

The Division of Labor in Society

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Introduction

The Problem

Although the division of labour is not of recent origin, it was only at the end of the last century that societies began to become aware of this law, to which up to then they had submitted almost unwittingly. Undoubtedly even from antiquity several thinkers had perceived its importance.¹ Yet Adam Smith was the first to attempt to elaborate the theory of it. Moreover, it was he who first coined the term, which social science later lent to biology.

Nowadays the phenomenon has become so widespread that it catches everyone's attention. We can no longer be under any illusion about the trends in modern industry. It involves increasingly powerful mechanisms, large-scale groupings of power and capital, and consequently an extreme division of labour. Inside factories, not only are jobs demarcated, becoming extremely specialised, but each product is itself a speciality entailing the existence of others. Adam Smith and John Stuart Mill persisted in hoping that agriculture at least would prove an exception to the rule, seeing in it the last refuge of small-scale ownership. Although in such a matter we must guard against generalising unduly, nowadays it appears difficult to deny that the main branches of the agricultural industry are increasingly swept along in the general trend.² Finally, commerce itself contrives ways to follow and reflect, in all their distinctive nuances, the boundless diversity of industrial undertakings. Although this evolution occurs spontaneously and unthinkingly, those economists who study its causes and evaluate its results, far from condemning such diversification or attacking it, proclaim its necessity. They perceive in it the higher law of human societies and the condition for progress.

Yet the division of labour is not peculiar to economic life. We can observe its increasing influence in the most diverse sectors of society. Functions, whether political, administrative or judicial, are becoming more and more specialised. The same is true in the arts and sciences. The time lies far behind us when philosophy constituted the sole science. It has become fragmented into a host of special disciplines, each having its purpose, method and ethos. 'From one half-century to another the men who have left their mark upon the sciences have become more specialized.'³

Having to pinpoint the nature of the studies which for over two centuries had engaged the most celebrated scientists, de Candolle noted that in the age of Leibnitz and Newton he would have had to write down:

two or three descriptions almost always for each scientist: for example, astronomer and physicist, or mathematician, astronomer and physicist, or alternatively, to use only such general terms as philosopher or naturalist. Even that would not have been enough. Mathematicians and naturalists were sometimes scholars or poets. Even at the end of the eighteenth century, a number of designations would have been needed to indicate precisely what was remarkable about men such as Wolff, Haller or Charles Bonnet in several different branches of science and letters. In the nineteenth century this difficulty no longer exists or at least occurs very infrequently.⁴

Not only is the scientist no longer immersed in different sciences at the same time, but he can no longer encompass the whole field of one science. The range of his research is limited to a finite category of problems or even to a single one of them. Likewise, the functions of the scientist which formerly were almost always exercised alongside another more lucrative one, such as that of doctor, priest, magistrate or soldier, are increasingly sufficient by themselves. De Candolle even predicts that one day not too far distant the profession of scientist and that of teacher, at present still so closely linked, will be irrevocably separated.

The recent philosophical speculations in biology have finally caused us to realise that the division of labour is a fact of a generality that the economists, who were the first to speak of it, had been incapable of suspecting. Indeed, since the work of Wolff, von Baer and Milne-Edwards we know that the law of the division of labour

applies to organisms as well as to societies. It may even be stated that an organism occupies the more exalted a place in the animal hierarchy the more specialised its functions are. This discovery has had the result of not only enlarging enormously the field of action of the division of labour, but also of setting its origins back into an infinitely distant past, since it becomes almost contemporaneous with the coming of life upon earth. It is no longer a mere social institution whose roots lie in the intelligence and the will of men, but a general biological phenomenon, the conditions for which must seemingly be sought in the essential properties of organised matter. The division of labour in society appears no more than a special form of this general development. In conforming to this law societies apparently yield to a movement that arose long before they existed and which sweeps along in the same direction the whole of the living world.

Such a fact clearly cannot manifest itself without affecting profoundly our moral constitution, for the evolution of mankind will develop in two utterly opposing directions, depending on whether we abandon ourselves to this tendency or whether we resist it. Yet, then, one question poses itself urgently: of these two directions, which one should we choose? Is it our duty to seek to become a rounded, complete creature, a whole sufficient unto itself or, on the contrary, to be only a part of the whole, the organ of an organism? In short, whilst the division of labour is a law of nature, is it also a moral rule for human conduct and, if it possesses this last characteristic, through what causes and to what extent? There is no need to demonstrate the serious nature of this practical problem: whatever assessment we make of the division of labour, we all sense that it is, and increasingly so, one of the fundamental bases of the social order.

The problem is one that the moral consciousness of nations has often posed, but in a muddled fashion, and without being able to resolve it. Two opposing tendencies confront one another, and neither has succeeded in gaining entirely the upper hand.

It seems undoubtedly clear that the view is gaining ground that the division of labour should become a categorical rule of behaviour, one that should be imposed as a duty. It is true that those who infringe it are not meted out any precise punishment laid down by law, but they do suffer rebuke. The time is past when the perfect man seemed to us the one who, capable of being interested in

very fact, although we are not yet in a position to resolve the question with any rigour, already we can nevertheless vaguely perceive that, if this is the real function of the division of labour, it must possess a moral character, since needs for order, harmony and social solidarity are generally reckoned to be moral ones.

Yet before examining whether this hypothesis is well founded, we must verify the hypothesis we have just enunciated regarding the role of the division of labour. Let us see whether, in fact, in the societies in which we live today, it is from this that social solidarity essentially derives.

III

Yet how does one proceed to this verification?

We have not merely to investigate whether, in these kinds of societies, there exists a social solidarity arising from the division of labour. This is a self-evident truth, since in them the division of labour is highly developed and it engenders solidarity. But above all we must determine the degree to which the solidarity it produces contributes generally to the integration of society. Only then shall we learn to what extent it is necessary, whether it is an essential factor in social cohesion, or whether, on the contrary, it is only an ancillary and secondary condition for it. To answer this question we must therefore compare this social bond to others, in order to measure what share in the total effect must be attributed to it. To do this it is indispensable to begin by classifying the different species of social solidarity.

However, social solidarity is a wholly moral phenomenon which by itself is not amenable to exact observation and especially not to measurement. To arrive at this classification, as well as this comparison, we must therefore substitute for this internal datum, which escapes us, an external one which symbolises it, and then study the former through the latter.

That visible symbol is the law. Indeed where social solidarity exists, in spite of its non-material nature, it does not remain in a state of pure potentiality, but shows its presence through perceptible effects. Where it is strong it attracts men strongly to one another, ensures frequent contacts between them, and multiplies the opportunities available to them to enter into mutual relation-

ships. To state the position precisely, at the point we have now reached it is not easy to say whether it is social solidarity that produces these phenomena or, on the contrary, whether it is the result of them. Likewise it is a moot point whether men draw closer to one another because of the strong effects of social solidarity, or whether it is strong because men *have* come closer together. However, for the moment we need not concern ourselves with clarifying this question. It is enough to state that these two orders of facts are linked, varying with each other simultaneously and directly. The more closely knit the members of a society, the more they maintain various relationships either with one another or with the group collectively. For if they met together rarely, they would not be mutually dependent, except sporadically and somewhat weakly. Moreover, the number of these relationships is necessarily proportional to that of the legal rules that determine them. In fact, social life, wherever it becomes lasting, inevitably tends to assume a definite form and become organised. Law is nothing more than this very organisation in its most stable and precise form.¹⁸ Life in general within a society cannot enlarge in scope without legal activity simultaneously increasing in proportion. Thus we may be sure to find reflected in the law all the essential varieties of social solidarity.

It may certainly be objected that social relationships can be forged without necessarily taking on a legal form. Some do exist where the process of regulation does not attain such a level of consolidation and precision. This does not mean that they remain indeterminate; instead of being regulated by law they are merely regulated by custom. Thus law mirrors only a part of social life and consequently provides us with only incomplete data with which to resolve the problem. What is more, it is often the case that custom is out of step with the law. It is repeatedly stated that custom tempers the harshness of the law, corrects the excesses that arise from its formal nature, and is even occasionally inspired with a very different ethos. Might then custom display other kinds of social solidarity than those expressed in positive law?

But such an antithesis only occurs in wholly exceptional circumstances. For it to occur law must have ceased to correspond to the present state of society and yet, although lacking any reason to exist, is sustained through force of habit. In that event, the new relationships that are established in spite of it will become

organised, for they cannot subsist without seeking to consolidate themselves. Yet, being at odds with the old law, which persists, and not succeeding in penetrating the legal domain proper, they do not rise beyond the level of custom. Thus opposition breaks out. But this can only happen in rare, pathological cases, and cannot even continue without becoming dangerous. Normally custom is not opposed to law; on the contrary, it forms the basis for it. It is true that sometimes nothing further is built upon this basis. There may exist social relationships governed only by that diffuse form of regulation arising from custom. But this is because they lack importance and continuity, excepting naturally those abnormal cases just mentioned. Thus if types of social solidarity chance to exist which custom alone renders apparent, these are assuredly of a very secondary order. On the other hand the law reproduces all those types that are essential, and it is about these alone that we need to know.

