'Solidarity' and the Reformist Sociology of Alfred Fouillée, I

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THE ROLE OF THE PROTEAN IDEA of solidarity in nineteenth-century French social thought has not received the attention which its significance warrants. From the early decades, it was invoked by such varied thinkers as the social theologists de Maistre and Ballanche, the Social Catholics Lamennais and Buchez; the pioneer sociologists Saint-Simon and Comte, the so-called "Utopian" Socialists Fourier and Leroux, Pecqueur and Louis Blanc, the political economists Sismondi and Dupont-White. In the late nineteenth century it achieved its apotheosis in the Solidarism of the Radical leader Léon Bourgeois and the Co-operativism of Charles Gide, the Social Protestantism of Secrétan and the Social Economics of Walras, the Sociology of Emile Durkheim and the Syndicalism of Léon Duguit. In the work of these thinkers, it played a key part in the attempt to reconstruct on new foundations the social cohesion disrupted by the industrial, political and intellectual revolutions at the end of the eighteenth century. Within this process, the Revolution of 1848 constitutes both a milestone and a signpost.

To the pre-1848 theoreticians, the idea of solidarity was the matrix of a "mystique"; to their post-1848 successors, it became the pivot of a "politique." In the crystallization of an eclectic, juridico-social justification of the program of social reform that was to herald the establishment of Welfare State institutions in France, an important contribution was made by a social philosopher whose work has been overshadowed by the more precise and systematic use of the term "solidarity" in the social science of Durkheim and his school.[1]

Forced to abandon a promising university career at an early age owing to chronic bad health, Alfred Fouillée played a role in the history of French social philosophy which was confined to the immense influence he exercised through his books and the many articles he contributed to philosophical and other journals. This earned him election to the Académie des Sciences Morales et Politiques in 1893. Altogether, he published thirty-four works forming forty-four volumes, whose popularity is evidenced by the numerous editions they went through in his lifetime. However, so congenial was his contribution in the environment of fin-de-siècle France, and so persuasive was his exposition, that, in the decades immediately pre-

[1] For a discussion of the background to these comments, see my article, "Solidarity: The Social History of an Idea in Nineteenth-Century France," in the *International Review of Social History*, IV (1959), Part II, pp. 261–84. See also my article in two parts, "Solidarist Syndicalism: Durkheim and Duguit," in *Sociological Review*, VIII (1960), pp. 17–36, and pp. 185–202. This year—1962—is the fiftieth anniversary of Fouillée's death.

ceding the outbreak of the First World War, it was no exaggeration on the part of Léopold Mabilleau, the leader of the friendly society movement in France, to describe him as indubitably the "*maître* of contemporary social philosophy."[2] While it would be a gross oversimplification to claim with J. A. Scott that "Alfred Fouillée was the founder of French solidarist philosophy," it is accurate to point out that "his influence upon the Radical republicans was enormous. He was the first man to bring together and discuss exhaustively the principle elements out of which later developed the mature doctrine of "Solidarité" expounded by the Radical leader Léon Bourgeois.[3]

His claim to occupy a focal place in the history of French social pholosophy does not spring from the originality of his theories but from the fact that his numerous writings form a watershed to and from which the varied tributaries that fed the mainstream of the idea of solidarity can be traced. To alter the metaphor, after the naturalistic conception of solidarity advocated by Comte, Lamennais, Leroux, Louis Blanc and the Fourierists had undergone the rigorous criticism of Proudhon and Renouvier, it was above all Fouillée who fused (his opponents said confused) their varied and conflicting contributions in the conciliatory furnace of his critical and reconstructive reformulations of the main problems of social and political philosophy. He endeavored to synthesize the ideas of the naturalistic and moralistic pioneer solidarists, the social organicists and the social contractualists, the statists and the associationists, the socialists and the individualists. His efforts at synthesis reflected the contending tendencies characteristic of his period. The provisional remedies that he prescribed were particularly appropriate in a society in transition from an attitude of public indifference to social problems to one which regarded public intervention as a phenomenon, neither undesirable a priori nor necessarily sinister.

While the influence of the great metaphysicians of the past—in particular Plato, Descartes, Spinoza and Leibnitz—upon Alfred Fouillée's philosophy of "idea-forces" is unmistakable,[4] his eclectic social philosophy was con-

[2] *La Nouvelle Revue,* Vol 98 (1896), p. 662. See also *Emancipation* (October, 1960), p. 156, where Fouillée was described as "l'écrivain philosophe sociologue le plus en vue dans la (dernière) moitié du dix-neuvième siècle." Born in 1838, he died in 1912. He taught at the Ecole Normale from 1872–75, before illness forced him to retire to Menton, where he spent the rest of his life, unable to take an active part in the solidarist movement in Paris.

[3] J. A. Scott, *Republican Ideas and Liberal Tradition in France, 1870–1914,* 1951, pp. 159–60. On Fouillée's pervasive influence, see J. Ernest-Charles, *Les Samedis Littéraires,* II (1904), p. 37, and F. Maury, *Figures et Aspects de Paris,* 1910, p. 214.

[4] See E. Ganne de Beaucoudrey, *La Psychologie et la Métaphysique des Idées-forces chez Alfred Fouillée,* 1936, Chapter 2 passim.

structed from essentially nineteenth-century materials. However, he never abandoned, in a century suffused by Romantic mysticim, the assumption, taken over from his rationalist mentors, that "la raison doit finir par avoir raison." But, unlike the great nineteenth-century French representative of the rationalist tradition, Renouvier, with whom, despite their resounding polemics on free will and determinism, he had so much in common, he was not an intransigent critic of the new bio-social doctrines of evolutionism or organicism. Rather, he sought to modify them sufficiently to enable what was fruitful and complementary in the new scientific doctrines to be synthesized with the eighteenth-century tradition of commutative justice based upon contract as the model for social relations.

