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# Durkheim on Laws, Suicide Rates, and Symbols

**Abstract:** This study explores Durkheim’s theory of the society and the symbol and its relation to structuralists such as Saussure and Levi-Strauss. Durkheim asserts that a society is a state of “solidarity”, which can only be grasped via symbolism. “Repressive laws”, such as criminal laws, symbolize the traditional society constituted by similarities among people; while “restitutory laws”, such as civil laws, symbolize the modern society constituted by differences. Durkheim traces the symbols back to religion, which divides the world into sacred and secular domains. Religion makes use of totems, as symbols, to exert force upon members of tribes. The dichotomies constructed by Saussure and Levi-Strauss respectively are influenced by Durkheim to a certain extent.

**Keywords:** Levi-Strauss; modern society; religion; Saussure; totem

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## 1 Durkheim on Laws and Two Types of Solidarity

Émile Durkheim presented two important concepts in *The Division of Labor in Society* published in 1893: ‘mechanical solidarity’ and ‘organic solidarity’. The main point of his book is to explicate the nature of those two sorts of social solidarity and their relationship to each other, both of which are related to Durkheim’s view of social change or ‘evolution’ (Durkheim 1984). Before carefully describing these two kinds of solidarity, Durkheim (1982) elaborates his thoughts on a research method, or strategy. To classify and compare these two kinds of social solidarity, Durkheim thinks it is necessary to deal with the social facts underlying them, for social solidarity cannot be accurately or directly observed and measured (Durkheim 1982). For Durkheim, social solidarity, the nature of which is non-material, does not stay in a state of pure potentiality but rather will take the form of certain perceptible results to represent itself. Laws, customs, proverbs, or even the statistics pertinent to certain social phenomena, for instance, are such social facts to be perceived and accounted for.

Social life, as long as there is conformity to it, will inevitably lead to a form of organization, i.e. the law, as mentioned above, which is the most stable and clear form of this organization. Furthermore, laws, together with other social facts, are actually symbolic of a society.

The way what jurists used to make distinctions may be convenient but is not scientific. Durkheim argues that people must uncover some basic characteristics of the legal order, and that such characteristics change with the legal order; thus he deduces that the law and the commands of the law can be defined as regulations to which sanctions apply. These sanctions can be further divided into two categories: the first, referring to punishments resulting in some kind of important loss for violators of the law, are the so-called “repressive sanctions”, such as criminal law or penal codes. The second category, referring to the reconstruction of previously damaged social networks that resulted in deviations from the normal state, are the so-called “restitutory law”, with examples being civil laws, commercial laws, constitutional laws, and so forth (Durkheim 1984: 28–29). Durkheim here concludes in short that the first category and its sanctions correspond to ‘mechanical solidarity’, while the second category corresponds to ‘organic solidarity’. Mechanical solidarity is based on the similarities of conditions of people; organic solidarity is based on the differences and, consequently, the division of labor.

The society to which repressive laws correspond to or symbolize, is the one in which behaviors are recognized as crimes whenever social solidarity is damaged by those crimes (Durkheim 1984: 31). In other words, some criminal behaviors attack the strongly well defined ‘collective consciousness’ (Durkheim 1984: 39), which is a distinct system with its own autonomy and is composed of common beliefs, values, and emotions of ordinary members of a society as a whole (Durkheim 1984: 38–39). Durkheim claims we must ask: what is the nature of the crime itself? By analyzing the common traits among varieties of crimes, we can say all crimes are counter to the group’s common affection. Durkheim points out further that the opposite is not inferred by the crime itself, but rather the very oppositeness of the society or its social facts or symbols, constitutes a crime (Durkheim 1984: 40). We can put this another way: Durkheim does not favor an innate concept of crimes, but rather tries to establish the premium existence of the collective consciousness by way of defining the crime.

While repressive laws tend to remain in a diffuse state and immediately penetrate society, what restitutory law corresponds to, or symbolizes, is another kind of society. Restitutory law requires for itself a more specialized body (Durkheim 1984: 69–70). Examples of the latter are consular courts and a variety of industrial and administrative referees. However, these are more or

less beyond the collective consciousness, but are not just about the individual, because as such restitutory law would be nothing to do with the society. Social solidarity will inevitably require for such laws an establishment of a foundation or adjustment. Every contract in the second sort of society supposes something behind the participants and is always ready to intervene and to enable the participants to respect it. This is the nature of social solidarity (Durkheim 1984: 70–71).

The distinction between the two types of social solidarity with two different laws symbolizing them respectively can be understood in terms of the directness of social and personal relationships. The first type directly ties every person to the community without any intermediary body; the second type makes the individuals attached to the society by way of the special “part” of a society as the mediation (Durkheim 1984: 83). In the second type of society, the social is not absent and exerts its influence to a certain extent, “from a short or long distance, and through the intermediary institutions” (Durkheim 1984: 71), and so each person is indirectly linked to the society.