Should we go further and assert that social solidarity does not consist entirely in its visible manifestations; that these express it only partially and imperfectly; that beyond law and custom there exists an inner state from which solidarity derives; and that to know it in reality we must penetrate to its heart, without any intermediary? But in science we can know causes only through the effects that they produce. In order to determine the nature of these causes more precisely science selects only those results that are the most objective and that best lend themselves to quantification. Science studies heat through the variations in volume that changes in temperature cause in bodies, electricity through its physical and chemical effects, and force through movement. Why should social solidarity prove an exception?

Moreover, what remains of social solidarity once it is divested of its social forms? What imparts to it its specific characteristics is the nature of the group whose unity it ensures, and this is why it varies according to the types of society. It is not the same within the family as within political societies. We are not attached to our native land in the same way as the Roman was to his city or the German to his tribe. But since such differences spring from social causes, we can only grasp them through the differences that the social effects of solidarity present to us. Thus if we neglect the differences, all varieties become indistinguishable, and we can perceive no more than that which is common to all varieties, that is, the general

tendency to sociability, a tendency that is always and everywhere the same and is not linked to any particular social type. But this residual element is only an abstraction, for sociability *per se* is met with nowhere. What exists and what is really alive are the special forms of solidarity – domestic, professional, national, that of the past and that of today, etc. Each has its own special nature. Hence generalities can in any case only furnish a very incomplete explanation of the phenomenon, since they necessarily allow to escape what is concrete and living about it.

Thus the study of solidarity lies within the domain of sociology. It is a social fact that can only be thoroughly known through its social effects. If so many moralists and psychologists have been able to deal with this question without following this method, it is because they have avoided the difficulty. They have divested the phenomenon of everything that is more specifically social about it, retaining only the psychological core from which it develops. It is certain that solidarity, whilst being pre-eminently a social fact, is dependent upon our individual organism. In order to be capable of existing it must fit our physical and psychological constitution. Thus, at the very least, we can content ourselves with studying it from this viewpoint. But in that case we shall perceive only that aspect of it which is the most indistinct and the least special. Strictly speaking, this is not even solidarity itself, but only what makes it possible.

Even so, such an abstract study cannot yield very fruitful results. For, so long as it remains in the state of a mere predisposition of our psychological nature, solidarity is something too indefinite to be easily understood. It remains an intangible virtuality too elusive to observe. To take on a form that we can grasp, social outcomes must provide an external interpretation of it. Moreover, even in such an indeterminate state, it depends on social conditions that explain it, and cannot consequently be detached from them. This is why some sociological perspectives are not infrequently to be found mixed up with these purely psychological analyses. For example, some mention is made of the influence of the *gregarious state* on the formation of social feeling in general;¹⁹ or the main social relationships on which sociability most obviously depends are rapidly sketched out.²⁰ Undoubtedly such additional considerations, introduced unsystematically as examples and at random as they suggest themselves, cannot suffice to cast much light on the social nature of

solidarity. Yet at least they demonstrate that the sociological viewpoint must weigh even with the psychologists.

Thus our method is clearly traced out for us. Since law reproduces the main forms of social solidarity, we have only to classify the different types of law in order to be able to investigate which types of social solidarity correspond to them. It is already likely that one species of law exists which symbolises the special solidarity engendered by the division of labour. Once we have made this investigation, in order to judge what part the division of labour plays it will be enough to compare the number of legal rules which give it expression with the total volume of law.

To undertake this study we cannot use the habitual distinctions made by jurists. Conceived for the practice of law, from this viewpoint they can be very convenient, but science cannot be satisfied with such empirical classifications and approximations. The most widespread classification is that which divides law into public and private law. Public law is held to regulate the relationships of the individual with the state, private law those of individuals with one another. Yet when we attempt to define these terms closely, the dividing line, which appeared at first sight to be so clear-cut, disappears. All law is private, in the sense that always and everywhere individuals are concerned and are its actors. Above all, however, all law is public, in the sense that it is a social function, and all individuals are, although in different respects, functionaries of society. The functions of marriage and parenthood, etc. are not spelt out or organised any differently from those of ministers or legislators. Not without reason did Roman law term guardianship a *munus publicum*. Moreover, what is the state? Where does it begin, where does it end? The controversial nature of this question is well known. It is unscientific to base such a fundamental classification on such an obscure and inadequately analysed idea.

In order to proceed methodically, we have to discover some characteristic which, whilst essential to juridical phenomena, is capable of varying as they vary. Now, every legal precept may be defined as a rule of behaviour to which sanctions apply. Moreover, it is clear that the sanctions change according to the degree of seriousness attached to the precepts, the place they occupy in the public consciousness, and the role they play in society. Thus it is appropriate to classify legal rules according to the different sanctions that are attached to them.

These are of two kinds. The first consist essentially in some injury, or at least some disadvantage imposed upon the perpetrator of a crime. Their purpose is to do harm to him through his fortune, his honour, his life, his liberty, or to deprive him of some object whose possession he enjoys. These are said to be repressive sanctions, such as those laid down in the penal code. It is true that those that appertain to purely moral rules are of the same character. Yet such sanctions are administered in a diffuse way by everybody without distinction, whilst those of the penal code are applied only through the mediation of a definite body – they are organised. As for the other kind of sanctions, they do not necessarily imply any suffering on the part of the perpetrator, but merely consist in restoring the previous state of affairs, re-establishing relationships that have been disturbed from their normal form. This is done either by forcibly redressing the action impugned, restoring it to the type from which it has deviated, or by annulling it, that is depriving it of all social value. Thus legal rules must be divided into two main species, according to whether they relate to repressive, organised sanctions, or to ones that are purely restitutory. The first group covers all penal law; the second, civil law, commercial law, procedural law, administrative and constitutional law, when any penal rules which may be attached to them have been removed.

Let us now investigate what kind of social solidarity corresponds to each of these species.

Notes

1. Cf. Alexander von Oettingen, *Moralstatistik* (Erlangen, 1882) p. 37ff.; also Tarde, *Criminalité comparée* (Alcan, Paris) ch. II. For suicides, cf. *infra*, Book II, Chapter I, § II.
2. 'The essential characteristic of the good, as compared with the true, is therefore to be obligatory. Taken by itself, the true does not possess this characteristic' (Janet, *Morale*, p. 139).
3. For it is in opposition to a moral rule (cf. p. 5).
4. Cf. *infra*, Book II, Chapters I and V.
5. *Nichomachean Ethics*, vol. VIII, no. 1, 1155a, 32.
6. A. Bain, *The Emotions and the Will* (London, 1889).
7. Topinard, *Anthropologie*, p. 146.
8. H. Spencer, *Essays: Scientific, Political, and Speculative* (London, 1858). Waitz, in his *Anthropologie der Naturvölker*, vol. I, p. 76, reports many facts of the same kind.

and consequently remains unchanged. Generally religious law is always repressive: it is essentially conservative. This unchangeable character of penal law demonstrates the strength of resistance exerted by the collective sentiments to which it corresponds. Conversely, the greater malleability of purely moral laws and the relative swiftness with which they evolve demonstrates the lesser strength of the sentiments underlying them. They have either developed more recently and have not yet had time to penetrate deeply the individual consciousness, or their roots are in a state of decay and are floating to the surface.

A last addition is needed for our definition to be accurate. If, in general, the sentiments that purely moral sanctions protect, that is, ones that are diffuse, are less intense and less solidly organised than those protected by punishments proper, exceptions still remain. Thus there is no reason to concede that normal filial piety or even the elementary forms of compassion for the most blatant forms of misery are nowadays more superficial sentiments than is the respect for property or public authority. Yet the wayward son and even the most arrant egoist are not treated as criminals. Consequently it is not enough for these sentiments to be strongly held; they must be precise. Indeed, every single one relates to a very clearly defined practice. Such a practice may be simple or complex, positive or negative, that is, consisting in an action undertaken or avoided; but it is always determinate. It is a question of doing or not doing this or that, of not killing or wounding, or uttering a particular formula, or accomplishing a particular rite, etc. By contrast, sentiments such as filial love or charity are vague aspirations to very general objects. Thus penal rules are notable for their clarity and precision, whilst purely moral rules are generally somewhat fluid in character. Their indeterminate nature not infrequently makes it hard to formulate any clear definition of them. We may state very generally that people should work, or have compassion for others, etc., but we cannot determine precisely the manner or extent to which they should do so. Consequently there is room here for variations and shades of meaning. By contrast, because the sentiments embodied in penal rules are determinate, they possess a much greater uniformity. As they cannot be interpreted in different ways, they are everywhere the same.

We are now in a position to conclude.