I

Between Social Contractualism and Social Organicism

FOR FOUILLÉE, "The establishment of social science upon positive foundation appears to be the main task of our century."[5] However, in France, there was a bitter methodological conflict in progress over whether sociology should adopt the contractualist model favored by Proudhon or the organicist model favored by Comte. Proudhon represented the French Revolutionary tradition of the human dignity of all rational individuals with their inherent natural rights based upon an immanent human justice of universal and eternal validity. On these premises, "It is difficult to deny that the State based upon contract conforms most with moral and ideal law: for there is no justice without equal freedom, no equality without reciprocity, no reciprocity without mutual consent"; and consequently he argued that society should itself be regarded as "un vaste contrat d'association," the pluralistic association of associations.[6] While recognizing the superficial affinity between Proudhonian contractualism and the liberal economists' exhortation to leave the representatives of supply and demand to make contracts free from State intervention, Fouillée claimed that where inequality between the contracting parties was such that the contract was only nominally free, fatalist quietism on the part of the State would be tantamount to abdicating its role of securing social justice. He sympathized with Sir Henry Maine's celebrated conception of social evolution from status to contract as a mark of human progress, but only as long as that liberty was coupled with equality, conceived not as a natural fact but as an ideal in

[5] These are the opening words of *La Science Sociale Contemporaine*, 1880. See also *Le Mouvement Positiviste et la Conception Sociologique du Monde*, 1896, p. 230.

[6] *Science Sociale*, pp. 12–3; *cf.* pp. 43–8; *L'Idée Moderne du Droit*, 1878, pp. 43 et seq., 143–4, 182–4, 196–7, 286–90.

which men were, in the words of Kant, always ends and never means, and in which liberty was not the privilege of a few, but a right belonging to all who shared in the solidarity of the human race.[7]

In his discussion of the "correct conception of social solidarity as a motivating idea-force," Fouillée drew attention to the difference between moral and natural solidarity. He pointed out, as Renouvier had done, the danger of maleficent as well as beneficent interdependence arising out of violation of the dignity of the human personality and leading to a "state of war" in society. "Personalism" and "Solidarism" were complementary. "The more we live personally, the more we are able to achieve collective solidarity. On the other hand, the more personality is pauperized, the more is it subordinated to a purely natural solidarity, which, we have seen, far from leading to harmony, love and peace, may lead to antagonism, hate and war."[8] To rely upon amoral natural solidarity was the "social statics" equivalent of the historicist fatalism in "social dynamics" which worshiped facts as their own justification. The success of a fait accompli was for both Renouvier and Fouillée irrelevant to its ethical status. Such views provided a valuable corrective to the scientism that constituted the other main influence upon Fouillée's social philosophy, leading him to affirm optimistically that "in general and on the whole, science tends to transform natural and intellectual solidarity into voluntary solidarity."[9]

The Darwinian biological theory of evolution by natural selection or competitive struggle for survival (inspired by the Malthusian theory of population) was as influential in late-nineteenth and early-twentieth-century social and political theory as the Newtonian physical theory of gravitation had been in the eighteenth and early nineteenth centuries. The social physics of a Saint-Simon was succeeded by the social organicism of an Espinas as the fashionable conceptual model of social relations, Comte having already pointed the way in his pioneer sociological writings. In Britain, Herbert Spencer developed Darwin's exclusive emphasis on the competitive as against the cooperative tendencies in natural evolution into a social Darwinism which secured the "survival of the fittest" through a policy of laissez-faire towards biological forces. This policy, it was optimistically believed, would automatically achieve the harmony and progress

[7] *Science Sociale,* pp. 44–54; *cf. L'Idée Moderne du Droit,* Book V, passim on Equality.

[8] *Le Socialisme et la Sociologie Réformiste,* 1909, p. 136; *cf.* pp. 137–9. On Renouvier's conception of a "state of war" in society, see Renouvier's *Le Personnalisme,* published in 1903.

[9] *Les Eléments Sociologiques de la Morale,* 1905, p. 5; *cf. Droit,* pp. 135 et seq. Fouillée was undoubtedly also indebted to Marion's *De la Solidarité Morale,* published in 1880. (*Le Mouvement Positiviste,* p. 315.) Henri Marion was a disciple of Renouvier.

which Adam Smith, speaking as an economist in his *Wealth of Nations*, had predicted as the result of the pursuit of self-interest, whereas when he wrote his *Theory of Moral Sentiments* in his capacity as a moralist, he championed the principle of sympathy. However, in France, Comte and his sociological successors stressed the rival principle of cooperative interdependence or solidarity.

While, as we shall see, Fouillée was himself influenced by Spencer and the bio-social analogy fashioned in the latter half of the nineteenth-century, he praised "the original character of Auguste Comte's sociological system. He did not make the mistake of which Mr. Spencer and many philosophers are guilty; that of making sociology merely an extension of biology." He affirmed the specificity of social facts and stressed the differences stemming from the creations of the human intellect—in particular industry and science—and the influence of moral sentiments.[10]

