected sex), in this case “the act, once it has been performed, sets in motion the consequences, and by analysis of the act we can know in advance what the result will be.” Durkheim notes that

¹ Notice that this rejection of psychology is in fact the *opposite* that he gives in Durkheim (1982[1909]) where he chides psychology because “the general traits of our mentality, in the ways that they are studied by the psychologist, are by hypothesis common to men of every age and land” and are thus “too abstract and indeterminate to be capable of explaining any particular social form” (p. 237).

there is a class of violations in which this “mechanical” connection between act and consequence does not obtain. In the case of incarceration following a murder conviction for instance, the consequence (incarceration) has no necessary connection to the original act (killing somebody), instead the connection is purely *conventional* that is, socially agreed upon and collectively instituted. In other words, “[t]here is complete heterogeneity between the act and its consequence” (p. 43). Durkheim uses the Kantian analytic/synthetic distinction to distinguish between the two cases; in the first case the connection between the act and the consequence is analytic (necessary); while in the second it is synthetic (not necessary).

Durkheim uses the terms *sanctions* to refer to these conventionally defined consequences that follow a given rule violation in a collectivity. He notes that since sanctions are conventional they vary in time and space, and within the same collectivity according to circumstances (murder of others is not punished during wartime). Thus a sanction is “the consequence of an act that does not result from the content of the act, but from the violation by that act of a pre-established rule” for these types of rules “[w]e refrain from performing the acts they forbid simply because they are forbidden. This is what is meant by the obligatory character of a moral rule.” The same argument applies to *positive sanctions*, that is, conventionally instituted *rewards* for virtuous behavior: “both are two classes within the same category” which are equally “heterogeneous” from the original acts as are sanctions (p. 44). Durkheim sees the non-necessary connection between acts considered immoral (or moral) and any given sanction (or reward) as an argument against utilitarian ethics (and any kind of consequentialist argument), since for him this type of ethical stance requires that punishment “arises automatically from the act itself” or that a good act be one that has positive consequences. For Durkheim the utilitarian and the consequentialist arguments evade the problem of morality “which is precisely to explain duty.”

1.2.3 The desirability of moral facts

Third, Durkheim reiterates that the attempt to provide a sociological-naturalist explanation of duty must be supplemented by an explanation of the reason why moral acts appear to be *desirable* to the individual consciousness. Durkheim suggests that the particular sort of desirability exhibited by moral acts is empirically and analytically distinguishable from other forms of positive attraction and desire for mundane objects. Instead “the nature of our desire for the commanded act is a special one” (p. 45). First, giving in to bodily and other sorts of pleasures is usually accompanied by a feeling of lack of self control and indicates a lack of ability to discipline ourselves. In contrast the performance of actions defined as morally desirable is accompanied by the opposite feeling: that of efficacy and self-control. The “nature of our desire” for moral acts are for Durkheim “accompanied by discipline and effort” whereby the moral agent feels buoyed by an enthusiasm and “*élan*” that appear to transcend his or her individuality. There is a “pleasure” that is felt in carrying out moral acts, but one that cannot be reduced to the Kantian “pathological” since it does not correspond simply to *individual* desires and interests.

Durkheim argues against Kant’s insistence that a truly moral act is only one that is “purified” of all pathological pleasure and desire (Zupancic 2000) and is thus “unfeeling.” Instead, Durkheim notes that, “[w]e feel a *sui generis* pleasure in performing our duty simply because it is our duty. The notion of the good enters into those of duty and obligation just as they in turn enter into the notion of good. Eudamonism and its contrary pervade moral life.” Through his insistence on the importance of duty to conventional rules and his proposal that moral action is always accompanied by a certain pleasure and desire (not reducible to individual pleasure and desire) Durkheim’s sociological

naturalist position on morality transcends the limitation of both the utilitarian and the Kantian accounts: “[j]ust as the idea of obligation...gave us the opportunity to criticize utilitarianism, the second characteristic, that of goodness, shows us the insufficiency of Kant’s explanation of moral obligation.” Durkheim acknowledges that the mixture of obligatory respect and enthusiasm for the goodness of the law in moral action vary (both historically and across societies, and within societies across individuals), so that at one time one of these aspects might be emphasized over the others. Durkheim also refuses to propose that one of the factors dominates over the other, or that one can be derived from the other: both are necessary for the proper enactment of moral action.

