Durkheim’s Signature Project: The Science of Morality as Rational Moral Art

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Abstract and Keywords

The development of a science of morality, or what he called rational moral art (l’art moral rationnel), is one of Durkheim’s most ambitious endeavors. The very idea of rational art will strike many as an oxymoron. Yet it is precisely at the intersection, and within the tension, of these two terms—art and the rational—that we find Durkheim’s most mature efforts at establishing a science of morality. On the one hand, this science is rational insofar as it is attentive to the actual, lived social practices and institutions of humans in various cultures at various times. On the other hand, this science is a form of art insofar as it employs practical judgment and creativity as it seeks to move from the detailed studies of the social scientist to the reformist critique of social institutions and practices. In short, Durkheim recommended that sociologists join sociohistorical skill to the moral imagination.

Keywords: science of morality, moral facts, ethics, rational moral art, social criticism, moral imagination, Emile Durkheim

Rational Moral Art

"Moral facts" is one of Durkheim’s most famous concepts and the development of a science of morality is one of his most ambitious endeavors. For some, these represent what is best in Durkheim; for others, what is most problematic. What accounts for such widely divergent assessments of Durkheim’s signature project, the science of morality? All agree that Durkheim sought to bring ethical inquiry, broadly construed, into the domain of the social sciences (especially history, economics, anthropology, “history of religion” or religious studies, and—of course—sociology). Those who applaud Durkheim’s attempt maintain that ethical inquiry should entail more empirical investigations and less speculative, metaphysical ones. Those that oppose the attempt frequently interpret Durkheim’s empiricism as akin to positivism or, at the very least, to a reductive approach that is not sufficiently wary of the very idea of a social or moral fact. Much, then, hangs on what “empiricism” or “the empirical” meant for Durkheim. Unfortunately, Durkheim himself was
not always sufficiently clear on the matter. Still, I will argue that when we situate his work in the context of his intellectual and social milieu, carefully unpack his arguments, and note their development over the course of his career, we are not likely to interpret his work on *la morale* as being that of a positivist or a naive empiricist but rather as the work of an interpretive sociologist who takes the empirical world seriously—that is, the world of history, law, economics, institutions, statistics, customs, social practices, and ideals.

Labels such as empiricism, positivism, rationalism, and pragmatism often do more harm than good when interpreting a complex thinker like Durkheim. If, however, I had to assign one label to describe his project for the development of a science of morals, I would employ his own term, *rational moral art* (*l’art moral rationnel*) (Durkheim [1904] 1979: 32). The very idea of rational art will strike many as an oxymoron. What could the creativity and practical judgment of art have to do with the facts and logical inquiry of the rational? Yet it is precisely at the intersection, and within the tension, of these two terms—art and the rational—that we find Durkheim’s most mature efforts at establishing a science of morality.

On the one hand, this science is *rational* insofar as it is attentive to the *actual, lived social practices and institutions* of humans in various cultures at various times. It honors and depends on the detailed work of historians, economists, anthropologists, scholars of religion, and sociologists, especially insofar as this work is comparative. On the other hand, this science is a form of *art* insofar as it employs practical judgment and creativity as it seeks to move from the detailed studies of the social scientists to the reformist critique of social institutions and practices. It is a science, then, that places a premium not only on *describing* but also *reforming* normative practices and institutions. The practical and reformist aspect of Durkheim’s science of morality acknowledges and embraces *risk*. All our knowledge is “partial,” as Durkheim noted ([1904] 1979: 32). And when we attempt to apply science to practical problems, we are confronted not only with the limits of our empirical research but also with an additional set of uncertainties and challenges as we attempt to make specific proposals for change. As Durkheim put it, when one engages in reformist efforts, “one runs a risk, try as one might, which no method can automatically eliminate” ([1904] 1979: 32). The risk of uncertainty, then, is fundamental to Durkheim’s most cherished project, *rational moral art*. In light of such risk, Durkheim counsels us to begin “setting resolutely to work”—reflecting on our common involvements, traditions, and ideals, investigating our institutions, practices, and structural arrangements—without waiting for “a plan anticipating everything” ([1897] 1951: 392). In short, he recommends that we join *sociohistorical skill to moral commitment and imagination*.

Later in this chapter I will argue that Durkheim, especially in his early work, failed to adequately grasp the level of risk and uncertainty in the *first part* of rational moral art, that is, in the detailed social scientific studies of human institutions and practices. But if he was at times naive about the very idea of a “social fact,” we can excuse him somewhat by noting the intellectual current against which he struggled. Many of the topics central to Durkheim’s new science, sociology and its science of morals, had for some time belonged to the work of “the philosophers.” While Durkheim had much respect for many philoso-
Throughout his work, Durkheim complained that most of them neglected to concern themselves with how real humans live, instead constructing speculative theories based on conceptions of an “abstract human,” or an “abstract creation of their own minds.” In contrast to this abstract creature, “the real human—the one whom we all know and whom we all are—is more complex; he is of a time and of a country, he has a family, a city, a fatherland, a religious and political faith, and all these factors and many others merge, combine in a thousand ways, their influence crossing and crisscrossing such that it is impossible to say at first glance where one begins and the other ends” (Durkheim 1888: 29, my translation). My point here is that while Durkheim at times failed to register the interpretive dimensions of his “empirical data”; he was compensating for what he took to be the philosopher’s wholesale dismissal of “thick descriptions,” that is, of empirical investigations that pertain to “real” and not “abstract” humans.