In his ambitious attempt to synthesize the two most rigorous philosophies in nineteenth-century France, Kantian criticism and Comtian positivism, Fouillée was of the opinion that "si Kant fut incomparablement supérieur comme philosophe, Comte fut supérieur comme sociologue."[11] Though Comte went too far in his anti-individualism, owing to his neglect of the key science of psychology, he had focused attention on the crucial sociological fact of solidarity. While this contribution was partially vitiated by his scientism and historicism, Fouillée was not wholly averse to Comte's humanitarian scientism and his anticipation of Spencer's conception of social evolution. For, while Fouillée was opposed to the dogmatic and authoritarian interpretation which Comte gave to his principles, he was indebted to him for his conception of property as a function of social solidarity and altruism as essential to the achievement of social peace and progress. However, he counterbalanced them by an appeal to the Revolutionary tradition of individual rights and "contractual" social justice championed by Proudhon and Renouvier. To correct Comte's Romantic conception of the intellect as a divisive influence and the feelings as a uniting force, Fouillée turned to Claude Bernard's *Introduction à l'étude de la Médecine Expérimentale*. In this classic, the pioneer of hypothetico-deductive scientific method and celebrated physiologist asserted that "in every living cell, there is a creative idea which develops and manifests itself through organization . . . everything derives from the idea which alone creates and directs"; Fouillée substituting for Claude Bernard's term "idée

[10] *Le Mouvement Positiviste*, p. 363; *cf.* pp. 109, 235, 308.

[11] *Ibid.*, p. 365; *cf. Revue Philosophique*, XLIII (1897), p. 422; *Le Socialisme et la Sociologie Réformiste*, p. 16.

directrice" his own formulation, "idée-force," which had a psychological rather than physiological foundation, and utilizing it as the basis of his synthesis of social contractualism and social organicism.[12]

Social organicism, conceived by Fichte and Krause in Germany as an ethical phenomenon and Spencer in Britain as a biological phenomenon, had been eclectically developed in the Eighteen Seventies by Schaeffle in his *Bau und Leben des socialen Korpers,* drawing both on idealism and scientism. In France, Claude Bernard had already proclaimed: "living bodies reveal a very particular kind of solidarity between phenomena," "an organic or social solidarity," forming "the true foundation of scientific pathology and therapeutics," as a consequence of which "the physiologist is led to admit the existence of a pre-established teleological harmony in organic bodies, whose separate actions are all interdependent."[13] In conjunction with Milne-Edwards' conception, first formulated in 1827, of a physiological division of labor, the zoologist Edmond Perrier asserted that "through the division of labor, which enables different aptitudes to be further developed by cooperation, solidarity, liberty tempered by the law, a discipline respected by all, a gradual coordination of all social forces," social physiology provided fruitful analogies for the understanding and solution of the problems of human society. It rectified by an emphasis upon the cooperative and associational character of social life the overemphasis by Darwin and Spencer upon competition and struggle; a viewpoint that Espinas had dwelt on, in *Les Sociétés Animales* of 1877, in which the organicist analogy between the spontaneous socialibility of the animal world and human solidarity was drawn.[14] It was with the aid of such evidence that Fouillée condemned the precipitate and pernicious Social Darwinist generalizations which were "an adulteration of biology, an illegitimate application to the social order of consequences which are not even true without reservation in the animal world."[15]

The defining characteristics of an organism for Fouillée, following in the bio-social steps of his predecessors, were the functional specialization and

[12] *Médecine Expérimentale,* 1865, p. 162; *cf. Science Sociale,* pp. 116–21, and *Le Mouvement Positiviste,* pp. 91–2. On Claude Bernard, see D. G. Charlton: *Positivist Thought in France, 1852–70,* 1959, Chapter V.

[13] *Médicine Expérimentale,* pp. 150–4.

[14] E. Perrier, *Les Colonies Animales et la formation des organismes,* 1881, p. 783; *cf.* pp. 704–5. On Fouillée's debt to Espinas, see *Science Sociale,* pp. 101 et seq, and *Le Mouvement Positiviste,* pp. 312–3. On the influence of Claude Bernard, Krause, Schaeffle, Milne-Edwards and Perrier, see *Sceince Sociale,* pp. 76, 78 note, 79; *Le Mouvement Positiviste,* pp. 85–6, 308–11.

[15] *Eléments Sociologiques,* p. viii; *cf.* pp. vi–vii, 141, 184.

cooperative interdependence of its constituent parts.[16] To go beyond this and attempt to infer detailed normative implications for human society from arbitrarily selected biological facts, in which Spencer and his successors indulged, some in an individualistic and others in a holistic sense, was to prostitute science to politics. Voicing an invaluable precept, which, ironically, he did not himself practice, particularly in his early works, Fouillée roundly declared:

> Reasoning by analogy, dear to the hearts of creators of social systems (and from which sociologists themselves do not always refrain), is a means of defending each and every thesis and giving it a pseudo-scientific appearance. . . . How many scientists have strayed beyond the limits of science (especially in Germany) who are no more rigorous than poets and prophets! We will meet in due course all the fashionable divagations on natural selection between human beings, on the struggle for life, on evolution, on the beauty and utility of war, on the right of the mighty, on the superiority of this or that race, etc.; listening to them, the humble logician, accustomed to reflecting on the methods and rules of reasoning, cannot restrain a smile. . . . Oh Science, what ignorance, fallacies and absurdities are propounded in your name![17]

In opposition to those who maintained that biological competition was the motive force of the evolutionary process, Fouillée contended that, especially in human communities, social evolution avoided the competitive waste of the process of natural selection. It was replaced by a cooperative struggle for coexistence within a social organization whose ideals transcended organicism.

For Fouillée, as against both outright personalist anti-organicists such as Renouvier and super-personalist organicists such as Espinas, "the essential property of an organism is not *subordination;* it is something quite different, *coordination,* mutual dependence and reciprocity between the parts."[18] Society was based neither upon a sum of individual wills nor a transcend-

[16] *Science Sociale,* pp. 78–80.