The totality of beliefs and sentiments common to the average

members of a society forms a determinate system with a life of its own. It can be termed the collective or common consciousness. Undoubtedly the substratum of this consciousness does not consist of a single organ. By definition it is diffused over society as a whole, but nonetheless possesses specific characteristics that make it a distinctive reality. In fact it is independent of the particular conditions in which individuals find themselves. Individuals pass on, but it abides. It is the same in north and south, in large towns and in small, and in different professions. Likewise it does not change with every generation but, on the contrary, links successive generations to one another. Thus it is something totally different from the consciousnesses of individuals, although it is only realised in individuals. It is the psychological type of society, one which has its properties, conditions for existence and mode of development, just as individual types do, but in a different fashion. For this reason it has the right to be designated by a special term. It is true that the one we have employed above is not without ambiguity. Since the terms, 'collective' and 'social' are often taken as synonyms, one is inclined to believe that the collective consciousness is the entire social consciousness, that is, co-terminous with the psychological life of society, whereas, particularly in higher societies, it constitutes only a very limited part of it. Those functions that are judicial, governmental, scientific or industrial – in short, all the specific functions – appertain to the psychological order, since they consist of systems of representation and action. However, they clearly lie outside the common consciousness. To avoid a confusion⁹ that has occurred it would perhaps be best to invent a technical expression which would specifically designate the sum total of social similarities. However, since the use of a new term, when it is not absolutely necessary, is not without its disadvantages, we shall retain the more generally used expression, 'collective (or common) consciousness', but always keeping in mind the restricted sense in which we are employing it.

Thus, summing up the above analysis, we may state that an act is criminal when it offends the strong, well-defined states of the collective consciousness.¹⁰

This proposition, taken literally, is scarcely disputed, although usually we give it a meaning very different from the one it should have. It is taken as if it expressed, not the essential characteristics of the crime, but one of its repercussions. We well know that crime

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offends very general sentiments, but ones that are strongly held. But it is believed that their generality and strength spring from the criminal nature of the act, which consequently still remains wholly to be defined. It is not disputed that any criminal act excites universal disapproval, but it is taken for granted that this results from its criminal nature. Yet one is then hard put to it to state what is the nature of this criminality. Is it in a particularly serious form of immorality? I would concur, but this is to answer a question by posing another, by substituting one term for another. For what is immorality is precisely what we want to know – and particularly that special form of immorality which society represses by an organised system of punishments, and which constitutes criminality. Clearly it can only derive from one or several characteristics common to all varieties of crime. Now the only characteristic to satisfy that condition refers to the opposition that exists between crime of any kind and certain collective sentiments. It is thus this opposition which, far from deriving from the crime, constitutes the crime. In other words, we should not say that an act offends the common consciousness because it is criminal, but that it is criminal because it offends that consciousness. We do not condemn it because it is a crime, but it is a crime because we condemn it. As regards the intrinsic nature of these feelings, we cannot specify what that is. They have very diverse objects, so that they cannot be encompassed within a single formula. They cannot be said to relate to the vital interests of society or to a minimum of justice. All such definitions are inadequate. But by the mere fact that a sentiment, whatever may be its origin and purpose, is found in every consciousness and endowed with a certain degree of strength and precision, every act that disturbs it is a crime. Present-day psychology is increasingly turning back to Spinoza's idea that things are good because we like them, rather than that we like them because they are good. What is primary is the tendency and disposition: pleasure and pain are only facts derived from this. The same holds good for social life. An act is socially evil because it is rejected by society. But, it will be contended, are there no collective sentiments that arise from the pleasure or pain that society feels when it comes into contact with their objects? This is doubtless so, but all such sentiments do not originate in this way. Many, if not the majority, derive from utterly different causes. Anything that obliges our activity to take on a definite form can give rise to habits that result in dispositions which

then have to be satisfied. Moreover, these dispositions alone are truly fundamental. The others are only special forms of them and are more determinate. Thus to find charm in a particular object, collective sensibility must already have been constituted in such a way as to be able to appreciate it. If the corresponding sentiments are abolished, an act most disastrous for society will not only be capable of being tolerated, but honoured and held up as an example. Pleasure cannot create a disposition out of nothing; it can only link to a particular end those dispositions that already exist, provided that end is in accordance with their original nature.

Yet there are cases where the above explanation does not appear to apply. There are acts that are repressed with greater severity than the strength of their condemnation by public opinion. Thus combinations between officials, the encroachment by judicial authorities on the administrative powers, or by religious upon secular functions are the object of a repression which is disproportionate to the indignation they arouse in the individual consciousness. The misappropriation of public property leaves us fairly indifferent, and yet for it fairly stiff punishments are meted out. It may even happen that an act that is punished does not directly offend any collective sentiment. We feel no urge to protest against fishing or hunting in the close season, or against overloaded vehicles on the public highway. Yet we have no grounds for distinguishing these offences completely from others. Any radical distinction¹¹ would be arbitrary, since all exhibit in varying degree the same external criterion. Doubtless in none of these examples does the punishment appear unjust. If the punishment is not rejected by public opinion, such opinion, if left to its own devices, would either not insist upon it at all or would show itself less demanding. Thus in all cases of this kind the criminality does not derive – or at least not entirely so – from the degree of sensitivity of the collective sentiments which are offended, but may be traced to another cause.

It is undoubtedly the case that once some governmental authority is instituted it possesses enough power of itself to attach penal sanctions on its own initiative to certain rules of conduct. By its own action it has the ability to create certain crimes or to attach greater seriousness to the criminal character of certain others. Thus all the acts we have just instanced have one characteristic in common, that is, they are directed against one or other of the bodies that control the life of society. Should we then concede that they are two types of

crime springing from two different causes? Such an hypothesis cannot be considered for a moment. However numerous its varieties, crime is essentially the same everywhere, since everywhere it entails the same consequence, that is, punishment. Although this may vary in severity, it does not thereby change in nature. Now the same fact cannot have two causes, unless this duality is only apparent and fundamentally the causes are one. That power to react peculiar to the state must be of the same nature as that spread throughout society as a whole.

Where, in fact, might it originate? From the serious nature of the interests that the state directs, interests that require protecting in a very special way? But we know that the harm alone done to these interests, weighty though they may be, is not enough to determine the reaction of punishment. The harm must also be perceived in a certain manner. Moreover, how does it come about that the slightest injury done to the organ of government is punished, whilst other injuries of a much more fearsome kind inflicted on other bodies within society are redressed only by recourse to civil law? The slightest infringement of the regulations relating to the highways and waterways is penalised by a fine. But even the repeated breaching of contracts, or persistently unscrupulous conduct in economic relationships, merely necessitates the apportionment of damages. The machinery of government certainly plays an outstanding role in social life, but there are other bodies in society whose interests continue to be vital and yet whose functioning is not underpinned in the same manner. If the brain is of importance, the stomach is likewise an essential organ, and the latter's ailments may be threatening to life, just as are the former's. Why is this privileged position accorded to what is occasionally called the 'brain' of society?

The problem is easily solved when we perceive that wherever an authority with power to govern is established its first and foremost function is to ensure respect for beliefs, traditions and collective practices – namely, to defend the common consciousness from all its enemies, from within as well as without. It thus becomes the symbol of that consciousness, in everybody's eyes its living expression. Consequently the energy immanent within the consciousness is communicated to that authority, just as affinities of ideas are transmitted to the words they represent. This is how the

State exists to defend Collective Consc.

authority assumes a character that renders it unrivalled. It is no longer a social function of greater or lesser importance, it is the embodiment of the collectivity. Thus it partakes of the authority that the collectivity exercises over the consciousness of individuals, and from this stems its strength. Yet once this strength has arisen, not breaking free from the source from which it derives and on which it continues to feed, it nevertheless becomes a factor of social life which is autonomous, capable of producing its own spontaneous actions. Precisely because of the hegemony this strength has acquired, these actions are totally independent of any external impulsion. On the other hand, since it is merely derived from the power immanent in the common consciousness, it necessarily possesses the same properties and reacts in similar fashion, even when the common consciousness does not react entirely in unison. It thus wards off any hostile force, just as would the diffused consciousness of society, even if the latter does not feel that hostility or feels it less strongly; that is, a governing authority categorises as crimes those acts that are harmful to it, even when the sentiments of the collectivity are not affected to the same extent. Nevertheless, it is from these latter sentiments that it receives the whole power allowing it to create crimes and offences. As well as the certainty that the power cannot come from elsewhere and yet cannot come from nothing, the following facts (on which we shall expand fully in the rest of this volume) confirm this explanation. The scope of the action that governmental authority exerts over the number of criminal acts, and the designation of what is criminal, depend upon the power it possesses. This power in turn may be measured either by the degree of authority that it exercises over its citizens or by the degree of seriousness attributed to the crimes directed against it. We shall see that it is in lower societies that this authority is greatest and where this seriousness weighs most heavily, and moreover, that it is in these self-same types of society that the collective consciousness possesses most power.¹²

Thus it is always to the collective consciousness that we must return. From it, directly or indirectly, all criminality flows. Crime is not only injury done to interests which may be serious; it is also an offence against an authority which is in some way transcendent. Experientially speaking, there exists no moral force superior to that of the individual, save that of the collectivity.

Thus it is certainly the nature of the collective sentiments that accounts for punishment, and consequently for crime. Moreover, we can again see that the power to react, which is available to the functions of government, once these have emerged, is only an emanation of the power diffused throughout society, since it springs from it. The one power is no more than the reflection of the other; the extent of the one varies with the extent of the other. Moreover, we must add that the institution of this power serves to sustain the common consciousness itself. For that consciousness would grow weaker if the organ that represented it did not share the respect that it inspires and the special authority that it wields. But that organ cannot partake of that respect unless every action that offends it is combated and repulsed, just as are those actions that offend the collective consciousness, even indeed when that consciousness is not directly affected.

