

EDOARDO FITTIPALDI

## What Concept of Morality for Sociology of Morality? From Ossowska's Rejection of Substantive Definitions to a Formal (Psychoanalytic) Cross-Disciplinary One

Ossowska contended that it is impossible to give a coherent definition of *morality* but at the same time she refused to adopt a stipulative definition for it. In § 1 the author illustrates Ossowska's *official* attitude towards stipulative definitions. In § 2 he shows that Ossowska was not always consistent with her programme of abstaining from using stipulative definitions. In § 3 the author asks whether Ossowska's rejection of stipulative definitions of morality can be somewhat compared with Bourdieu's concept of *illusio*. In § 4 the author contends that Ossowska's failure in finding satisfactory descriptive definitions for morality is to be explained by her searching exclusively for *substantive* definitions. The author argues, instead, that a *formal* definition for morality can be given. Such a proposal was first made by the Polish scientist of law and morality, Leon Petrażycki, who provided a purely formal definition for both, and his definition is compatible with the findings of psychoanalysis in this regard. Thus Fittipaldi proposes a Freudian-Petrażyckian stipulative definition of a *moral evaluation* as an *evaluation backed by a superegoic emotion*. Superegoic emotions may be addressed to virtually whatever object (hence the formal nature of the definition) and all of them stem from the archaic helplessness of the child *via-à-vis* his caregivers—caregivers whom the child at once loves, fears and admires. According to the author, this definition is heuristically fruitful and makes it possible to cover all the areas that according to Ossowska should be investigated by her science or sociology of morality.

*Keywords:* Maria Ossowska, Pierre Bourdieu, Leon Petrażycki, Psychoanalysis

### 1. Ossowska's abstention from adopting a stipulative concept of morality for her sociology of morality

One of the most puzzling aspects of Ossowska's work is that she never gave a definition of *morality*—not even a stipulative one. It is from this safe stance that she criticised virtually all the definitions for this concept she encountered.

To try to understand why she acted in this way we can start from the following quotation where she explains why in her *Foundations of the Sci-*

ence of *Morality* she gave no stipulative definition of *morality*. She seems somewhat to connect her abstention with some sort of distinction between *human sciences* and *natural sciences*.

*Chemik nie stawia sobie za zadanie badać, co ludzie uważają za wodę. Przestałby wtedy być przyrodnikiem, a stałby się humanistą. Tymczasem ja jestem humanistką i mnie interesowało właśnie, co ludzie uważają za przynależne do sfery moralnej, a co nie. [1949: 787, emphasis in the original]*

A chemist does not set himself the task of investigating what people regard as water. In such a case he would cease to be a natural scientist and would become a humanist. Yet I am a humanist and I was interested precisely in what people regard as pertaining and not pertaining to the moral sphere.

Here it seems that, according to Ossowska, one of the objects of sociology of morality is precisely the investigation of what *is regarded* as pertaining to the moral sphere. What is difficult to understand is how this kind of investigation can be distinguished from a lexicographic investigation concerning the usage of such terms as *moralny*, *moral*, *naustvennyj*, etc.<sup>1</sup> I will return on this issue below.

In this section my aim is to clarify why Ossowska never proposed a definition of morality. A reason can perhaps be found in the following passage:

The concept of morality shares the lot of concepts delineating the field of valuations. Morality is concerned with objects of praise or blame. A person who considers a type of behaviour a matter of indifference will exclude it from the field of morality. Thus the scantiness of a bathing suit on a beach can make certain people indignant, while for others the matter is of an aesthetic and not moral order. This fact makes it hopeless to find a definition that would satisfy the intuitions of all. [1971: 174]

Therefore, it seems that, according to Ossowska, since it is impossible to give a *substantive* (i.e., related to certain contents) definition of *morality*, the sociologist of morality should be content with collecting what *is regarded* as pertaining to the moral sphere.

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<sup>1</sup> This is precisely the criticism that Jerzy Lande addressed to Ossowska's *Podstawy* (1994†, first published in 1947) in his *O ocenach* (Lande 1948).

In her *Podstawy nauki o moralności*, Ossowska stated that morality is a *heterogeneous* concept<sup>2</sup>:

Mógłby nam ktoś powiedzieć że niemożność dotarcia do jakiejś wyraźnej koncepcji moralności była z góry do przewidzenia, nie można bowiem kusić się o definicję analityczną dla pojęć niespójnych. Istotnie, gdy z doświadczeniem nabytym w czasie przełamywania się przez trudności tej książki patrzymy teraz wstecz na naszą robotę, widzimy, że zamiar zdefiniowania oceny moralnej był w podobnej, choć gorszej sytuacji od zadania tego, kto by chciał zdefiniować słowo 'nabiał'. [1966: 665, *emphasis added*]

Somebody could say that the impossibility of arriving at some clear conception of morality could be predicted beforehand, because one should not be lured into defining *incoherent concepts* analytically. Indeed, if with the experience acquired while breaking through the difficulties encountered in working on this book we look now backwards at our work, we see that the intention of defining a moral evaluation was in a similar, though worse situation than the task of him who wished to define the word 'nabiał'.

The Polish word *nabiał* means a set of products ranging from dairy products to eggs and cannot be translated into English with a *single word*.

In her *Foundations...* Ossowska conducted a sort of *plebiscite* by collecting the most diverse materials concerning what a moral evaluation could be, and the result was that there is no single concept of morality.<sup>3</sup> But, according to her, this situation makes her sociology of morality no worse than sociology of law, sociology of art or sociology of culture. Let us read a passage where Maria Ossowska replies to Jerzy Lande, who contended that *stipulative* (by Ossowska called *arbitrary*) definitions are necessary:

"Plebiscyt" wskazał na brak spójności w koncepcji moralności, ale nigdzie nie wyciągnęłam wniosku: "więc i my badacze wyrzekamy się jednolitej"

<sup>2</sup> Cf. what Jakub Karpiński writes as regards Ossowska's conception of morality: «Morality, if it is defined descriptively, is a heterogeneous entity. But this finding was no obstacle for Maria Ossowska in her sociological investigations. She believed it worthwhile investigating the social origin and function of certain norms; such investigations seemed to her to remain valid, whatever the broader category into which they might be classified» (Karpiński 1977: 38).

<sup>3</sup> Ossowska connects the problem of the concept of morality with the problem of the concept of a moral evaluation. I think that she is right in this regard.

ego pojęcia oceny moralnej” [Lande 1948: 761]. Ukształtowanie takiego pojęcia jest, oczywiście, możliwe na drodze definicji arbitralnej. Nigdzie nie stwierdziłam niemożliwości tego rodzaju definicji, tylko zajmowanie się tą sprawą wykraczało poza program mojej książki. ...

Zgadzam się najzupełniej, że planowana przeze mnie nauka o moralności może nosić szyld “skład towarów mieszanych”, ale pociesza mnie to, że jestem w niewiele gorszej sytuacji of prof. Landego jako teoretyk prawa. Teoretyk jakiegokolwiek bądź działu kultury natrafia w mniejszym lub większym stopniu na podobne trudności. I tak np., jak wiadomo, teoretyk sztuki waha się co do tego, co jest już sztuką, a co jeszcze nią nie jest. [1949: 787 f., *emphases added*]

The ‘plebiscite’ showed that there is no coherence in the concept of morality, but I never drew the conclusion: “therefore also we, the researchers, should renounce to a unitary concept of moral evaluation” [Lande 1948: 761]. It is apparent that it is always possible to shape such a concept with an *arbitrary definition*. Nowhere did I state that such a sort of definition is impossible, but only that dealing with this issue went beyond the program of my book...

*I completely agree that the science of morality that I planned could have the banner ‘store of diverse goods’, but it comforts me that my situation is no worse than prof. Lande’s as a legal theorist. The theorist of whatever branch of culture encounters in a lesser or major degree similar difficulties. For example, as is known, the theorist of art swings as regards what is art and what is not.*

The issue I will discuss in the next sections is precisely the issue of whether the concept of morality for sociology of morality confronts us with the *same* difficulties raised by such concepts as law, art, culture, etc., for sociology of law, of art, of cultural consumption, etc., and how it should tackle these difficulties.