[17] *Le Socialisme et la Sociologie Réformiste,* p. 52; *Eléments Sociologiques,* pp. 50–1; *cf.* the ridicule poured on Lilienfeld's hyper-organicism (*ibid.,* p. 49) and Gumplowicz's "deduction" of conflict and war from organicism (*Mouvement Positiviste,* pp. 238–9). On the history of politico-social organicism, see F. W. Coker: *Organismic Theories of the State,* 1910. In *La Démocratie devant la Science,* Bouglé defended social and political democracy against naturalistic criticisms based upon science, often distorted for the purpose. See especially Book 2, Chapter 2, on "Les formes de la division du travail dans la société," in which he showed the sterility (when it was not merely misleading) of the bio-social organicist analogy (1904, 3rd ed. 1923, pp. 135 et seq.). In Book 3, Chapter 3, entitled "Libre Concurrence et Solidarisme," he argued that competition was not more "natural" than cooperation and that in any case the democratic ideal of solidarity championed by Fouillée, Durkheim and Léon Bourgeois, was not obliged to adopt nature as its model (*ibid.,* pp. 251–81; *cf.* pp. 300–2).

[18] *Science Sociale,* p. 157.

ent, disembodied entity called the social mind. It owed its cohesion to a temporal as well as spatial, transpersonal interdependence of all wills, immanent in each consciousness, which remain as "us," *i.e.* do not become "I."

Fouillée dismissed as gross metaphorical and metaphysical mysticism the attempt to infer from objective social solidarity the existence of a mythological single subject, society. "Every doctrine that wishes to elevate society at the expense of the individual does not appreciate that it is self-contradictory; it is not by adding zeros to zeros that an effective total is obtained."[19] Against such metaphysical extravagance and the equally false social atomism of the individualist, Fouillée claimed that "the most comprehensive social ideal is clearly the one capable of reconciling both the greatest individuality of each member and the greatest solidarity of all the members." It was imperative to recognize, in contrast to the bio-social theorists, that "the social organism is a society of intelligent people, a solidarity both understood and accepted; it is therefore an organism based upon choice and not upon necessity."[20]

Stemming from the crucial fact that while in the biological organism it is the whole that is conscious whereas in the "social organism" it is the "parts" that are conscious, Fouillée pointed out the need to transform by contract the spontaneous sociability, appropriate to the physiological and zoological world, into a willed sense of community between rational beings. For Fouillée, in company with Proudhon and Renouvier, contract was "the highest and most reflective expression of the will"; and while he appreciated that conceiving the establishment of society as a contractual phenomenon was a voluntarist historical fiction, he pointed out that written constitutions could be reasonably construed as an effective reassertion, with modifications, of the political aspects of the social contract.[21] Only by the application of such a corrective to the deterministic naturalism of the organicists could the rights and dignity of the individual personality be saved from subordination to authority disguised as a pseudo-scientific "general will" or "common consciousness." It would be more accurate to describe societies as *organized* rather than *organic*. Their members were conscious, temporally and spatially discontinuous, being born, evolving and dying separately from each other and entering into relations with members

[19] *Ibid.*, p. 242; *cf.* Book III passim, especially pp. 230–7, 251, 401.

[20] *Ibid.*, pp. 246–7, 250; *cf.* p. 402. The biological optimum was "le maximum de différenciation dans le maximum de solidarité." (*Eléments Sociologiques*, p. 95.)

[21] *Science Sociale*, p. 3; *cf.* pp. 8, 11. See also an article by Fouillée in *Revue Pédagogique*, (1886, IX), p. 165, on "L'Esprit de Fraternité et son rôle dans l'éducation scolaire."

of other societies. It was essential to re-state such truisms in an epoch in which the apparently true was assumed to be "really" false.

Fouillée's conciliatory philosophy of "idées-forces" (ridiculed by William James as "idées-farces") was based upon an attempt to synthesize through psychology the half-truths of naturalism and idealism, purged of their fallacies. It culminated in a "reformist" sociology which was "the only science able to refute the errors of both socialists and individualists, by decisive arguments, because it alone comprehended in their interdependence all aspects of social problems."[22] His starting point was the relativity of all knowledge and the unconditional rejection of all absolute propositions. He championed social solidarity as the *hypothetical ideal* of the mutual limitation of wills which took the form of justice, restrictive of egoism and fraternity, persuasive of altruism. Unlike Cousin and the eclectics, Fouillée did not merely follow a middle way, seeking to satisfy all sides by feeble concessions and illusory compromises and uniting in one sophistical system contradictory elements, arbitrarily purloined from past philosophies. Furthermore, he rejected the "synthesis" of the Hegelian dialectic. Fouillée's method was, first to describe the rival theories; second, to eliminate inconsistencies, incompleteness, etc.; third, to seek for convergences between them; last, to interpose middle terms wherever possible to reconcile divergent theories.[23]

The dynamic inspiring this attempt at reconciling the main antinomies which had preoccupied the philosophers for centuries, giving it an air of originality, was his psychologically grounded theory of ideas as forces. It maintained that man reacted to the empirical world by conceiving ideals which transcended himself and which, as conceived and willed by him, became forces which transcended the deterministic limitations of experience. Ideas were not simply abstract respresentations of external objects, but, containing as they did an element of feeling and will as well as intellect, they tended spontaneously to exteriorize themselves in action. First formulated in an article in the *Revue Philosophique* of July, 1879, Fouillée subsequently applied it to biology, psychology, sociology and ethics, as well as invoking it apropos of his metaphysical speculations on the "will to consciousness" opposed to Nietzsche's notorious "will to power."[24] It was

[22] *Le Mouvement Positiviste*, p. 257; *cf.* p. 230; *Science Sociale*, pp. 387–91.