Although Durkheim highlighted the need for empirical studies in an attempt to discover “real” humans and their practices, he did not think that ethical inquiry should confine itself to simply representing or reflecting the status quo. Habits, customs, population densities, institutional arrangements, economic relations, and ideals: such sociohistorical material was central to the investigative work of rational moral art. Yet this work also entailed critique, that is, deliberation on the means and ends of moral practices. Such critique, in Durkheim’s view, often involved making implicit moral practices and understandings more explicit, that is, more manifest, so that they could be more subject to judicious scrutiny. The critique of rational moral art, in any case, remains rooted in “real” humans and their actual social situations, and it therefore tends to work on a case-by-case basis, shunning abstract absolutisms that have no anchor in lived experience. To shun abstract absolutisms, however, does not entail rejecting general moral ideals rooted in time and place. In the case of modern, European societies, Durkheim’s moral critiques were often guided by the progressive ideals of the Third Republic—equality, liberty, solidarity, and the sanctity of the human person.

Unfortunately, for some time now Durkheim has been interpreted as a conservative sociologist preoccupied with understanding and maintaining social order and the status quo (Coser 1960; Levitas 1974: 31; Lukes 1985: 131; Nisbet 1965: 23; Nizan [1932] 1967: 191–192). No doubt, many have attributed conservatism to Durkheim precisely because of his commitment to viewing humans and their moral principles and practices as ineluctably rooted in their social institutions and histories. The logic here goes something like this: social theorists who begin and end with human situatedness can never rise above present (or past) social ideals, customs, and institutions. These alleged conservative theorists are bound to the status quo, unlike, say, “rational” theorists who discover moral universal truths outside present or past social worlds. Yet Durkheim’s rational moral art investigated the webs and patterns of social order for the sake of critique and the establishment of greater social justice. Indeed, it is precisely Durkheim’s commitment to the sociohistorical stuff of human existence that enabled him to be a radical critic. Why radical? He went to the root of many problems of modern social life by exposing their sociohistorical development and present social circumstances.
Throughout his career, Durkheim wore the hat of the social critic. His work was normative through and through. It is impossible to separate his efforts to found sociology from his hope and belief that the new science would do its part to promote such aims as social and economic justice. And the subfield within sociology that was most focused on this normative endeavor, and that was perhaps dearest to his heart, was the science of morals. We find it from his first publications to his last unfinished work, *Introduction à la morale*. And it is to that last work that we will now turn.

To Begin at the End: *Introduction à la morale*

In the final months of his life in 1917, Durkheim wrote his last text: the *Introduction* to what he had hoped would have been his greatest accomplishment, the science or sociology of morals. And so we begin with Durkheim’s mature thought on the topic.

“The word *morale* is normally construed in two different ways” (Durkheim [1920] 1979: 79). With this opening line, Durkheim began the *Introduction à la morale* by bringing attention to the complex and even ambiguous meanings associated with the word *moral*. On the one hand, it refers to the lived, day-to-day moral experience of individuals and their communities; on the other hand, it refers to scholarly “systematic, methodical speculation” on *les choses de la morale* (80). Most of the *Introduction* is an elaboration on what Durkheim meant by systematic, methodical approaches to *les choses de la morale*. As it turns out, Durkheim was doubtful about most of these approaches unless we count among them his own favored approach, “the science of morality” (92). But before turning to his lengthy discussion of systematic approaches to *les choses de la morale*, it is worth lingering on the first and supposedly more straightforward construal of the word *morale*, namely, lived moral experience.

Our everyday lived moral experience, according to Durkheim, is made up of tacit moral judgments. These judgments, he claimed, “are imprinted on the conscience of the normal adult. We find them ready-made within us, and in most cases without our being aware of having actually formed them in a conscious, let alone scientific or methodical way” (79). If we didn’t know better, we might suppose that Durkheim belonged to a Natural Law tradition or some such school of thought subscribing to the view that humans contain within them a universal moral code. But we do know better. From the start of his career, Durkheim maintained that our moral life is fundamentally shaped by sociohistorical circumstance. If Durkheim subscribed to a natural law, it was this one: humans are creatures *naturally in need of the social* and are radically shaped by the social in diverse ways in time and place. And so Durkheim began the *Introduction* with what he took to be a fundamental fact about human existence: humans are naturally social and our moral life is rooted in our second nature.

By “second nature,” I refer to the process and condition of acquiring dispositions, habits, practices, beliefs, and perspectives and of so thoroughly internalizing them that they become “natural”—that is, innate—to us. Our first nature, then, can be understood as a set of potential capacities that we are born with; our second nature, in contrast, is a forma-
tive process and product of our experience of living in time under specific sociohistorical circumstances. By means of this formative process, our capacities develop and our habits, practices, and beliefs are forged. Without explicitly employing the name, "second nature," Durkheim employed the concept, and right at the start of his Introduction. It was imperative that, early on, he captured the way in which our moral judgments feel immediate, “spontaneous,” and “ready-made within us,” so much so that they seem to stem “from the very depths of [our] nature” (79). Durkheim chose to begin his last work with one of his first and foremost commitments: humans are naturally social creatures.