But before discussing these issues let me point to the fact that Ossowska seems to contend that such incoherent concepts are *usually* used even by those who despise them:

*Nie doszliśmy do jakiejś własności, która by miała jakieś walory definicyjne dla pojęcia moralności. Z tym pojęciem jest jak z pojęciem kultury. Różni autorzy twierdzą, że jeżeli kultura jakiegoś społeczeństwa ma obejmować zarówno wierzenia jego członków jak i charakterystyczną dlań ceramikę czy sposób budowania, to o tak utworzonej klasie nie dadzą się*

*sformułować teorie adekwatne. Ci sami krytycy jednak w toku swoich rozważań bez pojęcia kultury zwykle obyć się nie umieją.*<sup>4</sup> [Ossowska 1966: 692 f., *emphasis added*]

We did not arrive at some property that has some definitional value for the concept of morality. The situation with this concept is the same as the situation with the concept of culture. Different authors state that if the culture of some society has to comprise both the beliefs of its members and the pottery typical of it or its way of building, then it is not possible to formulate an adequate theory for a class built in this way. These very same critics, though, in their investigations *usually* do not succeed in doing without the concept of culture.<sup>4</sup>

This paper is organised in the following way. In § 2 I will give two examples of cases where Ossowska does use stipulative definitions *locally* or *ad hoc*. This points to the fact that, if it can perhaps be proven that no author is able to completely do away with incoherent cultural concepts, on the other hand, Ossowska was not fully consistent with her programme of building a science or sociology of morality without stipulative definitions of morality. In § 3 I will discuss an issue that—to my knowledge—was not discussed by Ossowska: *What could be the sociological explanation for the alleged fact that for the terms ‘moralność’, ‘morality’, ‘Moralität’ (‘Sittlichkeit’), ‘nравственность’, etc. cannot be given a simple substantive definition, just as it seems to be impossible to give such a definition for art, law, culture (in an appraisive sense), etc.?* In that section I will discuss in brief the proposal made by Pierre Bourdieu concerning culture in an appraisive sense. In § 4, I will argue that not all *special sociologies* are the same when it comes to their objects. Some special sociologies deal with social objects, while others deal with non-social ones, and the sociology of morality deals with an object of the latter kind. Moral phenomena, in the sense that I will propose, are to be understood as superegoic phenomena. In § 4, I will also briefly bring out that (§ 4.1) stipulative definitions are not necessarily arbitrary, that (§ 4.2) stipulative definitions may be heuristically fruitful and that (§ 4.3) disjunctive or even polythetic definitions are not necessarily incoherent. Finally, in § 5, I will argue that stipulative definitions cannot be done away even when investigating purely social objects. There I will also spend some words regarding Ossowska's concept of *sociology*.

<sup>4</sup> But see below fn. 40 for a possible *formal* definition of culture in a non-appraisive (i.e. socio-anthropological) sense.

## 2. Some examples of Ossowskian local (*ad hoc*) stipulative definitions

As I showed, Ossowska contended that a human scientist should be concerned, *not* with what morality *is*, but rather with what it *is regarded as* pertaining to the sphere of morality.

In this way, some of her sociological investigations came close to turning into lexicography. This is so because in order to investigate what *is regarded as* pertaining to the alleged sphere of morality she was forced to investigate how such words as *moralny*, *moral*, etc. were being used in different languages.

Sure, this is not to say that Ossowska was content with the mere collecting of scattered usages. Sometimes we find apodictic statements such as the following:

*Kto skarży się na poniesione straty materialne i moralne, kto mówi o doznanych przez się cierpieniach moralnych, ten używa słowa ‘moralny’ w znaczeniach, których, jak łatwo się domyślić, nie bierzemy tu w ogóle pod uwagę. Straty moralne, w przeciwstawieniu do strat materialnych, to straty, które nie dadzą się przeliczyć na pieniądze. Świadczy o tym symboliczna złotówka, którą sąd przyznaje ludziom na ich pokrycie. [1994†: 61]*

He who complains about the material and moral damages that he suffered, he who talks of the moral suffering that he endured, is using the word ‘moralny’ in meanings that—as one might easily guess—we will not take into consideration at all. Moral damages, as opposed to material damages, are damages that cannot be converted in money. Witness the symbolic penny that the judge awards to people to cover them.

If morality is really like *nabiał* (see above § 1), how does Ossowska decide that the object meant by the term *strata moralna* (moral damage) does not pertain to the domain of her science of morality? Is this not putting the cart before the horse, or just pretending not to be using a stipulative definition while actually doing so? Moreover, since Ossowska wrote also in English, one could ask how she knew that the Polish term *moralność* and the English term *morality* are not false friends.

My point is that Ossowska just pretends not to be drawing on stipulative definitions of morality, while she actually is—if on local (*ad hoc*) ones.

Here I will present two Ossowskian cases of local stipulative definitions of this concept.

These two cases are somewhat complementary. In the first one Ossowska *broadens* the concept of morality in such a way that her sociology of morality invades a field traditionally pertaining to sociology of law. In the second, she stipulatively *narrows* the concept in a way that for me is just incomprehensible.

Here is the passage taken from Ossowska's book *Moral norms*, where she somewhat contends that her sociology should deal also with *rights*, namely a classical topic of sociology of law.

*W naszych rozważaniach nie chcielibyśmy uzależniać uprawnień od istniejącego prawa pozytywnego. Walcząc o ludzkiej uprawnienia Deklaracja Praw Człowieka i Obywatela walczyła dopiero o ustawodawstwo, które by je respektowało, te uprawnienia zatem nie dawały się przez odwołanie do prawa definiować, bo jeszcze takiego nie było. [1970: 85 f.]*

In our discussions we do not want to tie the notion of a right to the existing positive law. In its struggle for human rights the *Declaration of Rights of Man and of the Citizen* fought for legislation that would respect those rights; clearly these rights could not have been defined on the basis of a law for none such was yet in existence. [1970\*: 85]

Here the sober formula *we do not want to* is hardly able to conceal the fact that Ossowska is stipulatively broadening her substantive concept of morality in order to make it cover rights as well.<sup>5</sup> I will return to this issue below.

Let us now read, instead, a passage where Ossowska stipulatively *narrows* the domain of the morality that is the object of her sociology of morality. In this passage she argues that the substantive concept of morality should not include so-called *instrumental virtues*, and that these virtues should rather pertain to the domain of *praxeology*:

*Wszystkie [cnoty praktyczne] służą realizacji stawianych sobie celów i jako takie interesują przede wszystkim prakseologa. Podlegają ocenie moralnej, dodatniej albo ujemnej, w zależności od charakteru celu, od motywacji działającego i jego podstawy. Cierpliwość w znoszeniu bólu budzi uznanie. Cierpliwość w znoszeniu upokorzeń czy tolerowaniu cudzej krzywdy nie stanowi przedmiotu pochwały. [1970: 225 f.]*

<sup>5</sup> But probably Ossowska would not have insisted on drawing a sharp boundary between *the sociology of law* and her sociology of morality. Cf. in this regard Ossowska 1948 (415).

All [instrumental virtues] serve the purpose of the accomplishment of one's goals and for this reason they are of interest mainly to praxeologists. They are subject to a negative or positive moral evaluation depending on the character of the goals and on the motives and attitudes of the acting individual. For instance, patience in suffering pain evokes admiration. Patience in suffering insults or tolerating injustice is not [at all] laudable. [1970\*: 246, square brackets added]

Indeed, it is not clear whether here we are presented with:

1. a local stipulative definition,
2. a philosophical conceptual analysis,
3. an empirical hypothesis concerning whether people would regard patience as a moral virtue.

As regards (3), she does not say that her contention should be empirically tested, therefore I would not regard it as a hypothesis. As regards (2), philosophical conceptual analysis does not seem to be within her official programme for the science or sociology of morality. As regards (1), finally, we only know that she opposes *general* stipulative definitions, but we don't know her attitude towards disguised *local (ad hoc)* ones. I think that this is the case.

Let me remark in passing that her contention that «patience in suffering insults or tolerating injustice is not ...<sup>6</sup>laudable» is quite strange, as it is just unthinkable that Ossowska was not acquainted with the Gospel:

But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also. And if any man will sue thee at the law, and take away thy coat, let him have thy cloke also. [Matthew 5,39-40, see also Luke 6,29]

At least Jesus *regarded as* laudable to have patience in suffering insults or tolerating injustice. Does Jesus's opinion matter for an Ossowskian sociology of morality?

I wish to conclude this section by calling attention to the fact that not only did Ossowska refuse stipulative definitions for current words, but she also had an aversion towards neologisms<sup>7</sup>—with perhaps the partial exception of her last book. This aversion can be seen where she discusses and

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<sup>6</sup> The phrase *at all* cannot be found in the Polish original.

<sup>7</sup> It was prof. Kurczewski who called my attention to this point.

rejects the term *ethology* (a term that—as we all know—would be later on adopted by zoologists).

*Ze względu na swoją etymologię nazwa etologii każe się po niej spodziewać nauki o obyczajach. Propozycja uczynienia obyczaju przedmiotem nauki o moralności jest, jeżeli idzie o jej stosunek do naszej problematyki, jednocześnie i za szeroka, i za wąska. Jest za szeroka, albowiem nie każdy obyczaj będzie, rzecz jasną, przedmiotem badań dla nauki o moralności. Nie interesują jej ani obyczaje przywdziewania takich i takich szat w takich a takich okolicznościach, ani obyczaje takie, jak puszczanie wianków na wodę w wigilię Św. Jana czy kładzenie siana pod obrus w czasie uczyty wigilijnej w święta Bożego Narodzenia.*

*Badając tylko niektóre spośród obyczajów, nauka o moralności zajmuje się równocześnie nie tylko obyczajami, trudno by bowiem do studiów nad obyczajami zaliczyć zagadnienie definicji oceny moralnej, czy zagadnienie, jakiego rodzaju przeżyciem jest przeżycie zwane wyrzutem sumienia czy przeżycie zwane szlachetnym oburzeniem. [1937: 338]*

From its etymology the term *ethology* makes one expect from it a science of customs. The proposal to make custom the object of science of morality is, if it comes to her attitude to the issues we are concerned with, at once too broad and too narrow. It is too broad, because not every custom—it is apparent—will be the object of investigation for the science of morality. The science of morality is interested neither in customs concerning the putting on of such and such garments in such and such circumstances, nor in such customs as releasing wreaths into the water on Saint John's eve or putting hay under the tablecloth during the Christmas Eve supper at Christmas.

