

IVAN STRENSKI

Hüseyin Nail Kubali and Durkheim's *Professional Ethics and Civic Morals*

Why and When Turkey?

A swirl of puzzles surrounds a work of Émile Durkheim's that Jonathan Z. Smith claims is the 'single most provocative treatment of' the idea of the sacred in the Durkheimian corpus – *Professional Ethics and Civic Morals*. (Durkheim 1957; Smith 2004: 103) Why, one asks, was Durkheim's work first published in Turkey, especially when the lectures that gave rise to this volume had been delivered in France in the early years of the twentieth century? Of what particular importance was Durkheim for modern Turkish thinkers, and what kinds of thinkers might they be? And, what of this particular work of Durkheim's? What special purpose, moreover, might have been served by publishing it in Turkey when it was – in 1950? Why was the volume edited by (and who was?) Hüseyin Nail Kubali? What were his motives – both of a scientific kind or of a wider social or political sort? These are the questions that I shall seek to address in the following pages. As readers will discover, in answering them, we will uncover a nest of hidden themes that few readers – even those who know the Durkheim corpus – will have anticipated. As we will learn, not only are Durkheimian interpretations of religion at issue, but also the particular bearing of Durkheimianism on modern Turkey. This link with modern Turkey, in turn, brings to the surface many of the controversial questions now vexing the European Union as it ponders the possibility of Turkish membership of the EU – questions of human rights, civil society, the rule of law, the relation of religion and state, to name just the most relevant to the content of this article.

What the Durkheim of *Professional Ethics and Civic Morals* Taught the Turks

First to Durkheim's book in question. The volume in question collects the latest versions of a series of lectures entitled *Leçons de sociologie physique des*

moeurs et du droit (Durkheim 1950), later to appear in English translation as *Professional Ethics and Civic Morals*. Durkheim had continually revised them since their first delivery in Bordeaux in 1896, then, later in Paris in 1904 and 1912, and finally in the years just prior to his death in 1917. One way we might begin trying to understand the nature and circumstances of their publication in French in Istanbul is by looking at the contents of the work.

Professional Ethics and Civic Morals is Durkheim's final iteration of the views first articulated in *The Division of Labor* (1893) and then reiterated in its second edition (1902). This was nothing less than Durkheim's outline of a future society organized around 'corporations' – labor unions, professional and occupational groups, and other units of social organization active particularly in the economic realm. Scholars agree that this work can also be seen as Durkheim's blueprint for what political scientists these days call 'civil society' (Emirbayer 1996, Hawkins 1994). While always linked with economic activities, these corporations would also be englobing moral and legal entities, protecting both rights of association and individual civil rights, thus laying the bases for civil society governed by the rule of law.

Durkheim saw the dangers inherent in leaving a vacuum between the atomized and unorganized individual and the powerful modern state, referring to such a state of affairs as a 'veritable sociological monstrosity'. Without any mediating institutions between the individual and the state, Durkheim feared that the individual would be left unprotected from possible predations of the state. Durkheim was wary of the power of the state to crush such intermediary grassroots organizations, and noted that in ancient Rome, the system of artisan and workers' unions formed there was finally ruined by being subordinated to the state administration. (Durkheim 1902: xxxvii–xxxviii.)

His solution to this threat to the individual was to advocate that 'between the state and individuals, a whole range of secondary groups (should be) interposed' (Durkheim 1902: liv). Put otherwise, Durkheim held that the 'state must have a relation to the nation without being absorbed in it. ... (it must) intercalate between the two some resistant bodies which will temper the action that has the greater force.' (Durkheim 1957: 101.) Durkheim thus sought to lay out a conception of the 'associational relations of civil life' – what lies between the state, capitalist economy and the individual, 'the intermediate domains of social life', as sociologist Mustafa Emirbayer (1996: 112) argues. This, then, is to create political and moral space independent of the state – space in which individuals might be nurtured in default of weakening family ties in industrial society (Hawkins 1994: 474–6).

