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Kantianism and Emile Durkheim's Ethical Theory

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INTRODUCTION

Debates about morality take many different forms, and occur on several levels. On the most theoretical level, one may want to ask about the general status of the existence and origin of moral laws. Some take the position that moral laws are universal and necessary; that they apply to all rational beings, with no exceptions. In other words, moral laws have an a priori status, and cannot be otherwise. According to this position, then, there is a definite "right" and "wrong" regarding moral decisions. Immanuel Kant is a supporter of this position. He establishes the moral law as an a priori truth by grounding it in the categories of thought (i.e. time, space, causality, etc.), which are, for him, given a priori. If Kant is correct, then the categories of thought are programmed, by nature, into the consciousness of a rational being. They cannot be otherwise, and, hence, the moral law is universal also.

Emile Durkheim agrees that morality is grounded in the categories of thought, and moreover, that the moral law is a universal law. However, he disagrees with Kant as to the origin of the categories of thought. The categories of thought are not programmed by nature, but rather, were constructed by primitive societies in order to fit the particular needs of each society.

Durkheim owes much of his ethical theory to Kant, and wishes to retain a great deal of Kantianism in the theory. However, he does so at great cost to his own theory. Instead of reconciling the competing claims of rationalism and empiricism, which is his ultimate goal in utilizing Kant, Durkheim ends up with an ethical theory which is full of contradictions and which is basically a solely empiricist account of morality. By exploring both Kant's and Durkheim's ethical theories, I will demonstrate both the problems inherent in Durkheim's attempt to reconcile rationalism and empiricism, and his failure in retaining a universalistic account of morality, given the context of his theory. The result is an ethical theory with relativistic implications.

KANT'S CONCEPTS OF FREE WILL AND RATIONALITY

THE DISTINCTION BETWEEN ANALYTIC AND SYNTHETIC A PRIORI

Kant makes the distinction between analytic and synthetic a priori principles in order to establish certain metaphysical principles such as: "Every event has a cause," as a priori principles; that is, principles which can be known by pure reason (Korsgaard). In this way, Kant hopes to establish that we, as rational beings, can know such things as causation, and thus avoid Humean skepticism. Kant realizes that the principle "every event has a cause" is not an analytic a priori principle, because with an analytic a priori principle, the predicate will be contained in the concept of the subject. In other words, an

analytic judgement can be thought of as a definition, which, if denied, would produce a contradiction. A synthetic a priori principle, on the other hand, must be demonstrated, for its denial is not a contradiction.

Now, Hume shows us that the principle of causation cannot be derived from experience, thus, Kant will establish it as a synthetic a priori principle (Kant, 1934). He does this by making a distinction between the noumenal world and the phenomenal world. Instead of assuming that our beliefs about the external world must correspond to the objects of the external world, Kant posits that the objects must conform to our beliefs. Thus, the world as we experience it, the phenomenal world, is not necessarily an accurate reflection of the world as it actually is, the noumenal world. In a sense, rational beings are "programmed", by nature, with what Kant calls "categories of thought", which help us to make sense of a seemingly chaotic world. One of these categories of thought is causality.

Just as the metaphysical principle of causality is a synthetic a priori principle, so must be the moral law (Korsgaard). Kant establishes this fact by appealing to a distinction between hypothetical imperatives, and categorical imperatives. A hypothetical imperative is an analytic judgement, in the sense that when one wills one or other end, one can determine the means to that end merely by analyzing the end itself. In other words, the means are inherent in the end, and are "indispensably necessary" to obtain that end. The moral law,

however, is not a hypothetical imperative, but rather a categorical imperative. Korsgaard explains:

Our duties hold for us regardless of what we want. A moral rule does not say 'do this if you want that', but simply 'do this'. It is expressed in a categorical imperative. (p.208)

Because the means to morality cannot be found by analyzing the end, the moral law cannot be an analytic principle, and so must be established synthetically. In this way, Kant can establish the moral law as a necessary principle which holds universally. The universality and necessity of the moral law is an indication of its a priori status, and, by inference, its grounding in the human reason.

