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Development of the division of labor in society; universality of the phenomenon. The problem: Must we abandon ourselves to the movement, or must we resist it, — the question as to the moral value of the division of labor

Uncertainty of the moral conscience on this point; contradictory solutions given simultaneously. Method for ending this indecision. The study of the division of labor in itself and for itself. Plan of the book

BOOK ONE

THE FUNCTION OF THE DIVISION OF LABOR

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Meaning of the word *function*

1. The function of the division of labor is not to produce civilization

2. Cases where the function of the division of labor is to bring forth groups which would not exist without it. Whence the hypothesis that it plays the same role in higher societies; that it is the principal source of their cohesion

3. To verify this hypothesis, we must compare the social solidarity which has this source with other types of solidarity, and accordingly classify them. Necessity for studying solidarity through the system of juridical rules; there are as many classes of juridical rules as there are forms of solidarity. Classification of juridical rules: rules with a repressive sanction; rules with a restitutive sanction

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1. The link of social solidarity to which repressive law corresponds is the one whose break constitutes a crime. We shall understand this link if we understand what crime essentially is

The essential characteristics of crime are those which are found wherever crime occurs, no matter what the social type. Thus, the only characteristics common to all crimes, which are or have been recognized as such, are the following: 1. a crime offends sentiments which are found among all normal individuals of any given society; 2. these sentiments are strong; 3. they are defined. A crime is, then, an act which offends strong and defined states of the collective conscience; exact meaning of this statement. — Examination of a case where the delict is created or at least aggravated by an act of a governmental organ. Inclusion of this case in the preceding definition

2. Verification of this definition; if it is exact, it ought to account for all the characteristics of punishment. Determination of these characteristics: 1. punishment is a passionate reaction, of graduated intensity; 2. this passionate reaction emanates from society; refutation of the theory according to which private vengeance would have been the primitive form of punishment; 3. this reaction is enforced through the intermediary of a constituted body

3. These characteristics can be deduced from our definition of crime: 1. every strongly offended sentiment mechanically determines a passionate reaction; utility of this reaction in maintaining this sentiment. Collective sentiments, being the

strongest there are, determine a reaction of the same kind, which is as strong as they are intense. Explanation of the quasi-religious character of expiation; 2. the collective character of these sentiments explains the social character of this reaction; why it is useful for it to be social; 3. the intensity and particularly the defined nature of these sentiments explain the formation of the determinate organ which enforces this reaction

4. The rules which penal law sanctions thus express the most essential social similitudes; consequently, it corresponds to the social solidarity which comes from resemblances, and varies with it. Nature of this solidarity. We can then measure the part it plays in general social integration according to the fraction of the complete system of juridical rules which penal law represents

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1. The nature of the restitutive sanction implies: 1. that the corresponding rules express excentric states of the common conscience or are foreign to it; 2. that the relations that they determine only link the individual indirectly to society. These relations are positive or negative

2. Negative relations of which real rights are typical. They are negative because they link the thing to the person, not persons to each other. — Reduction to this type of personal relations which are established as they arise in the exercise of real rights, or through a delict or quasi-delict. — The solidarity that the corresponding rules express, being negative, has no existence of its own, but is only a prolongation of positive forms of social solidarity

3. Positive or co-operative relations which come from the division of labor. Are governed by a defined system of juridical rules which we may call co-operative law; verification of this proposition through the different parts of co-operative law. Analogies between the function of this law and that of the nervous system

4. Conclusion : Two kinds of positive solidarity ; one which comes from similitudes, the other from the division of labor. Mechanical solidarity, organic solidarity. The first varies in inverse ratio, the second in direct ratio with individual personality. What repressive law corresponds to ; what co-operative law corresponds to

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If the preceding result is exact, repressive law ought to have as much more preponderance over co-operative law as social-similitudes are more extensive, and the division of labor more rudimentary, and inversely. Hence, this is what happens :

1. The more primitive societies are, the more resemblances there are among individuals ; physical resemblances ; psychic resemblances. The contrary opinion arises from confusing collective types (national, provincial, etc.) and individual types. The first are effaced while the others multiply and become more pronounced. Moreover, the division of labor, originally non-existent, continues to develop

2. Hence, originally, all law has a repressive character. Law of primitive peoples. Hebrew law. Hindoo law. Development of co-operative law in Rome, in Christian societies. Today, the primitive relationship is reversed. That the primitive preponderance of repressive law is not due to the low state of morals