A signal benefit of such secondary groups was also their ability to corral the reckless 'self-interest' of extreme individualism. The subgroups forced the individual to take into account something beyond themselves, something of the general welfare of society. They gave individuals a 'taste for altruism, for forgetfulness of self and sacrifice' (Durkheim 1902: xxxiv). But this did not mean that Durkheim wished to resuscitate the medieval guilds that the French Revolution had abolished. Instead, Durkheim, saw the 'professional group' or 'corporation' as the basis for his new project of social construction (Durkheim 1902: xxxv). Durkheim, for example, asserts that in his own day, the best examples of solidarist corporatism were labor unions (Durkheim 1902: xxxvi). Yet, while affirming the value of corporations and collective life, the Durkheim of *Professional Ethics and Civic Morals* went to lengths to assign special value to the individual. Several chapters of the work are devoted, for example, to the relation of the individual to the state. There, for example, Durkheim rails against those who would 'try to revive the cult of the City State in a new guise' (Durkheim 1957: 54), and assigns to the state the duty of fostering individualism, by providing the 'milieu in which the individual moves, so that he may develop his faculties in freedom'. The part played by the state is 'to ensure the most complete individuation that the state of society will allow' (Durkheim 1957: 69).

This brief consideration of the role of the 'secondary groups' or 'corporations' shows then how fundamental Durkheim thought they were to the future health of modern industrial societies. They would not only form the bases of local 'moral authority ... but also (be) a source of life *sui generis*. From it there arises a warmth that quickens or gives fresh life to each individual, which makes him disposed to empathize, causing selfishness to melt away.' (Durkheim 1902: lii.) In Durkheim's view, society would then become a 'vast system of national corporations' (Durkheim 1902: liii). So devoted to this concept was Durkheim that he imagined that voters might elect representatives to a national parliament from their particular occupational group, rather than say from the geographic residential district in which they lived. Such corporations 'should become the elemental division of the state, the basic political unit' (Durkheim 1902: liii). Durkheim's entire vision was laid out, sketchily though it might be, in the prefaces to *The Division of Labor*, but in its fullest form in Hüseyin Nail Kubalı's edition of *Professional Ethics and Civic Morals*. These constitute Durkheim's best effort to articulate the social mechanisms necessary for the maintenance of what today is commonly called civil society.

Ziya Gökalp, Durkheimianism and Durkheim

Now, although I am not able to document the specific transmission of Durkheimian ideas of civil society expressed in *Professional Ethics and Civic Morals* to Turkish thinkers before Hüseyin Nail Kubali, we can detect something of these notions in a Turkish thinker generally credited with first introducing Durkheimian thought into Turkey – Ziya Gökalp (1875–1924). Gökalp was doubtless exposed to the earlier statements of Durkheim's corporatist theory of social reconstruction found in the first and second editions of *The Division of Labor in Society* in 1893 or 1902, respectively, later to be restated and revised in *Professional Ethics*. Historian Robert Devereaux has argued that Gökalp was one of the 'most influential Turkish writers of the twentieth century' and one to whom 'more than any other one man, belongs the credit for reviving Turkish national pride' (Devereux 1968: ix). Although hailing from the provincial Kurdish city of Diyarbakir, Gökalp eventually made his way to Istanbul in the late 1890s, where he made his first contacts with French social thought. There, he learned French, and was drawn to the writings of influential thinkers of the Third Republic, such as Gustav Le Bon, Gabriel Tarde, Alfred Fouillée, and finally Durkheim. (Findikoglu 1935: 19.) From the early years of the twentieth century, Gökalp believed that Durkheimian social theory could afford him the best theoretical basis for conceiving the future practical shape of Turkish national life, especially the condition of its social organization and collective national life.

This fixation upon nationalism and the prospects for the future structure of Turkish national life drew Gökalp into the swirl of Turkey's political revolutions at the beginning of the twentieth century. He joined one of the secret political societies of the day organized by the radicalized medical students of Istanbul, and was imprisoned for his participation in their activities. In 1908, he played a major role in the Young Turk Revolution, largely as its main ideologist, and thanks to Durkheimian corporatist ideas, offered a coherent vision of what Turkey might be. In spirit, Gökalp and the Young Turks exhibited a heady mix of romantic Nietzschean moral revolution and scientific, partially Durkheimian, French positivism. From this point forward, Gökalp was launched into a national political career. From that point as well, he put to full use his command of the vast learning he had acquired over the intervening years, especially of Durkheimian sociology. (Findikoglu 1935: 15.)