[23] *Science Sociale*, p. xiii note; *cf. Droit*, pp. 236–36; *ibid.*, Preface to 2nd ed., p. iv; *Eléments Sociologiques*, pp. 51–5; *Critique des Systèmes de Morale Contemporains*, 1883, pp. ix–xi, 389 et seq.; *La Propriété Sociale et la Démocratie*, 1884, p. 1; *cf.* p. 280.

[24] An idea was a "modèle d'action qui est déjà un commencement d'action . . ." (*Science Sociale*, p. 117; *cf. pp.* 114 et seq.) See *L'Evolutionnisme des Idées-forces*, 1890; *La Psychologie des Idées-forces*, 1893; *Eléments Sociologiques de la Morale*, 1905, and *La Morale des Idées-forces*, 1908. See also *Nietzsche et l'Immoralisme*, 1902.

a spirited attempt by a fervent rationalist to claim for the intellect dynamic and pragmatic qualities which its more orthodox champions, such as Renouvier, disdained, but which Fouillée considered were essential if the fashionable anti-intellectualism of a Nietzsche or a Bergson was to be successfully resisted.

Though Fouillée attributed great importance to the new science of sociology, he differed from Durkheim in founding philosophy, in the tradition of the "Idéologues," upon the primacy, irreducibility and objectivity of the mind. He was a partisan, in an inelegant word, of "psychologism," extravagantly asserting against Comte and his neo-positivist successors psychology's title to be the most direct, immediate, certain and experimental of all the sciences. It alone was capable of providing an objective basis for a neo-naturalistic ethics. He affirmed, however, that philosophy, and particularly social philosophy, "should represent the whole world in psychological terms and sociological relationships."[25] Fouillée changed Descartes' celebrated "Cogito, ergo sum" into "Cogito, ergo sumus" (I think, therefore *we* are), based upon the psychological datum that self-consciousness inescapably included social consciousness. This was his key "psychological term," the basis of his social psychology.[26] The fundamental "sociological relationship" was the fact of solidarity or interdependence and the feeling of sociability based upon it. Fouillée regarded this as particularly important because "we believe that the most recent and complex of sciences, sociology, which involves psychology, will provide the best model and the most important laws of the universal synthesis."[27] Thus, both psychology and sociology pointed towards social norms based upon social solidarity.

Considered as a synonym for interdependence and social determinism, Fouillée, like Renouvier (whom he quoted), regarded solidarity as an amoral fact, linking people in reciprocal evil as well as in mutual good. It did not necessarily guarantee a harmony of interests between employer and employee, which Bastiat had dwelt upon, any more than the conflicts which Proudhon had stressed; for "solidarity is worth no more than the value of

[25] *Le Mouvement Positiviste,* p. 10. He even went so far as to assert, like Durkheim, that "the sociological standpoint ought to become predominant even in philosophy and ethics." (*La France au point de vue Moral,* p. 384; *cf.* p. 390.) However, he generally attributed this ambitious role of super social science to psychology. (*Eléments Sociologiques,* pp. 370–3; *cf.* pp. v, 9–10; *Esquisse d'une interprétation du monde,* 1913, p. xxv; *La Morale des Idées-forces,* passim; *Humanitaires et Libertaires,* 1914, pp. 9–11, 108–9, 128.)

[26] *Eléments Sociologiques de la Morale,* p. 166; *cf.* pp. 143, 170; *Humanitaires et Libertaires,* p. 79.

[27] *Mouvement Positiviste,* p. 4.

solidary human beings."[28] However, whereas Proudhon and Renouvier stressed the conflicts that arose between personal liberty and social solidarity, Fouillée recognized that if individualism and collectivism were to be reconciled, each would have to be modified to render it capable of coexistence with the other. Taking social contract as representing justice and liberty while social organicism represented solidarity and social organization, Fouillée considered that, mutually rectified and adapted, the half-truths which they both contained could be synthesized in the mediatory term "contractual organicism." It alone achieved a

balance between the two principles, betwixt which humanity had oscillated, tending more or less towards one of them without ever wishing to abandon the other: liberty and solidarity, in other words, individuality and collectivity. The doctrine of contractual organicism is a form of *liberalism* elevated to its highest power, since its ideal is only to ask of individuals what they can freely and conscientiously accept; but, on the other hand, it is in the true sense of the word an enlightened and rational 'socialism' since the purpose which it pursues, through liberty, is a social organization in which all the parts were interdependent.[29]

He claimed to be close to Renouvier's "liberal socialism" in reconciling scientism and moralism, respectively symbolized by organicism and contractualism.

His telltale terminology revealed Fouillée's fundamental incapacity to transcend the rival conceptions of holistic social organicism and atomistic social contractualism or integrate them within a transpersonal, juridico-social system, approximating in practice to an unstable Proudhonian equilibrium between contradictory principles. Nevertheless, he did, through his notion of an implicit "social quasi-contract," indicate a middle term between them which, as we shall see, was to influence Léon Bourgeois' doctrine of Solidarism. In his *Science Sociale Contemporaine* of 1880, impregnated with, though in reaction against, the social organicism of the individualist Spencer and the super-personalist Espinas, Fouillée preferred to write of contractual, conscious and voluntary social organisms based upon coordination and cooperation characterized by a more intimate solidarity than that of brute nature.

He denied that the whole and its functional parts could be separated,

[28] *Eléments Sociologiques*, pp. 304; *cf.* pp. 103, 301–7; *Revue Pédagogique* IX (1886), pp. 165–6; *Humanitiares et Libertaires*, pp. 44, 101.

