The Empirical Study of Morality:

Moral sociology Based on the Study of Converted Muslims in France

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Research in moral sociology involves analyzing the moral dimensions of social facts. However, this gives rise to the question of which moral and which moral system our analysis is aimed at. In seeking to answer these questions, the sociologist is faced with a classic problem in the human and social sciences, which involves oscillating between a descriptive approach adopting 'axiological neutrality' and having the aim of describing being and the normative approach which strives to judge what should be. Therefore, I propose a reflection on the empirical study of morality based on moral responsibility among young converts to Islam in France. This reflection leads to the deployment of an approach specific to our field to overcome the various normative obstacles that the researcher encounters while reporting on moral facts in a given population.

La recherche en sociologie morale consiste à analyser les dimensions morales dans des faits sociaux Cependant, la question qui se pose est de savoir quelle morale et quel système moral notre analyse vise ? Ce faisant, le sociologue se trouve devant l'un des problèmes les plus classiques en sciences humaines et sociales consistant à osciller entre une approche descriptive adoptant la « neutralité axiologique » et ayant pour but de décrire l'être et l'approche normative qui vise à juger ce qui devrait être. Dans cette optique, nous proposons à partir de notre terrain sur la responsabilité morale auprès de jeunes convertis à l'islam une réflexion sur l'étude empirique de la morale. Cette réflexion nous conduit à déployer une approche propre à notre terrain pour enfin surmonter les différents obstacles normatifs que rencontre le chercheur pour rendre compte de fait moral chez une population donnée.

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Moral sociology aspires to understand the empirical manifestations of morality in the lives of individuals and societies. In doing so, it faces the difficulty of having to rely on a given normative standard to empirically judge what is a moral manifestation and what is non-moral[1]. Faced with this conundrum, the sociologist encounters a classic problem of sociology, namely, the oscillation between a descriptive approach aimed at defining "what is" and a normative approach aimed at judging "what ought to be"[2].

Inspired by surveys on moral responsibility, carried out between 2012 and 2014, among converts to Parisian Islam, this paper presents the meaning of moral sociology and its link with moral philosophy and the problems encountered this study. Thus, my question will be how a study in "moral sociology" involving another normative frame of reference, namely, Islam, should be carried out. In other words, what theoretical and methodological position could be adopted for an empirical sociology of Islamic morality?

Here, I present four problems and the solutions adapted for their moral study: (1) the fusion and the boundary between the normative and descriptive parts; (2) axiological neutrality and characterization of the approach for what is called "sociology of Islamic morality"; (3) the link between the spheres involved in norms and values and moral responsibility; and (4) the reflection in the meaning of the terms "ethics" and "morals" in relation to the approach.

Morality and religious facts

The consideration of the link between morality and religion is a promising approach to the study of religious facts, more particularly among converts in the modern world, who often seek – in line with our research – a normativeness established on values that represent a framework for leading their lives. This inquiry is often revealed as a response to a complex modernity imbued with a nihilism that devalues this normative framework presented from "above" as a rescue of the mind and soul[3]. Therefore, some research has stated this link between religion and morality in modernity, claiming that religions still play – to some extent – an important role in defining moral and political values[4].

This modern quest for morality in religion remains an intrinsic factor, motivating and implying that the convert embarks on a path involving his moral responsibility based on religious norms, which, for the purposes of this study, are Islamic norms. From this perspective, the choice is to focus on religious facts by looking at the "ways of believing" (modalités de croire)[5]; in other words, to describe and observe the conversion to Islam of these individuals, while taking into account the factors underlying and corresponding to the moral and religious content that emanates from the content of the belief. Danièle Hervieu-Léger defends this idea, without seeing the consequences of it on the sociology of religions, by affirming "that there is some embarrassment in addressing the problem of religion by excluding methodologically the question of the content of the belief. Finally, there is nothing more difficult than to think of religion outside the content of belief"[6]. Therefore, conversion to Islam also implies an interest in the prevailing morality in the content of the belief.Indeed, moral philosophy can inspire the sociologist to undertake this type of analysis. Nevertheless, his aim is also to observe facts in order to understand and sometimes even predict what morality represents for individuals in their religious practice, without being interested in the

history of moral philosophy. However, some philosophers, such as Wittgenstein[7], do not recognize moral philosophy as philosophy. Inspired by this opinion of Wittgenstein, some sociologists base their studies on the analysis of moral practice rather than on moral theories. It is here that moral philosophy and sociology have been opposed since Lévy-Bruhl[8] and that morality has become, in nascent sociology, a controversial subject, as we shall see.