If, on the one hand, the science of morality investigates only certain customs, then on the other the science of morality is not concerned exclusively with customs, as it would be hardly possible to count among the studies of customs the issue of the definition of moral evaluations, or the issue of what kind of experience is the experience called pricks of conscience or the experience called noble indignation [1937:338].

I will return to guilt and indignation in the penultimate section of this paper. Here I wish to call attention to the following points.

First, Ossowska seems to be quite sure that putting on certain garments rather than others, etc., can never pertain to the sphere of morality. How does she know that? Moreover, recall that in 1971 (§ 1 of this paper) she

would contend that the “scantiness of a bathing suit on a beach can make certain people indignant”.

Second, it could be asked why the problems raised by the term *ethology* are not raised by the terms *ethics* and *morality*. As for *ethics*, as everybody knows, it also stems from  $\eta\theta\omicron\zeta$ . As for *morality*, as everybody knows, it stems from *mos*, which in Latin meant precisely ‘custom’.

Third, as I anticipated, in her last work Ossowska would do away with her etymological suspiciousness concerning the term  $\eta\theta\omicron\zeta$  and would even include it in its title: *The Chivalric Ethos and its Varieties* (1973, 1973\*). Let us read how she justified her usage of this term:

*Nie jest rzeczą wskazaną by tytuł jakiejś książki zawierał termin wymagający wyjaśnienia, za taki zaś poczytuję słowo ‘ethos’. Termin ten w publicystyce bywa często mieszany ze słowem ‘etyka’. Tymczasem etyka to nazwa pewnej dyscypliny teoretycznej, która stara się ustalić, co się robić powinno, a czego nie powinno. Ethos zaś to styl życia jakiejś kultury, ogólna—jak proponują niektórzy—orientacja jakiejś kultury, przyjęta przez nią hierarchia wartości, bądź formułowana explicite, bądź dająca się wyczytać z ludzkich zachowań. ... Ethos jest terminem, który stosuje się do grup, a nie do indywidualów. Jego zakres wyziera poza wartości, którymi zajmuje się etyka. Jest to termin podstawowy dla socjologii kultury ... . [1973: 7, 1973\*: 11]*

It is not advisable for the title of some book to contain a term that requires an explanation, and I view the term ‘ethos’ as such. In journalism this term is often confused with the word ‘etyka’ [ethics]. Yet ethics is the name for a certain theoretical discipline that attempts to determine what should and should not be done. Ethos is the style of life of a certain culture, the general—as some propose—orientation of a certain culture, the hierarchy of values accepted by it, either explicitly formulated, or that can be read from people’s behaviour. ... Ethos is a term applying to groups, not to individuals. Its range protrudes beyond the values that ethics deals with. It is a fundamental term for sociology of culture.

Ossowska’s usage of the term *ethos* overlaps only in part with her usage of the term *morality*, as in her usage *morality* seems to be capable of being used also to refer to phenomena lying within one single individual. Moreover, from the way she writes, it seems that she eventually adopted the term *ethos* somewhat unwillingly.

But let us come back to the issue of the concept of *morality*.

## 2. Comparing Bourdieu's concept of *illusio* with Ossowska's treatment of morality

In the penultimate Ossowskian quotation of the previous section we saw that according to her the issue of the definition of a moral evaluation pertains to the object of her science (or sociology) of morality.

In this section, I will explore a sense in which this issue could be linked to the sociology of Pierre Bourdieu.<sup>8</sup>

To my knowledge, Ossowska did not provide a sociological or historical explanation of the fact that it is impossible to give a simple substantive descriptive definition of *morality*.

Bourdieu's concept of *illusio* provides a sociological tool for such a tentative explanation. This concept is closely related to Bourdieu's utilisation of the concept of *field* but, since I accept his utilisation of the concept of field only partially, I shall present the former concept without drawing on the latter one.

Bourdieu developed the concept of *illusio*, among others things, in his *La distinction*—a book devoted to *culture* in its appraisive sense (as opposed to its socio-anthropological one). Culture in its appraisive sense can be understood as a kind of *social honour* (to use Max Weber's terminology), much as fashion.

According to Bourdieu, it is impossible to provide any substantive definition of highbrow or middlebrow culture. For example, here is what he writes about the possibility of finding substantive criteria for the definition of middlebrow culture:

It is not difficult to find in [middlebrow] works the properties which, at a given moment, predispose them to the treatment they receive from the new cultural intermediaries and their petit-bourgeois audience, when they are not specially produced for this use. But it would be a mistake to locate in the works that enter into middlebrow culture at a given mo-

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<sup>8</sup> An issue that—to my knowledge—Ossowska never discussed is whether the concept of morality should be viewed as an *essentially contested concept* or as a *radically confused one* in Walter B. Gallie's sense (1956a & 1956b). Everything seems to depend on the existence of an *exemplar*. According to Gallie, an essentially contested concept, unlike a radically confused one, must «deriv[e] from an original exemplar whose authority is acknowledged by all the contestant users of the concept» and it is characterized by «the probability or plausibility ... of the claim that the continuous competition for acknowledgment as between the contestant users of the concept, [must] enable[e] the original exemplar's achievement to be sustained and/or developed in optimum fashion» (Gallie 1956a: 180). In § 4 I will argue that morality has a psychological core, and therefore it is neither a radically confused concept nor an essentially contested one.

ment the properties conferred on them by a particular *form* of consumption. As is shown by the fact that the same object which is today typically middlebrow ... may yesterday have figured in the most 'refined' constellations of tastes and may be put back there at any moment by one of those taste-maker's coups which are capable of rehabilitating the most discredited object ... What makes middlebrow culture is the middle-class *relation* to culture—mistaken identity, misplaced belief, allodoxia. [O]ne must avoid treating this ... *relation* in substantialist fashion. [Bourdieu 1979: 376 f., 1979\*: 327, emphases added]

We could adapt to morality some of the words Bourdieu says as regards middlebrow culture and contend that the same behaviour that today is regarded as immoral may yesterday have figured in the highest constellations of morality and may be put back there by some unexpected and unpredictable cultural change.

The very same behaviour (think of homosexuality) may turn from something morally wrong into the exercise of a moral right (to use an Ossowski-terminology), and the other way round.

According to Bourdieu the *illusio* of the value of highbrow (as relationally distinguished from middle- and lowbrow) culture is the result of symbolic struggles. Bourdieu holds that the «[s]truggles over the appropriation of economic or cultural goods are simultaneously struggles to appropriate distinctive signs in the form of classified, classifying goods or practices, or to *conserve or subvert the principles of classification of these distinctive properties*» (1979: 278 f., 1979\*: 247, emphasis added). This is why it is impossible to give a substantive definition of highbrow, middlebrow and lowbrow culture, respectively:

Culture is a stake [*enjeu*] which, like all social stakes, simultaneously presupposes and demands that one take part in the game and be taken in by it; and interest in culture, without which there is no race, no competition, is produced by the very race and competition which it produces. The value of culture, the supreme fetish [*fétiche entre les fétiches*], is generated in the initial investment implied by the mere fact of entering the game, joining the collective belief in the value of the which makes the game and endlessly remakes the competition for the stakes. The opposition between the 'authentic' and the 'imitation', 'true' culture and 'popularization', which maintains the game belief in the absolute value of the stake, conceals a collusion that is no less indispensable to the production and reproduction of the *illusio*, the fundamental recognition of

the cultural game and its stakes. ... It is in these struggles between the objectively complicit opponents that the value of culture is generated, or, which amounts to the same thing, belief in the value of culture, interest in culture and interest of culture—which are not self-evident, although one of the effects of the game is to induce belief in the innateness of the desire to play and the pleasure of playing it. It is barbarism to ask what culture is for. [Bourdieu 1979: 279, 1979\*: 247 f.]

Also in this case we could adapt to morality some of these words and state that the value of morality is generated by the belief in its value on the part of the participants in the game. Thus morality, just as culture, becomes the social honour of the status group (*Stand* in Weber's terminology) that plays the game of morality in its relation to other status groups.<sup>9</sup>

The problem is that Bourdieu's is hardly a causal explanation—in the sense of natural sciences—for the emergence of the *illusio* of culture (in the appraisive sense).<sup>10</sup> Nonetheless this treatment of the issue is quite interesting for us, because it makes it possible to formulate a *formal definition* of culture (in the appraisive sense). Such a formal definition of highbrow culture could read as a *set of competences requiring long time for acquisition that some Subject believes are causes and/or symptoms of superiority (or non-inferiority) of some individual over other individuals*.<sup>11</sup> In this way, by the way, we are able to distinguish fashion from culture without drawing on substantive criteria.<sup>12</sup>

If we define culture (in an appraisive sense) in this way, the issue of what is regarded (to use Ossowska's terminology) or *classified* (to use Bourdieu's) as cultural (and why) becomes inevitably the object of *sociology of culture in an appraisive sense* or *sociology of cultural consumption*<sup>13</sup>.

<sup>9</sup> Let me recall in this regard the following passages of Alban Berg's *Wozzeck* (from Büchner's *Woyzeck*): «*Hauptmann*. ... *Wozzeck*, Er ist ein guter Mensch, aber ... Er hat keine Moral! ... Er hat keine Tugend, Er ist kein tugendhafter Mensch! ... *Wozzeck*. ... [W]enn ich ein Herr wär und hätt' einen Hut und eine Uhr und ein Augenglas und könnt' vornehm reden, ich wollt' schon tugendhaft sein. Es muß was Schönes sein um die Tugend, Herr Hauptmann, aber ich bin ein armer Kerl».