In sum, then, the first construal of the word morale refers to the spontaneous, immediate moral judgments of sociohistorically habituated individuals. The second construal, in contrast, refers to “all systematic, methodical speculation” on les choses de la morale. Think of this meaning of morale as referring to a second-order discourse that critically engages with and reflects on the first order, that is, on everyday lived moral experience. Unlike the typical moral agent who lacks systematic thought about his or her moral perception and action, the practitioner of this second-order discourse (whom Durkheim usually calls “the philosopher” or “the moralist”) is in the business of “giving reasons” for prescribed moral ideals and practices (80). The reasons given are not, for the most part, the result of carefully observing actual, lived ethical practice and then articulating the reasons implicit in such practice. Rather, the reasons given are usually derived from assumed principles that are systematized and variously justified. The philosophers and moralists are therefore not bound by the moral perspectives and practices of “general opinion,” since their moral principles are deduced not from actual lived moral experience but rather from a preconceived, a priori “view of man”:

He is envisaged as a rational or sentient being, as an individual; or, on the other hand, as essentially sociable, as seeking general, impersonal ends or else pursuing quite particular goals, etc. And it is this view which serves as a basis for advocating that he should follow one precept for action rather than another: (80)

Durkheim then proceeded to offer examples of how the philosopher or moralist often proposes moral practices that indeed contradict prevailing views. Philosophers championing socialism, for example, propose moral practices that greatly differ from dominant notions of property rights.

Thus far, in the first pages of the Introduction, Durkheim has subtly criticized the philosophers and moralists (including some socialist philosophers) for paying more attention to abstract moral principles than to actual lived moral experience. He wrote, for example, the “philosophers are a long way from having determined with any precision” the object or method of systematic moral inquiry (80, emphasis added). We might be led to think, then, that the philosophers and moralists are judging society based on their own favorite set of abstract principles that have no grounding in the actual society in which they live. And that would be largely correct. But then, without any warning, Durkheim segued from his claim about socialist philosophers and others contradicting the “general opinion” to the following claim:
Every morality, no matter what it is, has its ideal. Therefore, the morality to which men subscribe at each moment of history has its ideal which is embodied in the institutions, traditions and precepts which generally govern behaviour. But above and beyond this ideal, there are always others in the process of being formed. For the moral ideal is not immutable: despite the respect with which it is vested, it is alive, constantly changing and evolving. (81)

How are we to account for this transition? Durkheim claimed that even the abstract principles of philosophers (including those principles that contradict general moral practice) are in fact grounded in sociohistorical processes. However, the philosopher, unlike the sociologist, is not sufficiently aware of such grounding. And that, as it turns out, is the fundamental difference between the moral philosopher and the sociologist of morals. Moral philosophers, according to Durkheim, are largely oblivious to the sociohistorical sources and dynamics of moral thought and practice, including that of their own systematic, methodical speculation on les choses de la morale.

What, then, has Durkheim claimed thus far? The word morale can refer to the everyday lived moral experience, on the one hand, and to the philosopher’s systematic reflection on the moral life, on the other. The philosophers, deducing their moral claims from particular first principles or foundational assumptions about the nature of humanity, may issue moral prescriptions that diverge from common, everyday moral practice. And while this would seem to imply a wedge or chasm between the two senses of the word morale, Durkheim in fact insisted that both the lived moral experience and the philosopher’s moral abstract principles emerge from and manifest sociohistorical currents—-institutions, laws, practices, habits, and ideals. Moral philosophers, unwittingly, may help to articulate the contradictions and potential future directions of sociohistorical moral forces; they can play an important role in indicating where society (morally speaking) has been and where it is heading. Yet their work is limited because they are not sufficiently aware of the various ways in which individuals, society, and even their own research is in fact shaped by sociohistorical matter and manners. They have helped along the science of morals by making the implicit moral practices and ideals of everyday moral life a bit more explicit. But it will take the work of the sociologists, those equipped to analyze the social, historical, and institutional aspects of the moral life, to make the implicit more fully explicit. And so while Durkheim, in this final piece, struck a more conciliatory note with the philosophers and at times suggested a respectful division of labor, in the end he made it clear that the sociologist of morals takes over well before the moral philosopher leaves off.

Let’s now turn to Durkheim’s account of a robust, systematic approach to les choses de la morale. Durkheim began the second section of the Introduction with the claim that “there is no science worthy of the name which does not ultimately become an art, otherwise it would be no more than a game, an intellectual pastime, erudition pure and simple” (82). That’s quite a claim coming from someone who is often labeled as a narrow positivist. One might have thought that Durkheim would insist that sociology in general and the sociology of morals in particular are purely descriptive and explanatory enterprises. Why
Durkheim’s Signature Project: The Science of Morality as Rational Moral Art

burden this new science, one desperate for legitimacy, with art? Yet Durkheim held the deep conviction that the science of morals has potentially much to offer to society as it wrestles with pressing moral issues and problems. Furthermore, not wanting to suggest that sociology was an anomalous science in this regard, Durkheim boldly stated that all science has normative aims. As we will see, Durkheim did not collapse relevant distinctions between science and art. Rather, he held that the scientist should be willing to practice art, that is, to embrace risk and attempt to extend one’s research to apply to practical concerns. On this, Durkheim stood closer to Marx and further from Weber.