We often tend to deal with specific subjects where moral debates crystallize, but in doing so, "we are dealing with a specialized sociology (sociology of deviance, religions, public debate), where the specificity of morality is lost as a dimension of social belonging"[9]. Thus, the study of morality from a sociological perspective is confronted, above all, with the existing opposition between several theories, such as individualism and holism, micro and macro sociology and determinism and methodological individualism. We do not pretend to find a solution to all the problems of sociology. However, given the differences between these theories, the pragmatic "style" option[10] to find the trade-offs between these oppositions becomes interesting. In other words, the "style" of pragmatic sociology appears to be the best possible choice to study morality as put into practice between normativity of the collective and subjectivity of the individual. This style of pragmatic sociology associates the analysis of actors' discourse with their links to the surrounding social and political context[11]. Following this logic, a micro-sociological analysis of facts never dissociates the operations and processes in and through which these facts are made descriptive, and in doing so, this style proposes an alternative "between situational and structural realities and therefore between the *micro* and *macro* levels"[12]. In this context, the discourses of the actors, their practices and their justifications are subjected to serious analyses, considering "what they say must be fully part of the description of what they do"[13].

From this point of view, a first option appears already to be chosen: that of considering the study of morality under a pragmatic sociological style. Nevertheless, this option does not solve all the problems that could be encountered by conducting a study on morality from this perspective. Therefore, in order to avoid an analytical impasse that would lead to a severe criticism of such a perspective, it is necessary to take into account and highlight the various problems that may influence or bias the analysis.

The descriptive and normative components : "What is" and "What ought to be"

The difficulty in conducting an empirical study on morality is that we have no sociological idea what is moral and what is not. In other words, one of the most common problems in sociology and philosophy is the oscillation between a descriptive approach

aimed at describing "what is" and a normative approach to judging "what ought to be". In sociology, such a distinction between these two perspectives is echoed when the "is–ought"[14] problem identified by David Hume and the concept of "axiological neutrality" are evoked. This is why the criticism of moral sociology or of the sociology of value is above all on the normative vision that they advocate. This vision discusses the norm and the value of things as such and "aims to say what are the values *in themselves* and therefore those that everyone must respect"[15].

This problematic appears all the more difficult when we confront the modern doctrine of contemporary moral relativism often adopted by sociologists. Starting from this, sociologists often argue that it is impossible to rely on a certainty as to what a moral act "ought to be", without violating the famous principle called the principle of "axiological neutrality" laid down by Weber. In fact, sociology today tends more towards descriptive study which attributes to the moral fact a lesser value, within an axiological, moral and normative complex, and that too within a framework of research that may, for example, focus on "social reproduction", "individuation" or "social integration"[16].

In fact, the philosopher tries to reflect in an abstract way on a subject, while, for his part, the sociologist must first determine whether his study will be empirical or theoretical, whether it will aim to produce a normativity of morality (based on a sociological methodology, as did Durkheim) or whether the study in question will rather consist of a description of social reality around the subject of morality. In 1960, these choices prompted Gurvitch to propose to study the "problem of the sociology of moral life", but again, in 1970, he studied "the theoretical morality and the science of morals [mœurs]".

Despite these methodological and theoretical difficulties, the question of morality concerns researchers in the social sciences, in particular, after the emergence of the multicultural phenomenon and of religious plurality in the national state involving a plurality of moral systems. Along these lines, morality in sociology could be considered when norms and values are in conflict or when there are two orders of norms (e.g., one religious and the other social), which are based on social values, different morals, policies and religions "questioning the validity to which the norms in force claim, and shared values"[17]. From a sociological perspective, this is the option that has constituted the central point of our approach, which envisages comparing different, or sometimes opposite, moral normativities.

