brief synopsis of ethnomethodological differences with Mead see Zimmerman and Pollner (1970:101-2).

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AN EXAMINATION OF THE CONCEPT "SOCIAL SOLIDARITY"

Art Evans
Kansas State University

Although Durkheim's original definition of social solidarity included both beliefs and practices, modern sociologists have empirically operationalized the concept in terms of only beliefs or only practices. It is suggested that the modern conceptualization of social solidarity is invalid because it does not allow the researcher to get close to empirical reality.

INTRODUCTION

This paper examines the concept "social solidarity." This writer feels that social solidarity has been misused by many sociologists and cast into a framework unfamiliar to Durkheim's definition. It is further proposed that this concept is useless when defined and put into operation.

For example, one must be very careful to note that the term does not imply the same meaning for micro and macro sociologists. Combining this with the fact that micro and macro sociologists often disagree about their own definitions of social solidarity seems to make this concept more complex. Thus, before any more empirical studies are done in this area, it seems reasonable to clarify this concept. In the pages that follow, an attempt is made to define social solidarity as used by Durkheim, to examine how sociologists used the concept and to suggest that there is a need to recast our definitions in terms which include both belief and practice.

SOCIAL SOLIDARITY ACCORDING TO DURKHEIM

To Durkheim, social solidarity was the essential property of all societies. It was the bond that united individuals. Those societies that were governed by a collective consciousness were called mechanical; while those characterized by specialization, division of labor, and interdependence were called organic. The basic problem for Durkheim was how the transformation of social solidarity occurs and (more importantly for our concern) how one is to determine its state and degree (Martindale, 1960:88; Durkheim, 1947:17-35).

According to Durkheim, social solidarity should be treated as any moral phenomenon, i.e., not directly measurable. In order to get a grasp on social solidarity, it was necessary to substitute the internal fact for an external index which symbolizes it. Durkheim chose to use legal codes as indicators of social solidarity (Giddens, 1971:73-74; Durkheim, 1947:102-110).

Legal codes were defined for Durkheim as those involving sanctions. There were two kinds of sanctions. On the one hand, repressive sanctions are characteristic of penal law and require that the individual suffers for his crime. On the other hand, restitutive sanctions involve the reestablishment of relationships as they existed before the law was broken. Social solidarity can be seen more clearly in those societies which practice penal law. In these groups, the existence of a strongly defined conscious collective of beliefs and sentiments are shared by all members of society. Punishment is to protect and to reaffirm the conscious collective in the face of acts which question its boundaries. Repressive sanctions occur in those societies which have mechanical solidarity (Giddens, 1971:75). The chief purpose of the law is seen as satisfying an outraged collective sentiment (Durkheim, 1947:80-82).

When society becomes more complex and solidarity rests on differentiation of people, a new motive enters the law. The law becomes restitutive. Now the concern rests with the restoration of the social system to a workable state and the repair of any damage done (Martindale, 1960:88). Restitutive law appears in those societies which reflect organic solidarity.

Social solidarity for Durkheim was the ensemble of beliefs and sentiments that are common to the average members of a society. These beliefs have a life of their own (Martindale, 1971:89). Modern sociologists have reduced beliefs and sentiments to the social psychological level, but Durkheim argued that these phenomena are social facts and cannot be reduced to a psychological level of analysis. For example, Durkheim (1938:3) noted that social facts "consist of ways of acting, thinking and feeling external to the individual and endowed with a power of coercion by reason of which they control him. . . . These ways of thinking could not be confused with . . . psychological phenomena, which exist only in the individual consciousness and through it."

The move from a mechanical to an organic society has caused trouble for this term. Later, we will note sociologists who take this shift to mean a difference in the amount of solidarity found in society. For example, terms such as low, high, normative and integrative are taken to denote the amount of social solidarity found in a society. But, one should keep in mind that social solidarity occurs in both types of societies. Durkheim notes that modern complex society is not inevitably leading toward disintegration. Instead, the normal state of the differentiated division of labor is organic stability (Giddens, 1971:72). All societies (both mechanical and organic) rest upon a contract which presupposes norms. Norms constitute a moral commitment of members. Without such commitment, no society would be able to function in an orderly fashion. Regardless how complex the division of labor is, society does not result in chaos. Cooperation and moral commitment are the bonds that unite all societies (Giddens, 1971:75). In criticising Tonnies, Durkheim emphasizes that there is not an absolute break between mechanical and organic society (Durkheim, 1947).