Early on in the second section of the Introduction, Durkheim turned to his central question: By what manner and method is the scholar to contribute to the art of the moral life? He started by showing how it is not to be done. Scholars of “all schools” generally proceed as follows:

They postulate that the complete system of moral rules is subsumed within one cardinal notion, of which it [the system] is merely the development. They strive to discover this notion and, once they believe they have been successful, all they need [to] do is to deduce the particular precepts it implies and they will have attained the ideal, perfect morality. (82)

From this “cardinal notion,” the seed of all morality, the scholar then deduces the moral ends and practices appropriate for humanity. Durkheim rejected this approach for various reasons. It cannot satisfactorily account for the diversity of moral aims and practices found in different regions and in different periods. And its deductive method generates moral perspectives that follow from the theorist’s (abstract and simple) starting point, not from society’s (concrete and complex) past and present. In contrast to the abstract, deductive approach, Durkheim championed an empirical, inductive approach. The science of morals investigates a broad range of what Durkheim called “moral facts,” a subset of social facts. Unlike, say, the Kantian’s noumenal and its moral postulates that cannot be investigated in time and space, moral facts are “a category of natural things” (90) and are therefore subject to empirical inquiry. Only via an investigation of society’s moral facts, that is, its past and present moral institutions, ideals, and lived practices, can the scholar make empirically justified claims about a society’s complex moral life.

Later I will say more about the nature of social and moral facts. For now, it is important to register the radical historicism and dynamism that characterizes Durkheim’s science of morals. To the ears of some, a science that focuses on “moral facts” might sound static and fixed. Through empirical observation, you observe and analyze static facts and then deduce human moral nature—once and for all. Yet in contrast to static approaches, of which Durkheim accused the philosophers and economists, he claimed:

All life is change and is alien to that which is static. [...] It is always premature to say that a living creature is intended for one single type of existence and to lay down in advance a set type of existence from which it cannot diverge. Such fixedness is the negation of life. (86, emphasis added)
Durkheim’s Signature Project: The Science of Morality as Rational Moral Art

You can imagine the radical challenge that Durkheimian dynamism posed to the universal, colonial claims of hegemonic Christianity and European morality. Cultures outside the Christian West, in Durkheim’s view, have their own legitimate, changing forms of moral life. Moreover, Durkheim’s social dynamism applies not only to place but also to time: “Not only is history the natural context of human life, but man is a product of history. If, disregarding his historical context, we attempt to see him as fixed, static, and outside time, we only denature him” (86). Here, in Durkheim’s last writing, we find his strongest statements about the flow of life as the natural condition of humans. Any serious moral inquiry, he insisted, must take such dynamism as its point of departure. The first step of Durkheim’s science of morals may be the empirical investigations of moral facts, but those facts can only be grasped and suitably analyzed when located in the flow of life.

What of the second step in the science of morals, the step that follows an investigation of moral facts? Moral art is the applied or practical aspects of the science of morals. Moral art and science, in Durkheim’s view, are closely linked: “the art of morality and the construction of the moral ideal presuppose an entire science which is positive and inductive and encompasses all the details of moral facts” (90). Science and art are not the same, but they pull together to produce rational moral art. In this two-step method, the empirical investigation of moral facts (the historically fashioned institutions, laws, customs, and ideals) provides solid grounding from which to engage in the indeterminate work of moral art and to discern a society’s best interpretations of its moral perspectives, ideals, and practices. Rational moral art is an empirically rich and far-reaching form of immanent critique. From society one crafts—via research and art—the very means by which to critique society.

A starting point for Durkheim’s science of morals, we have seen, is the fluidity of human nature. Viewing human nature as dynamic can safeguard against spurning other, alien ways of life simply because they are not one’s own. Moreover, it can make one more receptive to moral innovation within one’s own society. Durkheim’s empirical work, grounded as it is in comparative and historical inquiry, was not only about making accurate sociological statements. He was staking out a normative position: the moral life of a society is enriched by sensitivity to its historical nature.

Some might want to call Durkheim a relativist, since he rejected the idea of universal, ahistorical moral truth. Yet out of that rejection he mounted a powerful argument for a form of moral realism. We discover much about our moral identity as we investigate our moral traditions and practices. We acquire objective, rational viewpoints as we scrutinize and evaluate the very social sources that support our rationality. It is not my intent here to supply a full defense of a moral realism based on Durkheim’s work (for a discussion of Durkheim’s moral realism, see Cladis 1992: 248–250). I only want to note that it can be misleading to label him a relativist. And it would be a mistake to label him a political and moral conservative due to his practice of immanent critique (judging society by its own moral resources). Only within the (implausible) framework of external criticism would the charge of conservatism make sense. The external critic, especially if she has “revolutionary” sensibilities, may claim that modern societies are fraught with false ideologies and
contradictions, and that therefore there are no moral resources within these societies, at least none sufficient for the required drastic transformation. Durkheim, however, would want to know how she identifies what changes need to be made. If she appeals to universal moral or economic laws, Durkheim would likely be interested in her specific positions, and would try to show how these, in fact, have emerged from some portion of her society’s values and institutions. Her dissent, he would argue, is a sign that she is morally implicated in society. If she appeals, on the other hand, to a foreign culture’s moral resources, Durkheim would point out that her initial appreciation of these alien ways was, at least to some extent, grounded in her own cultural experience.