Foremost among Durkheimian notions attractive to Gökalp was that of the 'conscience collective', given its potential for instilling the hope of

national revival. Turkey was not destined to be the 'sick man' of Europe. Gökalp made a deliberate link between the reality of 'nationhood' and Durkheim's view that all forms of 'society' required consciousness. Thus, Gökalp asserts that 'a group is not a social group unless there is a conscious realization of that status in the common consciousness of its individual members' (Gökalp 1968: 51). Pointedly against historical materialism, Gökalp affirms the stoutly Durkheimian position that ideas have consequences in social life: 'Collective representations are not, as Marx believed, ineffective epiphenomena in social life. On the contrary, all aspects of our social lives are shaped by the effects of these representations.' (Gökalp 1968: 52.)

During the years 1913–15, Gökalp also taught Durkheimian sociology in one of Istanbul's Muslim seminaries (*medrese*). Finally, in 1915, Gökalp moved on to a new chair of sociology at the University of Istanbul that he had himself worked to create. He remained at the university until 1919, enjoying an extraordinarily fruitful period of work. He not only saw to the normal official duties of a university professor, but also founded academic journals, one of which was modeled expressly on *L'Année sociologique*. He likewise worked to see that Durkheimian texts were translated into Turkish. (Findikoglu 1935: 22.) In April of 1921, Gökalp returned from exile. When the 1923 nationalist revolution led by Mustafa Kemal – Atatürk – broke out, Gökalp supported it, but did not live long enough to see it come to fruition. He died in 1924, shortly after publishing his main work on Turkish nationalism, *The Principles of Turkism* (1923). (Gökalp 1968; Smith 1995: 48.) Thus, like the reform-minded Durkheim of *Professional Ethics*, it was practical social reconstruction that Gökalp had foremost in mind when he decided to bring Durkheimian sociology to Turkey (Findikoglu 1935: 21).

Recent scholarship has tended to paint a rightist picture of Gökalp. Far from the collectivist – perhaps even statist – that his nationalistic and 'Turkist' views would suggest, we find a more moderate Gökalp advocating the same Durkheimian principles of civil society that were identified in Durkheim's thinking about corporations and secondary groups. Gökalp seems to have appropriated those elements of Durkheimian thought late to be fully articulated in the work Kubali edited, *Professional Ethics*. While I have no evidence that Gökalp had access to the lectures that were the basis for *Professional Ethics*, Gökalp writes as if he surely knew the prefaces to *The Division of Labor*. In his exposition of the meaning of Turkism, Gökalp advances the same view that Durkheim had put forward about the necessity for intermediary groups between the state and the rest of society:

The first goal of legal Turkism, then, is to create a modern state. The second goal is to free occupational guardianships from the interference of public guardianship by establishing occupational autonomies based on the authority of specialists. Achievement of this goal will require the enactment, on the basis of this principle, of civil, commercial, industrial and agricultural codes, as well as laws relating to the occupational autonomies of such professional organizations as the university, bar, medical society, teachers' society, engineers' society, etc. (Gökalp 1968: 118.)

And, again, like Durkheim, Gökalp did not seek a return to medievalism, but instead encouraged the formation of the kinds of modern professional secondary groups that Durkheim favored. These old 'guild'-like bodies, says Gökalp, 'must be abolished and replaced by national organizations having their centers in the national capital' (Gökalp 1968: 106). Confirming this in an indirect way, Kubali prefaces his 1950 edition of *Professional Ethics*, by affirming the influence of Durkheim in Turkey as mediated by Gökalp.

The publication in Turkey of this posthumous work of Durkheim is not in any way a matter of chance but rather, we might say, the result of a kind of cultural determinism. For in Turkey, Durkheim's is the only sociology, apart from that of Le Play, Gabriel Tarde, Espinas and others, to have become a standard work, especially since the books and teaching of Ziya Gökalp, the well-known Turkish sociologist. There are many like myself in Turkey who bear the stamp of Durkheim's school of thought. (Durkheim 1957: xi.)

Kubali ought to be seen then as reaffirming Gökalp, or at the very least interpreting Gökalp's Durkheimianism for the Turkey of his day.

Hüseyin Nail Kubali and the Publication of *Professional Ethics*

What then of Kubali? Why do we find him reaffirming the Durkheimian tradition established in Turkey by Gökalp? And, what of his relation to the publication in Turkey of *Professional Ethics and Civic Morals*?