1.2.4 The ambivalence of moral facts

Fourth, Durkheim argues that this “dual” definition of morality as both cognitively authoritative and affectively desirable is a feature that it shares with other collective representations. Thus, the notion of the *sacred*, is distinctive precisely because of its *ambivalent* status in inspiring both respect and awe (the source of cognitive authority) that keeps us “at a distance” while at the same time being “an object of love and aspiration that we are drawn towards” (p. 48). Also the modern sacred object *par excellence*, the human “person” displays the same mixture of moral authority and affective attachment such that “[a]ny encroachment upon the...sphere of action of our fellow beings we regard as a sacrilege...But at the same time human personality is the outstanding object of our sympathy” (p. 48). Durkheim notes that this commonality between the “idea of the sacred” and morality is not accidental, since “for centuries morals and religion have been intimately linked.” Notice that Durkheim is not speaking here of the *symbolic linkage between moral and religious ideas* (the sociology of knowledge) but instead is speaking of the *real, factual linkage* that historically obtained between moral and religious *practices and the collective representations generated through them*: “[w]hen two *orders of fact* have been so closely linked...it is impossible for them to be dissociated and become distinct. For this to happen they would have to undergo a complete transformation and so change their nature” (p. 48, italics added).

1.3 Morality as a collective reality

In the second subsection of the “discussion” part of the essay, Durkheim turns from a preliminary characterization of the essential nature of moral facts from a sociological naturalist standpoint to their *explanation*. He establishes seven major points:

1.3.1 Moral acts are not selfish acts

First, Durkheim offers the “postulate” that the notion of duty is not coherent unless it is seen as always implying moral action with respect to “other thinking minds” (that is other sentient beings); “all our duties are oriented in term of moral and thinking beings.” Given this, a specific moral act can then have only two ends: to benefit the self, or to benefit other persons. Durkheim goes on to examine whether acts that have the self or other persons as their exclusive object can have a moral character. To do this he engages in a sort of “sociological introspection” by appealing to the shared *moral intuitions* of his audience (as members of a common moral culture): “[t]his method is no doubt uncertain and hazardous, since we run the risk of interpreting its answer according to our own wishes. However, honestly employed, the method is not unfruitful” (p. 50). After subjecting the presumption that an act that has the self as its exclusive object or beneficiary to this kind of analysis, Durkheim rejects the notion that such an act could ever be considered moral (or more moral than one that has another as its primary object). Considering the example of a person who attempts to

save their own life from drowning, Durkheim notes that “...such an act becomes moral if I save myself for my family and my country, but if I save myself entirely for myself my conduct in the eyes of common opinion lacks moral value.”

1.3.2 Moral acts are not directed at particular others

Second, Durkheim notes that the above reasoning also applies to acts that have *particular others* as their focus (as clearly shown in the case of cronyism): [i]f another individual, acting as the object of my conduct, cannot endow it with a moral character, this is no less the case when not one but several individuals are involved. If each separate individual is incapable of communicating moral value to conduct—that is, if he has not in himself moral value—any number of individuals will be no more capable.” Thus an act that is directed at others can *only* acquire moral value when these others are no longer being considered in their *particularity as specific individuals* but only when they are recognized as members of a supra-individual collectivity. This morality is derived “from a higher source” (p. 51). Thus, “[i]f we cannot be bound by duty except to conscious beings and we have eliminated the individual, there remains as the only other possible object of moral activity the *sui generis* collective being formed by plurality of individuals associated to form a group” (p. 51). This “collective personality” must be “thought of as something other than the totality of individuals that compose it.” In this manner Durkheim arrives at the conclusion that “if a morality, or system of obligations and duties, exists, society is a moral being qualitatively different from the individuals it comprises and from the aggregation that it derives” this is a restatement of Durkheim’s *non-reductive individualist* position (Sawyer 2002) which sees society as an emergent phenomenon with individuals as its primary substrate. This argument is most clearly made in the essay on “Individual and Collective Representations” (Durkheim 1953). He notes the “Kantian” nature of this argument, by noting its similarity to Kant’s argument for the necessary existence of God. In contrast to Kant’s however, he notes that his argument for the *sui generis* status of society given the existence of moral systems “is easily verified by experience” (p. 52).