Given an adequate grasp of the notion of rational moral art, Durkheim looks like an interesting and helpful social reformer. Rational moral art is based on the view that the best way to reform society is to study it scientifically; identify its most promising moral traditions, perspectives, and ideals; and then seek to reform society accordingly. Science (systematic, empirical inquiry) provides the detailed accounts of society’s moral life; art, in contrast, seeks to transform society, not from scratch, not from a priori first principles, but from situated moral ideals and practices that highlight social ills and emancipatory change. Durkheim sought neither to merge nor radically separate science and art. Moral art is informed by empirical, scientific investigations, but its practical propositions cannot be guaranteed by science. Art involves risk and uncertainty. Of course, science entails its own risks and the possibility of getting things wrong, and facts are both found and made. The extent to which Durkheim understood as much will briefly be addressed in my conclusion.

Moral Facts and the Science of Morality

In the Introduction, Durkheim promised to elaborate on the nature of moral facts, but he did not live long enough to complete that promise. He did, however, extensively discuss moral facts in some relatively late publications, especially in “The Determination of Moral Facts” (1906). Durkheim began “The Determination of Moral Facts” by asserting that the moral life can be studied with two different approaches: “One can set out to explore and understand it and one can set out to evaluate it” (Durkheim [1906] 1974: 35). As we have seen, Durkheim considered both approaches as part of a two-step process in the enterprise of rational moral art. In “The Determination of Moral Facts,” Durkheim mainly focused on the first step, that is, on the empirical investigations of moral facts or what he called “the theoretical study of moral reality.” The chief question that he addressed is, “What are the distinctive characteristics of a moral fact?” (35). Moral facts are a subset of social facts, the fabric of society—patterned relations, practices, customs, habits, institutions, laws, and ideals. For the purpose of this chapter, I’ll focus on ideals—which may not intuitively strike many as facts. A brief examination of Durkheim’s account of ideals will help to illustrate his complex epistemology, and that in turn will supply the necessary context for appropriately understanding his notion of social and moral facts.
When Durkheim wrote, “to love one’s society is to love this ideal [the dignity of the human person],” he was appealing to a concrete ideal—to a social fact (59). Ideals, in Durkheim’s view, are not the result of private speculation. Nor are ideals innate features of the mind or of Nature. They are, as Durkheim put it, subject to time and space. They are natural but only insofar as they are produced by sociohistorical forces, and these forces are basic to human existence. Durkheim challenged not only the materialist/idealist dualism but also the nature/culture dualism. Social and cultural phenomena—language, texts, customs, beliefs, means of production, any and all social institutions—are, in principle, no more or less mysterious than other material aspects of our lives. Social ideals, Durkheim wrote, are “subject to examination like the rest of the [...] physical universe” (Durkheim [1911] 1974: 94). They are real. They are tangible. Durkheim’s social epistemology, which sought to do away with the empiricism/apriorism dichotomy, is a middle way, or put better, a different way. It portrayed an inextricable, transactional relation between the material world and the conceptual world. To speak of two worlds, in fact, is misleading. Durkheim materialized ideals and idealized matter—and he historized both. In the process, he attempted to overcome a set of tyrannous dualisms—empiricism and apriorism, materialism and idealism, nature and culture. The resulting position, I believe, appropriately describes the materiality of beliefs, values, and customs, as well as the sociality of knowledge, facts, and logic. It is in the context of this sophisticated epistemology that we need to interpret Durkheim’s concept of social and moral facts.

What is distinctive about that special subset of social facts—moral facts? Moral facts are marked by two salient characteristics: obligation and desirability. On the one hand, moral facts (moral rules and practices) “are invested with a special authority by virtue of which they are obeyed simply because they command” (Durkheim [1906] 1974: 35–36). On the other hand, “it is impossible for us to carry out an act simply because we are ordered to do so and without consideration of its content. For us to become the agents of an act it must interest our sensibility to a certain extent and appear to us as, in some way, desirable.” All moral rules and practices have these two aspects, “even though they may be combined in different proportions” (36). This is an extraordinary account of moral rules and practices. Essentially, Durkheim brought together Kant’s notion of duty and obligation with the virtue theorist’s notion of a habituated love of the good. And in the process, he mounted a powerful challenge to those such as Kant or Freud who portrayed human nature as sharply divided against itself. Durkheim complained that “Kant’s hypothesis, according to which the sentiment of obligation was due to the heterogeneity of reason and sensibility, is not easy to reconcile with the fact that moral ends are in one aspect objects of desire” (45–46). If Durkheim objected to positing an absolute antagonism between individual desire and social obligation, it is because he did not conceive of human nature as fatally divided against itself. From the publication of Suicide in 1897 until his death, Durkheim increasingly employed the voluntaristic vocabulary of love, respect, and desire—in addition to that of duty, command, and obligation—to describe the individual’s relation to society and, not coincidentally, the nature of moral facts.
If duty and desirability mark moral facts (the subject matter for empirical investigations of moral reality), then cultivating the capacity for discipline and attachment are twin goals for the applied ethical work of moral education. Discipline is central in those moral traditions that emphasize duty and self-control. Attachment is central in those moral traditions that celebrate the desirability and loveliness of the good. Discipline characterizes Kant and Moralität; attachment characterizes Hegel and Sittlichkeit. Durkheim was eager to keep these two aspects in a harmonious tension. Law and grace, duty and love—these are dual, alternative descriptions of the moral life. Some personalities may tend more toward one than the other, as may some cultures. The point, however, is that both aspects spring from our twofold relation to moral traditions, beliefs, and practices: we are both governed by them and attracted to them.