In Durkheim's definition of religion, solidarity is brought out more clearly. Religion to Durkheim was a unified system of beliefs and practices that were relative to sacred things. Beliefs and practices united a single moral community. Thus, beliefs and practices appear to go hand in hand for Durkheim. However, many macro sociologists focus only on practices while ignoring the belief

system of a society. For example, some instruments used to measure social solidarity deal only with what people do. As we shall see, practice and beliefs are not always consistent with one another. Actors who believe certain things may not practice them, and vice versa. If this case exists, then our measurement only reveals one part of solidarity. True solidarity comes about when beliefs and practices of a group are consistent with one another. Thus, for Durkheim solidarity is shared in beliefs (or sentiments) and in practices. This important point cannot be overly stressed. Social solidarity is a social fact. Social facts are three dimensional in nature, i.e., they involve acting, feeling and exercising constraint over the individual (Martindale, 1960:90-91; Durkheim, 1947:38-45).

One cannot immediately observe social facts. For example, social solidarity in one group should not be observed in terms of another one. Durkheim believed that societies must be compared by following their complete development through all groups, and at the same point in time (Martindale, 1960:92). Sociologists have not been holding true to what Durkheim has suggested. Instead they have paved their own way, which is different than what Durkheim has proposed.

THE MACRO SOCIOLOGIST AND SOCIAL SOLIDARITY

The purpose of this section is not to demean macro sociologists. What is suggested is that the concept social solidarity employed in their research is much different from Durkheim's conception of the term. Since the 1950s very little has been written about the term. However, in my attempt to gather research and literature relevant to social solidarity, I have found that modern sociologists have oversimplified the complexity of Durkheim's arguments. In his notion of social facts and conception of social solidarity, Durkheim clearly meant that both beliefs and practices should be taken into account. Modern sociologists, as I will show, stress either beliefs or practices as

indexical of social solidarity, but have not stressed the importance of both. Garfinkle (1967:1), who seemed to be aware of this problem, stated the following: "In doing sociology, lay and professional, every reference to the 'real world' even where the reference is to physical or biological events, is a reference to the organized activities of everyday life. Thereby, in contrast to certain versions of Durkheim that teach that the objective reality of social facts is sociology's fundamental principle, the lesson is taken instead, and used as a study policy, that the objective reality of social facts as an ongoing accomplishment of the concerted activities of daily life, with the ordinary artful ways of that accomplishment being by members known, used and taken for granted, is, for members doing sociology, a fundamental phenomen. . . ." Garfinkle further states that the study of sociology should be "directed to the tasks of learning how members' [of social groups] actual ordinary activities consist of methods to make practical actions, practical circumstances, common sense knowledge of social structure, and practical sociological reasoning analyzable; and the discovery of formal properties of common sense actions 'from within' actual settings, as ongoing accomplishments of the settings."

Perhaps one of the earliest attempts to develop a scale for measuring community solidarity was by Fessler (1952:144-152). It was believed that primary rural communities function as a social group. Thus, they have their own values and common norms of behavior. Fessler analyzed the communities in his study by using a comparative approach. He believed that this method would show the extent to which community members express opinions indicating the possession of common attitudes (p. 144).

For Fessler, solidarity was assumed to be high when "the community attitudes cluster about a distinct core of values and common social norms of behavior distinct from those possessed by the larger society of which it is a part" (p. 146). Fessler concluded that any subject may be used as an index of social solidarity. The subject most likely to fall within the range of each individual's experience, however, is the social behavior in which the individual participates within his own community (p. 151).