"Il faut donc subordonnor les doctrines sociologiques et solidaristes à la théorie qui cherche à l'intérieur même du sujet conscient, *la première et fondamentale relation aux autres sujets ou objets.*" (*Humanitaires et Libertaires*, p. 178.)

[29] *Science Sociale*, pp. 420–1; *cf.* pp. 111, 190–1, 389–91, 410; *La Démocratie Politique et Sociale en France*, 1910, p. 4.

although in the abstract they could be distinguished from each other. He asserted that the "contractual organism" ideally reconciled the claims of individuality and collectivity, the freedom of the parts and the cohesion of the whole. In apocalyptic vein, Fouillée ventured the following prophecy, whose premises were to inspire, in many cases consciously, the French social reformers of the late nineteenth and early twentieth centuries. "A new epoch is foreshadowed which, under the aegis of the idea-force of social justice, will re-establish between men a solidarity that is both more contractual and more organic . . . a synthesis between them, of individualism and the subordination to the community which socialism seeks."[30]

II

Between Individualism and Collectivism

THE EARLY-NINETEENTH-CENTURY French industrial revolution provoked a crop of social antagonisms, so graphically described by the socialists and by the pioneer sociologist Comte. He had, in Fouillée's view, recognized the need to correct the disastrous fallacies of the economists without succumbing to those of the socialists, perspicacious critics but unreliable architects of social institutions. Despite the increasing interdependence in production, based upon specialization, the control of production was individualist and private profit remained the major objective of the employers. At the same time employees were forbidden to associate to defend their rights on the grounds that the (negatively conceived) principle of liberty required the unfettered operation of the law of supply and demand. The practical consequences of the policy of laissez-faire, inaugurated by the French Revolution (and surviving for almost a century), destroyed the very principles which it proclaimed it sought to promote. As Fouillée observed, summarizing the legitimate criticisms of the socialists for the use of their Liberal-socialist or Radical rivals:

Liberty is not by itself a motive or guiding force; like space, it is essential to movement but has never itself moved anyone. The same is true of equality. It was fine and right to declare the worker the equal of his master, but on condition that, under this pretext, the master did not in practice shuffle off his moral duties of assistance, protection, and even equity in contracts between them. Bargaining strength being unequal, the freedom to assert one's strength necessarily led to such immense de facto inequalities that *liberty* and *equality* remained Platonic ideas. To face up to and limit individual rights, the Revolution did not proclaim the duty of social justice; or at least, under the name *fraternity,* the Revolution gave it a vague formulation. Finally, in the course of rightly destroying privileges

[30] *Le Socialisme et la Sociologie Réformiste,* p. 17; *cf. Science Sociale,* pp. 92–4, 147–8, 177–80, 188; *Eléments Sociologiques,* pp. 166–72.

and monopolies, the Revolution in France, like the Reformation in England, allowed itself to be carried away to the extent of destroying the very principle of association. That was its great mistake. Though the Revolution thought it was establishing democracy, it prepared the way for plutocracy. Once men were declared free, equal and brothers, but not in fact rendered such, what necessarily became the main symbol of social superiority in an increasingly industrial civilization? Wealth. Besides, under this supposedly egalitarian régime, capital alone was allowed to associate; its owners hastened to profit by this.[31]

Competition itself was increasingly giving way to amalgamation and monopoly, *i.e. socialization* in the private as against the public interest. Business enterprises exercised not only control over prices and production but pressure upon the legislature and the administration to secure their ends by fair and foul means. They became "States within the State," the new feudal lords.

Fouillée attacked the economists for callously consigning labor, reduced to the status of a commodity, to the unmerciful, indiscriminate, irresponsible and amoral natural economic "laws" which ignored the reciprocal rights based upon social interdependence.[32] This interdependence was implicit in the juridico-social framework, within which the economic processes took place, but the economists were too ready to argue in abstraction from it, dealing with an artificial and oversimplified order based upon arbitrary and frequently fundamentally fallacious assumptions. From one of their number, Malthus, has been developed, via Darwin, the law of natural selection, converted by Spencer into the complacent dogma of the "survival of the fittest," which brought a spurious biological norm to the aid of the protagonists of laissez-faire. The consequent abdication of social responsibility and the sanctimonious praise of the successful (all too often by force or fraud) in the struggle for survival were odious to Fouillée. He maintained that rational social selection should replace the fatalist submission to the forces of natural selection, the environment being adapted to serve man, not vice versa. Therefore, as against both economic and biological advocates of social non-intervention, Fouillée

[31] "Le progrès social en France," in *Revue des Deux Mondes,* 15.6.1899, Vol. 153, pp. 816–7; *cf. La France au point de vue moral,* p. 32. L. T. Hobhouse made the same point when he wrote that "liberty without equality is a name of noble sound and squalid result." (*Liberalism,* 1911, p. 86.)

[32] *Sociologie Réformiste,* p. 13; *cf. L'Idée Moderne du Droit,* 2nd ed., pp. 175–6. Such a social right might be, for example, full employment.