To put it another way, this problem around norms and values can be considered, on the one hand, from a normative perspective oriented towards "what ought to be" and, on the other hand, from a descriptive perspective aimed at describing "what is" – by giving actors the ability to interpret values and norms. However, this perspective becomes problematic for moral sociology considered "normative", especially if we know the difference between what is moral and what is not, which is a difficult subject for

sociologists who prefer "axiological neutrality", a predominant concept, as we shall see.

Axiological neutrality and the characterization of the approach

The purpose of moral sociology is to analyze moral dimensions in social facts, as Durkheim had done to later found secular morality. Nevertheless, the question that arises is which morality and which moral system is our analysis aimed at?

Thus, it is essential to characterize our approach in order to determine precisely in which field we wish to direct our research, for example, the sociology of Islamic morality. As an example, the study of abortion will vary depending on whether one places oneself within the framework of secular morality or Islamic morality. Based on this, a moral sociology that researches abortion might involve specifying on which moral criteria it is described, evaluated and, for some sociologists, judged. However, the adoption of such a position implies the question of axiological neutrality, which comes up against a sociological perspective aiming to account for the moral fact itself.

Such a project seems challenging to achieve for sociologists wishing to adopt an axiological neutrality that remains for them the "best brake to this underlying rational moralism"[18], due to the fact that it is arduous to consider this "rational moralism" outside of normativeness[19]. Therefore, the challenge of characterizing our approach to a sociology of Islamic morality is to overcome this analytical constraint while preserving an objective stance in the analysis, because scientific impartiality in moral sociology is essential in the investigation, rather than axiological neutrality, as we will show from our case study.

This debate also goes back to the period when French sociology took off, tenacious between the consideration of Durkheim and that of Lévy-Bruhl, who took a firm stance that moral theories formed their ideas at a distance from human reality. This position led to a critique of the philosophers and the Durkheim reserve, which suggested that Lévy-Bruhl's "moral science" should be based on scientific and theoretical morality. In other words, Lévy-Bruhl rejected the normativeness of moral theories and claimed a sociology of morality. This debate between Durkheim and Lévy-Bruhl focused first on the lively subject of normative study and descriptive study implying an axiological neutrality, since Durkheim, being inspired by philosophy (especially Kantian), always had this normative framework for the topic of morality, principally when he suggested the idea of laic morality and its foundations[20].

Pharo's project[21] intended to revitalize a Durkheimian moral sociology based on a minimum normative structure for the morality of social events, founded on three criteria: the justice of others, undue suffering and the semantics of virtues and other moral terms. However, this moral sociology has been criticized by sociologists supporting the principle of "axiological neutrality". In addition, there is a further

difficulty associated with this project, which involves restricting this normative framework to three main criteria, which can be conceptualized and applied differently from one moral system to another – especially in the current context of moral relativism.

Indeed, some researchers and philosophers have criticized this axiological neutrality; these include Leo Strauss[22] and Putnam[23]. Strauss makes three criticisms of axiological neutrality, which he considers a fallacy. More specifically, the first criticism is about the "rapport to values"[24]. Strauss considers the Weberian approach as nihilistic in nature, due to the fact that denying or accepting a value ultimately amounts to taking a position vis-à-vis these values. The second criticism refers to the application of such neutrality that Weber himself could not accomplish, considering the ethics of responsibility as a value. The third criticism refers to the position of the researcher, since he states his intention to respect axiological neutrality, although, at the same time, he passes over – consciously and/or unconsciously – a tacit conclusion or a tacit value by his description[25].