THE IMPORTANCE OF FREE WILL TO KANT

Because the categorical imperative is synthetic, Kant must establish the link between morality and the concept of a rational will by means of a third "agent". He does this by appealing to freedom of the will. He presents the challenge:

[I]f we can now discover the means to show that freedom does in fact belong to the human will (and thus to the will of all rational beings), then it will have been proved not only that pure reason can be practical, but also that it alone, and not the empirically conditioned reason is unconditionally practical. (1956, p.16)

Kant believes that only a free will can determine an unconditional practical law, which, to him, is the moral law: a categorical imperative. Moreover, the unconditional practical law also implies freedom of the will. Korsgaard states:

Kant will ask 'how would a free will with nothing constraining or guiding it determine its actions? and

he will argue that the answer is 'by the moral law.' (p. 209)

However, Kant has a problem with establishing the freedom of a will, because when he gives the synthetic a priori principle "every event has a cause", he necessarily precludes the possibility of there being a first or spontaneous cause, which is the only thing that a free will could be. In other words, given that our wills are subject to the laws of causation, they must be determined, and hence, cannot be free, for, in the phenomenal world, there cannot be a first, or spontaneous cause.

Kant solves this problem by pointing to another implication of the distinction between the noumenal and phenomenal world. Because the phenomenal world is temporal, spontaneous causation is not possible. However, the noumenal world is not subject to temporal laws, and there can be a spontaneous cause, even if it is not knowable (Korsgaard). So, the mere possibility of there being a first cause is enough to establish that a will can be free.

KANT'S MORAL LAW

Given that we understand Kant's concept of free will, we can better define Kant's concept of rationality and how it ties in with free will, and the moral law. As I stated earlier, the phenomenal self is subject to the laws of causation, and thus a human being, in this regard, is subject to his or her personal whims and desires, which are not rational:

All practical principles which presuppose an object (material) of the faculty of desire as the determining ground of the will are without exception empirical and can furnish no practical laws. (Kant, 1956, p. 19)

What Kant is implying here is that when one's principle, or maxim, is based on one's desires, the universality of the principle is necessarily undermined, since personal desires cannot be objective, and do not necessarily hold for all rational beings. A principle which cannot be universal, cannot be a law, and thus, cannot be a foundation for the morality of a rational being.

The only way to make a subjective practical principle into a practical universal law is to analyze the form of the principle, and not the content (Kant, 1956). This leads Kant into the first formulation of the categorical imperative:

[A]ct that the maxim of your will could always hold at the same time as a principle establishing universal law. (Kant, 1956, p. 30)

This universal law is, to Kant, the moral law. By denying that personal desires can be the determining ground of the will, Kant establishes the moral law as a law based on pure rationality or reason. It is important to note further that the autonomy of the will is what establishes obligation to the moral law, and that the duties which accompany the moral law cannot be otherwise, as is the case when personal desires are the determining ground of the will.

SYNOPSIS OF KANT'S FORMULATION OF THE MORAL LAW

The moral law, according to Kant, is a necessary universal law, which holds for all rational beings. The concepts of free

will and rationality are essential to Kant in order to establish the moral law as a universal, necessary truth. Tied in with these concepts is the idea that personal desires cannot be the determining ground of the will, in order for a being to be acting rationally, morally, and with a free will. In other words, these three concepts necessarily preclude the use of personal desires as the determining ground of the will.

DURKHEIM'S ETHICAL THEORY

KANT'S GENERAL IMPACT ON DURKHEIM

At this point, I feel it necessary to emphasize the profound impact that Kant's ethical theory had overall on Durkheim's formulation of his ethical theory, and his quest to establish sociology as a positive science on morality. Kant establishes the moral law as a law based on pure reason, thus implying that this law is a necessary truth. Durkheim, however, will turn the moral law into a variety of contingent truths. From this point, he can then formulate a science for studying these laws: the science of sociology.

Durkheim believes that these laws do not emerge out of the individual's will, transcending from the phenomenal world to the noumenal world, as Kant believes. Rather, these laws emerge from the "collective conscience", which is, in essence, society. Whereas Kant believes that each individual, who is acting rationally and with a will which is free, will determine the moral law as an individual, Durkheim believes that the moral law

is created at the time which society is created, and exists as society does, prior to the individual (Durkheim, 1915). The foundation for this belief lies in Durkheim's concept of the origin of the categories of thought. It is important to investigate this concept, for this is the main foundation for Durkheim's divergence from Kant.

THE ORIGIN OF THE CATEGORIES OF THOUGHT

As I stated earlier, Kant believes that the categories of thought are programmed into the consciousness of every rational being. In other words, rational beings are given categories such as time, space, and causality (among others) by nature. The categories are necessary in order for a rational being to organize his experiences.