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1. The actual preponderance of co-operative law over repressive law shows that the social links which come from the division of labor are actually more numerous than those which come from social similitudes. As this preponderance is more marked the nearer we approach to higher social types, it is not accidental, but dependent upon the nature of these types. Not only are these links more numerous, but they are stronger. Criterion for measuring the relative force of social links. Application of this criterion

2. At the same time that they are less strong, the links that come from similitudes loosen as social evolution advances. Mechanical solidarity relies on three conditions: 1. relative extent of the collective conscience and of the individual conscience; 2. intensity; 3. degree of determination of the states composing the collective conscience. The first of these conditions remaining completely constant, the other two regress. Method for proving this according to the numerical variations of criminological types. Classification of the latter

3. Regression and progressive disappearance of a great number of these types

4. These losses have not been compensated by other acquisitions. Contrary theory of Lombroso: refutation. The number of strong and defined states of the common conscience has, therefore, diminished

5. Further proof. The particularly strong states of the common conscience have a religious character; but religion embraces a steadily diminishing portion of social life. Further proof from decline of proverbs, dicta, etc. Organic solidarity thus becomes preponderant

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1. Social structures correspond to these two types of solidarity. Segmental type; description; corresponds to mechanical solidarity. Its various forms

2. Organized type; its characteristics; corresponds to organic solidarity. Antagonism between these two types; the second develops proportionally to the effacement of the first. However, the segmental type does not completely disappear. More effaced forms it assumes

3. Analogy between this development of social types and that of organic types in the animal kingdom

4. The preceding law must not be confused with Spencer's theory concerning military and industrial societies. The original absorption of the individual in society does not come from too strong a military centralization, but rather from the

absence of all centralization. Centralized organization, beginning of individuation. Consequences of the preceding: 1. rule of method; 2. egotism is not the starting-point for humanity

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2. It is true that contractual relations have been developing; but non-contractual relations have been developing at the same time. Verification of this fact in diffuse social functions: 1. domestic law becomes more extensive and complex; but, in principle, it is not contractual. Moreover, the restricted place held by private contract becomes ever smaller: marriage, adoption, abdication of familial rights and duties; 2. the greater the scope of contract, the more regulated it is. This regulation implies a positive social action. Necessity for this regulation. Discussion of biological analogies on which Spencer relies

3. Verification of the same fact in cerebro-spinal functions of the social organism (administrative and governmental functions). Administrative and constitutional law have nothing contractual about them, yet they have been developing more and more. Discussion of the facts upon which Spencer bases the contrary opinion. Necessity of this development in accordance with the effacement of the segmental type and the progress of the organized type. Biological analogies contradict Spencer's theory

4. Conclusions of the first book: moral and social life comes from a double source; inverse variations of these two currents

BOOK TWO

CAUSES AND CONDITIONS

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According to the economists, the division of labor is caused by the need for increasing our happiness. This supposes that we really are becoming happier. Nothing is less certain

1. At each moment of history, the happiness that we can achieve is limited. If the division of labor had no other causes, it would then be quickly arrested once the limit of happiness had been reached. This limit recedes, it is true, as man changes. But these changes, assuming that they do make us happier, are not produced with a view to such a result, since, for a long period, they are painful and without compensation

2. Do these changes have this result? Happiness is a state of health; but health has not increased as species have grown. Comparison of the savage and the civilized man. Contentment of the former. Multiplication of suicides with civilization; what this proves. Important consequences for sociological methodology

3. Would progress arise from the *ennui* which habitual pleasures cause? Variety, which is an essential element in pleasure, must not be confused with novelty, which is secondary. Pathological character of too pronounced a need of novelty

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 1. the effacement of the segmental type, that is to say, the growth of the moral density of society, symbolized by the growth of material density; principal forms of the latter;
 2. the growth of volume in societies, provided that it is accompanied by a growth of density

2. Spencer's theory, according to which the growth of volume would only be a question of multiplying individual differences. Refutation

3. The growth of volume and of density mechanically determines the progress of the division of labor by intensifying the struggle for existence. How the need of more abundant products of better quality arises ; it is a result of the cause which necessitates specialization, not the cause of specialization

4. The division of labor is, then, produced only in constituted societies. Error of those who make the division of labor and co-operation the fundamental fact of social life. Application of this proposition to the international division of labor. Case of mutualism

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The division of labor can progress only if individual variability increases, and that increases only as the common conscience regresses. The reality of this regression has been established. What are the causes of it?