In this study, there are glaring examples where these remarks by Strauss – especially in the sociology of religions (which is close to our subject of study) – may be experienced and grasped. Indeed, the unconventional religious practices of a believer are often described using concepts such as "individualization", "hybridization" or sometimes even by the term "bifurcation", without exhibiting that this description is implicitly compared with a normativeness or with a religious normative ideal type for these practices. As such, when a convert says that sexual intercourse outside marriage is not an immoral act or illegal according to Islamic norms, sociologists of religions describe without going very far in Islamic theology and jurisprudence – which study the immorality of this act in detail – that these words of the convert are a way of claiming the right to engender the content of one's own religion in a manner appropriate and adapted to the context of life of the individual in question[26], but also its status as a free and autonomous being. And in this sense, we are at the heart of an analysis inspired by an Islamic normative framework that implicitly judges – as Strauss said[27] – the act of this individual even if the judgements are not pronounced. In doing so, "axiological neutrality" is not respected, even if we claim the contrary.

That is why my approach involved determining the sphere within which our research should take place. This sphere encompasses Islamic morality based on the religious sources of Islam in the context of secular state and secularized society. In this sense, the words of the converts explain the principles, the motivations and the reasons that led them to be part of a religious morality. This allows us to analyze the religious practices of converts, based on the respect of Islamic norms, which invites us a second time, relying on "the contents of Islamic normativeness"[28], to see what converts "do"

in their lives in order to cohabit between the different norms and values in their context (in other words, to describe the "what is") and compare them to what they are supposed to do or not do, when we refer to the Islamic normative framework ("what ought to be"). Moreover, this analytical thread makes it possible to realize to what extent this Islamic normative framework is flexible in order to adapt and adopt it to the social reality of these converts.

This perspective touches the heart of the problematic of this study conducted among converts to Islam and aims to distinguish between, on the one hand, Islam characterized by the theories of jurisprudence – fiqh[29] – adopted by these converts and, on the other, what they do (in their practices) while respecting the social norms (formal and informal) of French society. The aim was rather to consider these tensions between social norms and values and religious norms and values. These tensions invite us to take a closer look at the underlying moral subject, taking life in these two orders of norms. Rather, it will be a matter of describing the tensions between norms and values by resorting impartially and objectively to a "ready normative framework", such as fiqh, which provides us with moral explanations an act within the framework of Islamic morality. In doing so, the words of the converts are analyzed in two parts – one descriptive ("what is") and the other normative ("what ought to be") – without insisting on the adaptation of "axiological neutrality", although in this case, we adopt a "scientific impartiality" involving presenting what converts do and what Islamic sources describe these acts, while taking into account doctrinal diversity in Islamic jurisprudence. Here, the content of the belief is mobilized in the analysis, and it makes it possible to grasp the basis of the moral issue and religious practice in a secular society, which target the spheres of norms involved and the moral responsibility endorsed by these converts.

The sphere of values and norms involving moral responsibility

Determining the sphere of values and norms involving moral responsibility is important for our analysis. On the one hand, there are values and norms affecting the private sphere and on the other hand, social and political values and norms affecting the public sphere. With this in mind, the moral aspect involved in this conversion to Islam invites us to study these religious norms in the context of France, a secular country.

The idea is that social norms reflect what is contained in moral systems, relating to a vision of the world. In other words, respect for these norms determines good and evil, just and unjust, usefulness and uselessness, according to values that justify this world view. We can advance the idea that norms materialize and put into practice social, moral, political and religious values in practical life.

In general, sociology considers social norms according to the following typology: on the one hand, there are formal norms (laws) and on the other, informal norms (manners, customs, rites). These two types of social norms ensure certain rights, impose certain duties and prohibit certain actions. Formal norms are often dealt with by the legal authority that judges offences according to the laws of the penal code and the civil code

that encompass the political and legal perspectives of standards in a society. As for informal norms, they are "not said"[30] and unwritten rules of behaviour, shared within the group, whose violation often provokes strong reactions[31].

This typology is based on an idea of the collective in which social norms are shared by all individuals in a homogeneous society. In other words, a society composed of religious and cultural plurality is a challenge in determining informal norms and sometimes formal norms as well. Thus, this typology remains behind the individual dimension of monitoring these standards. Individual norms based on subjective values of the free and autonomous individual may partly escape these two typologies. Similarly, Islamic norms that emanate from a heteronomy respected by the Muslim believer cannot always or little integrate into one of two typologies presented, unless we target them specifically by considering them – perhaps – informal in a predominantly non-Muslim society, especially if we also know that Islam provides for certain moral laws (formal norms) involving sanctions that are supposed to be applied by the authority of a Muslim state.