IV

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Thus our analysis of punishment has substantiated our definition of crime. We began by establishing inductively that crime consisted essentially in an act contrary to strong, well-defined states of the common consciousness. We have just seen that in effect all the characteristics of punishment derive from the nature of crime. Thus the rules sanctioned by punishment are the expression of the most essential social similarities.

We can therefore see what kind of solidarity the penal law symbolises. In fact we all know that a social cohesion exists whose cause can be traced to a certain conformity of each individual consciousness to a common type, which is none other than the psychological type of society. Indeed under these conditions all members of the group are not only individually attracted to one another because they resemble one another, but they are also linked to what is the condition for the existence of this collective type, that is, to the society that they form by coming together. Not only do fellow-citizens like one another, seeking one another out in preference to foreigners, but they love their country. They wish for it what they would wish for themselves, they care that it should be lasting and prosperous, because without it a whole area of their psychological life would fail to function smoothly. Conversely,

society insists upon its citizens displaying all these basic resemblances because it is a condition for its own cohesion. Two consciousnesses exist within us: the one comprises only states that are personal to each one of us, characteristic of us as individuals, whilst the other comprises states that are common to the whole of society.⁴⁴ The former represents only our individual personality, which it constitutes; the latter represents the collective type and consequently the society without which it would not exist. When it is an element of the latter determining our behaviour, we do not act with an eye to our own personal interest, but are pursuing collective ends. Now, although distinct, these two consciousnesses are linked to each other, since in the end they constitute only one entity, for both have one and the same organic basis. Thus they are solidly joined together. This gives rise to a solidarity *sui generis* which, deriving from resemblances, binds the individual directly to society. In the next chapter we shall be better able to demonstrate why we propose to term this solidarity mechanical. It does not consist merely in a general, indeterminate attachment of the individual to the group, but is also one that concert their detailed actions. Indeed, since such collective motives are the same everywhere, they produce everywhere the same effects. Consequently, whenever they are brought into play all wills spontaneously move as one in the same direction

It is this solidarity that repressive law expresses, at least in regard to what is vital to it. Indeed the acts which such law forbids and stigmatises as crimes are of two kinds: either they manifest directly a too violent dissimilarity between the one who commits them and the collective type; or they offend the organ of the common consciousness. In both cases the force shocked by the crime and that rejects it is thus the same. It is a result of the most vital social similarities, and its effect is to maintain the social cohesion that arises from these similarities. It is that force which the penal law guards against being weakened in any way. At the same time it does this by insisting upon a minimum number of similarities from each one of us, without which the individual would be a threat to the unity of the body social, and by enforcing respect for the symbol which expresses and epitomises these resemblances, whilst simultaneously guaranteeing them.

By this is explained why some acts have so frequently been held to be criminal, and punished as such, without in themselves being

Mechanical
Solidarity
binds ind.
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harmful to society. Indeed, just like the individual type, the collective type has been fashioned under the influence of very diverse causes, and even of random events. A product of historical development, it bears the mark of those circumstances of every kind through which society has lived during its history. It would therefore be a miracle if everything to be found in it were geared to some useful end. Some elements, more or less numerous, cannot fail to have been introduced into it which are unrelated to social utility. Among the dispositions and tendencies the individual has received from his ancestors or has developed over time there are certainly many that serve no purpose, or that cost more than the benefits they bring. Undoubtedly most of these are not harmful, for if they were, in such conditions the individual could not live. But there are some that persist although lacking in all utility. Even those that do undisputedly render a service are frequently of an intensity disproportionate to their usefulness, because that intensity derives in part from other causes. The same holds good for collective emotions. Every act that disturbs them is not dangerous in itself, or at least is not so perilous as the condemnation it earns. However, the reprobation such acts incur is not without reason. For, whatever the origin of these sentiments, once they constitute a part of the collective type, and particularly if they are essential elements in it, everything that serves to undermine them at the same time undermines social cohesion and is prejudicial to society. In their origin they had no usefulness but, having survived, it becomes necessary for them to continue despite their irrationality. This is generally why it is good that acts that offend these sentiments should not be tolerated. Doubtless, by reasoning in the abstract it can indeed be shown that there are no grounds for a society to prohibit the eating of a particular kind of meat, an action inoffensive in itself. But once an abhorrence of this food has become an integral part of the common consciousness it cannot disappear without social bonds becoming loosened, and of this the healthy individual consciousness is vaguely aware.⁴⁵

The same is true of punishment. Although it proceeds from an entirely mechanical reaction and from an access of passionate emotion, for the most part unthinking, it continues to play a useful role. But that role is not the one commonly perceived. It does not serve, or serves only very incidentally, to correct the guilty person or to scare off any possible imitators. From this dual viewpoint its

effectiveness may rightly be questioned; in any case it is mediocre. Its real function is to maintain inviolate the cohesion of society by sustaining the common consciousness in all its vigour. If that consciousness were thwarted so categorically, it would necessarily lose some of its power, were an emotional reaction from the community not forthcoming to make good that loss. Thus there would result a relaxation in the bonds of social solidarity. The consciousness must therefore be conspicuously reinforced the moment it meets with opposition. The sole means of doing so is to give voice to the unanimous aversion that the crime continues to evoke, and this by an official act, which can only mean suffering inflicted upon the wrongdoer. Thus, although a necessary outcome of the causes that give rise to it, this suffering is not a gratuitous act of cruelty. It is a sign indicating that the sentiments of the collectivity are still unchanged, that the communion of minds sharing the same beliefs remains absolute, and in this way the injury that the crime has inflicted upon society is made good. This is why it is right to maintain that the criminal should suffer in proportion to his crime, and why theories that deny to punishment any expiatory character appear, in the minds of many, to subvert the social order. In fact such theories could only be put into practice in a society from which almost every trace of the common consciousness has been expunged. Without this necessary act of satisfaction what is called the moral consciousness could not be preserved. Thus, without being paradoxical, we may state that punishment is above all intended to have its effect upon honest people. Since it serves to heal the wounds inflicted upon the collective sentiments, it can only fulfil this role where such sentiments exist, and in so far as they are active. Undoubtedly, by forestalling in minds already distressed any further weakening of the collective psyche, punishment can indeed prevent such attacks from multiplying. But such a result, useful though it is, is merely a particular side-effect. In short, to visualise an exact idea of punishment, the two opposing theories that have been advanced must be reconciled: the one sees in punishment an expiation, the other conceives it as a weapon for the defence of society. Certainly it does fulfil the function of protecting society, but this is because of its expiatory nature. Moreover, if it must be expiatory, this is not because suffering redeems error by virtue of some mystic strength or another, but because it cannot produce its socially useful effect save on this one condition.⁴⁶

endemic
food laws

Why
violated
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be
tolerated

Chapter III

Solidarity Arising from the Division of Labour, or Organic Solidarity

I

The very nature of the restitutory sanction is sufficient to show that the social solidarity to which that law corresponds is of a completely different kind.

The distinguishing mark of this sanction is that it is not expiatory, but comes down to a mere *restoration of the 'status quo ante'*. Suffering in proportion to the offence is not inflicted upon the one who has broken the law or failed to acknowledge it; he is merely condemned to submit to it. If certain acts have already been performed, the judge restores them to what they should be. He pronounces what the law is, but does not talk of punishment. Damages awarded have no penal character: they are simply a means of putting back the clock so as to restore the past, so far as possible, to its normal state. It is true that Tarde believed that he had discovered a kind of civil penal law in the awarding of costs, which are always borne by the losing party.¹ Yet taken in this sense the term has no more than a metaphorical value. For there to be punishment there should at least be some proportionality between the punishment and the wrong, and for this one would have to establish exactly the degree of seriousness of the wrong. In fact the loser of the case pays its costs even when his intentions were innocent and he is guilty of nothing more than ignorance. The reasons for this rule therefore seem to be entirely different. Since justice is not administered free, it seems equitable that the costs should be borne by the one who has occasioned them. Moreover, although it is possible that the prospect of such costs may stop the overhasty litigant, this is not enough for them to be considered a

punishment. The fear of ruin that is normally consequent upon idleness and neglect may cause the businessman to be energetic and diligent. Yet ruin, in the exact connotation of the term, is not the penal sanction for his shortcomings.