The two categories of law correspond to two types of social solidarity and respectively to the notions of similarity and differentiation. For similarity, Durkheim thinks there is a kind of social aggregation that can be traced back to the common type of consciousness all people are obedient to. Within the type, members of the group not only resemble each other and mutually attract each other, but also link to conditions of existence of the group and to the society itself. To explain this in another way, society also makes members exhibit a basic resemblance because a social cohesion exists (Durkheim 1984: 60–61). According to Durkheim’s perspective, there is a principle of social organization derived from the similarity of people, and that similarity is subject to the maintenance and regulation of what Durkheim called mechanical solidarity. The term ‘mechanical’ is actually dichotomous to the term ‘organic’. Organic solidarity is used to describe another type of society, one in which each individual has a unique special sphere of action, especially when work increasingly separates each person’s specialized activities. Therefore, this organic solidarity assumes the existence of differentiation (Durkheim 1984: 85). Yet this solidarity does not create completely individualized people, for people nevertheless have in common the tools and practices of their respective careers, thus people are still attached to a society.

## 2 Durkheim on Suicide Rates and Totems

Durkheim (1966) identifies the suicide rates in a given society as another kind of social fact, symbolizing different types of society, in his work *Suicide: A Study in Sociology*. Even for those who practice obedience to authority, an order to them to commit suicide is very likely to be resisted. Suicide seems to be a quite personal decision. Yet, for Durkheim, there is still the space for the operation of social forces in such a decision. The societies with relatively low suicide rates are those that are dominated by a strong collective conscience, such as a religious code or a set of long traditions (Durkheim 1966). Once the members of such societies encounter frustrations and difficulties, their neighbors, relatives, and friends can and do come to their support. As a result, an individual may be turned away from attempting to commit suicide (Durkheim 1966). These societies evince the characteristic of mechanical solidarity. Yet for societies with a relatively high suicide rate, education is more popular and people are seemingly more confident and busy with seeking to realize individual goals and pursuing individual interests (Durkheim 1966). While encountering frustrations and difficulties, people in such societies tend to face them alone, taking on accountability by themselves. Yet the accountability may exceed their capabilities, they succeed in suicide attempts, and thus the suicide rate is relatively high in these societies (Durkheim 1966). These societies, different from the former ones, belong to the type of organic solidarity.

In his later work, *The Elementary Forms of Religious Life*, Durkheim traces the origin and meaning of the concept of solidarity. Durkheim identifies the 'totem' as the fundamental classification system and symbolism (Durkheim 2008). The classification system is not based on natural necessity nor can the individual find that classification system inside himself/herself. The key point to classify societies and everything in societies is not an innate objective property, but the dichotomous dyad — 'the sacred / the profane' (Durkheim 2008). Durkheim asserts that the principle of classifying animals, plants, and other natural objects is the same as the one of classifying clans or human groups (Durkheim 2008).

Accordingly, if people can discriminate a tiger from a sheep, they will use a similar standard to divide tough clans from mild ones. Ultimately, all the categories of classification can be reduced to the fundamental one — 'the sacred vs. the profane'. For instance, when a flag is drawn with the emblem of a certain totem, it is not an ordinary one, and even anyone touching or taking it becomes an unordinary man or woman. This means that the flag or person partakes of the sacredness; therefore they are no longer a profane thing in the world.

### 3 Durkheim and Semiology

After discussing Durkheim's theory of society and the symbol, we now shift to the issue of the relationship between Durkheim and forerunners of semiology, such as Saussure and Levi-Strauss.

Just as structuralism is the forerunner of semiology, Durkheim's theory is the forerunner of structuralism. As a linguist, Saussure, in his *Course in General Linguistics*, presents the dichotomy — 'langue vs. parole' — to account for language learning. We can say that the realm of 'langue' corresponds to Durkheim's concept of the society or the social facts symbolizing the society. Though individual behaviors may be very diffuse and disparate, just like 'parole', they conform to the rules set by the social facts, or individuals will be sanctioned. A sanction has the positive function for people as they can be reminded of and more fully integrate the common conventions of the rule.

Just as Durkheim divides everything in a society according to the dichotomy of the sacred vs. the profane, Levi-Strauss, as an esteemed anthropologist, asserts that things in the world are recognizable by way of a series of dichotomous terms (Levi-Strauss 1974), e.g. left vs. right, up vs. down, male vs. female, light vs. darkness, white vs. black, good vs. bad, safe vs. danger, positive vs. negative, natural vs. artificial, and so on. So when people mention, for example, male or female, that does not mean there is someone who is really a male or female, but rather refers implicitly to other dichotomous terms (i.e. members of antonymous pairs), for example, safe or danger.

Therefore all the dichotomies may be the signifiers without the thing signified. Moreover, all the boundaries between the dichotomous signifiers are determined basically by the force of the society. We can see the shadow of Durkheim in Levi-Strauss' perspective of those dichotomous terms.

### 4 Conclusion

So we can conclude that Durkheim, as a social theorist, explores the nature of a society by way of laws, suicide rates, and totems as social facts, which have the role of constituting symbols of the society. The original and the fundamental symbol is about the dichotomy of the sacred vs. the profane in the society. As forerunners of semiology, Saussure introducing structural linguistics and Levi-Strauss his structural anthropology, both are influenced respectively by Durkheim's social theory to a certain extent.

## References

- De Saussure, F. (2011). *Course in General Linguistics*. New York: Columbia University Press.
- Durkheim, E. (1966). *Suicide: A Study in Sociology*. New York: Macmillan Publishing.
- Durkheim, E. (1982). *Rules of Sociological Method*. New York: The Free Press.
- Durkheim, E. (1984). *The Division of Labor in Society*. New York: The Free Press.
- Durkheim, E. (2008). *The Elementary Forms of Religious Life*. New York: Oxford University Press.
- Levi-Strauss, C. (1974) *Structural Anthropology*. New York: The Free Press.