Virtually nothing exists outside of Turkish language sources on the life and career of Kubali. What I have been able to gather together comes from scattered sources and the generous assistance of members of Dr Kubali's family. Born in Istanbul in 1906, Hüseyin Nail Kubali was educated locally until he left Turkey for Paris in 1932 to pursue a doctorate in law at the Sorbonne, which he completed in 1936. Kubali's doctoral thesis treated the Durkheimian idea of the relation of the individual to the state – *L'Idée de*

l'état chez les précurseurs de l'école sociologique français (Kubali 1936). In effect, Kubali was researching the possible relation of Durkheimian thought to statism or what one might call 'fascist corporatism' – part of the ruling ideology of the Kemalist administration in the Turkey of Kubali's day (Parla and Davison 2004). Upon his return to Turkey, Kubali assumed a post at the University of Istanbul's School of Law, and he eventually became its Dean. During his long professional career, he was a frequent contributor to international congresses in comparative law, human rights and international law. He contributed to professional journals in his field and authored at least thirteen books, all of which are listed in his *Festschrift, Kubali Ya Armağan*. (Anon. 1974.) Most interestingly of all, perhaps, Kubali played a major role in the development of Turkish democracy and civil society over the course of his decades in the School of Law at Istanbul University. As I shall now show, Kubali's public role as a champion of civil society arose in some part from the same Durkheimianism that won Gökalp's affections.

The deeper political and personal factors behind Kubali's selection of a thesis topic that could be seen as an inquiry into the roots of statism in French social thought are not directly known. But, it is no secret that among Turkish republican reformers in the 1930s, 'statism' was an especially charged matter. It would make perfect sense for someone like Kubali to make the question of statism in Durkheim a subject for doctoral research. Where did Durkheimianism – already influential in Turkey – stand on the role of the state, and its relation to the individual? Kubali's thesis sought to compare the theories of the state of those thinkers commonly cited as 'precursors' of Durkheimian sociological thought with what the Durkheimians really said. Given what we now know of the specter of fascism haunting both Western Europe and Kemalist Turkey, the political atmosphere of the time was certainly charged. Would Kubali argue that Durkheim continued the broad polemic lines of classic 'statist' thinkers of the French 'Right', such as Frédéric Le Play and Joseph De Maistre, thus making Durkheim ideologically akin to the rightist tendencies among the Kemalists? Would Kubali, writing in 1936, be seeking, therefore, to flatter his potential patrons, the fascist corporatists among the Kemalists, who had been firmly ensconced in power since 1924, and in so doing further grant them intellectual legitimacy? Would Kubali have, in effect, aided the Kemalist incorporation of Durkheimian social thought into their ideological camp? Such are the questions to which we find answers in Kubali's doctoral thesis.

Instead, in Kubali's thesis we find the same man who, a generation later, as we will see, will stand up for the rule of law and for the independ-

ence of the social groups making up civil society, when such values were not altogether in favor with the regime. In short, we will find the Kubali who knew what Durkheim's *Professional Ethics and Civic Morals* taught about the dangers of the unfettered power of the state. In the Turkey of the mid-1930s, Kubali laments the way the governmental administration takes the 'initiative' and exercises 'extensive use of ... general power' in political affairs, 'where stability takes precedence over any other considerations' (Kubali 1936: 304, 305). He also celebrates Montesquieu's notion of what would become Durkheimian intermediating institutions – his 'judicious conception of intermediary bodies – to which the Durkheimian School attaches such capital importance' (Kubali 1936: 256). Citing a contemporary French sociologist independent of the Durkheimian camp, Georges Gurvitch, Kubali affirms the 'particular value and importance for today' of the St Simonian ideas of 'juridical pluralism' whereby 'different juridical orders limit themselves reciprocally in their independent collaboration on the basis of equality in national life as well as internationally' (Gurvitch 1931: 14; Kubali 1936: 262).