Durkheim urges, however, that these categories are not given by nature, but rather, were formed by primitive societies in order to fit the particular needs of each society. In The Elementary Forms of the Religious Life, he investigates primitive religions in order to support this belief.

Durkheim believes that religion is not as much an enricher of the intellect as it is a contributor to the formation of the intellect (1915). Given that this is true, all we need to do is to investigate primitive religions in order to discover how the contribution was made. Durkheim asserts that in every primitive religion, categories of space, time, cause, etc., are found (1915). He infers, then, that these categories are "born in religion, and of religion; they are a product of religious

thought" (1915, p. 22).

The goal that Durkheim has in mind, in arguing that categories of thought are socially constructed, is to reconcile the conflicting claims of rationalism and empiricism. He states:

For some, the categories cannot be derived from experience: they are logically prior to it and condition it...For this reason they are said to be a priori. Others, however, hold that they are constructed and made up of pieces and bits, and that the individual is the artisan of this construction. (1915, p. 26)

Durkheim then offers objections to both viewpoints. The rationalists, such as Kant, must posit certain entities such as transcendancy of the mind and God, in order to uphold their theories. Durkheim argues that there is neither an explanation nor is there a justification for these postulations (1915). Furthermore, Durkheim urges that "the categories of human thought are never fixed in any one definite form; they are made, unmade, and remade incessantly; they change with places and times" (1915, p. 28).

Empiricism, also, is subject to serious criticism by Durkheim. The most compelling criticism is that empiricism deprives the categories of thought of all their characteristic properties (1915). The categories under the empiricist doctrine are no longer universal and necessary, as they should be. Durkheim's argument can be laid out as follows:

1. Categories impose themselves upon us.
2. Categories are independent of every particular subject.
3. Therefore, categories are not individual and subjective, but rather, they are universal and necessary.

4. Empirical data (i.e. sensations) are essentially individual and subjective.

5. Therefore, categories are not empirical data. (1915)

A rationalist would surely agree with this line of argument, but it is quite clear that Durkheim is unable to argue this point consistently, given the context of his theory. Durkheim is attributing universality and necessity to something which he also argues is "made, unmade and remade" (1915, p. 28). Unless Durkheim has some notion of universality and necessity which he has not stipulated, and which differs greatly from the common philosophical meanings of the two terms, he is plainly contradicting himself. To say that something is universal and necessary is to say that this thing holds true in all possible worlds, and cannot be otherwise. The fact asserted by Durkheim that categories are a product of collective thought (i.e. of society), necessarily undermines the position that they are true in all possible worlds. For example, one can easily conceive, using Durkheim's scheme, of two distinct primitive societies coming to two completely different ideas of time and cause. Suppose that one society constructs cause such that the event occurring first temporally, causes the second event, whereas the other society constructs cause such that the first event is caused by the second event, in a temporal sequence. This thought experiment is enough to show that Durkheim's concept of the categories cannot include a concept of universality.

The conclusion which I have reached is that Durkheim ends up sacrificing the rationalist aspect of his theory and is

really supporting only an empiricist theory. Keeping this in mind, we must consider a further implication of Durkheim's theory with regard to his reformation of Kant's ethical theory. Given that the categories of thought are formed by society and can, as I have shown, vary from society to society, the implication is that morality, which is grounded in the categories, can also vary from society to society. Thus, Kant's universalistic ethical theory becomes Durkheim's relativistic ethical theory. Now, if we closely examine Durkheim's theory, paying particular attention to the Kantian concepts which Durkheim employs, we will be able to discover further problems which are inherent in attempting to re-formulate Kant's universalistic ethical theory into a theory with relativistic implications.

THE THREE ELEMENTS OF MORALITY

Morality, according to Durkheim, consists of three main elements, these being: discipline, attachment to social groups, and autonomy. The first element, discipline, involves the concepts of authority, and regularity of conduct. These concepts somewhat parallel Kant's notion of duty and adherence to the moral law, but there are some aspects of these concepts which I do not believe Kant would accept.