1.3.3 Moral acts are disinterested

Third, Durkheim is now in a position to explain *the reason* why all intuitively moral actions *cannot* have the selfish interest of the individual or the specific interest of others in their status as individuals as their center but must begin “at the same point at which disinterestedness and devotion also begin.” This disinterestedness “becomes meaningful only when its object has a higher moral value than we have as individuals.” Durkheim notes that he knows of only “one being” that possesses this status and that is the social collectivity. He also notes that there is another being that has been noted to play the same part: God. This is not a problem for his sociologically naturalist theory, since it sees “...in the divinity only society transfigured and symbolically expressed” (p. 52). Because moral acts are defined as those that have the collective and not the particular interest of the actor as their primary object, other individuals can only form part of moral action insofar as he or she “...participates in the life of the group and in so far as he is a member of the collectivity to which we are attached.” For Durkheim, attachment to a group implies indirect attachment to the individuals that form part of it. This attains its highest degree of expression and development in the “ideal of humanity” which allows persons to regard all other persons as potential targets of truly moral action. However, what “...binds us morally to others is nothing intrinsic in their empirical individuality; it is the superior end of which they are the servants and instruments” (p. 53).

1.3.4 Why some rules are moral

Fourth, after establishing the collective nature of moral action, Durkheim believes he is in a position to explain the cognitive *authority* and affective *desirability* of certain rules. The cognitive authority of moral precepts is directly connected to the status of society as an emergent, “transcendent” order that surpasses in its temporal and geographic reach the limitations of individual existence (p. 54). Society is a “...infinitely richer and higher reality than our own.” It “[s]urpasses us in every way, since we can receive from this storehouse of intellectual and moral riches...at most a few fragments only.” That is, under conditions of organic solidarity, not one individual can contain the entire social order in his semantic and episodic memory. This is in contrast to “...the members of an Australian tribe” who can carry within themselves “...the integrated whole of...[their] civilization” (p. 54). This double status of society as both empirically transcendent but also empirically available as part of our internal experience accounts for the duality of moral rules as both authoritative and desirable. The desirability of morality is in particular connected to the fact that the “social” element of our dual nature is precisely that “...which makes us real human beings” that is that which makes *reason* possible (this is the “epistemological” argument of *The Elementary Forms* [Rawls 2004]). Durkheim follows Rousseau here in thinking that without the social, man “becomes a being more or less indistinct from an animal” (p. 55). Because “...to love society is to love both something beyond us and something in ourselves...society constitutes an end that surpasses us and at the same time appears to us as good and desirable, since it is bound up in the very fibers of our being.” In this manner society shares the same “...essential characteristics that we have stipulated for moral ends.” (p. 55-56).

1.3.5 The adaptive value of moral systems

Fifth, Durkheim reiterates that beyond being desirable, society is “at the same time a moral authority.” Thus society inspires deference and respect because of its transcendent quality vis a vis the individual. However, Durkheim notes that is still “remains for us...to see whether *in fact* moral rules derive from this [societal] source the authority which makes them appear to us as obligatory” (p. 56). Durkheim defers a rigorous empirical demonstration of this thesis for another occasion, limiting himself to saying that in all his studies, he has yet to find “a single moral rule that is not the product of particular social factors.” And in that respect he has not encountered an alternative explanation that is equally convincing. Furthermore, he deems as “proof enough” the “incontestably established” fact that “all moral systems practiced by peoples are a function of the social organization of these peoples” and are therefore “bound to their social structures and vary with them.” He uses a selectionist argument (Darden and Cain 1989) to establish the point that a society with a moral system that was not “suited to it” would not be able to survive for long. Thus, most empirically observable societies will tend to display moral rules that are “adapted” to the underlying social practices, except in “abnormal cases” (p. 56). In addition, “individual morality, despite what is often maintained, does not escape this law, for it is social to the highest degree.” Durkheim summarizes the argument that connects the authority, desirability of moral precepts with their status as collective realities in the following way:

At the same time that we understand the two characteristics of moral facts and what these characteristics express, we also understand what constitutes their unity; they are only two aspect of one and the same reality, the collective reality. Society commands us because it is exterior and superior to us; the moral distance between it and us makes it an authority before which our will defers. But as, on other hand, it is within us and is us, we love and desire it, albeit with a *sui generis* desire since, whatever we do, society can never be ours in more than a part and dominates us infinitely.

Finally, from the same point of view, we can understand the sacred character which marks and has always marked moral things, the religious character without which no ethic ever existed (p. 57).