1. As the social milieu extends, the collective conscience spreads itself over more and more concrete things, and, accordingly, becomes more abstract. Facts in support: transcendence of the idea of God ; more rational character of law, morality, of civilization in general. This indetermination leaves a larger place for individual variability

2. The effacement of the segmental type, by detaching the individual from his natal environment, frees him from the power of the aged and thus weakens the authority of tradition

3. In accordance with the effacement of the segmental type, society, in losing hold of the individual, can much less hold divergent tendencies together

4. Why a social organ cannot, from this point of view, play the role of a segment

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1. Heredity loses its power because modes of activity of ever greater importance arise which are not hereditarily transmissible. Proofs: 1. new races do not arise; 2. heredity transmits only general, simple aptitudes; but activities become more complex by becoming more special. The hereditary legacy thus becomes a smaller factor in our development, because it is necessary to add more to it

2. The hereditary legacy becomes more indeterminate. Proofs: 1. instinct grows weaker from lower animal species to higher, from animal to man. There is reason for believing that such regression continues in the human world. This is proved by the uninterrupted progress of intelligence, which varies in inverse ratio with instinct; 2. not only are no new races formed, but the old races disappear; 3. Galton's researches. What is regularly transmitted is the average type. But the average type becomes ever more indeterminate as individual differences develop

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1. Very supple character of the division of labor in society compared to the division of physiological labor. The cause of this is that function becomes more independent of the organ. In what sense this independence is a mark of superiority

2. The mechanistic theory of the division of labor implies that civilization is the product of necessary causes, and not an end which by itself influences activity. But, although an effect, it becomes an end and an ideal. In what way. There is no reason to suppose that this ideal ever takes an immutable form, that progress may have an end. Spencer's contrary theory

3. The growth of volume and of density in changing societies also changes individuals. Man is more free of the body; hence, his psychic life develops. Under the influence of the same causes, individual personality disengages itself from the collective personality. Since these transformations depend upon social causes, psycho-physiology can explain only the lower forms of our psychic life. Society, in large part, explains the individual. Importance of this proposition for methodology

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Abnormal forms where the division of labor does not produce solidarity. Necessity for studying them

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2. Theory which makes these effects inherent in the division of labor. According to Comte, the remedy consists in a great development of the governmental organ and in the institution of a philosophy of the sciences. Inability of the governmental organ to regulate the details of economic life; — of the philosophy of sciences to assure the unity of science

3. If, in these cases, functions do not concur, it is because their relations are not regulated; the division of labor is anomic. Necessity of regulation. How, normally, it comes from the division of labor. How it fails in the examples cited

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1. The class-war. It comes from the individual's not being in harmony with his function, since it has been imposed upon him by force. What constraint means: it is any type of inequality in the external conditions of life. It is true that there are no societies where these inequalities are not met with. But they become fewer and fewer. The substitution of organic solidarity for mechanical solidarity makes this decline necessary

2. Another reason which makes this progress towards equality necessary. Contractual solidarity becomes a more and more important factor of social consensus. But, a contract is truly binding only if the values exchanged are really equivalent; and, for this to be so, it is necessary for traders to be placed in conditions externally equal. Reasons which make these injustices more intolerable as organic solidarity becomes preponderant. In fact, contractual law and contractual morality become ever more exacting from this point of view

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1. Solution of the practical problem posed at the beginning. The rule that orders us to realize the traits of the collective type aims to assure social cohesion; but, it is moral and can execute its function only because it has a moral character. But the rule which orders us to specialize has the same function; thus it equally has a moral value

Another way of proving this proposition. Speculation as to the essential character of morality, induced from the preceding classifications. Morality is the totality of conditions of social solidarity. How the division of labor presents this criterion

2. That the division of labor does not weaken the individual personality: 1. Why should the logic of our nature require us to develop superficially rather than profoundly? 2. Further,

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3. But the division of labor gives rise to solidarity only if, at the same time, it produces a law and a morality. Error of economists on this subject. Character of this morality; more human, less transcendent. More justice. Considerations on the actual crisis in morality

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