By "regularity of conduct", Durkheim means:

[M]orality consists of a system of rules which predetermine conduct. They state how one must act in given situations; and to behave properly is to obey conscientiously. (1961, p. 24)

So, the moral person will be consistent in his conduct, and

act according to these already established rules. According to Durkheim, these rules already existed, apart from an individual arriving at these rules through pure reason. Kant's main mistake, in Durkheim's view, is in believing that the moral rule resides entirely in the individual conscience (1961). Durkheim proposes instead that the moral rule is a part of the "collective conscience", just as the categories are. In other words, moral rules are a product of society, not individual rationality.

Kant makes the further mistake of believing that morality is expressed in a general, abstract form, which can then be applied to individual circumstances. Durkheim takes issue with this position, stating:

If we see morality as it is, we see that it consists in an infinity of special rules, fixed and specific, which order man's conduct in those different situations in which he finds himself most frequently. (1961, p. 25)

Thus, the fact that these rules already exist, and are at the disposal of a person in any given situation, helps to ensure the regularity of conduct.

Moreover, these moral rules are invested with a certain authority, whereby they are obeyed simply because they command. Here again, we can see the influence of Kant, and his formulation of a categorical imperative:

[I]t is a certain and incontestable fact that an act is not moral, even when it is in substantial agreement with moral rules, if the consideration of adverse consequences has determined it. Here...for the rule to be obeyed as it ought to be, it is necessary for us to yield, not in order to avoid disagreeable

results or some moral or material punishment, but very simply because we ought to, regardless of the consequences our conduct may have for us. One must obey a moral precept out of respect for it and for this reason alone (Durkheim, 1961, p. 30).

Durkheim wants to deny that utilitarian considerations can play any role in a moral decision, for, in considering utility, one necessarily undermines the morality of the action. It is essential to see how closely this parallels Kant's concept of morality, for it appears as if Durkheim directly borrows this idea from Kant.

The question is, then: From where do these rules derive their authority? Kant answers that a being acting rationally and with free will, will necessarily conclude that this or that action is the moral action in a given situation, and that the action cannot be otherwise. In other words, the moral rule is given to us a priori, and, thus, is based upon pure reason. A purely rational being could not even conceive of acting in any other way.

Durkheim, on the other hand, answers this question by appealing to our attachment to social groups, which is the second element to morality. Durkheim, in opposition to Kant, states:

We cannot perform an act which is not in some way meaningful to us simply because we have been commanded to do so. It is psychologically impossible to pursue an end to which we are indifferent...Morality must, then, be not only obligatory but also desirable and desired. This desirability is the second characteristic of all moral acts. (1953, p. 45)

So, where does this desirability come from? Durkheim will

answer: from the social groups of which we are a part. In other words, we, as social beings, receive positive and negative sanctions for certain actions we perform, depending upon whether these actions are considered moral or immoral by the collective conscience. These sanctions are determined synthetically, not analytically, and thus:

It is not the intrinsic nature of my action that produces the sanction which follows, but the fact that the act violates the rule that forbids it. (Durkheim, 1953, p. 42)

The Kantian influence is undoubtedly inherent in this passage, but it is given a sociological bent, which results in some contradictory notions in Durkheim's moral theory. First of all, with regard to Durkheim's use of the terms "analytic" and "synthetic", it seems to me as if he doesn't fully understand Kant's use of these concepts. I think he loses sight of the fact that the terms "synthetic" and "analytic" are used to describe a priori principles; that is, principles founded upon pure reason. This is precisely why Kant denies that the moral law comes from anywhere except for the individual who is acting entirely from reason. This is also why personal desires cannot play a role in moral decisions. Actions based upon desires, to Kant, cannot be rational, because they are not based upon pure reason, but rather, are based upon empirical grounds. As we can see, Durkheim's problems here stem from the problems with his theory on the origin of the categories of thought. Because Durkheim cannot posit any a priori truths, given the context of his theory, he cannot speak of morality in an a priori sense.

Durkheim's conclusion must be, then, that moral laws are not universal and necessary, and thus, they can vary from society to society.

The second inconsistency in Durkheim's theory results when Durkheim, after denying that utilitarian considerations can play any role in a moral action, and can actually undermine moral acts, states that positive and negative sanctions play a key role in instigating moral actions by the individual. What are these sanctions if not utilitarian considerations? If Durkheim is saying that our attachment to social groups is a factor in acting morally, he is, in essence, saying that moral actions, at least in part, rely on considerations of utility, on the part of the individual actor. Again, Durkheim presents a Kantian concept which he is not able to employ, because of his failure to reconcile rationalism and empiricism.