As for the role of the state itself, Kubali argued that the statisms of the eighteenth and nineteenth centuries must be distinguished – both from each other, and from Durkheimian thought, however indebted the Durkheimians may be to any of the thinkers one might call 'statist'. Kubali's analysis has the effect of defending the statist thinkers of the eighteenth century. He concludes that the statism of the Enlightenment was 'conceived to safeguard the individual', much as were the interventionist actions of the US federal government in ending racial discrimination (Kubali 1936: 255). It was this kind of statism, Kubali asserts, that was 'transmitted to the Durkheimian School' (Kubali 1936: 256). Of the nineteenth century statist, Kubali paints a picture of irrationalism and mystagoguery. They were concerned with hierarchy and submission, seeking a return to a 'static' order reminiscent of the European Middle Ages (Kubali 1936: 259). In the end, Kubali concludes that, despite the debts Durkheimian thought had to the nineteenth century past, it 'took an independent attitude' toward politics. Seeking to disengage Durkheimian thought from politics completely, Kubali takes a kind of pragmatist view of it. Durkheimian sociology should not be used to support any ultimate 'metaphysical' or ideological 'system', but should be seen to be sociology and nothing but (Kubali 1936: 265).

We can presume that Kubali's association with Durkheim came, at least remotely, from the influence of Gökalp. He had had a great influence upon Turkish intellectual life and even upon Turkish politics. But, this tells us nothing about how Kubali came into possession of the original lectures

from which *Professional Ethics and Civic Morals* was constructed. The turning point came when Kubali made direct contact with at least one original member of the Durkheimian group – Marcel Mauss.

Hüseyin Nail Kubali and the Acquisition of *Professional Ethics and Civic Morals*

Early in the process of writing his thesis – 1932 – Kubali tells us that he felt that he could not do justice to his treatment of statist precursors of the Durkheimians without exploring the most mature ideas of Durkheim on the ‘problem of the State’ (Kubali 1957: ix). Kubali’s first efforts at researching this topic, however, turned up little in Durkheim’s published work. Kubali thus turned to Durkheim’s nephew, Marcel Mauss, to inquire about other items by Durkheim that might be useful to him. Mauss was at the time engaged in the long process of preparing Durkheim’s unpublished works for the press, and was the official keeper of Durkheim’s papers and unpublished works. Mauss, a fervent devotee of republican democracy and Turkish endeavors in this regard, was eager to help Kubali, presumably because he saw in him an ally. Among these unpublished materials, Mauss identified a set of Durkheim’s lectures that eventually would become part of those that would later be assembled under the title, *Leçons de sociologie physique des mœurs et du droit*, or *Professional Ethics and Civic Morals*. Mauss entrusted a number of these lectures to Kubali. Some years later, Mauss succeeded in publishing three of these (on professional ethics) in 1937 in the *Revue de métaphysique et de morale* as ‘Physique des mœurs et du droit’ – ‘The Nature of Morals and of Rights’ (Durkheim 1937; Kubali 1957: ix). The other lectures – six on civic morals – however remained unpublished, despite Mauss’s best intentions. Years later, after Kubali had returned to Turkey to assume a post at the University of Istanbul Law School, he undertook a Turkish translation of the six lectures on civic morals given to him by Mauss, and published them in 1947 in the *Revue de la faculté de la droit d’Istanbul* – the first time they had seen the official light of day. In 1950, and in Turkey as well, thanks to access granted Kubali by one of Durkheim’s daughters, Madame Jacqueline Halphen, Kubali acquired a total of fifteen lectures on civic morals to add to the three that had been published earlier by Mauss on professional ethics in the *Revue de métaphysique et de morale*. Kubali edited and published the entire set of eighteen lectures under the title of what we know today as the *Professional Ethics and Civic Morals*.

The Significance of Kubali's Durkheimianism

What I find significant in Kubali's career is its consistent moral direction from these beginnings in the 1930s. His edition of *Professional Ethics and Civic Morals* of 1950 thus occupies a place along a moral and ideological trajectory that can be traced up to recent times. In 1959, for example, Kubali surveyed the status of the rule of law in Turkey in an article, 'The Concept of the Rule of Law in Turkey'. Here, Kubali showed a willingness to admit the shortcomings of Turkey in respect to international democratic legal standards. To a reading audience he knew would come substantially from the West, Kubali admitted that Turkey's practice of adherence to the rule of law fell short of its own statutory guarantees. 'Administrations and legislatures may overrule the law and, in effect, ignore constitutional considerations' (Kubali 1959: 302–3). In particular, Kubali was troubled by restrictions to 'freedom of association, public meetings and press' (Kubali 1959: 302), enacted in 1953. Walter F. Weiker noted that 'the universities interpreted as unacceptable invasions of academic freedom' (Weiker 1963: 50). Kubali took their side, and denounced the 'press regulations' that had been ordered by the Menderes administration that ruled from 1950–61 (Douglas 2001: 125). In 1958, this led to his becoming victim of the statist power he had singled out for criticism. The Menderes government removed Kubali from his post at the Law School. Even though the university was in midterm recess when Kubali was arrested, 'some 600 students defiantly rallied to give departing Professor Kubali an ovation, carried him on their shoulders to his car despite his urging that they disperse' (Anon. 1958).