Several problems arise in Fessler's research. First, is his use of the comparative approach. To use the same scale to compare communities on social solidarity is unappropriate. In all communities human beings act towards objects on the basis of the meaning that those things have for them. The meaning of these objects arises out of social interaction that one has with others. These meanings are handled in and modified through an interpretative process used by the person in dealing with the things he encounters (Blumer, 1969). Fessler has disregarded the notion that the meaning system in each community is different. His comparative approach totally excludes the meaning his index has for those concerned.

Blumer (1969:20) notes that the meanings that objects have for human beings are central in their own right. To ignore meaning is to falsify facts. The meaning of the items in Fessler's scale should not be regarded as coming from the intrinsic make-up of that scale; nor should we see meaning as arising through the psychological elements in the person.

The second problem of Fessler's work concerns opinions and attitudes. Many times concepts are always accepted as given and are thus spared direct examination. For example, it can be quickly shown that opinions and attitudes are almost worthless measurements. Moreover, sociologists are still at a loss for a single definition of the term. To assume that attitudes and opinions are indicators of solidarity is to take the position that individuals act because of these. This ignores the interpretative process that all individuals engage in.

The actor indicates to himself the things toward which he is acting, i.e., he points those things out to himself. Because of this process, interpretation becomes a matter for handling meaning. The actor is engaged in selecting and transforming meaning in the light of the situation he has been placed in. Thus, interpretation should not be regarded as coming from attitudes or opinions. Interpretation is a situation where meaning is revised (Mead, 1956:153). All questions asked to subjects by Fessler were only concerned with attitudes and opinions. Acting (what people do) is completely ignored. However, according to Durkheim, acting and feeling must be taken together when explaining social solidarity.

Young's (1968) study, "Differentiation and Solidarity in Agricultural Communities," is yet another example of how this term is used. Young defines social solidarity as "the degree to which the meaning areas maintained by a community manifest a unified or coordinated configuration" (p. 62). Young's definition is very broad. For example, he considers action to be solidary when the community focuses on a theme such as "down with Yankees" (p. 62). According to Young, this pulls together the community's ideas about different issues.

Unlike Fessler, Young selected items that reflected concerted activity, organizational focus or coherent ideology. Thus, he begins with a minimum indicator of solidarity: a name and a definable territory then moves through running disputes with other communities.

Young's definition of social solidarity is very general and vague. For example, what is a unified or coordinated configuration? Would football fans yelling after a touchdown be included in this definition? Who determines such configurations? Must we depend upon the researcher or the actors who are involved to determine this? It appears reasonable that one defines the configuration under study before attempting to explain it. In other words, what are the boundaries of the units? It is impossible to define these units at a single point in time, as Young attempts to do. Histories of the units must be taken into account.

In gathering historical information Vidich and Bensman (1968) show that the relationship between the overt public life of the community as enacted by its members in public situations and the individual's private actions and experiences are different. For example, they state that "the public enactment of community life and public statements of community values seem to bear little relationship to the community's operating institutions and the private lives of its members" (p. 15). They found that much of the community's social life is not externally visible. To see the community in action one must be aware of the organizations and social groups that are often hidden from the outsider.

Young is concerned with only one dimension of social solidarity. He only looks at what the community has done (acting). The researcher is less concerned with how individuals

view this action. For Durkheim, true solidarity involved both acting and feeling. Thousands of dollars are spent on quality ball players each year while millions of people go hungry. This does not imply that the community is content seeing people go hungry. Thus, Young does not attempt to separate feeling and acting in his study. The Floras, who follow Young's definition, are susceptible to these same errors.

The Floras (1975) point out that their concept of social solidarity stems from Durkheim and was modified by Young. They define it as the degree to which a social system has a focused and unified world view. They note that social solidarity should be regarded as a useful concept (p. 1).

In their paper, they study the People's Republic of China as a solidarity movement. The concept "social solidarity" is developed so that it can be applied to a nation state. Social solidarity (as in the case of Young) is conceived as a macro-level variable. Thus, social solidarity is not based on individuals' attitudes (p. 2).

The authors (Floras, 1975) explain that high solidarity is present in religious sects. In these groups, the world view will revolve around a few basic principles from which total action is derived. On the other hand, low solidarity groups have a very diffuse world view with many rules that tend to be situation specifics. In low solidarity groups, the world view is only applicable to a small portion of the group members.