<sup>10</sup> As can be seen, Bourdieu likes to play with the etymology of the term *illusio*. It is worth recalling here that the starting point of Gallie's (1956a) analysis of essentially contested concepts was his artificial examples concerning *the champions* in a purely formal sense.

<sup>11</sup> To be sure, this definition is not completely formal. It is *indirectly* substantial to the extent that it includes the concept of *long time for acquisition*. Nevertheless, much in a Bourdieuan vein, this definition does not rule out that someday soccer becomes highbrow and classical music lowbrow culture. As for middlebrow culture, we have seen that Bourdieu defines it in a pure relational (i.e. formal) fashion.

<sup>12</sup> In the case of fashion the competences require short time to be acquired. See extensively Fittipaldi et ai. (forthcoming 2018).

<sup>13</sup> In this phrase, the term *consumption* is usually understood as synonymous with practice.

[T]he social agents whom the sociologist classifies are producers not only of classifiable acts but also of acts of classification which are themselves classified [when for example B's indignation at A's behavior is classified as moralism by C (my example)]. Knowledge of the social world has to take into account a practical knowledge of this world which pre-exist it and which it must not fail to include in its object, although, as a first stage, this knowledge has to be constituted *against* the partial and interested representations provided by practical knowledge. To speak of habitus<sup>14</sup> is to include in the object the knowledge which the agents, who are part of the object, have of the object, and the *contribution this knowledge makes to the reality of the object*. But it is not only a matter of putting back into the real world that one is endeavoring to know, a knowledge of the real world that contributes to its reality (also to the force it exerts). It means conferring on this knowledge a genuinely *constitutive power* [*pouvoir constituant*], the very power it is denied when, in the name of an objectivist conception of objectivity, one makes common knowledge or theoretical [*savant*] knowledge a mere reflection of the real world. [1979: 544, 1979\*: 469, all emphases added except for *against*]

I don't think that we really need the concept of habitus *to include in the object of some special sociology the knowledge that the agents, who are part of that object, have thereof, and the contribution this knowledge makes to its reality (constitutive power)*. A sociologist can do this even without this concept.

The point I wish to stress here is that according to Bourdieu—to use the Ossowskian terminology—we must investigate, for example, what *is regarded* as highbrow culture because this *regarding* has a *constitutive power* as to the very existence of the object. If such a hypothesis were to be used for the concept of morality, it would explain why it is impossible to provide a substantive definition of morality—as claimed by Ossowska. But we don't know whether Ossowska would have accepted the hypothesis of the constitutive power of *uwaga* ('regarding') for morality.<sup>15</sup>

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<sup>14</sup> By *habitus* Bourdieu understands «a structuring structure, which organizes practices and the perception of practices» (1979: 191, 1979\*: 166).

<sup>15</sup> An argument for this conclusion could be drawn from the concluding passage of *Nauka o nauce*: “Science together with all other spheres of culture ... is the sphere of reality whose history depends on what one thinks about that reality” («Nauka wraz ze wszelkimi innymi sferami kultury jest ... tą szczególną sferą rzeczywistości, której dzieje zależą od tego, co się o niej myśli», Ossowska & Ossowski: 1935: 272). Nonetheless, contending that the *regarding as* has a *constitutive power* in Bourdieu's sense seems to be more than what was contended by Ossowska and Ossowski (that in turn is also different from the idea of self-fulfilling prophecies). I cannot discuss this issue here.

In this connection it should be also remarked that Bourdieu contended that, *as a first stage, knowledge of the social world has to be constituted against the partial and interested representations provided by practical knowledge*. This statement, in my opinion, implies that social sciences do need stipulative definitions. Actually, as we have seen, Bourdieu does provide a stipulative definition for middlebrow culture—if a purely formal, non-substantive, relational one. And such a formal, or blanket, definition can be given also for highbrow and lowbrow culture.

Now, if we were able to give a satisfactory *formal definition of morality*, we could agree with Ossowska's contention that investigating the substantive definitions of morality proposed by scholars or naive people does pertain to the domain of sociology of morality, but this would not at all imply that sociology of morality can do away with a stipulative definition of morality. Unfortunately—to my knowledge—neither Ossowska distinguished between formal and substantive definitions of morality nor did she do so as regards other social (i.e., non-sociological) concepts such as the concept of art or culture, etc.

#### 4. A formal definition of moral phenomena as superegoic phenomena

One of the first authors—to my knowledge—who provided a *completely formal definition* of a moral evaluation was Leon Petrażycki.<sup>16</sup> Before discussing this proposal, a terminological remark is of paramount importance here.

Ossowska's usage of the terms *moralny* (*moral*) and *moralność* (*morality*) roughly corresponds to Petrażycki's usage of the Russian terms *étičeskij* and *étika* and of the Polish terms *etyczny* (*ethical*) and *etyka* (*ethics*). Petrażycki used these terms to refer to both moral and jural phenomena—as stipulatively defined by him. Ossowska, instead, as we know, used the terms *etyczny* and *etyka* to refer to a theoretical discipline that attempts to establish what should and should not be done (last quotation in § 2). I will return to these issues below. Now suffice it to say that jural phenomena in Petrażycki's sense included the moral rights discussed by Ossowska (above § 2). In Petrażycki's terminology these moral rights are called intuitive rights or intuitive jural phenomena. In order not to produce misunderstandings, in this

<sup>16</sup> For a general English introduction into Petrażycki's ideas see one of the following texts Rudziński (1976), Podgórecki (1980), Motyka (2007), Fittipaldi (2016). Another author who investigated these phenomena in a formal way was Edmund Husserl (cf. 1908-14: 87).

text I will stick to the Ossowskian terminology and I will use the terms *moral* and *morality* to refer to the Petrażycki usage of the terms *ethical* and *ethics*.<sup>17</sup> Whenever necessary, I will provide the Petrażycki translation within square brackets.

As I said, Petrażycki was probably the first author to provide a completely formal definition of a moral [ethical] evaluation.<sup>18</sup>

According to Petrażycki, moral [ethical] evaluations are characterised by the following features:

1. they can attach to whatever behaviour, person or state of affairs (*blanketness*)—and this is where the formal nature of Petrażycki’s definition manifests itself in full;
2. they are experienced as if proceeding from something *different from the ego*;
3. they seem to be *linguistic* entities, as if provided with some sort of *voice*;
4. they seem to have a *tinge of fear (authoritativeness)*;
5. they seem to have a *mystic coloration*.

This definition has a weakness: not *every* moral [ethical] evaluation has *all* these features. A way out could be to modify it by contending that it is a *polythetic definition* of the kind one finds in psychiatry. Another move (not at all incompatible with the one just mentioned, though) could be to point to the similarities between the so-defined emotion and the psychoanalytical concept of superegoic emotion and thus attempt to connect *these mutually correlating features* to the concept and the origin of super-ego. This will be my proposal.

In order to characterise moral [ethical] evaluations as experiences based on superegoic emotions let us first define an *evaluation* as the connection of the perception or representation of some behaviour, person or state of affairs to a superegoic or moral [ethical] emotion. This definition implies that an evaluation need not be a linguistic phenomenon. It is a psychical phenomenon involving a superegoic emotion.

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<sup>17</sup> In this context it should be also recalled that Petrażycki’s concept of ethics corresponds to Pattaro’s concept of normativeness (2005). A detailed comparison between Petrażycki’s and Pattaro’s psychologism can be found in Timoshina (2016, fn. 18).

<sup>18</sup> As Jerzy Lande points out, in Petrażycki’s conception «the moral [in Petrażycki’s sense] experience presents itself to us as a kind of evaluation of behavior, clear in its peculiarity, completely different from teleological evaluations, that can be investigated independently of its content» (Lande 1932: 597). In this approach moral phenomena are investigated exclusively in their structure and process (cf. 596). This statement can be repeated also as regards Petrażycki’s jural phenomena. It should be also recalled that, according to Petrażycki, moral [ethical] phenomena should be classified as a subset of normative phenomena, and this latter category encompasses also esthetical phenomena. I cannot discuss this issue here. Suffice to say that my stipulative definition of a moral [ethical] phenomenon covers also some phenomena that Petrażycki would have called aesthetical.

Now, in order to provide a definition of a *moral [ethical] evaluation* we need a definition of *superegoic emotion*. I think it can be defined as follows: *a superegoic (or moral [ethical]) emotion is an emotion that an individual learns (1) to control, (2) to re-direct or (3) at all to experience, owing to his<sup>19</sup> interactions in the stage of his infantile helplessness with caregivers that are at once (α) loved, (β) feared and (γ) admired by him*. Superegoic emotions are made up of the re-experience of the desire not to lose (or of the fear of losing) one's caregiver's love, and/or by the re-experience of the fear of being punished by him and/or by the re-experience of the ambition to become like him (and/or fear not to measure up to him). To better understand this definition it should be borne in mind what this definition *rules out*. It rules out whatever emotion the individual learns to control, re-direct or experience exclusively because of the setting in of the *reality principle* within his psyche. I will return to this issue below.