Failure to observe these rules is not even sanctioned by a diffused form of punishment. The plaintiff who has lost his case is not disgraced, nor is his honour impugned. We can even envisage these rules being different from what they are without any feeling of repugnance. The idea that murder can be tolerated sets us up in arms, but we very readily accept that the law of inheritance might be modified, and many even conceive that it could be abolished. At least it is a question that we are not unwilling to discuss. Likewise, we agree without difficulty that the laws regarding easements or usufruct might be framed differently, or that the mutual obligations of buyer and vendor might be determined in another way, and that administrative functions might be allocated according to different principles. Since these prescriptions do not correspond to any feeling within us, and as generally we do not know their scientific justification, since this science does not yet exist, they have no deep roots in most of us. Doubtless there are exceptions. We do not tolerate the idea that an undertaking entered into that is contrary to morals or obtained either by violence or fraud can bind the contracting parties. Thus when public opinion is faced with cases of this kind it shows itself less indifferent than we have just asserted, and it adds its disapprobation to the legal sanction, causing it to weigh more heavily. This is because there are no clear-cut partitions between the various domains of moral life. On the contrary, they form a continuum, and consequently adjacent areas exist where different characteristics may be found at one and the same time. Nevertheless the proposition we have enunciated remains true in the overwhelming majority of cases. It demonstrates that rules where sanctions are restitutory either constitute no part at all of the collective consciousness, or subsist in it in only a weak state. Repressive law corresponds to what is the heart and centre of the common consciousness. Purely moral rules are already a less central part of it. Lastly, restitutory law springs from the farthest zones of consciousness and extends well beyond them. The more it becomes truly itself, the more it takes its distance.

This characteristic is moreover evinced in the way that it functions. Whereas repressive law tends to stay diffused throughout

society, restitutory law sets up for itself ever more specialized bodies: consular courts, and industrial and administrative tribunals of every kind. Even in its most general sector, that of civil law, it is brought into use only by special officials – magistrates, lawyers, etc., who have been equipped for their role by a very special kind of training.

But although these rules are more or less outside the collective consciousness, they do not merely concern private individuals. If this were the case, restitutory law would have nothing in common with social solidarity, for the relationships it regulates would join individuals to one another without their being linked to society. They would be mere events of private life, as are, for instance, relationships of friendship. Yet it is far from the case that society is absent from this sphere of legal activity. Generally it is true that it does not intervene by itself and of its own volition: it must be solicited to do so by the parties concerned. Yet although it has to be invoked, its intervention is none the less the essential cog in the mechanism, since it alone causes that mechanism to function. It is society that declares what the law is, through its body of representatives.

However, it has been maintained that this role is in no way an especially social one, but comes down to being that of a conciliator of private interests. Consequently it has been held that any private individual could fulfil it, and that if society adopted it, this was solely for reasons of convenience. Yet it is wholly inaccurate to make society a kind of third-party arbitrator between the other parties. When it is induced to intervene it is not to reconcile the interests of individuals. It does not investigate what may be the most advantageous solution for the protagonists, nor does it suggest a compromise. But it does apply to the particular case submitted to it the general and traditional rules of the law. Yet the law is pre-eminently a social matter, whose object is absolutely different from the interests of the litigants. The judge who examines a divorce petition is not concerned to know whether this form of separation is really desirable for the husband and wife, but whether the causes invoked for it fall into one of the categories stipulated by law.

Yet to assess accurately the importance of the intervention by society it must be observed not only at the moment when the sanction is applied, or when the relationship that has been upset is restored, but also when it is instituted.

Social action is in fact necessary either to lay a foundation for, or to modify, a number of legal relationships regulated by this form of law, and which the assent of the interested parties is not adequate enough either to institute or alter. Of this nature are those relationships in particular that concern personal status. Although marriage is a contract, the partners can neither draw it up nor rescind it at will. The same holds good for all other domestic relationships, and *a fortiori* for all those regulated by administrative law. It is true that obligations that are properly contractual can be entered into or abrogated by the mere will to agreement of the parties. Yet we must bear in mind that, if a contract has binding force, it is society which confers that force. Let us assume that it does not give its blessing to the obligations that have been contracted; these then become pure promises possessing only moral authority.² Every contract therefore assumes that behind the parties who bind each other, society is there, quite prepared to intervene and to enforce respect for any undertakings entered into. Thus it only bestows this obligatory force upon contracts that have a social value in themselves, that is, those that are in conformity with the rules of law. We shall even occasionally see that its intervention is still more positive. It is therefore present in every relationship determined by restitutory law, even in ones that appear the most completely private, and its presence, although not felt, at least under normal conditions, is no less essential.³

Since the rules where sanctions are restitutory do not involve the common consciousness, the relationships that they determine are not of the sort that affect everyone indiscriminately. This means that they are instituted directly, not between the individual and society, but between limited and particular elements in society, which they link to one another. Yet on the other hand, since society is not absent it must necessarily indeed be concerned to some extent, and feel some repercussions. Then, depending upon the intensity with which it feels them, it intervenes at a greater or lesser distance, and more or less actively, through the mediation of special bodies whose task it is to represent it. These relationships are therefore very different from those regulated by repressive law, for the latter join directly, without any intermediary, the individual consciousness to that of society, that is, the individual himself to society.

~~But these relationships can assume two very different forms.~~

relationships express, result from the social division of labour. Moreover, it is explicable that, in general, co-operative relationships do not carry with them any other form of sanctions. Indeed, special tasks, by their very nature, are exempt from the effects of the collective consciousness. This is because if something is to be the object of shared sentiments, the first condition is that it should be shared, that is, present in every consciousness, and that each individual may be able to conceive of it from a single, identical viewpoint. Doubtless, so long as functions are of a certain general nature, everyone can have some feeling for them. Yet the more specific they become the more also the number is restricted of those who are aware of each and every function. Consequently the more they overflow beyond the common consciousness. The rules that determine them cannot therefore possess that superior force and transcendent authority which, when it suffers harm, exacts expiation. It is indeed also from public opinion that their authority springs, just as do penal rules, but from an opinion that is specific to certain sectors of society.

Moreover, even in those special circles where the rules are applied, and where consequently they are evoked in the minds of people, they do not reflect any very acute feelings, nor even in most cases any kind of emotional state. For, since they determine the manner in which the different functions should work together in the various combinations of circumstances that may arise, the objects to which they relate are not ever-present in the consciousness. We are not always having to administer a guardianship or a trusteeship,¹³ nor having to exercise our rights as creditor or buyer, etc. Above all, we do not have to exercise them in particular conditions. But the states of consciousness are strong only in so far as they are permanent. The infringement of these rules does not therefore touch to the quick the common spirit of society, nor, at least usually, that of these special groups. Consequently the infringement cannot provoke more than a very moderate reaction. All that we require is for the functions to work together in a regular fashion. Thus if this regularity is disturbed, we are satisfied if it is re-established. This is most certainly not to say that the development of the division of labour cannot have repercussions in the penal law. There are, as we already know, administrative and governmental functions where certain relationships are regulated by repressive law, because of the special character marking the organ of the common consciousness

and everything appertaining to it. In yet other cases, the bonds of solidarity linking certain social functions may be such that once they are broken repercussions occur that are sufficiently general to provoke a reaction of punishment. But for reasons we have already stated, these consequences are exceptional.

In the end this law plays a part analogous in society to that of the nervous system in the organism. That system, in effect, has the task of regulating the various bodily functions in such a way that they work harmoniously together. Thus it expresses in a very natural way the degree of concentration that the organism has reached as a result of the physiological division of labour. Therefore we can at the different levels of the animal scale ascertain the measure of that concentration according to the development of the nervous system. Likewise this means that we can ascertain the measure of concentration that a society has reached through the social division of labour, according to the development of co-operative law with its restitutory sanctions. One can foresee that such a criterion will be of great utility to us.

IV

Since negative solidarity on its own brings about no integration, and since, moreover, there is nothing specific in it, we shall identify only two kinds of positive solidarity, distinguished by the following characteristics:

- (1) The first kind links the individual directly to society without any intermediary. With the second kind he depends upon society because he depends upon the parts that go to constitute it.
- (2) In the two cases, society is not viewed from the same perspective. In the first, the term is used to denote a more or less organised society composed of beliefs and sentiments common to all the members of the group: this is the collective type. On the contrary, in the second case the society to which we are solidly joined is a system of different and special functions united by definite relationships. Moreover, these two societies are really one. They are two facets of one and the same reality, but which none the less need to be distinguished from each other.
- (3) From this second difference there arises another which will serve to allow us to characterise and delineate the features of these two kinds of solidarity.

The first kind can only be strong to the extent that the ideas and tendencies common to all members of the society exceed in number and intensity those that appertain personally to each one of those members. The greater this excess, the more active this kind of society is. Now what constitutes our personality is that which each one of us possesses that is peculiar and characteristic, what distinguishes it from others. This solidarity can therefore only increase in inverse relationship to the personality. As we have said, there is in the consciousness of each one of us two consciousnesses: one that we share in common with our group in its entirety, which is consequently not ourselves, but society living and acting within us; the other that, on the contrary, represents us alone in what is personal and distinctive about us, what makes us an individual.¹⁴ The solidarity that derives from similarities is at its *maximum* when the collective consciousness completely envelops our total consciousness, coinciding with it at every point. At that moment our individuality is zero. That individuality cannot arise until the community fills us less completely. Here there are two opposing forces, the one centripetal, the other centrifugal, which cannot increase at the same time. We cannot ourselves develop simultaneously in two so opposing directions. If we have a strong inclination to think and act for ourselves we cannot be strongly inclined to think and act like other people. If the ideal is to create for ourselves a special, personal image, this cannot mean to be like everyone else. Moreover, at the very moment when this solidarity exerts its effect, our personality, it may be said by definition, disappears, for we are no longer ourselves, but a collective being.