1.3.6 Morality is conventional

Sixth, Durkheim notes that all moral distinctions and collective assignments of moral worth (and moral opprobrium) are *conventional*—or “socially constructed” in modern parlance—that is, they do not reside in the “nature” of things. He thus likens the arbitrariness of moral classifications to the arbitrariness of utility and value in economic theory, which went from considering value as inherent in the nature of the object to the notion that “values are the product of opinion; things have no value except in relation to states of mind” (p. 57). In this respect, “as with economic things so with moral.” However, this is not to say that moral values are reducible to economic values, but simply to say that they carry the same indeterminateness and cultural variability, since “that which is sacred is that which is set apart, that which has nothing in common with the profane.” Because this fundamental division between sacred and profane is ultimately arbitrary and the specific ways in which it “carves” the physical and human worlds is historically variable, whatever is considered sacred in a given society becomes morally worthy *because* it is sacred, and not because of any inherent characteristic. Durkheim explains this by noting that this happens due to the fact that the “sentiments” that determine the value of moral facts come to themselves have a specific “prestige and energy that distinguishes them” from other routine cognitive and affective states. And argument that Durkheim deploys in the *Elementary Forms* to explain why seemingly lowly animals and objects can become sacred totemic symbols representative of the clan.

For Durkheim only collective sentiments meet this last criterion. They are “the echo within us of the voice of the collective” and “speak in our consciences with a tone quiet different from that of purely individual sentiments.” From this point of view, it is easy to see how initially mundane objects which come to be associated with these especial cognitive and affective states can be elevated to the status as morally worthy objects: “they are set apart and elevated above other things by all of distance that separates the two different states of mind.” This is also Durkheim’s explanation for the modern “cult of the individual” (Durkheim 1973) that becomes characteristic of organic solidarity societies. This, “sacred” character of the individual “is not inherent” in persons. Durkheim challenges his audience to “[a]nalyze man as he appears to empirical analysis and nothing will be found that suggests this sanctity” (p. 58). However, due to changing moral practices under conditions of organic solidarity, “...the human being is becoming the pivot of social conscience among European peoples and has acquired incomparable value. It is society that has consecrated him. Man has not innate right to this aura that surrounds and protects him against sacrilegious trespass.” Instead, this deification of the individual is best thought of as “the way that society thinks of him, the high esteem that it has for him at the moment projected and objectified” (p. 58-59).

1.3.7 Morality is an emergent reality

Seventh, Durkheim closes the second section of the “discussion” by noting that the outline provided “may be helpful in understanding society, which for me is the source and the end of morality.” He respond to critics who have accused him of paying little attention to moral matters as well as considering the influence of moral forces unimportant. Durkheim responds that a lack of attention to morality would only be compatible with a view of society which conceives of it as “only a group of individuals that compose it” that is, nothing more than an aggregate. However, he thinks of society in a very different way, more compatible with the contemporary notion of “emergence”

(Sawyer 2002). For Durkheim it “...is above all a *composition* of ideas, beliefs and sentiments of all sorts which realize themselves through individuals. Foremost of these ideas is the moral ideal which is its principal *raison d’être*.” Attachment to morally authoritative ideals, is therefore the same as being attached to society, because “society is the field of an intense intellectual and moral life with a wide range of influence” (p. 59, italics added).

However, it would be a mistake to read this as an “idealist” conceptualization of the essence of society (i.e. Alexander 1982). The reason for this is that for Durkheim, ideas and beliefs, while powerful and capable of exerting attractive and repulsive force are *not* primary (Rawls 2004). This is shown by the fact that after the passage quoted above, Durkheim is quick to add that it is in fact “[f]rom the actions and reactions between its individuals” that “an entirely new mental life which lifts our minds into a world of which we could have not the faintest idea had we lived in isolation” arises (p. 59, italics added). Thus it is concrete, enacted, representation-generating practices, which in their turn give rise to beliefs and ideals. These beliefs and ideals may come to be charged with moral force, but this force is ultimately produced through witnessable activities among members of the collectivity. This force may decay as members go back to their everyday routines, so that if “in the course of everyday life, we feel...[the action of society] less keenly because it is less violent and sharp, it does not for that reason cease to be less real.”

1.4 Sociological naturalism and moral evaluation

Durkheim closes with a brief third section that he dedicates simply to discussing (and dismissing) “an objection which is often made and which, I am sure, rests on a misunderstanding” (p. 59).

Which objection is this? It is the claim that looking at morality from the sociological-naturalist point of view just outlined reduces the analyst to simply affirming what exists and precludes “all possibility” of *judging* whether a particular state of affairs is moral or immoral. From this point of view, the sociological-naturalist analysis makes morality a collective product which “necessarily imposes itself upon the individual.” This individual is in its turn conceived as being in a passive position with no ability to question or resist the dictates of the collective: “we are thus condemned to follow opinion” without ever having the right to rebel against its dictates.

