

WHY TO READ DURKHEIM TODAY?

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Abstract: This article focuses on understandings of religion, law, and ethics in Durkheim thought, especially in regards with his work entitled *Les Formes Élémentaires de la Vie Religieuse* (The Elementary Forms of Religion), and historical/contemporary opportunities stemming from his approach to read related fields are sought and debated.

Key Words: Durkheim, religion, law, ethics, Durkheim in Turkish

Gnmzde Durkheim Neden Okunmalı?

zet: Bu yazıda, zellikle Durkheim'in 1912 yılında yayınlanan *Les Formes Élémentaires de la Vie Religieuse* (Dini Hayatın İlksele Biçimleri) adlı eserinden hareketle sosyolojisiindeki din, hukuk, ahlak kurgulamaları zerine odaklanılmakta ve dřncesinin tarihsel-gncel olanakları tartıřılmaktadır.

Anahtar Kelimeler: Durkheim, din, hukuk, ahlak, Trkede Durkheim

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As part of the celebrations for Durkheim's 150th birthday, his works have been reprinted by the French Ministry of Culture in 2008. These celebrations were not, however, confined to France. In countries like Germany, UK, Brazil and Italy, too, conferences were organized, publications that evaluated his works were made and his books were reprinted. In the case of works with such conceptual scope as those of Durkheim's, problems of translation have always been a matter of concern. The reprints of Durkheim's work too showed rather a low quality. This have been not true only for his works translated into English¹, as the current largest platform for scientific knowledge production, but for the reprints made in French that Durkheim originally wrote in, as well. Points of criticism on this issue included the misprinting of concepts that he had borrowed from ancient Greek, the inadequacy of bibliographies used, and confusion about the use of italics and mistakes in the footnotes². Among his works published in Turkish is the *Elementary Forms of Religious Life* which actually is the focus of this article and which was translated not from the original French version but from an English one³. This translation, although useful for facilitating a classic text to be read in Turkish, nonetheless involves some problems regarding terminology. Of them, the most important one for us is the translation of the concept *lmentaire* in French and *elementary* in English to "ilkel" in Turkish. In place of the word "ilkel", which means

¹ American sociologist Stjepan Gabriel Meřtrovi who has written two books on Durkheim (*Emile Durkheim and the Reformation of Sociology*, 1988; *Durkheim and Postmodern Culture*, 1992) argued in a review that he wrote for a journal titled *Sociological Analysis* on Robert Alun Jones' ve Steven Fenton (with Robert Rainer and Ian Hamnett)'s works on Durkheim that the authors have misinterpreted Durkheim's most basic concepts and have therefore made groundless arguments about him. The problem stems mainly from the mistranslation of French concepts to English. For example, the authors in question used the English word *constraint* for the French word *contrainte*. They understood *anomie* to mean a kind of a normlessness or deregulation. Yet, Meřtrovi argues that Durkheim *never* (emphasis is Meřtrovi's) meant for these concepts to mean these things. Concepts such as *normlessness* ve *de-regulation* are relatively new even in English and did not exist in Durkheim's time. With *anomie*, Durkheim refers to a painful state of *dreglement*. This French word denotes a state of immorality and suffering and should rather be translated to English as *derangement*. Therefore, according to Meřtrovi, Durkheim does not defend *status quo* but rather *attacks* it (emphasis is Meřtrovi's). Meřtrovi argues that as long as certain things about Durkheim, such as his use of French, his personal history of coming from a family of rabbis, and his philosophical goals overlooked by scholars, his work will continue to be interpreted as absurd. This he argues is unfortunate since Durkheim's thinking is much deeper than how it is perceived to be. (See Stjepan G. Meřtrovi, "*Emile Durkheim: An Introduction to Four Major Works* by Robert Alun Jones. Beverly Hills, CA: Sage Publications, 1986, 165 pp. 16.95; 8.95 (paper). *Durkheim and Modern Sociology* by Steven Fenton (with Robert Rainer and Ian Hamnett). Cambridge: Cambridge University Press, 1984, vi+276 pp. 10.95", *Sociological Analysis*, 49 (autumn 1988) 3, 312-314.)