Once the Menderes regime was overthrown by the Revolution of 1960, the revolutionary government restored autonomy to the universities, and convened a constitutional committee to draft the Constitution of 1961 (Shaw and Shaw 1977: 414–5). Kubali served on this committee primarily for his mastery of the 'elaborate legal framework for achieving both development and the preservation of basic political liberties' (Weiker 1963: 68). Kubali's influence was critical in establishing a Constitutional Court that sought to ensure judicial independence (Shaw and Shaw 1977: 410–14). Among its democratizing provisions, the new constitution strengthened the separation of powers among the various branches of government (Shaw and Shaw 1977: 418). Thus, the 1961 constitution defined more clearly voting rights in Turkey with its guarantee of universal and direct suffrage, provisions approaching the full right of habeas corpus, and workers rights to organize, and so on (Shaw and Shaw 1977: 421). Significantly, shortly after

the adoption of the new constitution, the European Economic Cooperation Organization – the predecessor to the European Union – admitted Turkey to ‘associate’ membership in 1964.

It was in these politically fluid years just after World War II, when the fate of human rights in Turkey hung in the balance, that in 1950, Kubali, then Dean of the Faculty of Law of the University of Istanbul, directed the publication of a set of lectures by Durkheim under the title, *Leçons de sociologie physique des mœurs et du droit* (Durkheim 1950), later to appear in English translation as *Professional Ethics and Civic Morals*. In this vein, Kubali’s publication of *Professional Ethics and Civic Morals* can be read as an attempt to put Durkheimian corporatism in Turkey definitely on the side of the formation of just that sort of civil society. Investigating this matter demanded a thorough study of the alleged nineteenth century ‘precursors’ of Durkheimian sociology and this would be particularly germane to Turkey’s situation. As he explains it,

The French School of Sociology has for us a double value: first of all, thanks to its strictly scientific method, it has contributed in an original way to an explanation of judicial problems. And, in view of the long standing influence of French culture in Turkey, it also holds out a growing interest for us. This School has earned, here as in France, the keys to the city.

Given that fact, it is quite understandable that we would not have been able to resist wanting to know what their precursors thought about the state. Such is the essential motive for this present study. (Kubali 1936: 5.)

By publishing a work like *Professional Ethics and Civic Morals* that features Durkheim’s commitment to human rights, especially the sacredness of the individual, Kubali would have been asserting again, several generations later, Durkheim’s original intent. While, at this point, I can only hazard the hypothesis that Kubali does so in part to rehabilitate Gökalp by retrieving the democratic legacy of Durkheim from the right wing of the Kemalist movement who would use the prestige of both Durkheim and Gökalp for their own purposes, one might keep such a possibility in mind for future research.

An Afterword: Durkheim and Gökalp on Religion and Muslim Civil Society

Although I have not developed the particular place assigned to religion in *Professional Ethics and Civic Morals* or in the work of Gökalp and Kubali, as far as I know them, I would like to conclude by making a few remarks about the place of religion in the Durkheimian corporatist vision of the future society. For Durkheim, religion is regarded as capable of being one of those secondary social formations or 'corporations'.