The sacred, in Durkheim’s view, has the same duality as moral facts: it is that which is forbidden and must not be violated, yet it is also “good, loved and sought after” (36). The shared duality between the moral and the religious life was of paramount importance to Durkheim; he stated emphatically that

If I compare the idea of the sacred with that of the moral, it is not merely in order to draw an interesting analogy. It is because it is very difficult to understand moral life if we do not relate it to religious life. For centuries morals and religion have been intimately linked and even completely fused. [...] There must, then, be morality in religion and elements of the religious in morality. In fact, present moral life abounds in the religious. (48)

In “The Determination of Moral Facts,” Durkheim’s principal example of the sacred in contemporary moral life was the dignity of the human person. This ideal is “a sacred thing.” On the one hand, “one dare not violate it nor infringe its bounds,” while on the other hand, our “greatest good is in communion with others” (37) as we cherish and uphold this sacred moral ideal, the sanctity of the human person. The connection between the moral and religious life and how it manifests itself in modern democracies had been a topic for Durkheim at least since the Dreyfus Affair. In his Dreyfusard article, “Individualism and the Intellectuals” (1898), Durkheim argued that moral individualism—the beliefs and practices associated with progressive, social democracy—“appears to those who aspire to it to be completely stamped with religiosity. [...] Whoever makes an attempt on a person’s life, on a person’s liberty [...] inspires in us a feeling of horror analogous in every way to that which the believer experiences when he sees his idol profaned” (Durkheim [1898] 1973: 46, translation modified).

With this new understanding of the connection between the sacred and the moral, Durkheim would go on to develop a social theory that articulated and promoted the sacred rights of the human person in the moral idiom of democratic social traditions and commitment to a common good. A fundamental feature of democratic solidarity, in this view, is its commitment to the dignity of the person. As France confronted the “otherness” of Dreyfus the Jew, Durkheim argued that his nation needed to realize more fully its commitment to the dignity of all individuals, regardless of their racial, ethnic, or religious
identities. This was his argument and hope, and with it he challenged the intense nationalism of various Roman Catholic and royalist reactionaries. In contrast to their nationalistic vision of French solidarity, Durkheim held that normative French solidarity depended on, and contributed to, upholding the protection of human rights and the defense of diversity. He had come to believe that the elementary forms of religious life permeate not only traditional but modern societies as well. Although its tenets and rites have changed, its basic forms have not. Robust collective beliefs, practices, and institutions still shape, move, and enliven us, though perhaps not in domains traditionally associated with religion. The political, economic, and even scientific realms are infused with the religious. Individual rights, notions of economic fair play, and the spirit of free inquiry, for example, are charged with the sacred. Durkheim now had a powerful vocabulary for articulating the normative, communal aspects of progressive, modern democracies—the vocabulary of sacred values and moral religion.¹

In “The Determination of Moral Facts,” Durkheim anticipated a standard objection to the very idea of immanent critique: “If morality is the product of the collective,” claims Durkheim’s critic, “it necessarily imposes itself upon the individual, who is in no position to question it whatever form it may take, and must accept it passively” (Durkheim [1906] 1974: 59–60). In reply to this charge of conservatism, Durkheim argued that “the science of reality puts us in a position to modify the real and to direct it. […] The science […] furnishes us with the means of judging it and the need of rectifying it” (60). “Rectifying” the status quo may entail bringing attention to moral crises in which worthy ideals and practices are suppressed (think of the Dreyfus Affair, for example). It may also entail helping society to navigate among competing moral traditions and claims, especially in the face of new moral developments. In either case, Durkheimian rational moral art, a form of immanent critique, seeks to reform society by self-consciously working within its situated, socially produced inheritance, that is, sociohistorical ideals, customs, beliefs, institutions, and practices.

Durkheim’s moral art and its immanent critique addressed such fundamental questions as, What kind of normative criteria do we possess for evaluating our shared understandings? Are tradition-bound reasons all we have to draw from? In Durkheim’s view, there is no universal reason, no moral law, residing outside history or inside human nature. Our only objective (that is, reason giving) evaluation of morality is one that empirically discovers what is in place and then proceeds, in an artful fashion, to dialectically scrutinize one portion of collective life while relying on another portion (66). Durkheimian moral art does not have the sure warrants of something like Natural Law or Universal Reason. Uncertainty is inherent in it (67). But acknowledging such ostensible limits is an honest recognition of human finitude, the complexity of the moral life, and the challenging task of social reform.
To End at the Beginning: The Early Work on *La science positive de la morale*

Having given much attention to Durkheim’s mature thought on the science of morals, we are now in a position to consider expeditiously his early thought on the subject, noting continuities and discontinuities.