The Floras (1975) suggest that the unified world view gives rise to two emergent qualities which reinforce symbolic focus. These qualities are cooperation and boundary maintenance. Building toward Communism, self-reliance, and opposition of interests of individuals, are seen as forms of cooperation while the threat of internal and external enemies is viewed as boundary maintenance.

Both Young and the Floras' research rely on a modified definition of solidarity. One question left to the reader is why was it necessary to modify the concept? To modify something is to change it. Unless the reader is acquainted with existing literature on solidarity, he won't be able to discover the impact of the change. For example, the concept "social system" is introduced in the definition. However, social scientists are still searching for an agreeable definition of what constitutes a social system. To use a concept that few agree on to define another concept is not painting an accurate picture of that term.

Another question is what constitutes a focused and unified world view. One might argue that this focused and unified world view is rooted in the self-interest of a social class and used to maintain its privileged position against demands for reform. For example, Mannheim (1936) suggested that the ideology serves a specific purpose: that of holding down non-privileged classes and maintaining the status quo. Vidich and Bensman (1968) noted that hard work was one of the ideologies of their study. They found this to be very effective in keeping down the shack people. The Flora's theoretical conception of social solidarity does not allow them to see this point, because it does not concern itself with the feeling behind the action.

Another problem with this work concerns the notion of boundaries. Again, who determines what the boundaries are? The relation of the observer to the observed is very important here. Many times, the sociologist relies too heavily on models. Scientific inquiry is taken for granted as correct. The scientist feels no need to be concerned with firsthand familiarity with the sphere of life under study (Blumer, 1969:38). It we are to get a correct picture of the social world, then our guiding conceptions should be faithful to it. Thus, what the observer sees as a boundary may be completely different from how the actors see it. There are levels of happening that are hidden to all observers that are not familiar to the group. For example, Mitford (1974) reports the difficulty in getting information from prisons. Wardens and other officials were reluctant to give information. The only information given by them concerned good things about the jails. Thus, visitors to prison were shown only the positive aspects. However, when prisoners were interviewed, the story was markedly different. To see prisoners happily making license plates is not an example of solidarity among our prison population. One should look further than those actions and attempt to determine if attitudes are consistent.

Moxley's (1973) study called "Social Solidarity, Ethnic Rigidity, and Differentiation in Latin American Communities" develops and utilizes methods of defining social solidarity. To

Moxley (p. 439), social solidarity has meant consensus, symbiotic collectivities, cohesiveness, interdependence, and moral integration as well as integration. The author appears to be well aware of the problems this concept has caused for sociologists at the onset of his paper.

Moxley (p. 440) suggests that three types of indexes be used to describe solidarity. One kind of index measures similarities of interest, values, beliefs, attitudes, feelings and opinions. Thus, the data sources in this category are the cognitive and affective types. The second index consists of actual interaction. This entails contact networks and communication patterns. The third type is the interrelationship of social entities, such as families, businesses, or other formal organizations. Moxley chooses to conceive of social solidarity as structural (i.e., group level) while he ignores psychological phenomena.

Moxley (p. 452) defines social solidarity as "the tendency of a system to process all incoming and outgoing information according to one integrated format; or more concretely, it is the degree to which the meaning sectors of a symbolic structure, no matter how differentiated, show overall unity." At the operational level, Moxley assumes that structural sectors of a community unite and are organized to create and project a unified image.

Items for Moxley's scale were selected on the assumption that the particular community characteristic contributed to the process of social solidarity. Solidarity was symbolized by phenomena which demonstrated patterning at a relatively high level of abstraction. His table of solidarity shows examples of recurrent communal activity, artifacts and discrete occurrences which are supposed to symbolize social solidarity.