² Dominique Merli, "Anne Durkheim: 2008", *Revue Philosophique*, no 2/2009, 217-229

³ mile Durkheim, *Dini Hayatın İlkel Biimleri*, ev. Fuat Aydın, İstanbul: Ataç Yayınları, 2005.

primitive in French and English, especially when one keeps in mind the argument of the book, we believe that it would be more appropriate to use the word “ilksel” instead. When Durkheim explains why he will analyze religion by looking at primitive communities -as they were called then-, his starting point was that these communities lived the elementary, that is the more “basic” forms of religious life. As Durkheim explains the conditions for when one can call a religious system primitive, he expresses his reservation for using it and states it was done only in lack of a better term. Hence, using the term primitive deprives us of capturing the subtle conceptualization at work there.⁴

The Elementariness of Religion

Jeffrey Alexander and Philip Smith argue that *Religious Life* has been a basic read more for anthropology while sociology has for a long time overlooked it⁵. Nonetheless they argue that *Religious Life* has not become a major text for American sociology until the 1980's. In France, on the other hand, it was the special issue of the journal *Archives de Sciences Sociales des Religions*, an important publication for research on religious studies, published in 1990 with the title “Relire Durkheim” –Rereading Durkheim- that epitomized a revival in the interest for his works.

According to the French sociologist Pierre Bourdieu, structuralist anthropology owes much to this study. Bourdieu argues that especially the chapter “logic of totemist classification” in Claude Levi Strauss’s *The Savage Mind* needs to be read, while keeping this influence in mind. Bourdieu suggests in his article on the structure of the religious realm and its emergence that Durkheim regarded sociology of religion as part of the sociology of knowledge. According to this argument, in “a sociological theory of knowledge” Durkheim is trying to locate the positivist and empirical foundations of a Kantian apriorism. Durkheim pointed out that our basic categories such as time, space and causality have been shaped by religion. He has then elaborated on this idea in the article titled *De quelques formes de classification - contribution à l'étude des représentations collective*, which he cowrote with Mauss. For Durkheim, religion functions as

⁴ Herein after we shall refer to this work as *Religious Life*.

⁵ Philip Smith, Jeffrey C. Alexander, “Durkheim’s Religious Revival”, *The American Journal of Sociology*, Vol. 102, No. 2, 1996, pp. 585-592.

an intermediary for communication, since it creates a common realm of meanings through collective representations.

Three of Emile Durkheim's four works that are considered to be among the classic reads of sociology were published between 1893-1897. *The Elementary Forms of Religious life*, which was published in 1912 is considered to be the last book of this series of four books. In *L'Année Sociologique* which he started in 1896, he published numerous articles on topics such as family, crime and incest. The connections of his ideas with anthropology become clearer in that period. According to him, sociology needed to look at primitive societies as well, if it had a claim to be an independent discipline (of and by itself). If the human being was to be conceived as a social being and not just one that is squeezed between psychology and biology, this needed to be done.

Durkheim first began to study the phenomenon of religion with the article "De la Définition des Phénomènes Religieux" published in *Année Sociologique* in 1897. This study was then followed by "Sur le Totémisme" and "Un Cours sur les Origines de la Vie Religieuse" (1907). In these articles the definition of religion was rather built on an idea of obligation. He had not yet formulated the dichotomy of the sacred and the profane, which would be central to his subsequent writings.

When Durkheim elaborates on the centrality of religion, he states that "it was not before 1895 that I got a clear grasp of the significant role that religion plays and this was by reading William Robertson Smith and his school of thought". William Robertson Smith who lived between 1846-1894 was a Scottish orientalist, a theologian specialized on the Old Testament and a minister of the (Presbyterian) Free Church of Scotland. Smith contributed to the 9th Edition of *Encyclopedia Britannica* and was expelled from his position at Aberdeen Free Church College in 1881 after a heresy trial due to the reactions shown to his entry to the encyclopedia titled "the Bible". After that, he was appointed lecturer of Arabic at Cambridge University and was promoted to professorship at Christ College. In his *Encyclopedia Britannica* entries which attracted reaction, Smith had a position which did not take the Biblical word (and all other archaic texts considered to be sacred as well) as the absolute truth. *Religion of the Semites* which is deemed to be his most important work is considered to be a pioneering study in using sociological methods in the analysis of religious phenomena.