In 1885, Durkheim received a fellowship to visit German universities and learn about their current work in philosophy and the social sciences. In “La science positive de la morale en Allemagne” (1887), Durkheim presented not only a report on trends in German scholarship but also a clear and passionate declaration for a new approach to moral inquiry: the science of morals. Unlike philosophy’s abstract ethical reflections, the new science of morals conducted its investigations by analyzing such sociohistorical facts as practices, customs, law, and economic arrangements. This new empirical approach that he saw in the work of Wilhelm Wundt, among others in Germany, was a refreshing development for Durkheim, given his education in Paris. But he must already have had an elective affinity for just such a sociohistorical method before ever studying in Germany. Although the work of such French scholars as Auguste Comte and Charles Renouvier was not as empirically rich as, say, that of Wundt or Gustav von Schmoller, it still suggested to Durkheim the promise of a scientific approach to morals. When he arrived in Germany, then, he was receptive to what he found. And what did he find?

Durkheim found a young science committed to observing and analyzing a society’s lived moral life; considering moral phenomena as social facts (and not just a matter of individual psychology) that are subject to socioscientific investigation; and regarding moral facts as interwoven with other kinds of social facts (legal, economic, historical, and so on). Durkheim was passionate about the promise of this new science and about what it required of scholars:

> We cannot construct morality out of nothing in order to impose it subsequently upon reality; rather, we must observe reality in order to induce morality from it. We must examine it in its multiple relations with the unending number of phenomena in terms of which it is shaped, and which, in turn, it regulates. […] When it [ethics] loses contact with the very source of life, it becomes arid to the point of being reduced to nothing more than an abstract conception, entirely limited to a dry and empty formula.

(Durkheim 1972: 95)

In this remarkable passage from 1887, we see that Durkheim’s ardent commitment to the sociohistorical investigation of morals is found at the very beginning of his career. And his attempt to capture the strengths (and to identify the limits) of Kant and “the utilitarians” can also be found at the beginning. He noted that the Kantians rightly see the moral life as a distinctive subject matter for inquiry, but they declare (erroneously) that it is outside the scope of science. The utilitarians, in contrast, rightly “treat morality as an empirical
Durkheim’s Signature Project: The Science of Morality as Rational Moral Art

fact, but one which has no specific properties of its own. They reduce it to this highly confused notion of ‘utility’” (91). Throughout his career, Durkheim would pursue and develop an engaged critique of Kantian and utilitarian approaches to ethics.

What of the practical side of the science of morals? Is that, too, found in Durkheim’s earliest work? Durkheim cautiously alluded to the future potential of an applied science of morals. In his view, many more preliminary sociohistorical investigations needed to take place before such art could robustly proceed. Indeed, his main criticism of “the German school” was its rush to establish a “general formula of morality” and then seek to apply it (Durkheim [1887] 1993: 129). Like other sciences, the science of morals, according to Durkheim, needed to study a “multitude of particular problems” (129), moving case by case, and not hurrying to discover “a formula which will encompass them all” (130). Yet in spite of this critique of the German school, Durkheim did, over the course of his career, increasingly join Wundt in the aspiration to join the sociological study of morals with the normative art of social critique and reform. While Durkheim always insisted that science and art not be conflated, he developed nuanced accounts of the very nature of science, accounts in which the imagination played a larger role in science and served as a bridge between science and art.

At the same time, his philosophical anthropology underwent important changes. The early Durkheim, for example, frequently endorsed theories about natural moral sentiments (social inclinations), whereas the later Durkheim emphasized the formative role of collective representations and social ideals. Of course, even the early Durkheim understood natural sentiments to account for only a rudimentary human sociability. As Durkheim’s philosophical anthropology underwent changes, so did his sociological approaches and methods. Increasingly, he moved away from describing society in terms of morphological social facts in favor of socially generated representations and ideals. In The Division of Labor and in The Rules of Sociological Method, social beliefs and ideals (usually called collective sentiments, not collective representations) appear as external constraints imposed on individuals. The social substratum, comprised of morphological facts, produces collective sentiments. These sentiments, having little life of their own, are an expression of the social substratum. In Suicide, Durkheim revised this position. Shared beliefs, ends, norms, practices, and ideals (now called collective representations, but still understood as social facts as well) take on a somewhat autonomous nature as they themselves become agents of social change. It would be a mistake, however, to make too much of this discontinuity between an early and late Durkheim. From Suicide on, material structures (morphology) and social ideals (collective representations) are two sides of a rapidly spinning coin.
Joining Sociohistorical Analysis to the Moral Imagination

The overall trajectory of Durkheim’s science of morals is one of enhanced complexity and sophistication. In order to avoid the “naturalistic fallacy,” that is, the identification of “what is” with “what ought to be,” he separated the science of empirical inquiry from the art of applied ethics and social critique. This is why I have described rational moral art as a two-step process: only after performing empirical investigations is one in a position to generate normative judgments. These judgments are based on reasons and, unlike those of “the philosopher,” they are connected to and spring from rich comparative sociohistorical accounts. Yet increasingly Durkheim acknowledged the presence of art in the science. The Durkheim of The Elementary Forms of Religious Life, Pragmatism and Sociology, and Primitive Classification developed a complex epistemology that highlighted the sociohistorical dimensions of reason and science. In Pragmatism and Sociology, for example, Durkheim claimed that