In the penultimate Ossowskian quotation in § 2 we saw that, according to her, the science or sociology of morality, should deal with as diverse issues as the definition of a moral evaluation, pricks of conscience or noble indignation. Now, the Freudian-Petrażyckian definition proposed here makes it possible for sociology of morality [ethics] to encompass all these seemingly diverse subjects.

To show this let us briefly analyse each superegoic emotion.<sup>20</sup>

I will first say some words regarding the superegoic emotions consisting of the regulation of aggressiveness. The core of the phenomenon is the individual's learning to release his aggressiveness *only under certain circumstances*. People who do not regulate their aggressiveness are either children or virulent criminals in Lonnie Athens's sense (e.g., 1989). If the individual has learned to release his aggressiveness *only under certain circumstances* we can call these release of aggressiveness either *anger* or *indignation*. To put it otherwise, if the individual—during his childhood—learns to *patternize* his aggressiveness elicitors into specific *types of circumstances*<sup>21</sup>, then we can talk of either anger or indignation. If he does not, his aggressiveness will be elicited by any *frustration*.

Anger is paleotypically directed towards some behaviour, person or state of affairs that the Subject experiences:

1. as directed towards damaging his body (situation<sub>1</sub>);
2. as directed towards impairing his movements (situation<sub>2</sub>).

<sup>19</sup> This usage should be understood as strictly gender-neutral. I am not at all implying that the feminine super-ego is somewhat weaker than the masculine one. For a discussion see Fittipaldi 2012a (89, fn. 8).

<sup>20</sup> See extensively on this issue Fittipaldi 2013. See also Fittipaldi 2012a.

<sup>21</sup> I am using Enrico Pattaro's (2005) terminology.

By the adjective *paleotypical* I mean the condition of infantile helplessness. Situation<sub>1</sub> and situation<sub>2</sub> are usually the only situations *where the caregiver allows* the child to release his aggressiveness as the caregiver, usually, does not tolerate that the child releases his aggressiveness for whatever frustration or annoying situation. I call situation<sub>1</sub> and situation<sub>2</sub> *paleotypes* because they get patternized during the archaic infantile helplessness.<sup>22</sup>

Situation<sub>1</sub> is the paleotype of the jural relationships where the right-holder experiences himself as entitled not to endure some damage to his body, to his things, to his wealth, etc.<sup>23</sup> Situation<sub>2</sub>, instead, is the paleotype of jural relationships where the right-holder experiences himself as entitled to do something (*Rechte auf eigenes Verhalten*).<sup>24</sup>

Now, one could ask: if anger originates from these paleotypes, how is this compatible with the alleged *blanketness* of moral emotions and thus with the seemingly substantive *heterogeneity* of what *is regarded* as morally blameworthy or laudable—to cast this problem in Ossowskian terms?

Psychoanalysis can provide an answer. *One of the tenets of psychoanalytic thought is that most human drives or emotions can be re-directed towards contents that are (seemingly) completely unrelated to the functions which they perform in non-human animals or to the features which they have in the paleotypical situations where we learn to experience them.*<sup>25</sup>

This implies, for example, that a person may experience as a *bodily injury* the fact that a stranger enters his field or his debtor does not pay his debt to him. This explains why disputes about seemingly negligible monetary damages may result in atrocious acts on the part of the creditor (who may experience these acts as acts of self-defence). I will return to this issue below.

*Indignation* is different from anger. It can be understood as a release of the individual's otherwise restrained aggressiveness, where the behaviour, person or state of affairs to which it is addressed is a mere *pretext* for that release. In the case of indignation, unlike anger, no aggression to the body or impairment of its movements is involved. This phenomenon has been called attention to by Sigmund Freud with the admittedly ill-chosen term *narcissism of small differences* (*Narzißmus der kleinen Differenzen*). What Freud did not call the attention to is that indignation can reach extremely harsh modalities, such as lynching or stoning.

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<sup>22</sup> Since the term *archetype* has been already seized by Jungian analytic psychology, I decided to use the term *paleotype* ('antique type').

<sup>23</sup> Who is acquainted with Petrażycki's classification of jural relationships will recognize here the paleotype of *non facere – non pati* jural relationships.

<sup>24</sup> Who is acquainted with Petrażycki's classification of jural relationships will recognize here the paleotype of *pati – facere* jural relationships.

<sup>25</sup> Just think of the hypothesis of cathexis.

To avoid misunderstandings it should be stressed that indignation, in certain cultures, may also have as its possible object lynching or stoning itself rather than the behaviours that, in other cultures, elicit the indignation conducive to lynching or stoning. Further, it should be stressed that, if some individual's release of aggressiveness is the result of his identification with the victim, according to the definition proposed here, we are not facing indignation, but anger.<sup>26</sup> Finally, it should be also remarked that indignation may have as its component not only the urge to replace one's usually restrained aggressiveness, but also the urge to distance oneself (denial) from the conscious or unconscious desire to perform the behaviour constituting the object of indignation.<sup>27</sup>

In this connection it may be worth recalling Ossowska's criticism of Svend Ranulf's contention that «moral indignation (which is the emotion behind the disinterested inclination to inflict punishment) is in fact disguised envy» (Ossowska 1971: 158, quoting Ranulf 1938: 1). Ossowska wrote the following regarding this:

My main objection to Ranulf's thesis is this: if the envy and malice alleged to be typical of the petty bourgeoisie was due to enforced abstinence, how is it that the proletariat, which was much more deprived, did not react in equivalent fashion? Neither Ranulf nor any other researcher ever mentions the proletariat in this connection. [Ossowska 1956: 382, 1956\*: 365]

In psychoanalytic terms the reply is that the proletariat's deprivation in the proletarian's psyche pertains to the domain of the reality principle, while for the petite bourgeoisie it pertains to the domain of the super-ego. Therefore, in the case of the petite bourgeoisie, the release of aggressiveness can be understood also as an attempt to distance oneself from the temptation of consuming immediately, whereas for the proletarian there is not even room for such a temptation to arise as he has to consume immediately for his *basic daily reproduction*. For the proletarian, 'saving' would amount to stopping feeding himself and his offspring.

Nonetheless, nothing can rule out that a *petite bourgeoisie* experiences the impossibility of consuming immediately as a *real*, rather than as a *super-egoic impossibility*. This distinction is operationalisable since in the former

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<sup>26</sup> Of course, it cannot at all be taken for granted that a third spectator identifies with the victim rather than with the villain. This is a point on which Ossowska rightly criticised Adam Smith (Ossowska 1968: 24).

<sup>27</sup> I thank Barbara Giacon for calling my attention on this point.

case, unlike in the latter, we should expect *no* indignation in that individual if exposed to, say, conspicuous consumption.<sup>28</sup> It goes without saying that it is the task of sociology of morality to investigate the social factors that may condition the fact that a certain pattern of behaviour ends up in the domain of the reality principle or in the domain of the super-ego.<sup>29</sup> Generally speaking, we can expect more compliance with certain patterns of behaviour if behaving otherwise is experienced as *physically* or *biologically* impossible, rather than as *superegoically* impossible (i.e. morally wrong).<sup>30</sup>

A completely different superegoic emotion that emerges via the re-direction of a pre-existing emotion is *disgust*. If paleotypical disgust is the «revulsion at the prospect of oral incorporation of an offensive object» (Rozin *et al.* 2008: 757, quoting Angyal 1941), in human animals it has become able to cover nine apparently disparate domains: (1) food, (2) body products, (3) animals, (4) sexual behaviours, (5) contact with death or corpses, (6) violations of the exterior envelope of the body, (7) poor hygiene, (8) interpersonal contamination, and (9) *certain moral offences* (Rozin *et al.*: *ibidem*). If the *ability to re-direct* disgust towards behaviours, peoples or states of affairs that are hardly related to the incorporation of food is acquired in early childhood, subsequently disgust may be directed towards quite diverse contents. Just think of smoking that in recent years has become an elicitor of moral disgust in many countries. Other possible examples are some people's experience of disgust at the representation or perception of a certain way of playing the ultimatum game or of somebody's burning the national flag (Rozin *et al.* 2008: 763).

As regards *shame* and *guilt*, I will say just a few words, as sociologists are already acquainted with these psychological concepts. The opposition between shame and guilt cultures is a classical case where psychological concepts have proven useful in sociological research.

As for *shame*, it is somewhat connected to disgust. As is well known, small children do not experience disgust towards their own defecation and it is through the disgusted faces of their caregivers that they learn to experience it (Lewis 1992: 110). Shame consists precisely in the re-experience of being an object of disgust. If paleotypical shame is characteristic of sphincter

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<sup>28</sup> To make a different example, think of two persons with the same physical disability, one who experiences indignation (or anger) at the existence of 'normal' people, the other one who experiences his disability without any superegoic connotation, namely as something pertaining exclusively to the domain of the reality principle. No need to say that this different 'framing' may affect dramatically either's quality of life.

<sup>29</sup> Indeed, Ossowska was somewhat aware of these issues. See, e.g. 1973 (15), 1973\* (17).

<sup>30</sup> An issue that would require a special discussion is whether Ranulf's indignation is indignation proper or a sort of anger—as defined here.

morality (*Sphinktermoralität*)—to use Ferenczi's terminology—subsequently most adults develop the ability to experience shame in situations that have apparently nothing to do with the paleotypical situation (namely, the identification with a defecation). Therefore, also for shame we can contend that it is to a great extent a blanket emotion.