Durkheim marks 1895 as the time when he started formulating his ideas on religion, which was when he first came across the works of William Robertson Smith, although he had already stated in the *Division of Labor* that religion was kind of a matrix for people living in archaic societies. Just as Weber defined modernization as the disenchantment with the world, Durkheim defined premodernity as a homogeneity, which was the result of everything's that was collectively produced, such as science, art, knowledge being religiously based. In the mechanical solidarity model, social ties are formed by a resemblance due to a ubiquitous reference of all the individuals to the collective consciousness. In the more complex social structure of organic solidarity, on the other hand, social ties emerge as a result of the exchange of services between individuals with different assets who need one another. Consequently the process of secularization brings with itself problems/issues of delimiting the contagious aspects of the religious and forming a nonreligious/areligious morality as well. In *Education Morale* he questions the process of how such a morality comes about. In the meantime, scientific realm becomes autonomous as a result of the autonomization of law and economics. It becomes subject to change as the ways of understanding and knowing the world become secularized and as education which was increasingly becoming an integral part of socialization gets cleared off from religious references. Another factor that elucidates the secularization process is the topic of individualization which Durkheim has been observing since *the Division of Labor* as the collective consciousness now appeared to be in regression. A regression in the collective consciousness would inevitably also bring about another regression in that which was religious.

In the *Division of Labor* which he published in 1893, he points out the integrating effect of religion through creating a collective consciousness, especially in societies where mechanical solidarity was predominant. Thus the more individualizing structure of organic solidarity also brings about new forms of morality. In *Suicide* which he published in 1897, he discusses the rates of suicide among members of different religions. He explains the lower rate of suicide among Catholics from that among Protestants with a set of practices (such as confession, the hierarchy in the church, and so on) that decrease the inclination for egoistic suicide. Likewise some religions increase the propensity for altruistic suicide

The suggestion here is that the repertoire brought together by earlier collective experiences is not existent in the subsequent ones. When he states his interest in

the sociologist whom he distinguishes from a historian or an ethnologist, he points out the former's quest for explaining what he calls the religious nature of the human. What we observe here is a political concern at work. Right in the second paragraph, he states his concern about how comparing the rough rituals of the Australian aboriginals with Christianity would come across as a systematic atheism. Durkheim appears as putting on a defense against the prejudices of sociology about subjects of research and comparison that are still in effect today. Especially after the 1990's, Durkheim has been criticized for having done ethnocentrism. No doubt such criticisms have had a function in clearing off the language of science from culturally biased, Eurocentric modes of thinking. Yet, when his work is evaluated within the intellectual mode of his time, it comes across as "normal" for then. What's more, when Gianfranco Poggi one of his harshest critics on such matters had his book on Durkheim translated into Turkish, he daringly made a statement as "of all places in Turkey" when talking about the publication of his class notes in Turkish. Therefore it would not be wrong to claim that this process is going to be long and hard. What we need to do at this point is on the one hand to keep a certain critical distance, and to keep in mind that these texts no doubt include problems that have to do with the foundational stages of social sciences, on the other.

As part of these foundational problems, Durkheim in order to explain the position of the sociologist and to distinguish it from the position of those that were at war with religion, underlines that no religion could survive if it did not correspond to the nature of social things. Durkheim emphasizes, with reference to biology and philosophy, that any social fact can only be understood by also looking at its simplest form, just as why it matters to study single-celled organisms as the simplest forms of life. "Primitive" is in a way the prehistory of the modern person. At some in evolution, "s/he" is expected to turn into the modern individual. For Durkheim, which of such systems of beliefs will manage to subsist through thriving, and which others will weaken is a puzzle that sociology can solve. Some basic forms of representation can change but its objective meaning and function is the same in all societies. Durkheim when he defines religion as the most primitive of social action, he means that all ways of collective life law, morality, art, political action emanate from it. Just like society, religion too penetrates into individuals. Some authors point out the common elements here with Freud: just as his quest for the unconscious sources of life, Durkheim too is after the unconscious sources of social life.

