

B: SOLIDARITY AND MODERN LIFE

11 The Division of Labor in Society

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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. 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. 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 Function of the Division of Labour

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 relationships. 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. 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 its physical and chemical effects, 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; or the main social relationships on which sociability most obviously depends are rapidly sketched out. 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*. This 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 . . .

Mechanical Solidarity, or Solidarity by Similarities

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 confusion 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, we may state that an act is criminal when it offends the strong, well-defined states of the collective consciousness.²

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 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 the 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. . . .

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.³ 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. 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 concerters 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 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, 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.⁴

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 serve 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.⁵ . . .

Solidarity Arising From the Division of Labour, or Organic Solidarity

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. 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 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 administra-

tive 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.⁶ 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.

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. . . .

(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.⁷ 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 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. . . .

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.

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 the 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.

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. 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. This was invented on our own soil and demonstrates that the social ties have become tighter.⁸ Moreover, from their origins European societies have seen their density increase continuously in spite of a few cases of temporary regression.

(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. 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*, *oïxoi*) were scattered.' 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, 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.

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. 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,⁹ 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.'

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. 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

in 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.¹⁰ . . .

The Anomic Division of Labour

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. 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, 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. 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 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 to emphasise no further the deficiencies that all peoples feel at the present time and that they are attempting to remedy.

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.¹¹

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.¹²

Notes

- 1 Such a confusion is not without its dangers. Thus it is occasionally asked whether the individual consciousness varies with the collective consciousness. Everything depends on the meaning assigned to the term. If it represents social similarities, the variation, as will be seen, is one of inverse relationship. If it designates the entire psychological life of society, the relationship is direct. Hence the need to draw a distinction.
- 2 We shall not go into the question as to whether the collective consciousness is like that of the individual. For us this term merely designates the sum total of social similarities, without prejudice to the category by which this system of phenomena must be defined.
- 3 In order to simplify our exposition we assume that the individual belongs to only one society. In fact we form a part of several groups and there exist in us several collective consciousnesses; but this complication does not in any way change the relationship we are establishing.
- 4 This does not mean that a penal rule should nonetheless be retained because at some given moment it corresponded to a particular collective feeling. The rule has no justification unless the feeling is still alive and active. If it has disappeared or grown weak nothing is so vain or even counter-productive as to attempt to preserve it artificially by force. It may even happen to become necessary to fight against a practice that was common once, but is no longer so, one that militates against the establishment of new and essential practices. But we need not enter into this problem of a casuistic nature.
- 5 In saying that punishment, as it is, has a reason for its existence we do not mean that it is perfect and cannot be improved upon. On the contrary, it is only too plain that, since it is produced by purely mechanical causes, it can only be very imperfectly attuned to its role. The justification can only be a rough and ready one.
- 6 Even that moral authority derives from custom, and hence from society.

- 7 Nevertheless these two consciousnesses are not regions of ourselves that are 'geographically' distinct, for they interpenetrate each other at every point.
- 8 By reasoning in this way we do not mean that the increase in density is the result of economic changes. The two facts have a mutual conditioning effect upon each other, and this suffices for the presence of the one to attest to the presence of the other.
- 9 However, there are special cases of an exceptional kind, where material density and moral density are perhaps not entirely in proportion.
- 10 On this point we can again rely upon the authority of Comte. 'I need only,' he says, 'point now to the progressive increase in density of our species as an ultimate general factor helping to regulate the effective rapidity of social movement. First, therefore, one may freely recognise that this influence contributes a great deal, above all at the beginning, in determining for human labour as a whole its increasingly specialised division, which is necessarily incompatible with a small number of people co-operating together. Moreover, by a more intimate and less well-known property, although of even greater importance, such a densifying process directly and very powerfully stimulates the swifter development in social evolution, in order to ensure for themselves an existence which otherwise would become more difficult, or by obliging society also to react with greater energy and persistence, and in more concerted fashion, struggling against the increasingly powerful upsurge of particular divergences. On both counts we see that here it is not a question of the absolute increase in the number of individuals, but above all of the more intense competition between them in a given area' (*Cours de philosophie positive*, vol. IV, p. 455).
- 11 There is, however, one case where *anomie* can occur, although the contiguity is sufficient. This is when the necessary regulation can only be established at the expense of transformations that the social structure is no longer capable of carrying out, for the malleability of societies is not indefinite. When it has reached its limit, even necessary changes are impossible.
- 12 Let us nevertheless remember that this antagonism is not due wholly to the speed of these transformations, but to a considerable extent to the still too great inequality in the external conditions of the struggle. Over this factor time has no effect.