Several problems arise with Moxley's work. The author at first appeared to be on the right track by showing that social solidarity has several dimensions. However, he ignores the feelings of actors and begins to focus only on what people are doing. As I have already shown, to be concerned only with communal activity and to ignore the feelings people have is a gross error. There is no explanation as to why Moxley has chosen to look at only one dimension. If a researcher chooses to depart from Durkheim's conception of social solidarity, he is obligated to state the reason

for departure. Moxley (p. 458) says solidarity is the degree to which the meaning sectors of a symbolic structure show overall unity. What are the meaning sectors of a community? To Moxley, the meaning sectors reside at the group level. On the other hand, I would argue that members of a group often have different meanings for things.

Meaning is not located in the group. It is seen as arising in the process of interaction between people. To acquire meaning is a matter of individual interpretation. Interpretation should not be regarded as automatic, but as a situation where meaning is often revised. The human group is nothing more than people who are engaged in action. The activities belong to the acting individuals and are carried on by them always with regard to the situation in which they act. Thus, it is impossible to study meaning by only looking at structures. We must also focus on humans as acting and thinking individuals (Blumer, 1969).

Another problem with Moxley's work is that he assumes that structural sectors of a community unite and are organized in such a way as to create and project a unified image. According to this definition, all slaves should have been happy. We have already noted that many times this unified image is only a front for what is actually happening. The unified image is not self-operating and does not follow their own dynamics. This requires that attention be given to participants. The participants allow this image to become unified by occupying different points in the network. Networks and institutions do not function automatically because of some interdynamics or system requirements. They function because actors at different points are doing things. What they do to present a unified image is the result of how individuals define the situation.

Other research on social solidarity (Scanzoni, 1975; Moxley, 1972; Scheiznd, 1972; and Micic, 1972) fall prey to many of the errors mentioned above. However, because of time it would be impossible to review this literature. The next section suggests an alternative way of defining social solidarity.

TURNING TO SOCIAL SOLIDARITY

Baum (1974) suggests that solidarity is the sharing of action and experience among two or more actors. The production of solidarity involves a sense of "we-ness." We-ness refers to commonality contrast and complementarity between actors which gratifies need-affiliation for personality on the one hand and supplies trust as a general mechanism of complexity on the other. In this definition, sentiments and actions are not disregarded. In the research above, little or no attention was paid to the social psychological dimension of solidarity. This is a gross error because this is at least one half of Durkheim's definition; the other half is acting.

It is apparent that sociologists have failed to develop a sound, theoretical and substantive clarification of social solidarity. Cramer and Champion (1975) note that most of the confusion is linked with the concept of cohesion. Cole and Miller (1965) suggest that the two concepts are used interchangeably. However, Hollander (1967:362) believes that the research on cohension is quite clear and agreeable.

The meaning of solidarity is not clear (as we have observed). Jasen (1952:72) explained that family solidarity is the closeness of the family; Klapp (1959) suggests that the concept refers to unity of a group. Homans (1950) refers to the term without a definition. Because the references to solidarity are usually accompanied by vague and ambiguous definitions, the concept has been imprecise. This usually means that operational formulations are also imprecise. A poorly constructed sensitizing concept will limit the utility of it. The concept "social solidarity" should reflect the affect as well as the acting of the participants. The best example of this is Cramer and Champion (1975). Unlike macro sociologists, they set out only to explore the affective content of group life. However, in their examples, both acting and feelings are important. The authors seem to be unaware of this serendipity.

The better studies of social solidarity come from anthropologists. For example, Helms (1970) studied matrilocality, social solidarity, and culture contact. Her approach is unusual because she explains solidarity by using historical occurrences.

Thus, the reader is better able to understand why solidarity should occur. Solidarity does not simply happen. However, Helms (p. 210) argues that one must understand the history of a group before studying it. Staples (1975) agrees with this notion by explaining that data about a group is useless unless the history of that group is known.

Another anthropologist, Galf (1973), studied a carnival on the island of Pantelleria. He also suggested that social solidarity has a long history. The method of participant observation enabled him to become more closely associated with reality. By pointing out the history and meaning objects have for the participants, one can quickly see how and why solidarity developed on this island. Since one component of social solidarity involves sentiments, we must get at them by being acquainted with the group under study.