Like the interventionist economist Sismondi (before) and Keynes (after him), Fouillée pointed out one of the most glaring absurdities of the free-enterprise system: underconsumption in the midst of the direst want in an economic depression. "Il n'y a pas surproduction par rapport aux *besoins,* mais seulement par rapport aux *ressources* des acheteurs." (*Sociologie Réformiste,* p. 217.)

asserted: "The more civilization develops, the more are contrasts accentuated and frictions increased, the more complicated the relations between persons and things become, the more contractual and organic reciprocities appear, the more essential is it for the State, in enforcing the supremacy of the law, to intervene as a third party in social relations as arbiter, justiciar and *redresser*."[33]

The reformist social engineering, whose necessity Fouillée had indicated, required a directing principle from which could be deduced all the preconditions of the just society. Fouillée recognized that "these conditions are summed up in the word upon which, at the beginning of the [nineteenth] century, the French socialists, in particular Pierre Leroux, had focused attention: solidarity."[34] However, Fouillée denied that this was a specifically socialist principle. He affirmed that the socialist contribution had been merely to draw attention, in the nineteenth century, to the disastrous consequences of its neglect. Not without exaggeration, reminiscent of Sir William Harcourt's "We are all Socialists now," Fouillée asserted: "If by socialism is meant the desire to achieve *social justice* and *social solidarity*—an aspiration which is characteristic of our epoch and acts as a ferment within the upper classes as well as the working classes—we are all socialists." Where the "reformist sociology" which he advocated and socialism parted company was not on the issue of State intervention—"the function of every State is not to fold its arms, but to act, to redress, to anticipate in defense of rights or justice"—but on the key issue of the reform or outright abolition of private property. However, he admitted that socialists and reformist sociologists would in fact frequently advocate the same measures.[35]

Fouillée criticized the contradictory socialist attitude of hyper-pessimism towards the existing social order and hyper-optimism towards a future collectivist social order. This derived from an obsession with class struggle which obscured the underlying social solidarity and led its pontiffs to scoff at the piecemeal reforms for the diffusion of private property by State intervention on the one hand and by collective bargaining through an increasingly strong trade-union movement on the other hand. They championed

[33] *Sociologie Réformiste*, p. 17; *cf.* pp. 12 et seq.; *Eléments Sociologiques*, pp. 210 et seq.; *La Propriété Sociale et la Démocratie*, 1884, pp. 71 et seq.; *Science Sociale*, p. 165; *Mouvement Positiviste*, pp. 253–4. For the expression of similar views by a British sociologist, see L. T. Hobhouse, *Morals in Evolution*, 1906, and *Development and Purpose*, 1913. He drew similar social and political conclusions to Fouillée in *Social Evolution and Political Theory*, 1911, and *The Elements of Social Justice*, 1921.

[34] *Sociologie Réformiste*, p. 117; *cf. La France au point de vue Moral*, p. 237.

[35] *Sociologie Réformiste*, p. 24; *cf.* pp. 21–5. Prior to Harcourt, he had written in 1878: "Nous sommes tous quelque peu socialistes." (*Droit*, p. 173.)

a collectivism which instead of abolishing wage-earning would universalize it. What reformist sociology envisaged was a situation in which all shared as co-partners in the profits cooperatively earned. The wage contract would be modified by a measure of distributive justice, not to replace commutative justice, but to correct the consequences of the inequality between the parties.[36] Everything was not for the best in the best of all economic worlds, as many orthodox French economists implied. Nevertheless, conditions, measured in terms of increased real wages, decreased working hours and expanding social amenities, were improving, despite the incensed denials of the frustrated revolutionaries. All that was required was a more rigorous and comprehensive recognition of the reformist implications of human solidarity, and it was this that Fouillée endeavored to provide in his theory of "reparative justice."

III

Social Reform as "Reparative Justice"

HIS STARTING POINT was the following naturalistic non sequitur: "We cannot avoid either solidarity, which is a natural law of human minds, or the duty of fraternity which is its moral consequence."[37] The neo-Kantian Renouvier had postulated a "state of peace" and contractual justice disrupted by a conflict of rights which had led to a solidarity or interdependence in evil. Faced with this situation, the individual, for his own protection, exercised the right of self-defense. By appealing to preventive and reparative justice, Fouillée sought a way out of the prevailing social "state of war" by making society responsible for redressing the evils which had developed with its active or passive collusion and for discharging the resulting "social debt" owed by some members of society to others. "There is a law born of the very violation of law, that of reparation."[38] The answer to social injustice was neither resignation with the economists nor revolution with the socialists, but a resolute effort to reform society so that it approximated more closely to the ideal of contractualist solidarity.

Fouillée, a relativist in this as elsewhere, denied that any preconceived theory of the State could justify a priori restrictions upon social intervention regardless of the circumstances obtaining at a particular place and time. Between the extremes of total non-intervention (where the "neutral" State in fact cynically protected the powerful against the weak) and

[36] *Sociologie Réformiste*, pp. 205–6; *cf. Science Sociale*, pp. 403–6.

[37] *Revue Pédagogique*, IX (1886), p. 166; *cf.* pp. 166–8.

[38] *Science Sociale*, p. 357; *cf.* pp. 325–6, 349 et seq., 358–62; 367; *Sociologie Réformiste*, pp. 4, 7, 11. *Propriété Sociale*, p. 152.

totalitarian inquisition, there was room for a multitude of improvements calculated to render universally effective the rights and duties formally guaranteed to all but which, all too frequently, degenerated into minority privileges and majority burdens. As a guide to the legislator seeking to repair past and prevent future injustices, Fouillée enunciated the following empirical principle of social policy: "State intervention is justified in matters in which private initiative and voluntary associations prove fundamentally incapable of either guaranteeing the exercise of individual rights, or of implementing a practical corollary of both social justice and the public interest."[39]

What was the situation which confronted the legislator endeavoring to secure social justice? By their acceptance of a vast quantity of benefits inherited from past generations, citizens simultaneously accepted collective responsibility for their counterpart on the other side of the balance sheet: a host of debts. There were undischarged obligations under the "social quasi-contract," a much broader conception than the strictly commercial National Debt, though it too involved a collective burden inherited from past generations. By virtue of each generation's acceptance of this social debt, "a bond of solidarity is voluntarily established between the living and the dead," by which all citizens, in continuing to enjoy the advantages of association, tacitly accepted their duty to share in paying "the general debt of reparative justice."[40]

However, it constituted a moral, not a legal obligation upon the State, which could not be sued if the debt were not discharged. Furthermore, it was social in its scope, aimed at providing a comprehensive remedy for a social problem, though, naturally, beneficiaries and contributors were from different, though overlapping, sections of society. Thereby, the transition from public charity to social service was made. The demand for "reparations" at the end of the First World War by the victorious allies may be regarded as an extension to the "state of war" between nations—*i.e.* international "insolidarity,"—of the doctrine of "reparative justice" originally applied by Fouillée to the problems arising from intranational social conflict.