The social molecules that can only cohere in this one manner cannot therefore move as a unit save in so far as they lack any movement of their own, as do the molecules of inorganic bodies. This is why we suggest that this kind of solidarity should be called mechanical. The word does not mean that the solidarity is produced by mechanical and artificial means. We only use this term for it by analogy with the cohesion that links together the elements of raw materials, in contrast to that which encompasses the unity of living organisms. What finally justifies the use of this term is the fact that the bond that thus unites the individual with society is completely analogous to that which links the thing to the person. The individual consciousness, considered from this viewpoint, is simply a dependency of the collective type, and follows all its motions, just as the

object possessed follows those which its owner imposes upon it. In societies where this solidarity is highly developed the individual, as we shall see later, does not belong to himself; he is literally a thing at the disposal of society. Thus, in these same social types, personal rights are still not yet distinguished from 'real' rights.

The situation is entirely different in the case of solidarity that brings about the division of labour. Whereas the other solidarity implies that individuals resemble one another, the latter assumes that they are different from one another. The former type is only possible in so far as the individual personality is absorbed into the collective personality; the latter is only possible if each one of us has a sphere of action that is peculiarly our own, and consequently a personality. Thus the collective consciousness leaves uncovered a part of the individual consciousness, so that there may be established in it those special functions that it cannot regulate. The more extensive this free area is, the stronger the cohesion that arises from this solidarity. Indeed, on the one hand each one of us depends more intimately upon society the more labour is divided up, and on the other, the activity of each one of us is correspondingly more specialised, the more personal it is. Doubtless, however circumscribed that activity may be, it is never completely original. Even in the exercise of our profession we conform to usages and practices that are common to us all within our corporation. Yet even in this case, the burden that we bear is in a different way less heavy than when the whole of society bears down upon us, and this leaves much more room for the free play of our initiative. Here, then, the individuality of the whole grows at the same time as that of the parts. Society becomes more effective in moving in concert, at the same time as each of its elements has more movements that are peculiarly its own. This solidarity resembles that observed in the higher animals. In fact each organ has its own special characteristics and autonomy, yet the greater the unity of the organism, the more marked the individualisation of the parts. Using this analogy, we propose to call 'organic' the solidarity that is due to the division of labour.

At the same time this chapter and the preceding one provide us with the means of estimating the part played by each one of these two social links in the overall, common result which by different ways they contribute in producing. In fact we know under what external forms these two kinds of solidarity are symbolised, that is,

Chapter II

The Causes

Thus it is in certain variations of the social environment that we must seek the cause that explains the progress of the division of labour. The results outlined in the preceding book allow us to induce immediately what these variations consist of.

In fact we have seen that the organised structure, and consequently the division of labour, develops regularly as the segmentary structure vanishes. It is therefore this disappearance that is the cause of this development; alternatively, the latter may be the cause of the former. This last hypothesis is not acceptable, for we know that the segmentary arrangement is an insurmountable obstacle to the division of labour and that the arrangement must have disappeared, at least in part, for the division of labour to be able to appear. It can only do so when that arrangement no longer exists. Undoubtedly once the division of labour exists it can contribute to speeding up its disappearance, but it only becomes apparent after the segmentary arrangement has partly receded. The effect reacts upon the cause, but does not in consequence cease to be an effect. Thus the reaction that it exerts is a secondary one. The increase in the division of labour is therefore due to the fact that the social segments lose their individuality, that the partitions dividing them become more permeable. In short, there occurs between them a coalescence that renders the social substance free to enter upon new combinations.

But the disappearance of this type can only bring about this result for the following reason. It is because there occurs a drawing together of individuals who were separated from one another, or at least they draw more closely together than they had been. Hence movements take place between the parts of the social mass which up

to then had no reciprocal effect upon one another. The more the alveolar system is developed, the more the relationships in which each one of us is involved become enclosed within the limits of the alveola to which we belong. There are, as it were, moral vacuums between the various segments. On the other hand these vacuums fill up as the system levels off. Social life, instead of concentrating itself in innumerable small foci that are distinct but alike, becomes general. Social relationships – more exactly we should say intra-social relationships – consequently become more numerous, since they push out beyond their original boundaries on all sides. Thus the division of labour progresses the more individuals there are who are sufficiently in contact with one another to be able mutually to act and react upon one another. If we agree to call dynamic or moral density this drawing together and the active exchanges that result from it, we can say that the progress of the division of labour is in direct proportion to the moral or dynamic density of society.

But this act of drawing together morally can only bear fruit if the real distance between individuals has itself diminished, in whatever manner. Moral density cannot therefore increase without physical density increasing at the same time, and the latter can serve to measure the extent of the former. Moreover, it is useless to investigate which of the two has influenced the other; it suffices to realise that they are inseparable.

The progressive increase in density of societies in the course of their historical development occurs in three main ways:

(1) Whilst lower societies spread themselves over areas that are relatively vast in comparison with the number of individuals that constitute them, amongst more advanced peoples the population is continually becoming more concentrated. Spencer says: 'If we contrast the populousness of regions inhabited by wild tribes with the populousness of equal regions in Europe; or if we contrast the density of population in England under the Heptarchy with its present density; we see that besides the growth produced by union of groups there has gone an interstitial growth.'¹

The changes wrought successively in the industrial life of nations demonstrate how general this transformation is. The activity of nomadic tribes, whether hunters or shepherds, entails in fact the absence of any kind of concentration and dispersion over as wide an area as possible. Agriculture, because it is of necessity a settled existence, already presumes a certain drawing together of the social

tissues, but one still very incomplete, since between each family tracts of land are interposed.² In the city, although the condensation process was greater, yet houses did not adjoin one another, for joined building was not known in Roman law.³ This was invented on our own soil and demonstrates that the social ties have become tighter.⁴ Moreover, from their origins European societies have seen their density increase continuously in spite of a few cases of temporary regression.⁵

(2) The formation and development of towns are a further symptom, even more characteristic, of the same phenomenon. The increase in average density can be due solely to the physical increase in the birth rate and can consequently be reconciled with a very weak concentration of people, and the very marked maintenance of the segmentary type of society. But towns always result from the need that drives individuals to keep constantly in the closest possible contact with one another. They are like so many points where the social mass is contracting more strongly than elsewhere. They cannot therefore multiply and spread out unless the moral density increases. Moreover, we shall see that towns recruit their numbers through migration to them, which is only possible to the extent that the fusion of social segments is far advanced.

So long as the social organisation is essentially segmentary, towns do not exist. There are none in lower societies; they are not met with among the Iroquois, nor among the primitive German tribes.⁶ The same was true for the primitive populations of Italy. 'The peoples of Italy,' states Marquardt, 'originally used not to live in towns, but in family or village communities (*pagi*), over which farms (*vici*, *οἰχοὶ*) were scattered.'⁷ Yet after a fairly short period of time the town made its appearance. Athens and Rome were or became towns, and the same transformation was accomplished throughout Italy. In our Christian societies the town appears from the very beginning, for those that the Roman Empire had left behind did not disappear with it. Since then, they have not ceased to grow and multiply. The tendency of country dwellers to flow into the towns, so general in the civilised world,⁸ is only a consequence of this movement. But this phenomenon does not date from the present day: from the seventeenth century onwards it preoccupied statesmen.⁹

Because societies generally start with an agricultural period we have occasionally been tempted to regard the development of urban centres as a sign of old age and decadence.¹⁰ But we must not lose

sight of the fact that this agricultural phase is the shorter the more societies belong to a higher type. Whilst in Germany, among the American Indians and among all primitive peoples, it lasts as long as do these peoples themselves, in Rome or Athens it ceases fairly early on, and in France we may say that this agricultural state has never existed in a pure form. Conversely, urban life begins very early on, and consequently extends itself more. The regularly quicker acceleration of this development demonstrates that, far from constituting a kind of pathological phenomenon, it derives from the very nature of the higher social species. Even supposing therefore that today this movement has reached threatening proportions for our societies, which perhaps have no longer sufficient flexibility to adapt to it, it will not cease to continue, either through them, or after them, and the social types to be formed after our own will probably be distinguished by a more rapid and more complete regression of agricultural society.

(3) Finally, there is the number and speed of the means of communication and transmission. By abolishing or lessening the vacuums separating social segments, these means increase the density of society. Moreover, there is no need to demonstrate that they are the more numerous and perfect the higher the type of society.

Since this visible and measurable symbol reflects the variations in what we have termed moral density,¹¹ we can substitute this symbol for the latter in the formula that we have put forward. We must, moreover, repeat here what we were saying earlier. If society, in concentrating itself, determines the development of the division of labour, the latter in its turn increases the concentration of society. But this is of no consequence, for the division of labour remains the derived action, and consequently the advances it makes are due to a parallel progress in social density, whatever may be the cause of this progress. This all we wished to establish.

But this factor is not the only one.

If the concentration of society produces this result, it is because it multiplies intra-social relationships. But these will be even more numerous if the total number of members in a society also becomes larger. If it includes more individuals, as well as their being in closer contact, the effect will necessarily be reinforced. Social volume has therefore the same influence over the division of labour as density.