Along these lines, in a secular society, the moral responsibility of the believer becomes more challenging in the absence of a social and constitutional authority pursuit in the application of religious norms. Believers have been living in this situation due to the fact that religion became an option between others in the modern state[32], since it no longer occupies the institutional and social place it used to and which, traditionally, permitted religion and beliefs to play a unifying, moral role affecting the common sense of the norms of life, individual or social.

In this, the convert is engaged in a life process involving the implicit but also explicit respect of four types of norms to assume his or her moral responsibility as a citizen, believer and individual in a secular state and society:

1. The first type concerns formal social norms established at the legal-political level, which are based on political and social values and rules of conduct that have been the subject of a legal text.

2. The second concerns the social level – in fact, informal social norms based on social values, habits and customs that judge what is normal and deviant. It is the unwritten rules of behaviour.

3. The third type concerns religious norms, based on moral and religious values, according to rules of interpretation, constituting a religious morality which is deduced from religious texts.

4. The fourth type concerns the so-called subjective level of norms, which is based on subjective values that seem good and just to us. They can be found in certain individuals, such as an interviewee considering the cutting of nails in the evening an act that brings forth evil, unhappiness and injustice.

Considering this diversity, compliance with these norms as a whole becomes problematic and linked to the paradox of heteronomy and autonomy. Indeed, the society in question is based on the value of autonomy in contradiction with religious values that dictate heteronomous religious norms. However, these converts choose voluntarily by resorting to the value of autonomy to submit to a religious heteronomy.

In this case, a hierarchy of standards and values is required. To give an illustrative example from our study, we take the pillar of zakat (alms) as a religious norm which can be akin, to a certain extent, to the payments of taxes and/or social contributions in modern states, used to manage these social issues. However, there are some differences between these two types of contributions to social solidarity. These distinctions are based on the values and goals sought by the two types of social contribution but also on the norms by which they are managed and the manner in which the money raised is distributed. This shows that the two norms based on the same value of solidarity share the same moral motivation but that the application implemented to ensure this value is different and the finality is also not identical. In other words, the effect sought in respect of this value differs, since in the case of Islam, this pillar rests on a metaphysical aspect related to faith, from what we call the "dualism of Islamic norms" aiming to found (1) the world for (2) the afterlife[33].

According to the Durkheimian explanation, zakat, as it is considered sacred, has a greater weightage than a norm concerning the obligation to pay taxes and social contributions. In this sense, some converts attach more importance in their hierarchy of norms to religious norms, such as paying zakat, than to their obligation to pay taxes. At the same time, they do not deny their civil liability and citizenship, which requires them to pay taxes, because these have, in the last instance, beneficial effects. Faced with this double moral responsibility, that of God and their civil responsibility, it seems that the compromise becomes unavoidable to allow Muslims to assume both responsibilities, such as deducting zakat given to a humanitarian association from their taxes.

This example of zakat leads us to reflect on the meaning of the term "ethical" often separating the metaphysical order from the order of finality and purpose in the human act. At the same time this separation aims at the link between morality and religion.

Reflections on the meaning of the terms "ethics" and "moral"

Some sociologists such as Patrick Pharo propose a moral sociology, and others such as Simone Bateman lean towards ethical sociology. Between the two visions, there are other underlying philosophical visions as we shall see from the example of Weber's work on which sociologists rely to value the term "ethics". François-André Isambert and others consider that the word "moral" has negative and moralizing connotations linked to obedience to a rigid moral system, often a religious one. Thus, Isambert et al. favour the term "ethics" "to avoid precisely the ambiguity that consists in making it [the term *moral*] sometimes a particular sector of activity (the *moral life*) sometimes the

normative foundation of all activity"[34].