As for *guilt*, the ability to experience it is learned by the child when he violates some command or prohibition issuing from his caregivers. Guilt is made up of (1) the fear of being punished by the caregiver, (2) the fear of losing his love, (3) the empathic pain of the child at seeing the caretaker sad or upset for what he has done. Guilt is a blanket emotion as it can be elicited by the most diverse contents. One person may feel guilty for having denounced Jews to Nazis, while another person—alas—may feel guilty for *not* having done so. Moreover, one may feel guilty with himself for having violated a self-imposed rule (such as a diet).

Finally, we can mention here *pride*. Pride, in its psychoanalytic account, is experienced by the individual when he experiences himself as measuring up to his ego-ideal.<sup>31</sup> I think that sense of duty, especially when one carries out actions that most people would not have the courage to carry out, can be reduced to the pursuit of the “narcissistic satisfaction of being able to think oneself better than others”—to hint at a classical Freudian quote.

If one follows this cursory characterisation of moral [ethical] emotions, one can (stipulatively) define a moral [ethical] evaluation as a judgment backed by the experience of a superegoic emotion.<sup>32</sup> According to this definition in order for a moral [ethical] judgment to be an authentic moral [ethical] judgment the Subject must be experiencing at least an imperceptible fit of a superegoic emotion.

The psychoanalytic reading of Petrażycki's moral [ethical] emotions makes it possible to explain all the features that according to him make up the *differentia specifica* of moral [ethical] emotions as against other kinds of emotions. I already said about blanketness, as it pertains to the very *formal* nature of Petrażycki's definition. Of the other four features of moral [ethical] emotions mentioned, only the last one—namely their *mystic coloration*—requires a brief elucidation. This feature is the result of the way the child *conceives* his caregiver, namely as a sort of god, that is at once, eternal, al-

<sup>31</sup> Here we have an issue that somewhat overlaps with one of Ossowska's favourite topics: models: see 1973, 1973\* (ch. 1) and 1992†.

<sup>32</sup> By *judgment* I understand some individual's psychical (therefore, possibly *non-linguistic*) experience made up of the connection (or disconnection) of some predicate to (or from) the representation of some subject. This definition is the one proposed by Petrażycki in (1908). There is no room to discuss here the concept of position that Petrażycki introduced in his posthumous writings (1939†). As regards Petrażycki's concept of judgment see Fittipaldi 2012a (108 f.).

mighty, ubiquitous, omniscient, etc. This is a point onto which the research made by Piaget and Freud converges.<sup>33</sup> Hence, no wonder that the emotions that the child learns to regulate, re-direct or experience are somewhat endowed with a religious or mystic nuance.

Now, one could argue that Ossowska would have rejected also the stipulative definition proposed here by reiterating that such an arbitrary definition, if indeed possible, would not pertain to her science (or sociology) of morality (see the penultimate Ossowskian quotation above in § 1). A different possible objection on her part, perhaps, could have been that the stipulative definition proposed here draws on such diverse phenomena as *anger*, *disgust*<sup>34</sup> or *guilt* and therefore is hardly any better than the description of the incoherent meaning of the Polish term *nabiał* (see above § 1).

In § 4.1 I will argue that a *stipulative* definition is something different from an *arbitrary* definition. In § 4.2 I will argue how the stipulative definition proposed here of a moral [ethical] emotion can be heuristically fruitful and I will in general imply that the science or sociology of morality would be much *impoverished* without a stipulative definition of morality. In § 4.3 I will spend a few words on whether the definition of morality [ethics] proposed here is a disjunctive definition.

#### A 4.1 *stipulative* definition is not necessarily an *arbitrary* definition

It is not strange that a scholar like Ossowska, who used the adjective *arbitrary* to refer to stipulative definitions, tried to avoid both stipulative definitions and neologisms throughout her scientific career with perhaps the only exception of her last book (see above § 2).

*But it is arbitrary to regard all stipulative definitions as arbitrary.* In § 2 I tried to show that definitions don't need to be arbitrary even in the cases where the *uwazenia* ('regardings') have constitutive power as to their (social) objects (that therefore deserve the name of socially *constituted* objects).

This is even less the case where some sociology deals with some non-social object. Think of *sociology of aging* and think, in particular, of the different ways youth and oldness are construed (constituted ?) in different cultures. It is impossible to investigate and compare such differences without stipulative definitions—in this case *age cohorts*. Age cohorts are to some

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<sup>33</sup> See extensively in this regard Fittipaldi 2012a.

<sup>34</sup> On the difference between anger and disgust, see Rozin *et al.* 2008 (763) quoting Sherman *et al.* (2007).

extent arbitrary, but there are boundaries that cannot be trespassed. It is not advisable to make an age cohort in which you have *at once* people who are less than 2 years old and people who are more than 80 years old. This would be an age cohort that is, not only stipulative, but also arbitrary.

At the end of the day, *Ossowska's sociology of morality without a stipulative definition of morality would be akin to a sociology of aging that claimed to investigate the social construals of age without age cohorts!* For the investigation of the construals of age it is not enough to investigate who regards whom as young or old, etc. We need stipulative age benchmarks to make comparisons between different societies and groups within a given society.

In the case of morality it is easier to provide a stipulative definition than in the case of—say—culture in an appraisive sense, because *morality*, unlike culture, *is not a social, but rather a psychological phenomenon*—therefore a phenomenon *ontologically* independent of social phenomena.

The fact that the superego emerges out of social interactions (namely the interactions of the child with his caregivers) does not turn superego into a social phenomenon. To claim the opposite would amount to contend that the Coliseum is a socio-historical phenomenon owing to its having required social interactions for its construction. By the same token, the fact that moral phenomena are *not* social phenomena does not make a *sociology* of morality impossible, just as sociology of plague, earthquakes or aging is not made impossible by the fact that plague, earthquakes or aging are not themselves social phenomena. Sociology may investigate non-social objects, and an important part of these sociologies is precisely investigating their social construal. But, of course, the fact that certain objects may be socially *construed* does not turn them into socially-*constituted* phenomena.

## 4.2 Stipulative definitions may be heuristically fruitful

But stipulative definitions are not only just a necessary evil for sociology, they may also be heuristically useful—especially if one wishes to look at empirical sciences other than sociology for possible cross-fertilisations.

To make this point let me recall that Ossowska criticised Petrażycki's distinction between moral (in Petrażycki's sense) and jural phenomena for assuming surreptitiously the distinction between reasonable and absurd claims:

In Petrażycki's writings we find on many occasions a distinction of justified and unjustified claims, reasonable and unreasonable demands. It would be absurd in his opinion, to interpret the rule "Resist not evil. But whosoever shall smite thee on thy right cheek, turn to him the other

also. And if any man will sue thee at the law, and take away thy coat, let him have thy cloke also” as a bilateral rule giving the offender the right to smite the left cheek or the right to obtain the cloak. Although it would be less absurd to treat the obligation of humility, chastity, and perfection as bilateral, the obligations formulated in the New Testament are generally unilateral and do not allow one to claim from anybody the fulfillment of its ideals.

[Most<sup>35</sup>] writers who accept Petrażycki’s distinction of law and morality also accept his distinction of absurd and reasonable claims. [1959: 331 f., 1959\*: 252]

This criticism is twice wrong.<sup>36</sup> First, because it does not correspond to Petrażycki’s thought and, second, because it fails to recognise the possible heuristic fruitfulness of using in a consistent way stipulative non-arbitrary definitions.

As regards the first point, Petrażycki was *explicit* in refusing to introduce some *substantive criterion* as absurdity (or reasonableness) into his definition:

On ... the examples of two kinds of consciousness [*soznanie*] of obligation [*dolženstvovanie*] (the consciousness of the obligatoriness of paying to a worker or a man-servant the agreed wage, on the one hand, and the consciousness of the obligatoriness of helping a person in need, the obligatoriness of not refusing giving alms, on the other) in order to avoid misunderstandings it is necessary to remark that we can imagine subjects with such a psyche that, when dealing with beggars asking for alms or the like, experience a consciousness of obligatedness according to which the other side has the right to receive from them what they ask for: the other side can claim that help be given to him and the like; by the same token we can imagine subjects that—when dealing with servants claiming for the payment of the agreed wage and the like—experience a consciousness of obligatedness according to which nothing appertains to the other side: the latter cannot claim for the payment and the like. From the point of view of our (psychological) classification, such a conscious-

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<sup>35</sup> The translation is not accurate, as the original reads: «Interpretacja angażująca takie wzroty jak “roszczenia uzasadnione”, “roszczenia właszcziwe”, “roszczenia niedorzeczne” jest interpretacją nadawaną najpospoliciej tekstem Petrażyckiego» (emphasis added). I do not know whether Ossowska gave her *imprimatur* to the change in the English translation.