Blumer (1968) proposes that sociologists engage in exploration and inspection while studying groups. Exploration is by definition a flexible procedure in which the scholar shifts from one to another line of inquiry, adopts new points of observation as his study progresses, moves in new directions previously unthought of, and changes his recognition of what are relevant data as he acquires more information and better understanding. Inspection consists of examining a given analytical element by approaching it in a variety of different ways. Both inspection and exploration comprise naturalistic investigation. Blumer (p. 28) suggests that the merit of naturalistic investigation is that it respects and stays close to the empirical world.

If one wants to know about solidarity, he should attempt to get close to it. If he does not, he has no assurance that his methods and theory are empirically valid. This methodological stance is that of direct examination of the empirical social world. We should not be misled by the belief that to be scientific it is necessary to shape one's study to fit a fixed logical or mathematical model. This determination of problems should be done by direct examination of the empirical world. The test of our premises is the actual group we are observing; not our laboratory (Blumer, 1968:53). If a scholar wants to study the empirical world, he must learn to see objects as the group sees them. In studying social solidarity, the sociologist must have the ability to

place himself in the position of the individual or collectivity. He must also be able to identify the significant objects of group concern; the observations must be relevant to the group.

Since sociologists study group behavior, they are concerned with joint or collective action in which numbers of people are implicated. Joint actions involve groups, institutions, social systems, organizations, social classes, etc. All of these types of joint actions involve the fitting of lines of action to one another. Joint action should not lose its character of being constructed through an interpretative process.

When a group is said to have solidarity, individuals bring together actions and feelings that show a type of unity. These actions and feelings always undergo a process of formation. New situations are always arising within the group and existing rules are not applicable to them. The joint action is never stable. Meanings of situations are always changing. In order to study the solidarity of a group, we must get at the meaning systems (Blumer, 1967:121).

Groups are not self-operating entities; they involve people located at different points on the basis of using a given set of meanings. Thus, joint action may be seen as arising out of a long background of previous action. No group, institution, etc., is able to have solidarity without some background. To study social solidarity, we must know the historical linkage of that group. To this writer's knowledge, only anthropologists have attempted to do this.

I have argued that actions and feelings should not be separated in the study of social solidarity. Durkheim regarded both of these phenomena as important in his definition of the term. By viewing beliefs and practices as necessary conditions of solidarity one is better able to understand reality. Examining social solidarity in terms of only practices or only beliefs is not valid. One's beliefs and practices do not necessarily go hand and hand. Defining social solidarity in terms of only practices or only beliefs leads to confusion and imprecision, because beliefs may be solidarity in terms of other beliefs but not in terms of practices. Modern sociologists have used social solidarity in this way. Thus usage reveals little or nothing about the underlying linkage of

one's beliefs and practices. Durkheim's definition of social solidarity is more valid because it attempts to link beliefs and practices in understanding social behavior.

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A DEFINITION OF THE CONCEPT OF LAW

Alan V. Johnson
University of Kansas

A definition of the concept of law is developed by drawing on the works of jurists and anthropologists as well as sociologists. Law is conceptualized in terms of Sumner's definition of an institution, the "concept" being the normative law and the "apparatus" being the group engaging in legal action. The rudimentary forms of legal norms and of legal actions which exist in all legal institutions are identified and described. The process by which these rudimentary forms of legal norms and of legal actions develop so as to constitute the wide variety of legal institutions which exist or have existed is also examined.

In a recent article Malcolm Feeley (1976:503) observed that: "Most contemporary research on law and society suffers from its unwillingness to even consider a definition of the concept of law and hence the boundaries of investigation." This reluctance is perhaps the most widely shared feature of social scientists interested in law.

This reluctance to consider a definition of the concept of law is not due to a lack of previous attempts to define law. For, as Paul Bohannon (1967:43) points out: "It is likely that more scholarship has gone into defining and explaining the concept of 'law' than any other concept still in central use in the social sciences." Rather, the contemporary reluctance to consider a definition of the concept of law is due to the great variety of contradictory definitions which have been previously developed. These contradictory definitions have led many scholars to refuse to define law altogether and to even regard such a task as almost impossible (Pospisil, 1972). Max Radin (1938:1145) exemplifies these pessimistic scholars when he writes: "Those of us who have