Stephen Lukes lists the hypotheses diffused in *Religious Life* as follows:

- 1) Causal: In a group that is in ecstasy, the individuals transcend themselves and start perceiving a world beyond that which can be absorbed through the senses. Their beliefs, ritual practices and even categories of thought are now shaped by social structures and determined by collective forces.
- 2) Interpretative: Religion is special means of social representation, both in the cognitive sense (as a mythical sociology that helps society to get to know itself) and in the expressive sense, (for expressing, symbolizing and dramatizing social reality).
- 3) Functional: Yet, religion also has an impact on the society as well as on the individual. Religion achieves this through ritual and gatherings by recreating the spirit of the individual and the society. Another way is by intermediating emotions and thoughts across generations.

Durkheim starts off by listing all the factors that are commonly and foundationally found in religious phenomena. Secondly he focuses on two concepts that are commonly used in the existing definitions of religion: supra-natural and spiritual. According to Durkheim, these concepts that were commonly used until then became inadequate in explaining religion. He argues that there was no conception of “supra-natural” in primitive societies and that the dichotomy of natural-supernatural is anachronism constructed by positive sciences.

Durkheim states that the dichotomy of sacred and profane. Sacred is everything that which is collective. Profane is individualistic and is a reality which the human can experience through his/her senses. He underlines what makes profane so negative: it threatens to disrupt and contaminate the sacred, which causes them to become mutually exclusive. Figures such as priests and shamans can get caught in between. Yet there are circumstances to this getting caught in between which can happen to laymen, as well. If we imagine these practices in the specificity of Islam, taking ablution, for example, keeps the dirt of the mundane off the sacred. The mutual exclusivity between the sacred and the profane is also a spatial one and presently possesses its own problems in regards to how to define the limits of the public sphere.

Durkheim’s reification of the sacred-profane dichotomy has also attracted criticism. In Durkheim’s definition, what distinguishes the sacred from the profane is mainly “cultes negatives” which are based on a series of prohibitions

and might be thought as the basis of existence for religious life. These common prohibitions which have subsisted across ages and societies have worked by the denial of the everyday life through mechanism such as diet (all kinds of fasting), interaction with the world (seclusion) or restricting wealth (alms). Durkheim defines asceticism as the hypertrophy of negative worshiping. These are experiences that set the boundaries against the profane. They define the sacred as a kind of contagiousness that wishes to spread around the world. Transcendence is then a security against this invasion.

The significance of the agreement on the nature and quality of this transcendence shows itself especially in the discussions of present (Western) societies on the freedom of faith and its legal legitimacy. We can give those conflicts that emerge when the religious practices of immigrant communities clash with the legal order of the societies they are in as an example to the problem of transcendence. A similar problem is observed in Turkey on the relationship between public sphere and religious practices.

According to Durkheim, religion conserves basic dogmas through heavy penalty. He also emphasizes that when the religious society is the same as the political one, these penalties are imposed in the name of the state and sometimes by the state itself. Through the transformation of the society, that is by the transformation from mechanical solidarity to organic solidarity, the state leaves the realm of religious legitimacy. Nonetheless he does not speak of a world that is defined merely in the terms of prohibition. There are also mechanisms, such as holidays and institutions, that regulate the relationship between religious forces and people through positive and interactive means. These are ways of renewing collective representation which Durkheim calls in a poetic way “rejuvenating them through dipping them in the source of religious life”.

The third part of the book is important for establishing the conditions to construct religion as a subject of sociology. According to this definition, religion cannot be understood by itself; it is a whole the parts of which cannot be fragmented. The priority is to study the pieces that make up the whole, which means studying the expressions of religion. Religion is a way for societies to become self aware. Therefore, it only makes sense to study religion not for its content of revelation but for its sociological one.