Putting these considerations aside for the moment, let us turn to Durkheim's third element of morality: autonomy. Durkheim believes that the denial of individual autonomy is contrary to morality; thus, the autonomy of the moral agent is indispensable. Durkheim does not give any clear indication of what his concept of autonomy is, except to say that an individual is acting autonomously when he makes a moral decision based upon reliable knowledge. The idea that Durkheim elaborates upon is that as primitive societies move away from a mechanical solidarity, where rules are obeyed simply by the authority with which they are invested, to an organic solidarity, moral rules

are obeyed by individuals who have freely and rationally chosen to obey these moral rules, based upon reliable knowledge of all of the alternative available actions. Moreover, in the upheaval of societies under revolution, where is a person to look in order to find the moral rule? Durkheim will answer: in that individual's own rational capacities and his or her ability to act as an autonomous moral agent.

It appears that Durkheim is using Kant's concept of free will in order to describe the autonomy of the individual, at least in an organic society. However, it is essential that we point out the implications of Durkheim's use of Kant's concept of free will, because I believe that Durkheim doesn't fully understand what Kant is saying about what free will must be, if it exists.

The essential thing to remember about Kant's concept of free will is that a will is only free when it transcends from the phenomenal world to the noumenal world. In the phenomenal world, the individual is subject to influence from desires and personal whims, which hinder rationality. Desires are empirically given, and, since pure reason (i.e. rationality) is not empirical, but rather, given a priori, desires cannot be rational. So, desires hinder a will from acting rationally and, thus, they hinder a will from acting freely. In essence, a will that is free must be free from the phenomenal world.

Thus, it appears that Durkheim cannot maintain Kant's concept of free will and still hold to his original ethical

theory, because he does incorporate personal desires into his theory. Now, given that Kant's concept of free will is an accurate description of how free will must be conceptualized, the logical conclusion would be that, given the context of Durkheim's ethical theory, he cannot maintain any concept of an autonomous moral agent.

What reasons do we have for accepting Kant's concept of free will as a true description of what free will would have to be, if it existed? We have to show that it is not possible for freedom to be anything other than a spontaneous, or first cause, because if we believe otherwise, we will fall into the trap of determinism, which necessarily precludes the possibility of free will, contrary to Durkheim's opinion.

In order to show this, we must return to the factor which initially motivates Kant to formulate his metaphysical theory. Kant wants to establish that we can know of causality through an a priori judgement. Hume had already established that causality could not be determined through empiricism, so the only way to save all scientific endeavors (including Durkheim's) from skepticism is to establish causality as a synthetic a priori principle. The metaphysical principle of cause, which Kant wants to rescue is: "Every event has a cause." We are thus faced with choosing one of two contradictory notions about causality. Either causality involves an infinite regress, where every cause has its own cause, thus leaving us with a deterministic account of the world, including the will; or, there must be some cause

by which all other events and causes come about. In order for free will to exist, it must be a spontaneous cause, for otherwise, it is determined by a different cause, and cannot be free (simply by definition). So, Kant's concept of free will is the only logically possible description of free will.

Thus, we can see that Durkheim makes a mistake in incorporating the element of autonomy into his ethical theory. Given that Kant's free will was a necessary element for a rational being, and that Durkheim has been unable to uphold a theory which includes rationality, it appears that Durkheim's theory would fare better if he were to disregard free will. In fact, none of the Kantian concepts which Durkheim employs can fit in to his theory without contradiction, and this fact leads me to the conclusion that Durkheim should not have even attempted to utilize Kant in formulating his theory.

CONCLUSION

The argument that I have given is that there are serious problems in Durkheim's attempt to combine Kant's concepts of rationality, universality, and free will, into a theory which has empiricism as a foundation. The fact, asserted by Durkheim, that the categories of thought are socially constructed, and not given a priori, is the factor which leads to the failure of his goal to reconcile rationalism and empiricism. Furthermore, Durkheim ends up with an theory of ethical relativism, rather than a universalistic ethical theory. I do not believe that this

is a position which Durkheim wishes to support. There are many indications that my belief is true, but the most compelling indication is that Durkheim wants to maintain the universality and necessity of the categories of thought, which he believes are the foundation for morality. If the categories are not universal, then neither is the moral law. As I stated earlier my general feeling is that Durkheim might have fared better with his theory had he disregarded the Kantian position on morality and stuck to a solely empiricist account of ethics.

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