<sup>36</sup> I will not discuss here the other criticisms addressed to Petrażycki by Ossowska. All of them are based on misunderstandings of the basic tenets of Petrażycki’s conception of morality [ethics]. Here I discuss only this criticism because it casts light of Ossowska’s refusal to adopt a *formal* definition of morality.

ness of obligation towards beggars should be classified as the consciousness of a jural obligation, such a consciousness of obligation towards servants should be classified as the consciousness of a moral (non-jural) obligation. ... If we encountered a subject (mentally ill or similar) who considered it to be his sacred obligation to kill his neighbours, then, from the point of view of our classification, we would be observing here the presence of an ethical phenomenon (ethical emotions are abstract, blanket, and can act towards whatever behaviour, and if this subject experienced his obligation as appertaining to the neighbours, if he believed that they can claim that he take their lives ..., then, from the point of view of our doctrine we should recognize here the presence of a jural experience, of a jural obligation). [Petrażycki 1909-10: 51, fn. 1]

This contention is not the consequence of Petrażycki's blind (or blanket) fanatical logical consistency. It is rather an idea that has been developed independently of him in both psychology and criminology. This is where the heuristic fruitfulness of stipulative definitions manifests itself.

Let us examine Petrażycki's example of the beggar. Petrażycki examines the point of view of the possible almsgiver. But his perspective takes into account all three possible participants in a jural interaction (duty-holder, right-holder and third spectator). Now, Petrażycki's definition implies that if the beggar reacts with a *fit of anger* at the bystander's refusal to give him alms, the beggar is having a full-fledged jural experience—he is experiencing himself as entitled to receiving alms from that bystander.

Similar phenomena were examined 40 years later by the American psychoanalyst Karen Horney, who developed the idea of *neurotic claim*, understood as secret claims towards life in general—an idea that is fully compatible with Petrażycki's formal definition of jural psychical phenomena.

Here is a passage taken from Horney's book:

Take, for example, a businessman who is exasperated because a train does not leave at a time convenient for him. A friend, knowing that nothing is at stake, might indicate to him that he really is too demanding. Our businessman would respond with another fit of *indignation*. The friend does not know what he is talking about. He is a busy man, and it is reasonable to expect a train to leave at a sensible time.

Surely his wish is reasonable. Who would not want a train to run at a schedule convenient to his arrangements? But—we are not *entitled* to it. This brings us to the essentials of the phenomenon: *a wish or need, in itself quite understandable, turns into a claim*. Its non-fulfillment, then,

is felt as an unfair frustration, as an offense about which we have a *right* to feel *indignant*. [Horney 1950: 42, emphases added].

In this passage Horney talks of *indignation*. In the terminology proposed here we should rather talk of *anger*.

Ossowska's approach, if taken strictly, makes it impossible to recognise here a moral [ethical] phenomenon. This is so because she is interested exclusively in what *is regarded* as pertaining to the moral [ethical] sphere, not in what moral [ethical] phenomena really are. And, indeed, *naive people and most scholars* would *hardly* regard neurotic claims as jural experiences. But this is not a good reason for ruling out these phenomena from the domain of the sociology of morality.

Another connection that Ossowska's approach probably makes it impossible to establish is the one with criminology. Lonnie Athens has shown, for example, that many *criminal acts* are experienced by the criminal as a 'just' reaction to some infringement of some 'right' of his. Generally speaking, according to Athens:

Too many men and somewhat fewer women hold much too broad a conception of their *perceived right*, legal or extra-legal, to attack people physically who unduly provoke them. ... One goal of the education program would be to disabuse these people of this *presumed right*. [Athens 1989: 91, emphases added]

In a Petrażyckian conception, for the psychological existence of a right, it suffices that the individual represents to himself that right as really existing.<sup>37</sup> If a virulent individual experiences himself as entitled to react with extreme violence at the slightest perceived provocation, that individual—in a Petrażyckian perspective—has a jural experience—if obviously a pathological one.

Again, I think that naive people would hardly *regard* such non-legal rights as pertaining to the moral sphere, while they would as regards human rights prior to their introduction into official charters (cf. above § 2). This is so because, as pointed out by Jerzy Lande, the evaluative attitude is the most natural one and we are in some way incapable of realising that an action

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<sup>37</sup> In particular, it does not matter either that rights in general are illusions (projections—to use Petrażycki's terminology) or that they are not acknowledged in official charters.

may be a *moral* action (i.e., caused by a moral emotion) even when we *evaluate* it as morally adiaborous or immoral (cf. Lande 1925: 166).<sup>38</sup>

Now, criminology could perhaps be viewed as something in between psychology and sociology. But the definition proposed here of moral [ethical] phenomena as superegoic phenomena presents also the advantage of showing the way towards a possible integration of sociology and ethology—an issue in which Maria Ossowska was herself very interested (see below).

If shame and pride are exclusive of human animals, it can be argued that anger and indignation can be found in apes as well.

As for *anger*, ethologists—with the exception of De Waal—do not use this term. They talk rather of *moralistic aggression* (cf. De Waal 1991: 341). De Waal has shown with many examples that *anger* occurs in cases of lack of reciprocation or violations of hierarchy. What is most interesting is that *great apes seem to learn to regulate their aggressiveness via primary and secondary socialisation*:

There is no single individual from whom infants and juveniles receive more aggression ... than from their own mother. Usually, of course, it is of the non-damaging kind, but bites and even injuries do occur. Irwin Bernstein, a well-known American primatologist, interprets it as *socialisation*, in which mothers teach their offspring to inhibit particular behaviours that may get them into trouble. Even though maternal aggression may not be to the youngster's immediate advantage, it promotes the caution and behavioural control required for survival in a hierarchically structured social environment. [De Waal 1996: 113]

If anger is the right-holder's release of usually restrained aggressiveness, indignation—as I said—is the third-spectator's. Now, De Waal shows that indignation can be perhaps found also among great apes:

[A] possible rule established 'from below' is the one against the use of canines against females. ... These fighting rules are so well established that I have seen males confused as to how to deal with a furiously defensive female. The female would hit and scream and try to bite the male, who would be too inhibited to be able to turn the situation around. Initially, we thought that this was an innate inhibition in males, but there are ... two reasons for doubt.

<sup>38</sup> This is a point that also Ossowska made several times, but without deciding to adopt a formal definition of morality.

First, the few times that males did use their dangerous canines in a fight against a female in a fight against a female, the victim's tone of voice immediately changed to a higher pitch. The entire colony would respond to this change with a chorus of barks, sometimes followed by a coalition of females chasing off the aggressor. The particular bark used in this context, the "waa-bark", sounds truly indignant. Second, in recent years, the use of canines against females appears to have become less rare in the Arnhem colony. This change followed a fatal fight among the adult males. This bloody event seemed to have caused a change of rules<sup>39</sup>, resulting in a general lowering of the threshold for aggression ... . [1991: 341]<sup>40</sup>

As for *guilt*, is it an exclusively human-animal moral emotion, or can it be found as well among certain non-human animals? I said above that in its standard accounts guilt emerges out of love, fear and empathy. Now, if we stick to this definition, we must conclude that certain animals are at least capable of experiencing quasi-guilt as a sort of irrational anticipation of punishment.

Lorenz ... described striking anecdotes of extreme submission or distress in dogs which breached one of their master's taboos in his absence. Similarly [other authors] experimentally demonstrated that male bonnet macaques which have mated with females in the absence of the dominant male are more nervous and submissive during a reunion with this male than males who have merely spent some time with a female under the eyes of the dominant male. Yet rather than regarding this as evidence of guilt, these reactions may also be explained as fear of punishment through an *incomplete understanding of the other's lack of knowledge*. Guilt is based on self-reproach and is therefore independent of the knowledge of others. [De Waal 1991: 339 f., emphasis added]

Nonetheless a few rows later De Waal writes that *«fear of disciplinary actions by dominant members of the group, although not the same as guilt,*

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<sup>39</sup> I think can we can give to the term *rule* (or—better—*norm*) the purely psychological definition of *disposition to experience superegoic emotions under certain circumstances*. I think that neither sociology nor ethology needs a hypostatized concept of rule or norm. See, extensively, Fittipaldi 2013.

<sup>40</sup> This quotation provides an opportunity to also point out the fact that—pace Ossowska—a social scientist does need a stipulative definition of culture (in a socio-anthropological sense) to be able to describe the regulation of aggressiveness in great apes. In the above mentioned passage, De Waal clearly describes a change in the *culture* of the Arnhem colony. *Cultural* could be thus defined as *whatever feature of some individual that is not genetically inherited and that is the result of his interaction with other individuals of his group*. From such a definition we can conclude the fatal fight among adult males De Waal talks about in the main text resulted in a change of the *culture* or *ethos* of the Arnhem colony.

probably represents an early stage in the evolution of a moral sense» (*ibidem*, emphasis added). From a psychoanalytic point of view, there is nothing strange in assuming that the experience of guilt is made up of the 'irrational' re-experience of the fear of being punished by (or losing the love of) one's caregiver, even when he has passed away since a long time. At the end of the day, is the *lack of knowledge* De Waal talks about in the last quotation really that far to this *irrational re-experience*?

More generally speaking, if we are able to experience shame or guilt, it is because we are able to 'irrationally' re-experience our childhood paleotypes.

Before moving on, it should be observed that one might object that Ossowska was indeed interested in ethology (in the modern sense). For instance, in her *Chivalric Ethos* she discusses pecking order at least twice (1973\*: 88, 120). But, while my stipulative definition of moral emotions justifies my references to De Waal, Ossowska's reference to these phenomena seems to be hardly more than the result of a free association. Why should we compare knights of the Middle Ages with birds? Unfortunately I was not able to find an answer in Ossowska's writings. This is where a stipulative definition would have proven useful. According to the here proposed definition neither the pecking order nor the irrational fear of disciplinary actions De Waal talks about can be conceptualized as moral [ethical] phenomena unless one can show that they are (learned) superegoic phenomena.