In fact, societies are generally more voluminous the more

advanced they are and consequently labour is more divided up in them. Spencer says that, 'Societies, like living bodies, begin as germs – originate from masses which are extremely minute in comparison with the masses some of them eventually reach. That out of small wandering hordes such as the lowest races now form, have arisen the largest societies, is a conclusion not to be contested.'¹²

What we have said about the segmentary constitution makes this unquestionably true. We know in fact that societies are formed by a certain number of segments of unequal size that overlap with one another. These moulds are not artificial creations, particularly in the beginning. Even when they have become conventional they imitate and reproduce so far as possible the forms of natural arrangement that preceded them. Many ancient societies are maintained in this form. The largest among these subdivisions, those that include the others, correspond to the nearest lower social type. Likewise, among the segments of which they in turn are made up, the most extensive are the remains of the type that comes directly below the preceding one, and so on. Among the most advanced peoples we find traces of the most primitive social organisation.¹³ Thus the tribe is made up of an aggregate of hordes or clans; the nation (the Jewish nation, for example) and the city, of an aggregate of tribes; the city, in its turn, with the villages that are subordinate to it, is one element that enters into the most complex societies, etc. The social volume therefore cannot fail to grow, since each species is made up of a replication of societies of the immediately preceding species.

Yet there are exceptions. The Jewish nation, before the conquest, was probably more voluminous than the Roman city of the fourth century; yet it was of a lower species. China and Russia are much more populous than the most civilised nations of Europe. Consequently among these same peoples the division of labour did not develop in proportion to the social volume. This is because the growth in volume is not necessarily a mark of superiority if the density does not grow at the same time and in the same proportion. A society can reach very large dimensions because it contains a very large number of segments, whatever may be the nature of these. If therefore the largest of them only reproduces societies of a very inferior type, the segmentary structure will remain very pronounced, and in consequence the social organisation will be little

advanced. An aggregate of clans, even if immense, ranks below the smallest society that is organised, since the latter has already gone through those stages of evolution below which the aggregate has remained. Likewise if the number of social units has some influence over the division of labour, it is not through itself and of necessity, but because the number of social relationships increases generally with the number of individuals. To obtain this result it is not enough for the society to comprise a large number of persons, but they must be in fairly intimate contact so as to act and react upon one another. If on the other hand they are separated by environments that are mutually impenetrable, only very rarely, and with difficulty, can they establish relationships, and everything occurs as if the number of people was small. An increase in social volume therefore does not always speed up the progress of the division of labour, but only when the mass condenses at the same time and to the same degree. Consequently it is, one may say, only an additional factor. Yet, when joined to the first factor, it extends the effects by an action peculiarly its own, and thus requires to be distinguished from it.

We can therefore formulate the following proposition:

The division of labour varies in direct proportion to the volume and density of societies and if it progresses in a continuous manner over the course of social development it is because societies become regularly more dense and generally more voluminous.

At all times, it is true, it has been clearly understood that there was a relationship between these two orders of facts. This is because, for functions to specialise even more, there must be additional co-operating elements, which must be grouped close enough together to be able to co-operate. Yet in societies in this condition we usually see hardly more than the means by which the division of labour is developed, and not the cause of this development. The cause is made to depend upon individual aspirations towards wellbeing and happiness, which can be the better satisfied when societies are more extensive and more condensed. The law we have just established is completely different. We state, not that the growth and condensation of societies *permit* a greater division of labour, but that they *necessitate* it. It is not the instrument whereby that division is brought about; but it is its determining cause.¹⁴

Yet how can we represent to ourselves the way in which this dual cause produces its effect?

has practised them oneself. Yet even now it is impossible for the same man to practise a great number of sciences. These broad generalisations can therefore only rest upon a fairly cursory view of things. If, moreover, we reflect upon the slowness and with what patient precautions scientists normally proceed to the discovery of their truths, even the most specialised ones, one can explain how these improvised disciplines exercise only very weak authority over them.

Yet whatever may be the value of these philosophical generalisations, science would not be able to find in them the unity it needs. They clearly express what the sciences have in common, their laws, their special methods, but, besides these similarities, there are differences that require to be integrated. It is often stated that the general contains potentially within it the particular facts that it summarises, but the statement is not exact. It contains only what they have in common. There are no two phenomena in the world that resemble each other, however simple they may be. This is why any general proposition lets slip from its grasp a part of the subject-matter that it is attempting to master. It is impossible to blend together the concrete characteristics and the distinctive properties of things within one and the same impersonal homogeneous formula. Yet, so long as the resemblances exceed the differences, they are sufficient to integrate the representations brought together in this way. Discrepancies in detail vanish within the total harmony. On the contrary, as the differences become more numerous, the cohesion becomes more unstable, needing to be consolidated by other means. If we imagine the increasing multiplicity of special sciences with their theorems, laws, axioms, conjectures, procedures and methods, then we can understand that a short, simple, formula such as, for example, the law of evolution, cannot suffice to integrate such a prodigious complexity of phenomena. Even if these general conspectuses applied exactly to reality, the part of it that they explain is too insignificant compared with what they leave unexplained. Thus it is not by this means that we shall ever be able to tear the positive sciences loose from their isolation. There is too great a gap between the detailed research on which they are sustained and such syntheses. The bond linking to each other these two orders of knowledge is too slight and too loose; consequently, if the special sciences can only become conscious of their mutual dependence within a philosophy that encompasses

them, the feeling they will have about their dependence will always be too vague to be effective.

Philosophy is, so to speak, the collective consciousness of science and here, as elsewhere, the role of the collective consciousness diminishes as labour become more divided up.

III

Although Auguste Comte recognised that the division of labour is a source of solidarity, he does not appear to have perceived that this solidarity is *sui generis* and is gradually substituted for that which social similarities engender. This is why, noticing that these similarities are very blurred where the functions are very specialised, he saw in this process of disappearance a morbid phenomenon, a threat to social cohesion, due to excessive specialisation. He explained in this way the fact of the lack of co-ordination which sometimes accompanies the development of the division of labour. Yet since we have established that the weakening of the collective consciousness is a normal phenomenon, we could not make it the cause of the abnormal phenomena we are at present studying. If in certain cases organic solidarity is not all that is needful, it is certainly not because mechanical solidarity has lost ground, but because all the conditions of existence for the former have not been realised.

Indeed we know that wherever it is to be observed, we meet at the same time a regulatory system sufficiently developed to determine the mutual relationships between functions.²¹ For organic solidarity to exist it is not enough for there to be a system of organs necessary to one another that feel their solidarity in a general way. The manner in which they should co-operate, if not on every kind of occasion when they meet, at least in the most common circumstances, must be predetermined. Otherwise, a fresh struggle would be required each time in order to bring them into a state of equilibrium with one another, for the conditions for this equilibrium can only be found by a process of trial and error, in the course of which each party treats the other as an opponent as much as an auxiliary. Such conflicts would therefore break out continually, and in consequence solidarity would be hardly more than virtual, and the mutual obligations would have to be negotiated anew in their entirety for each individual case. It will be objected that contracts

exist. But firstly, not every social relationship is capable of assuming this legal form. Moreover, we know that a contract is not sufficient in itself, but supposes a regulatory system that extends and grows more complicated just as does contractual life itself. Moreover, the ties originating in this way are always of short duration. The contract is only a truce, and a fairly precarious one at that; it suspends hostilities only for a while. Doubtless, however precise the regulatory system may be, it will always leave room for much dispute. But it is neither necessary nor even possible for social life to be without struggle. The role of solidarity is not to abolish competition but to moderate it.

Moreover, in the normal state, these rules emerge automatically from the division of labour; they are, so to speak, its prolongation. Certainly if the division of labour only brought together individuals who unite for a brief space of time with a view to the exchange of personal services, it could not give rise to any regulatory process. But what it evokes are functions, that is, definite ways of acting that are repeated identically in given circumstances, since they relate to the general, unchanging conditions of social life. The relationships entertained between these functions cannot therefore fail to arrive at the same level of stability and regularity. There are certain ways of reacting upon one another which, being more in accordance with the nature of things, are repeated more often and become habits. Then the habits, as they grow in strength, are transformed into rules of conduct. The past predetermines the future. In other words, there exists a certain allocation of rights and duties that is established by usage and that ends up by becoming obligatory. Thus the rule does not set up the state of mutual dependence in which the solidly linked organs are to be found, but only serves to express it in a perceptible, definite way, as a function of a given situation. Likewise the nervous system, far from dominating the evolution of the organism, as was once believed,²² is a result of it. The nerve tracts are probably only the paths along which have passed the wave-like movements and stimuli exchanged between the various organs. They are the channels that life has dug for itself by always flowing in the same direction, and the ganglions would only be the place where several of these paths intersect.²³ It is because they have failed to recognise this aspect of the phenomenon that certain moralists have charged the division of labour with not producing real solidarity. They have seen in it only individual exchanges,

ephemeral combinations, without a past, just as they also have no tomorrow, in which the individual is abandoned to his own devices. They have not perceived that slow task of consolidation, that network of ties that gradually becomes woven of its own accord and that makes organic solidarity something that is permanent.