Man is a product of history [...]; there is nothing in him that is either given or defined in advance. [...] Consequently, if truth is human, it too is a human product. Sociology applies the same conception to reason. All that constitutes reason, its principles and categories, has been made in the course of history. (Durkheim 1983: 67)

And as Durkheim increasingly understood the role of art in science, he also maintained the role of science in art, that is, the role of the empirical studies in assisting normative critique. Durkheim ultimately never conflated the two steps, but he did increasingly mitigate the rigid science–art polarity. This mitigation is, in part, what I have in mind when I refer to the “enhanced complexity and sophistication” of Durkheim’s mature vision for rational moral art. Increasingly, he came to understand the uncertainty that adheres to science as well as the confidence that can be assigned to art, that is, to practical judgments. Had he lived longer, perhaps Durkheim would have departed from the two-step science-to-art process altogether, and instead would have simply mounted detailed sociological investigations with explicit normative aims, thereby bringing science and art still closer together. In fact, just such an approach is found in Durkheim’s mature work. In some ways, his theory about moral science had yet to catch up with the actual practice of rational moral art in his later work. Perhaps, in time, the theory and the practice would have become better aligned. While it may not be useful to imagine the future development of Durkheim’s work on moral art had he lived longer, it is helpful to reflect on what has become of his vision. There are important trends in philosophy, anthropology, history, religious studies, economics, and sociology, among other fields, that are very much in line with the spirit of Durkheim’s rational moral art. Increasingly, scholars in the social sciences and humanities seek to wed empirical, sociohistorical investigation with normative social critique. While Durkheim would applaud these new trends, he would no doubt
Durkheim’s Signature Project: The Science of Morality as Rational Moral Art

lament that an institutional home in the social sciences for systematic normative work has yet to develop.

Due to his early death, Durkheim was only able to draft the introduction to the book that he most wanted to write—a book on ethics and rational moral art. However, he did produce a large body of work that could justifiably be called rational moral art. This is not surprising, given the deep normative commitments that implicitly and explicitly motivated many of his sociological studies. I wish to conclude this chapter by providing one example of Durkheim’s mature work that exemplifies the spirit of rational moral art.

In *Professional Ethics and Civic Morals*, Durkheim brought together sociohistorical skill and moral imagination. He offered a compelling account of democratic solidarity that entailed moral pluralism and a plurality of morals. “A plurality of morals” refers to the diverse goals, ideals, and practices that characterize groups in the domestic, occupational, civic, and global spheres. “Moral pluralism,” in contrast, pertains to the relation between the goals, ideals, and practices of the political community and those of such voluntary associations or groups as churches and synagogues, ethnic organizations and activist alliances. This can include associations that are said to rest upon comprehensive religious, moral, or philosophical doctrines. In Durkheim’s view, the solidarity of the political community does not require broad agreement from these associations on every issue; in other words, democratic solidarity does not require social homogeneity. On some issues, however, such as the protection of diversity, widespread agreement is needed. Moral pluralism, then, refers to a plurality of communities and associations that promote distinctive practices and beliefs, and yet also contribute to—or at least do not threaten—common public projects and goals.

Moral pluralism, as Durkheim conceived it, supports and requires the solidarity of a political community, a community that encompasses all others. This social realm aims for inclusion and open, agonistic critical reflection and engagement. Potential agreement rests on the fact that diverse citizens share a common history or future or both, and they often care about the problems and promises that are germane, not only to a particular community, but to the broader political community in which all participate. Solidarity, in Durkheim’s account, is not the result of state-sponsored coercion or of a natural harmony among secondary groups. Rather, it emerges from, and contributes to, the various interactions between the democratic state and its various secondary groups. The solidarity of the political community, then, does not work against pluralism, but rather is constitutive of its very existence. And the health of the political community requires a rich variety of diverse secondary groups.

Durkheim’s commitment to enhancing a democratic solidarity was fueled by his worry over a private economy that put the maximization of profit above human social welfare. His multifaceted study on professional and civic ethics was motivated by his belief that economic institutions should be accountable to a society’s civic, public life. His worry was that as modern societies become increasingly fragmented, shared aims and ideals lack the strength to guide the economic life in light of democratic conceptions of justice. The
Durkheim’s Signature Project: The Science of Morality as Rational Moral Art  

Durkheim’s empirically informed work on democratic solidarity and pluralism reflects normative commitments that motivated much of his work, including his lifelong aspiration to establish a science of morals and the craft of rational moral art. It would be a shame if we relegated this aspiration to an antiquated, positivist quest for certainty in the realm of values. The aspiration that Durkheim set for himself should become our own, as we wrestle with the challenge of joining sociohistorical analysis to the moral imagination.

References


Notes:

(1.) Unfortunately, Durkheim systematically refused to grasp women’s rights as being among such “sacred values.” Marcela Cristi, for example, argues that Durkheim’s “reputation as defender of human rights is undermined by his theoretical treatment of the female sex. Durkheim refers to the ‘individual’ in generic terms, but his approach to a just
social order and rights is essentially formulated in terms of the ‘social’ male individual” (Cristi 2012: 409).

(2.) This is an excellent but abridged translation of Durkheim’s article.

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