Hence, he traces a commonality of the human beings that then make up a social structure through the visible differences, otherness and remoteness of the

Australian aborigines. Although criticized for its anthropological data, *Religious Life* is still a valid source of reference of today for understanding religious facts. What Durkheim is trying to prove is that all the basic elements that make up a religion are present in the Australian totemism. And this serves for derivation of the sacred out of the social existence and its expression of on the individual conscious. Exhibiting the social origins of religious categories is also going to point to the religious origins of categories of knowledge that will later be the point of reverence for philosophy and science. These ideas will later shed light on his work on moral education and a secular morality.

Keeping in mind the period that Durkheim grew up in, requires us to remember the impact of the Third Republic, which was also the model for the Turkish Republic, on him. 1875 marks the end of the struggle between the Monarchists and the Republicans. Therefore this period is important also for the formation of an educational model autonomous from the Church. The law that the Minister of Education of the time, Jules Ferry, got passed set the foundations for compulsory, secular, and free primary education, also tegering to form a national spirit based on positive sciences. Durkheim played an active role in the discussions of that period. Camiel Tarot in the study where she discusses the interaction between sociology and religious sciences states that Durkheim was in search of a mid- way. According to this perspective, the job of the sociologist was to come up with an alternative to those who thought religion was all that there was to reality and to those who thought that religion was a misconception.

The Binding Force of Law

It is no coincidence that those scholars whose works have focused on the formation and development of religious thought have also shown interest in researching the conceptualization of law in the archaic age. Durkheim's the *Elementary Forms of Religious Life* is one of the most apparent examples of this effort. Yet Durkheim's efforts for relating religious and legal phenomena in fact date back to the *Division of Labor*. For Durkheim, it is the collective spiritual state that lies in the origins of religious thought. Collective emotions appear to the individual much more powerful and enigmatic than the personal ones. Thus the imaginary suprapower, which is a result of the collective consciousness that sets "these compelling rules" and any behavior that is against these, is being severely punished. Yet, many acts which we deem as crime do not encounter

any similar responses. In short it can be suggested that the law of archaic era now appears as penal law. The critical thing here is that all those punitive rules are, in fact, of a religious nature. Because religion is a social entity, it disregards personal goals and presses on the individual. It is in constant demand from the individual for altruism and abdication. In response, the individual obeys these commands even if they are against his/her nature. To show his/her respect to the supernatural, he/she sacrifices animals to it and makes an offering. Durkheim, who sees the legal as part of the social imagination, treats the qualities of these imaginations as an outcome of social facts. According to Durkheim, legal principles are in fact reflections of social solidarity, which he explained in the *Division of Labor*. In other words, these principles as signifiers of the society that they are a part of, show the existing emotions, ideas, the general approach to society, and finally the kind of solidarity that exists in that society. His aphorism that law is the mirror of the society also expresses this reality. In short, the rule of law also represents social solidarity, the nature of which can be determined by looking at the nature of solidarity. This is because rules of law anticipate either punishment or the compensation of the damages caused (that is a corrupted relationship or situation). The law in those societies where mechanical solidarity is in effect appears in a punitive nature, whereas in societies with organic solidarity we see them in an indemnificatory nature. Durkheim notes that crime is an act that hurts the collectively owned emotions of the individuals in that society. Yet crime comes into being not when these emotions are collectively hurt but when those that are felt and predetermined by the collective conscious are hurt. In the archaic period, these emotions (and solidarity) are materialized in the form of intense collective attachment to the sacred beliefs. Therefore, sacred objects rise to a position where they become the highest values protected by iřlemler, persons and punishment, which, like in the rule of law, become symbols of social solidarity. At the end, no matter what the nature of solidarity is in a society, if any act is deemed to be a crime, this means that there is a consensus in that society on the need to show a collective response to that act. According to Durkheim, modern law (especially in the context of law of contract, of commerce, of property, and penal law) brings forth distinct aspects of the modern social solidarity. As a result of his scholarship on the advancement of law through the ages, he arrives at the conclusion that the only system of values that can bring together modern societies is one that provides the autonomy of every citizen and respects human dignity in an international sense and this should be the basis of all moral rule.