Now, in all the cases we have described above, this regulatory process either does not exist or is not related to the degree of development of the division of labour. Nowadays there are no longer any rules that fix the number of economic undertakings, and in each branch of industry production is not regulated in such a way that it remains exactly at the level of consumption. Moreover, we do not wish to draw from this fact any practical conclusion. We do not maintain that restrictive legislation is necessary. We have not to weigh here the advantages and disadvantages. What is certain is that this lack of regulation does not allow the functions to perform regularly and harmoniously. The economists show, it is true, that harmony is re-established by itself when necessary, thanks to the increase or decrease in prices, which, according to the need, stimulates or slows production. But in any case it is not re-established in this way until after breaks in equilibrium and more or less prolonged disturbances have occurred. Moreover, such disturbances are naturally all the more frequent the more specialised the functions, for the more complex an organisation is, the more the necessity for extensive regulation is felt.

The relationships between capital and labour have up to now remained in the same legal state of indeterminacy. The contract for the hiring of services occupies in our legal codes a very small place, particularly when we consider the diversity and complexity of the relationships it is called upon to regulate. Moreover, we need emphasise no further the deficiencies that all peoples feel at the present time and that they are attempting to remedy.²⁴

Methodological rules are to science what rules of law and morality are to conduct. They direct the thinking of the scientist just as the latter govern the actions of men. Yet if every science has its method, the order that is established is entirely an internal one. The method co-ordinates the procedures followed by scientists who are studying the same science, but not their relationships externally. There are hardly any disciplines that harmonise the efforts of the different sciences towards a common goal. This is especially true of the moral and social sciences, for the mathematical, physical,

chemical and even biological sciences do not seem to such an extent foreign to one another. But the jurist, the psychologist, the anthropologist, the economist, the statistician, the linguist, the historian – all these go about their investigations as if the various orders of facts that they are studying formed so many independent worlds. Yet in reality these facts interlock with one another at every point. Consequently the same should occur for the corresponding sciences. This is how there has arisen the anarchy that has been pinpointed – moreover, not without some exaggeration – in science generally, but that is above all true for these special sciences. Indeed they afford the spectacle of an aggregate of disconnected parts that fail to co-operate with one another. If they therefore form a whole lacking in unity, it is not because there is no adequate view of their similarities, it is because they are not organised.

These various examples are therefore varieties of a same species. In all these cases, if the division of labour does not produce solidarity it is because the relationships between the organs are not regulated; it is because they are in a state of *anomie*.

But from where does this state spring?

Since a body of rules is the definite form taken over time by the relationships established spontaneously between the social functions, we may say *a priori* that a state of *anomie* is impossible wherever organs solidly linked to one another are in sufficient contact, and in sufficiently lengthy contact. Indeed, being adjacent to one another, they are easily alerted in every situation to the need for one another and consequently they experience a keen, continuous feeling of their mutual dependence. For the same reason, exchanges between them occur easily; being regular, they occur frequently; they regulate themselves and time gradually effects the task of consolidation. Finally, because the slightest reaction can be felt throughout, the rules formed in this way bear the mark of it, that is, they foresee and fix in some detail the conditions of equilibrium. Yet if, on the other hand, some blocking environment is interposed between them, only stimuli of a certain intensity can communicate from one organ to another. Contacts being rare, they are not repeated often enough to take on a determinate form. Each time the procedure is again one of trial and error. The paths along which pass the wave-like movements can no longer become definite channels because the waves themselves are too intermittent. If at least some rules are successfully constituted, these are general and vague, for in

these conditions only the most general outlines of the phenomena can be fixed. The same is true of closeness of contact: whilst it is sufficient, it is too recent or has lasted too short a while.²⁵

Very generally this condition of contiguity is realised by the nature of things. For a function cannot distribute itself between two or more parts of an organism unless these parts are more or less in contact. Moreover, once labour is divided up, as they have need of one another, they tend naturally to reduce the distance that separates them. This is why, as one rises in the animal scale, one sees organs growing closer together and, as Spencer puts it, insinuating themselves into one another's interstices. But a coincidence of exceptional circumstances can cause it to be otherwise.

This is what occurs in the cases with which we are dealing at present. So long as the segmentary type of society is strongly marked, there are roughly as many economic markets as there are different segments. In consequence, each one of them is very limited. The producers, being very close to the consumers, can easily estimate the extent of the needs that have to be satisfied. The equilibrium is therefore established without difficulty and production is regulated by itself. On the contrary, as the organised type of society develops, the fusion of the various segments entails the fusion of the markets into one single market, which embraces almost all of society. It even extends beyond and tends to become universal, for the barriers between peoples are lowered at the same time as those that separate the segments within each one of them. The result is that each industry produces for consumers who are dispersed over the length and breadth of the country, or even the whole world. The contact is therefore no longer sufficient. The producer can no longer keep the whole market within his purview, not even mentally. He can no longer figure out to himself its limits, since it is, so to speak, unlimited. Consequently production lacks any check or regulation. It can only proceed at random, and in the course of so doing it is inevitable that the yardstick is wrong, either in one way or the other. Hence the crises that periodically disturb economic functions. The increase in those local and limited crises represented by bankruptcies is likely to be an effect of the same cause.

As the market becomes more extensive, large-scale industry appears. The effect of it is to transform the relationship between employers and workers. The greater fatigue occasioned to the

nervous system, linked to the contagious influence of large urban areas, causes the needs of the workers to increase. Machine work replaces that of the man, manufacturing that of the small workshop. The worker is regimented, removed for the whole day from his family. He lives ever more apart from the person who employs him, etc. These new conditions of industrial life naturally require a new organisation. Yet because these transformations have been accomplished with extreme rapidity the conflicting interests have not had time to strike an equilibrium.²⁶

Finally, what explains why the moral and social sciences are in the state that we have depicted, is that they were the last to enter the group of positive sciences. In fact it is hardly a century ago since this new field of phenomena was opened up to scientific investigation. Scientists have installed themselves in them, some here, some there, according to their natural inclinations. Scattered over this vast surface, they have up to now remained too distant from one another to be aware of all the bonds that unite them. But the very fact that they will push their research ever farther from the point of departure means they will necessarily end up by coming into contact with one another and consequently become aware of their solidarity. The unity of science will thus be formed by itself, not by the abstract unity of a formula, one moreover that is too narrowly conceived for the host of things it must include, but by the living unity of an organic whole. For science to be one, there is no need for it to keep its gaze wholly fixed upon one single area of consciousness – which is moreover impossible – but it is enough for all those who study it to feel that they are collaborating in the same task.

The foregoing removes all grounds for one of the gravest reproaches that have been made against the division of labour.

It has often been accused of diminishing the individual by reducing him to the role of a machine. And indeed, if he is not aware of where the operations required of him are leading, if he does not link them to any aim, he can no longer perform them save out of routine. Every day he repeats the same movements with monotonous regularity, but without having any interest or understanding of them. He is no longer the living cell of a living organism, moved continually by contact with neighbouring cells, which acts upon them and responds in turn to their action, extends itself, contracts, yields and is transformed according to the needs and circumstances. He is no more than a lifeless cog, which an external force sets in

motion and impels always in the same direction and in the same fashion. Plainly, no matter how one represents the moral ideal, one cannot remain indifferent to such a debasement of human nature. If the aim of morality is individual perfection, it cannot allow the individual to be so utterly ruined, and if it has society as its end, it cannot let the very source of social life dry up. The evil not only threatens economic functions, but all the social functions, no matter how elevated these may be. 'If,' says Comte, 'we have often rightly deplored on the material plane the fact of the worker exclusively occupied throughout his life in making knife handles or pinheads, a healthy philosophy must not, all in all, cause us to regret any the less on the intellectual plane the exclusive and continual use of the human brain to resolve a few equations or classify a few insects: the moral effect, in both cases, is unfortunately very similar.'²⁷

Occasionally the remedy has been proposed for workers, that besides their technical and special knowledge, they should receive a general education. But even assuming that in this way some of the bad effects attributed to the division of labour can be redeemed, it is still not a means of preventing them. The division of labour does not change its nature because it has been preceded by a liberal education. It is undoubtedly good for the worker to be able to interest himself in artistic and literary matters, etc. But it remains none the less wrong that throughout the day he should be treated like a machine. Moreover, who can fail to see that these two types of existence are too opposing to be reconciled or to be able to be lived by the same man! If one acquires the habit of contemplating vast horizons, overall views, and fine generalisations, one can no longer without impatience allow oneself to be confined within the narrow limits of a special task. Such a remedy would therefore only make specialisation inoffensive by making it intolerable, and in consequence more or less impossible.

What resolves this contradiction is the fact that, contrary to what has been said, the division of labour does not produce these consequences through some imperative of its own nature, but only in exceptional and abnormal circumstances. For it to be able to develop without having so disastrous an influence on the human consciousness, there is no need to mitigate it by means of its opposite. It is necessary and sufficient for it to be itself, for nothing to come from outside to deform its nature. For normally the operation of each special function demands that the individual