This may surprise readers of *The Division of Labor* and *Professional Ethics*, since they will recall how Durkheim insisted upon the primacy of the link of these intermediary groups with meaningful economic realities. 'What past experience demonstrates above all is that the organizational framework of the professional group should always be related to that of economic life. It is because this condition was not fulfilled that the system of corporations disappeared.' (Durkheim 1902: 1–li.) But, as a result of this economic emphasis, we tend to overlook the fact that both Durkheim and Gökalp assign a place to morals and religion among these social subgroupings. This fact accentuates the apparent evolution in Durkheim's thought from one of his earlier writings – the preface to first edition (1893) of Durkheim's *The Division of Labor* – to one toward the end of his life, the preface to the second edition (1902). This later preface is rightly singled out as one of the two places where Durkheim articulates his latter-day theory of the place of professional and occupational groups in the reconstruction that he imagined for a future society. The other *locus classicus* for such discussions is, of course, the work of Durkheim's that Hüseyin Nail Kubali saw to publication, *Professional Ethics*. In his preface to the second edition of *The Division of Labor*, Durkheim brings out the place of religion in his conception of a future solidarist corporatist society. He does so by recalling the moral and religious character of the ancient Roman 'corporation'. Emphasizing that these corporations had far more than the dominant economic character that later European guilds had, Durkheim notes that 'Above all else, the [Roman] corporation was a collegiate religious body. Each one possessed its own particular god, who, when the means were available, was worshiped in a special temple' (Durkheim 1902: xl).

It is notable as well that Gökalp made a point of including religious groups among those that might count as 'occupational' groups. One of Gökalp's earlier biographers and critics, A. Ziyaeddin Fahri Findikoglu, notes that Gökalp's view of occupational groups incorporates both their original economic and religious make up: 'Turkish towns have an econom-

ic life that is fundamentally corporate. The solidarity of the professions takes its origin in conceptions that have really nothing to do with economics, since these guilds are only religious confraternities.' (Findikoglu 1935: 41, my translation.) In his own words, Gökalp says that 'religious, political, scientific, aesthetic and economic groups are the specialized and professional groups that have been created by a division of labor' (Gökalp 1968: 51).

But Gökalp argued, as well, that religion should be autonomous of political structures, and further that it could only be useful to the nation to the extent it would 'occupy its "own sphere."' Its elites must give up their claims to politics, just as politicians should ensure the autonomy of religious practices and institutions ...' (Davison 1995: 213). But, this does not mean that religion should not influence the ethos of the nation. In his 1915 article, 'The Social Functions of Religion', Gökalp argued, to an extent, like Durkheim, for the social value of religious groups in shaping individuals into social beings, but most notably to enrich the national ethos (Davison 1995: 211). Despite his personal Muslim piety, Gökalp, likewise, rejected both 'theocracy' and 'clericalism'. True to Durkheim, Gökalp took the view that religion had 'intrinsic value in human life and history'. It is one of the 'pillars of organic solidarity' and should 'occupy a place in public life, (but) where public means something other than political.' (Parla and Davison 2004: 217–8.) This is what Gökalp meant by referring to religion in Turkey as 'semi-public' – as a 'corporate sub-unit of the national culture' (Davison 1995: 213).

This willingness to grant religion rights in civil society has particularly important consequences for our contemporary international religious and political scene. Arguing generations before our present day, Gökalp adds to the data base of arguments made notably by Robert W. Hefner's *Civil Islam* (2000) about the potential for religion to contribute to civil society in Muslim countries. It may well be true, as Hefner argues, that the character of democracies developed in Muslim countries may take on a distinctive color of their own. While they seem unlike 'democracies' from the viewpoint of what Charles Taylor has called 'Atlantic' societies, they may be new sorts of democracies themselves (Taylor 2004). Hefner, thus, reports that in Indonesia – as well as in other Muslim societies all too recognizable to Durkheim and Gökalp, respectively – religious social formations might serve as Durkheimian mediating institutions. In Hefner's words,

Muslim democrats, like, those in Indonesia, tend to be more civil democratic or Tocquevillian than they are (Atlantic) liberal in spirit. They deny the need for an Islamic state. But they insist that society involves

more than autonomous individuals, and democracy more than markets and the state. Democracy requires a non-coercive culture that encourages citizens to respect the rights of others as well as to cherish their own. This public culture depends on mediating institutions in which citizens develop habits of free speech, participation, and toleration. In all this, they say, there is nothing undemocratic about Muslim voluntary associations (as well as those of other religions) playing a role in the public life of civil society as well as in personal ethics. (Hefner 2000: 13.)

At least in his formal publications, Gökalp saw Durkheimian corporatism conceiving Islam as having a role in the formation of civil society in Turkey. Every indication points to Hüseyin Nail Kubali coming to the very same conclusion. Taking its place among other secondary groupings within civil society, it would inform the relation between the individual and the state, and in doing so would play a constructive role in sustaining a modern democratic nation state.