While not an out-and-out egalitarian, Fouillée wished to correct the exaggeration by social institutions of natural inequalities which made of free contract an instrument of servitude rather than liberty. As Louis

[39] *Sociologie Réformiste,* p. 300; *cf.* pp. 42–4, 301.

[40] *Science Sociale,* pp. 369–70. On the notion of "social quasi-contract," see my article, "The Official Social Philosophy of the French Third Republic," in *The International Review of Social History,* VI (1961), Part I, pp. 28–32.

Blanc and Proudhon had stressed, formal rights without the means to exercise them were a mockery.[41] It was particularly in the realm of education, both professional and civic, that the social inequalities of opportunity needed to be repaired. Over and above the vocational education, based upon meeting the requirements of economic solidarity through the division of labor, there was the need to provide a lay, scientific and moral credo of human solidarity, replacing religious instruction by teaching children their social rights and duties. Thereby, the child would be able to draw on the accumulated moral, intellectual and technical capital of society and at the same time equip himself to discharge his functions as the citizen of a democracy. It was a duty of reparative justice on the part of the State to provide this education freely, so as to make equally available to all the social heritage.[42] The successive reforms of the French public education syllabus by the Third Republic from the early Eighteen Eighties and the adult education movement at the turn of the century represented efforts by the State and voluntary associations to achieve this aim.

Despite the anti-philanthropic and anti-interventionist arguments of individualists such as Spencer, who regarded those who could not survive through self-help as "unfit," Fouillée maintained that charity, far from being a substitute for social justice, was merely a palliative for poverty. It was the duty of the State to eliminate the cause of poverty through education, appropriate legislation on property, insurance and progressive taxation, coupled with social engineering of an environmental kind calculated to improve the health of its citizens.[43] Society's obligation to aid individuals physically incapable of earning a living was based upon the fact that where the family failed to aid the individual in distress, the principle of reparative justice required the intervention of "the great national family with its national fund. There is *solidarity* between all the citizens of the

[41] "*Absolute* and unlimited liberty conceived as *laissez-faire, laissez-passer, laissez-mourir,* which would lead to political and economic atomism, is only apparent freedom. It consecrates, in practice, the monopoly of the strong over the weak. True economic freedom is fundamentally contractual and free contract presupposes that equilibrium is possible between supply and demand. Consequently, there must be limits to the inequality of the parties to collective bargaining." (*Droit,* 2nd ed., 1883, p. 382 note; *cf.* pp. 257, 383, and Book V passim.) Where voluntary associations—*e.g.* trade unions—were unable to fix the limits, as well as to create the general economic conditions of national supply and demand calculated to encourage just contracts, State intervention was essential.

[42] *Science Sociale,* pp. 374–8; *Propriété Sociale,* pp. 195 et seq., *Démocratie Politique,* pp. 129 et seq., 153 *La France au point de vue Moral,* p. 289.

[43] "Salubrité et sécurité sont essentiellement *publiques,* car sous ces deux rapports, tous les habitants d'un même endroit sont essentiellement *solidaires.*" (*Sociologie Réformiste,* p. 409.)

same country."[44] Furthermore, the respect for private property rights presupposed the correlative respect by the proprieter of the right to life of all others. The latter limited the former in the light of the "tacit agreement" or "quasi-contract" which was the basis of social solidarity, and which gave rise to the "general debt of reparative justice."[45]

While denying that this implied the right to work of all able-bodied men, Fouillée regarded the State as having a moral obligation to pursue a policy of full employment. He advocated, in addition to employment exchanges, the provision of public assistance for the unemployed and the pursuit of a counter-cyclical program of public works to correct fluctuations in employment engendered by booms and slumps in the private sector of the economy, already suggested in 1848 by so conservative a politician as Thiers in *De la Propriété*.[46] Arising out of the fact that "thanks to the growing solidarity in modern society between each citizen and all the others, the lack of foresight by an individual frequently affects the others adversely," Fouillée maintained that the State was entitled to make insurance against all social risks, including unemployment, compulsory. He advocated the creation of a "Ministry of Philanthropic Institutions" to perform the functions for which Louis Blanc had conceived his "Ministry of Progress" in 1848: to aid existing and create new friendly societies and consumer, producer and credit cooperatives.[47]

(*Continued*)

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[44] *Propriété Sociale*, p. 78; *cf.* pp. 67 et seq., 129. How widely the view that Fouillée expressed has come to be shared is indicated by the following quotation from a leading article in *The Times* on July 5, 1948, the day on which both the National Assistance Act and the National Health Service Act came into force in Britain. It began: "Today the British people join together in a single friendly society for mutual support during the common misfortunes of life." Whether the eulogy that followed would be repeated more than a decade later by this self-styled spokesman of the "top people" is dubious.

[45] *Propriété Sociale*, pp. 79, 132.

[46] *Ibid.*, pp. 133 et seq., 142–5. On the public works program tentatively suggested by Thiers, see *De la Propriété*, 1848, p. 422.

[47] *Ibid.*, p. 147; *cf.* pp. 146–53.