Indeed, the sociologist seeking to attribute the term "ethics" to this branch of sociology is immediately forced to take his position in a long history of moral philosophy going as far back as the history of philosophy but above all to Spinoza, who has examined the notion of "happiness of ethics". The issue of Spinozan ethics completely breaks away from the sense of religious morality. Indeed, there is a division between ethics based on moral reflection, on the one hand, and religious morality based on religious texts crystallizing a heteronomy, on the other. In the Western world, this division is mainly linked to the place of religion in moral conception. Many explanations have been given on the division between ethics and morals, all of which are controversial. However, today, the problem of defining morality is, above all, one of expression, which is mainly linked to the idea that one wants to pass through the notion of morality but also to the criteria used to pass on these ideas, according to the chosen conception of morality.

The question here is: Is it possible to stick to a conception of ethics linked to contextual and spatial rules and codes relating to moral reflection? However, according to this conception of ethics, what is prohibited today can, in principle, be allowed tomorrow, if this evolution is justified. In other words, according to this vision, morality is 'principialiste'; it represents an excess of the interest of the individual, while ethics is "consequentialist"[35], which means that it aims to see the results of the act. However, the mere fact of using the term 'principialiste' means that one tends to think of morality with all the existing theories, such as that of Kant, while in using the term 'consequentialist', we place ourselves within the framework of teleological morality with all the theories associated with it, such as utilitarian theory.

The distinction between the terms "moral" and "ethical" is not newfangled, but it has recently reappeared, based on a conceptualization that neglects the fact that these two terms come from two different languages but that they have the same semantic meaning. Indeed, the word "ẽthos" in Greek means "habit" or "usage", while the term "moralis", created by Cicero (106–43 bc), refers to "mores", indicating morals, and is equivalent to the former[36]. The Greek concept tends to designate what is a good life and not what is a moral life. This is why the Greeks, in using this term, indicated the fact of leaving a memory of a good life, rather than a moral life. In this way, ethics could appear as a technique of life and not as a morality of life[37].

Currently, the etymology of the two terms is not highlighted to find the semantic difference. In fact, we are witnessing a "phenomenon of ethics" that began in the 1960s, following the question raised about the link between man and his action and about the finality of the latter. Previously, the focus on applied ethics was rare, even within the analytical philosophy that did not focus on it[38]. Until then, ethics had been interested in the subject of action, the finality and how of action, but also its

justification, while morality, for its part, presented laws based on certain values and on a set of rules that men imposed on themselves as a "duty to do". Moreover, we could see at this stage that individualism and happiness were linked. The phenomenon of ethics was also inscribed in this current, as Isambert et al.[39] have explicitly noted. Following this view, it can be assumed that "the division of morality [between ethics and moral terms], in the ordinary sense, into two parts – the morality of strict duties and the ethics of personal purposes – would solve the problem of justifying moral requirements before a contemporary audience"[40].

In view of this, two comments can be made. This distinction between the moral and ethics is mainly of a philosophical nature, and the influence of Anglo-Saxon philosophy on the question of ethics may be evoked. Indeed, philosophers such as Jean-Marc Ferry assume that Christian canonical texts have insufficiently dealt with ethical and legal intuitions, as does the modern state. In doing so, this philosophical distinction between the moral and ethics is implicitly based on a desire to separate morality from religion, which is found, for example, in Spinoza's book *Ethics, Demonstrated in Geometrical Order* and which is imbued with a radical criticism of religions. Morality thus becomes an irrational belief that can be indisputable and fixed, because of its link with divine transcendence, or ecclesiastical. For this reason, Ferry considers that the religious support on which morality rests in modernity serves only those who seek a meaning to existence because it attributes "something of the sacred order in the most intimate secular experiences to the heart of private life"[41]. Ethics, then, serves to rationalize our actions in a goal of happiness, without being interested in the metaphysical sense of morality that religion proposes.