I should like to thank İlhan Citak, Andrew Davison, Joseph Esposito, Michael Feener, Emelie Olson, and Glenn Yocum for their advice and for directing me to some of the current sources and literature on Turkey. Particular thanks go to Hüseyin Nail Kubali's daughter, Mrs Segvi Gencer and her husband Mustafa, as well as Hüseyin Nail Kubali's nephew, Ali N. Kubalî, for providing me with biographical information on his uncle, as well as encouragement for my project and source materials from Turkish publications.

References

Anon.

1958 Silence, Please. *Time Magazine*. New York. URL: <http://time-proxy.yaga.com/time/archive/printout/0,23657,862909.00.html>.

1974 *Kubali Ya Armağan. Mélanges Kubali (8/11)*. Istanbul: Institut de Droit Comparé de l'Université d'Istanbul.

Davison, A.

1995 Secularization and Modernization in Turkey: The Ideas of Ziya Gökalp. *Economy and Society* 24: 189–224.

Devereux, R.

1968 Preface. In: R. Devereux (ed.), *Ziya Gökalp. The Principles of Turkism*; pp. ix–xi. Leiden: E. J. Brill.

Douglas, H.

2001 *History of Turkey*. Westport, CT: Greenwood.

Durkheim, É.

- 1902 Preface to the Second Edition. In: L. Coser (ed.), *The Division of Labour in Society*; pp. xxxi–lix. London: Macmillan.
- 1937 Morale professionnelle. *La Revue de métaphysique et morale* 38: 527–44, 711–38.
- 1950 *Leçons de sociologie: physique des moeurs et du droit (111)*. Istanbul: L'Université d'Istanbul, Publications de Université Faculté de Droit.
- 1957 *Professional Ethics and Civic Morals*. Translated by C. Brookfield. Westport: Greenwood Press.

Emirbayer, M.

- 1996 Useful Durkheim. *Sociological Theory* 14: 109–30.

Findikoglu, A. Z. F.

- 1935 Ziya Gökalp. Sa vie et sa sociologie: Essai sur l'influence de la sociologie française en Turquie. Doctorat és Lettres. Université de Strasbourg.

Gökalp, Z.

- 1968 *The Principles of Turkism*. Translated by R. Devereux. Leiden: E. J. Brill.

Gurvitch, G.

- 1931 *L'Idée du droit social*. Paris: Sirey.

Hawkins, M. J.

- 1994 Durkheim on Occupational Corporations: An Exegesis and Interpretation. *Journal of the History of Ideas* 55: 461–81.

Hefner, R. W.

- 2000 *Civil Islam: Muslims and Democratization in Indonesia*. Princeton: Princeton University Press.

Kubali, H. N.

- 1936 *L'Idée de l'état chez les précurseurs de l'école sociologique français*. Paris: Les Éditions Domat-Montchrestien F. Loviton et Compagnie.
- 1957 Preface. In: Emile Durkheim, *Professional Ethics and Civic Morals*; pp. ix–xi. Edited by H. N. Kubali. Westport, CT: Greenwood Press.
- 1959 The Concept of the Rule of Law in Turkey. *Annales de la Faculté de Droit d'Istanbul* 9: 297–309.

Parla, T., and A. Davison

- 2004 *Corporatist Ideology in Kemalist Turkey*. Syracuse: Syracuse University Press.

Shaw, S. J., and E. K. Shaw

- 1977 *History of the Ottoman Empire and Modern Turkey: Volume 2: Reform, Revolution, and Republic: The Rise of Modern Turkey, 1808–1975*. Cambridge: Cambridge University Press.

Smith, D. N.

- 1995 Ziya Gökalp and Emile Durkheim: Sociology as an Apology for Chauvinism? *Durkheimian Studies / Études Durkheimiennes* 1 ns: 45–50.

Smith, J. Z.

- 2004 *Relating Religion: Essays in the Study of Religion*. Chicago: University of Chicago Press.

Taylor, C.

2004 *Modern Social Imaginaries*. Durham, NC: Duke University Press.

Weiker, W. F.

1963 *The Turkish Revolution 1960–1961: Aspects of Military Politics*. Westport, CT: Greenwood Press.