Durkheim rejects this characterization of the consequences of adopting his sociological-naturalist stance. Instead he argues that rather than resulting in herd-like passivity, “the science of reality puts us in a position to *modify* the real and to *direct* it” (p. 60, italics added). In other words, understanding moral reality scientifically leads to an *activist* rather than passive stance: “the science of moral opinion furnishes us with the means of judging it and the need of rectifying it.” Durkheim goes on to suggest some examples of some of the rectifications that he envisions.

First, Durkheim notes that it is possible that “as a result of some passing upheaval” some fundamental moral principle intrinsically connected to a particular form of presently-existing social organization becomes “hidden for a time from the public conscience” and thus ignored or trampled upon. Faced with this situation, the moral scientist is obligated to remind the larger collective of the importance of the principle that has currently been “forgotten.” She does this by contrasting “the permanence with which this principle was held for so long” with the temporary and “acute” nature of the present condition which is causing this principle to be ignored or denied. The moral scientist can then go on to show how important this principle is and how the principle is inherently connected to the “essential and ever-present conditions of our social organization and collective

mentality.” The moral scientist can then point how by ignoring this principle the collective misunderstands the very conditions of possibility of its own existence and by implication of the individuals that compose it. Durkheim proceeds to suggest that ignoring the importance of human rights in contemporary—“organic solidarity”—societies as a principle that a moral scientist would wish to defend if it were to be ignored in this type of social structure. For Durkheim any trampling of individual rights “under the pretext of social interests” constitutes nothing other than a denial of the “most essential interests of society itself” (p. 60).²

Second, beyond the defense of moral principles that are seen as essential for the present social order, Durkheim suggests that another way in which the moral scientist can play a prescriptive role is by identifying *embryonic social currents* of moral import; in other words “new tendencies more or less conscious of themselves” (p. 61) which may be appearing on the scene and which may be in opposition to contemporary or declining moral orders. For Durkheim, “the science of morals allows us to take up a position between these two divergent moralities, the one now existing and the one in the process of becoming.” This science allow us to discern the fact one moral order may be in the process of being replaced by a new one, due to large-scale, currently ongoing changes in social organization. In this respect moral science may allow us to “render” emerging moral ideas “more precise” and possibly “to direct them.” In this manner the moral scientist is in no way obliged to “bend” her head “under the force of moral opinion.” Instead, “we can even in certain cases feel ourselves justified in rebelling against it.” For Durkheim it is possible that the analyst may feel that her duty is in fact to stand *against* moral ideas that are nothing but survivals from different forms of organization with no chance of being compatible with the emergin currents. In this respect the moral scientist can use her own lifestyle as an example by denying these outmoded ideas “not only theoretically but also in action” (p. 60). In this respect Durkheim would be a friend of certain forms of both identity and lifestyle politics in the contemporary scene.

However, Durkheim is quick to add that “we cannot aspire to a morality other than that which is related to the state of our society.” For Durkheim this naturalist precept is important (i.e. the normative must correspond to the factual, whether this factual exists at the moment in a fully developed state or is in the process of materialization), because it provides “an objective standard with which to compare our evaluations.” But does not this introduce bias through another route? Is it not possible that we can define what is objective according to our own normative biases? Not for Durkheim, since his theory of science views it as a collective institution that serves to check individual biases. Thus, “the reason which is the judge on these matters is not the individual reason, subject as it is to all sorts of private aspirations and personal preferences, but the reason supported by the methodical observation of a given reality, the social reality” (p. 60). Durkheim reiterates his point that “it is from society and not from the individual that morality derives.”

Durkheim acknowledges that sometimes we may be forced to take a moral stand before all of the scientific facts are in, since under some circumstances, the “necessity for action often forces us to precede science.” In that case, Durkheim notes—in a rare moment of self-reference—we are obligated to “do what we can” replacing the more “methodical science” by a more “premature science which looks in moments of doubt to the inspirations of sensibility.” (p. 60-61). Durkheim is fine with this, since while even though “this newborn science” is not yet in a condition to “act as sovereign guide for conduct” it is best to have *some* scientific guidance than none at all. All that Durkheim aims to show is that taking a scientific stance does not *ipso facto* prevents the analyst from

² Given this, we can guess that Durkheim would not be a big fan of the Patriot Act.

“evaluating reality” not that we have reached the most adequate scientific description of social reality. Instead science provides us with the means to “arrive at *reasoned* evaluations” (62).

1.5 References

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