The second remark that can be made is that these philosophical thoughts inspired sociologists in their desire to show that the use of the term "ethics" is less problematic; indeed, this use does not release the historical and philosophical burden weighing on the term as associated with religious morality. The fact that Isambert et al.[42] justified their choice of the term "ethics" by indicating that Weber had used it as well can be criticized. If Weber used the term, it does not justify omitting that in German, the term "moral" is mostly limited to the private sphere[43]. In France, the term "moral" or "morality" is concerned with values, norms and social rules in the public sphere as much as in the private. At the same time, if we look at the Hegelian distinction (in *The Phenomenology of the Spirit*) established between ethics (sittlichkeit) and morality (*moralität*), we realize that Hegel (who greatly inspired Weber) makes a distinction opposite to the one being made today between these two terms. More precisely, for Hegel, ethics is related to immediate action (hence decisions), which is related to a behaviour based on customs and traditions that is done by imitation, while morality can be related to thoughtful action and moral autonomy[44]. However, nowadays, ethics are often defined as justifying and reflexive in nature, whereas morality is defined, for

its part, as being non-reflexive. Of course, Hegel reconceptualizes ethics differently (in *Elements of the Philosophy of Right*), even less clearly, which has generated controversies among German thinkers.

Thus, one question remains: if Weber used the term "moral" instead of "ethics", did he want to hear the same thing that we do today by the use of this word? Indeed, the question deserves to be asked because one can think that Weber's approach (especially when he asserts that rationalization without support of the religious will lead to a loss of the ethical sense) aims to say that religious morality (in this case Protestant) has generated ethical techniques appropriate to modernity, "hence also this transformation that Max Weber studies in several cases, where the rationalization of practice leads religions from a ritual predominance to an ethical predominance"[45].

Weber, in his work *The Protestant Ethic and the Spirit of Capitalism*, has made this science a tool for understanding the moral meaning of the values that the individual rationally adopts in his private life (especially in the case of Protestants). Hence, he drew a distinction between the ethics of responsibility (which seems to respond to his conception of the rationality of the individual, seeking a finality) and the ethics of conviction (which opposes the Kantian duty, especially when one speaks of religious duty and acting out of conviction). It should also be added that the Durkheimian perspective expects the science of morality to become a research tool to address the "structure and development of value systems"[46]. With this in mind, "Perhaps we must attribute to this difference of interpretation between the two languages the fact that Durkheim has been constantly criticized in Germany for his sociologism, his anti-individualism and his political conservatism, and perhaps for the same reason that a new invitation to turn away from one's paradigm has recently been read"[47], especially in moral sociology, which explains why Weber's work should be relied upon by sociologists who prefer the term "ethics".

In view of these remarks, it can be said that Isambert et al.[48] suggestion to use the term "ethics" to go beyond Durkheimian moral sociologism, using Weber's words, seems to favour the view of the rational individual. According to this approach, ethics becomes a more attractive and less problematic theme compared with morality, which is based on lists of orders and prohibitions. This is why it has been unclear to us to distinguish between these two terms in our approach towards Islamic morality, as we shall see in the conclusion that follows.

The sociology of Islamic morality

In the case of Islamic norms, the term "ethics" could be considered as an equivalent of the term "moral" and holds in the reflexive character of a moral duty. Indeed, Islamic norms have a reflexive and justifying tendency. Using the term "ethics" to implicitly emphasize the separation between morality and religion (as in Spinoza's essay), we end

up with an approach that is nonsensical, given that religions deal with ethics in the sense that it is understood to this day.

Indeed, the use of the term 'ethics' in the context of Islam does not avoid the ambiguity that we are confronted with when we wish to distinguish "sometimes a particular sector of activity (the *moral life*) or the normative basis of all activity"[49]. Moreover, the term "ethics" does not make our approach to the sociology of morality more operative, relying on the distinction found in a Muslim practitioner between his moral life and the normative foundation of morality. Indeed, if a practitioner wishes to conduct his moral life in accordance with Islamic morality, he should make this his personal ethics (in the technical sense of the term). In addition, there is often a tendency to translate the term "âdâb" (etiquette) as being related to the term "ethics" because there is a whole set of etiquettes, such as the etiquette of ablution, that of prayer, that of eating, that of behaving with others and so on. In all of these etiquettes, there is a direct link to the moral dimension, including the etiquette on how to use the toilet. This leads Milliot and Blanc[50] to affirm that, in a simple gesture, there is the imprint of Islamic morality to the point that every action, even the tiniest, can be subject to a case of consciousness for a given purpose. At the same time, this distinction between morality and ethics cannot be made at the level of the founding texts. Indeed, the Qur'ân and the hadith (prophetic tradition) can contain both meanings: more precisely, the meanings in the Qur'ân and the hadith support the meaning of the word 'ethics' when they openly explain the finality of the act and when the moral orders are dictated in other verses and hadiths. Similarly, we find in other verses the justification of these orders related to the manner in which they are to be obeyed.