The Individuality of Morality

According to Durkheim's definition, morality works not by its content but by establishing rules that determine its outer boundaries. "Nous pouvons dire que tout fait moral consiste dans une règle de conduite sanctionnée" (*Division du Travail* p. 275). Moral acts are the results of obligations coming from without. Morality is thus to be thought of as the work of a group. Therefore, the changes that a group goes through can also result in changes in morality. "Toutes les morales ont leur rationalités propres" (*Religion morale et anomie*, 1975 Textes I, p.374). Durkheim marks that explaining how moral facts are defined by social rules only through mechanisms of prohibition is not sufficient. He therefore believes that morality needs to be studied also as a content of will and desire. The idea that the moral can only be understood by paying attention to that which is religious may be said to be one of the reasons that led him into studying religion. He later states that religion cannot by itself be analyzed without analyzing religious emotions.

For pushing the individual towards an act and for setting for him/her aims and intentions, morality is a force that pulls the individual into something that is beyond him/her. Durkheim calls this force moral ideal and explains the behavior of the individual, the relationship of the society with the individual and even the relationship of the sacred with the profane all in reference to it. The distance between the individual and the society is the same as that which is between egoistic desires and moral ideals and that between the sacred and the profane. This distance in a way also forms the transcendental aspects of the social, moral and sacred realms. The individual in order to access this transcendental plane needs to get subjected to some delimitation. It is the pertinent stages of socialization that make this happen. This is not only a system of restraints. It is also the source of ecstasy on an emotional level as stated above.

Durkheim recognizes that it is the human ability to comprehend the ideal that distinguishes him/her from the animals. Yet he regards the ideal not as a mystic ability but as something that integrates into the social. When social life reaches a certain intensity, it transforms the conditions of the psychic and causes the emergence of an effervescence that then engenders the religious thought. Then the human who is now filled with awakened lively energies, passions and affects

can no longer recognize himself/herself and becomes aware of his/her transformation.

In order to distinguish his ideas from a simple version of historical materialism, he emphasizes that collective consciousness is a *sui generis* synthesis of particular consciousnesses. In other words, they are not determined directly by the material conditions. They in their independent realms “call for, push around, fuse, split from each other and proliferate”. When, a few sentences later, he states that “the old gods are dying and the new ones are not born yet”, he seems to be prefacing some concerns that he will mention at the end of the book. The society needs to establish new ideals for survival, which he states is a hard and bitter process. If the society is unable to renew its beliefs, it will lose the fervor and delirium with which it needs to solve the problems that it faces. This means that secular morality by itself cannot constitute a solution.

French sociologist Jean Bauberot states that many of the readings of Durkheim’s sociology do not take into consideration the characteristics of the era that he worked in. According to Bauberot, two turning points need to be kept in mind in making sense of Durkheim’s scholarship. These turning points were the amendments made for the inauguration of secular education and for the recognition of religious worship (*cultes reconnus*). Therefore contextualizing his work merely in reference to the Third Republic might be insufficient. Bauberot points out that while Durkheim is on the one hand writes about the separation of the Catholic Church from the state and the liquidation of the former. He is on the other hand in a polemic with those who argue that religion needs to die away.

For that period the problem was to create an alternative to the thousand year old hegemony of the Catholic Church. In today’s world, we are discussing a similar problem of legitimacy in reference to Islam and the public sphere within the context of the multicultural modern societies. Problems such as veiling or “the cartoon affair” make up the nodal points of the clashing civilizations. Countries like France who might be said to have created an alternative, by breaking the cultural hegemony of the Catholic Church and embracing its Protestant, Jewish, deist or atheist citizens, are now trying to handle another crisis of legitimacy over their postcolonial immigrant Muslim populations. The dichotomy of the primitive and the civilized has now been transferred from the distant location of the Australian natives to the metropolises of Western Europe. Hence, the expectations of these immigrant communities in terms of their religion and their

increasing demands of respect and a concrete realm of legal legitimacy, is at the same time being defined as an expectation towards the recognition of their social existence. Since 1980's the growth of religious movements and identities especially in the political and cultural realms in order to demand rights has been explained by some as "the return of the repressed", or as a response to the hegemony of the capitalist West in the postcolonial world, or as a novel search for enchantment by others. In any case, it is the relationship between the religious and the social which emerges again and again that obligates social scientists to reread Durkheim's work with a fresh eye.