#### 4.3. Stipulative definitions may be disjunctive or polythetic without necessarily being incoherent

Maria Ossowska could perhaps have objected to the stipulative definition of morality proposed here that it is not that different from the incoherent definition of *nabiał* as 'dairy products or eggs'. Are not indignation, guilt, pride, etc. heterogeneous phenomena? Now, the definition provided here looks like a disjunctive definition: a moral [ethical] emotion is either anger, or indignation, or guilt, etc. In the previous section I tried to show that this is not the case, because *their common feature is that they all stem from the interaction of the human cub with caregiver that he at once loves, fears and admires*. What about *love, fear and admiration*? Here we have a difference, as the definition includes *conjunctive* features, not *disjunctive ones*.

And what if there are only one or two? I think that in such cases there is no problem with talking of *quasi-moral* [or *quasi-ethical*] phenomena. In this connection it should be recalled that *gradual* definitions are no taboo in such sciences as psychiatry where they are called *polythetic*. Such definitions are based on having a certain number of characteristics within a given set,

none of these characteristics being a necessary and/or sufficient condition for membership in the class selected by the definition.

Ossowska was well aware of these issues, despite her not using the term *polythetic*.

*Zarówno klasyfikacje, które operują pojęciami sztywnymi, jak i dociekania typologiczne, które operują pojęciami elastycznymi, wciągają w grę prawa, pośród których należy odpowiednio odróżnić prawa klasyfikujące i porządkujące... . ...W wypadku układu typologicznego, tak jak w wypadku klasyfikacji, wzgląd na owe decyduje o tym, czy uważa się dany układ za sztuczny, czy naturalny. Wyróżnianie ludzi na podstawie stopnia ich wrażliwości na lechtanie podeszwy byłoby poczytywane za sztuczne po prostu dlatego, że ta właściwość w obecnym stanie wiedzy nie ma dostatecznie interesujących powiązań, wobec czego nie widzimy powodu jej uwzględniania. Inaczej z refleksem na uderzenie w staw kolanowy. [1956: 372 f., italics replacing spacing in the original]*

Both the classification operating with rigid concepts and typological research operating with elastic concepts call into play laws that should be distinguished into laws of classification and laws of ordering. ...Both in the case of typologies and in the case of classifications, it is attention to these laws that will decide whether the taxonomy is *artificial* or *natural*. An ordering of people by their sensitivity to having the soles of their feet tickled would be regarded as artificial simply because, *in the present state of our knowledge, this property does not have sufficiently interesting correlations*, and therefore we have no reason to take it into account. The situation is different with reflex to a blow to the knee. [1956\*: 356 f., translation modified, emphasis absent in the translation]

As can be seen, according to Ossowska (who is discussing here Hempel and Oppenheim 1936), concepts can be distinguished into natural and artificial ones. Natural concepts, in her terminology, select concepts suitable for theories concerning correlations or causal connections. In Poland, it is hardly necessary to stress how this idea is close to Petrażycki's epistemology.

But there is a difference. Petrażycki's official program knew no other method for devising concepts than the method *per genus et differentiam*.<sup>41</sup>

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<sup>41</sup> Also Petrażycki, just as Ossowska, was not consistent with his program. His definition of moral [ethical] phenomena is not based on *one* feature but on many ones (see above). To give another example, his classification of normative facts is not based on the method *per genus et differentiam*, but is pretty much phenomenological. About possible phenomenological interpretations of Petrażycki's work see Timoshina (forthcoming 2015).

However, Ossowska was no better than Petrażycki, though, as she—officially—searched for correlations *between* types and other phenomena, not *within* types, namely among the features that make up types. She did it in practice, but—to my knowledge—she did not theorise it (as can be seen from the last quotation). Had she theorised it, then she would have perhaps devised the need for *multivariate analysis*, as Pierre Bourdieu did a few years later when investigating culture in an appraisive sense.

Of course, one can also hypothesize that the fact that the features making up a type correlate with one another points to a *common cause and/or aetiology*. I think that this is the case of the features of ethical phenomena pointed to by Petrażycki. But for the fruitfulness of such investigations this is not strictly necessary. Certain interrelations may also originate from the very complexity of certain social phenomena (hence Bourdieu's utilisation of the concept of field).

## Conclusion

I wish to conclude this essay by discussing two issues emerging from Ossowska's phrases *socjologia moralności* [*sociology of morality*] and *nauka moralności* [*science of morality*]: one concerning again the term *moralność* [*morality*], the other the terms *socjologia/nauka* [*sociology/science*].

As regards the term *moralność*, let us assume that my proposal is wrong and that there is no core—not even a purely formal one—that makes it possible to select, within the meanings of certain naive terms in different languages, a coherent set of phenomena to be investigated by some science of *morality*, *Sittlichkeit*, *nравственность*, etc.

Would this make such a science impossible?

Not at all. To highlight this point, let us take the example of *vegetable*.<sup>42</sup> Does the fact that the concept of vegetable is a culinary term, rather than a scientific one, make a *sociology* or *science of vegetables impossible*?

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<sup>42</sup> This is a classical Petrażyckian example: «Professional linguistic usage naturally adapts itself to the particular practical needs and goals that are specific to its given special sphere of practical life. From the point of view of such needs and goals the *most diverse objects* (diverse as for their nature, as for their objective properties) may have *identical* practical bearing, identical value, etc., and exact as to themselves, identical practical dealings (behaviors), and *similar* objects may have *different* importance and exact as to themselves different practical dealings. In this way the corresponding special-practical linguistic usage becomes consistent, unifying what is different and separating what is similar, according to the extent to which this is useful and proper from the point of view of a certain practical need and goal, and only from this point of view. For example, from the culinary point of view, the most diverse plants and in particular different parts of plants of different *genera* and *species*, etc., are unified into one group and receive the same name 'vegetable', etc., because all of them are appreciated as material for the preparation of dishes or for some sort of culinary need (e.g. as spices etc.); and innumerable other plants, similar as for their nature, are excluded from the group and the corresponding name is not used; some of them because they

Not at all. But—as I anticipated above—such a science should first of all ascertain the different meanings of *vegetable* (English), *jarzyna* (Polish), *Gemüse* (German), *legume* (French), *verdura* (Italian), etc., in different languages. For we all know that in certain cultures potatoes are vegetables while in others they are not, in certain cultures mushrooms are vegetables while in others they are not, etc.

Therefore, a sociology/science of vegetables—as a part of sociology/science of food—is indeed possible but requires preliminary lexical investigations for *each term being used to select the object of investigation*. We cannot be sure that a *Gemüsesozologie* has the same object as a *sociology of vegetables*.

But, to my knowledge, nowhere did Ossowska make such preliminary investigations in a systematic way.<sup>43</sup> She preferred to rely on her tacit stipulative definitions.

Be that as it may, I think that a science/sociology of incoherent concepts is perfectly possible, and that it may be conducive to interesting discoveries.

What is sure—pace Ossowska—is that such lexical inquiries presuppose stipulatively devised concepts, such as the concept of plant, leaf or fruit. It is only by adopting such stipulative concepts that we are able to state that the concept of vegetable—as opposed to the concept of fruit—is incoherent because it includes, say, tomatoes, whereas tomatoes from a scientific point of view are fruits.<sup>44</sup>

*There is no way to do away with stipulative definitions—not even in the humanities.*

Now, a conclusive word as regards the very terms *nauka* and *sociologia*. It seems to me that Ossowska used these terms as synonyms. Her sociology comprises also references to poetry, mythology, psychology, ethology, etc. She makes use of whatever source seems able to cast light on her (obscurely selected) subject.

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don't have a good taste; a second group is excluded because they should be boiled for a very long time or else because it is so difficult to prepare them, because the nutritional or gastronomical result is not worth the effort; a third group of plants is excluded because they are spiny, hard, etc.; a fourth group is excluded because they cause stomach ache, head ache, etc.; a fifth group is excluded because their consumption is impeded by particular customs, prejudices, ignorance of their qualities, etc.» (Petrażycki 1908, § 4: 52, italics replaces spacing in the original).

<sup>43</sup> One of the few *loci* where Ossowska discusses such an issue is where she struggles to prove wrong Hume's contention that the ancient moralists did not use the term ἀρετή to distinguish moral virtues into «their own [?] field» (Ossowska 1971: 174-176).

<sup>44</sup> In this connection let me recall that the question of whether tomato is a vegetable or a fruit was 'settled' by the US Supreme Court in *Nix vs. Hedden* (149 U.S. 304 (1893)). The court ruled that tomatoes were to count as vegetables for the purpose of a tariff on imported produce, despite the fact that, botanically speaking, they are a fruit.

But this is no eclecticism. *There can be a pure sociology of morality as little as there can be pure economics, pure sociology of vegetables, etc.*<sup>45</sup> Ossowska is quite far from the Durkheimian dogma that *il faut expliquer le social par le social*. Indeed, Ossowska seems to have used the term *sociology* in the phrase *sociology of morality* to refer to a *cross-disciplinary* science addressing moral phenomena. This is the only way I can conceive of sociology and in an age of hyper-specialisation I think this is the best part of her legacy for the contemporary scholars.

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<sup>45</sup> This is the pureness that Hans Albert criticised in his numerous *Kritiken*.

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