The fiqh, for its part, is still in this process of sorting the ethical-moral norms based on the fundamental texts – norms that have a credential character as understood by this separation between credential ethics and moral obligation. In addition, these treatments of moral-ethical norms are supposed to be a recourse for practitioners, affecting every aspect of social, economic, psychological and even political life, to enable them to recognize evil and good, just and unjust, moral and immoral, equity and inequity, which are labelled according to a category of moral expressions of classification and ethical review of acts. More specifically, this labelling involves such expressions as the licit (*ḥala*) and the illicit (*ḥarām*), the obligatory fact (*wajib*), the recommended act (*mandûb*), the authorized act (*ja'iz*), the detestable act (*makrûh*) and the prohibited fact (*maḥṣûr*)[51].

In view of the above, we may argue that the distinction between the terms "moral" and "ethical" is not appropriate in our case for two reasons: one refers to the Islamic religious aspect, which does not make this distinction – indeed, morality according to Islam is also reflexive and justifying, according to the method envisaged by Muslim jurists (fuqha'). The fuqha' seek to determine the *maqaṣad al-shariʿa* (the intentions and purposes of sharia). The second reason is that this distinction remains charged with a

philosophical tendency born of the radical critique of Christianity that we cannot project all the experiences of Western Christianity onto other religions, which in the final analysis would create cultural barriers. Therefore, talking about Islamic ethics or Islamic morality ultimately means the same thing. Beyond that, the moral-ethical treatments contained in fiqh have a religious basis aimed at making the acts and experiences of Muslims bring them into the realm of the sacred. And this, unlike the ethics proposed today, is not based on the sacred related to metaphysics. By taking the distinction between the moral and ethics supported by sociologists and philosophers to separate the metaphysical sense of morality by using the term "ethics", the expression "sociology of Islamic morality" is better suited rather than Islamic ethics.

After presenting our approach to studying Islamic morality by adopting a theoretical and methodological framework addressing the normative aspect, axiological neutrality and the sphere of values and norms involved, and after having argued why the two philosophical and sociological proposals for distinguishing between the moral and the ethical in the case of Islam can be refuted, we can conclude that it is necessary to characterize each study according to the moral system in question to allow the empirical study to be based on solid foundations for analysis. Thus, the treatment of the moral subject in the case of Islam requires this approach, taking into account the content of belief and morality of this religion treated deeply by sociologists to then analyze the interviews or the field data. Finally, this is why we consider our case study to be the sociology of Islamic morality founded methodologically and theoretically to analyze Islamic norms in France and elsewhere.

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___ *Idem*, p. 180.

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___ Davie Hume distinguishes 'between the order of facts and the order of values' (Reber, 2011, p. 19). In other words, the problem posed by Hume is that our moral judgements cannot be justified by being or a state of fact. We cannot infer 'what ought to be' from 'what is'. Just because a society practices and defends a certain behaviour does not mean it is moral. This problem is often used in moral philosophy to refuse to take an interest in empirical work, as a certain moral sociology might do.

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"Fiqh" is defined as Islamic jurisprudence (Dupret, 2014). The role of fiqh for centuries has been "to deduce from the verses of the Book [Qur'ân] and the Ḥadîths, envisaged as constituting the foundation of the Law, incorporating, if necessary, elements of other origin, the rules of public and private conduct applicable to each case of species, by determining the place of each human act in the scale of ethical-religious values" (Milliot and Blanc, 1987, p. 8; my translation).

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[47]
____ *Idem,* p. 2; my translation.

[48]
____ ISAMBERT F.-A., LADRIERE P., TERRENOIRE J.-P., « Pour une sociologie de l'éthique », *op. cit.*

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