

# THE ESTABLISHMENT OF THE GOVERNMENT OF THE TURKISH GRAND NATIONAL ASSEMBLY AND ITS POLITICAL CHARACTER

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The Government of the Turkish Grand National Assembly was the organ which put into practice the ideals of the Defense of Rights movement<sup>1</sup>. This system of government, which was established by the Turkish Grand National Assembly (GNA) on April 23, 1920, during the first session of the Assembly, was transformed into the republican regime during the beginning of the second session on October 29, 1923<sup>2</sup>. The Turks who were faced for the first time with real problems involving the Constitution during this

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1) This movement was the basic and doctrinal foundation of the struggle for independence and the Turkish revolution. I have described this movement, about which little has been written, as follows: "The Defense of Rights, was a movement which struggled against the victorious Powers of the first World War. These Powers held the Ottoman State responsible for the century old ills in this area. Thus, the Powers tried to enforce the punitive, oppressive and unjust provisions of the Mudros Armistice of 1918 against the Ottoman Empire, and thereby tried to reduce it to the status of a colony. These Great Powers denied the Ottoman Government the right to establish a national Turkish independent government. For a study of this movement, its principles and achievements see: **Tarık Z. Tunaya**, *Türkiyede Siyasi Partiler* (İstanbul, 1952, pp. 472-539. (Political Parties in Turkey).

2) *Teşkilâtı Esasiye Kanununun Bazı Mevaddinin Tavzihan Tadiline Dair Kanun*. (No. 364, 29.10.1923). (Türkiye Büyük Millet Meclisi Kavanin Mecmuası - İkinci İntihap Devresi, Birinci İçtima Senesi, p. 125). (Law amending certain articles of the Constitution).

period, were able to examine and weigh ideas pertaining to the fundamental law with great freedom and clarity. The present form and system of the Turkish Government was clearly established during this reformist period, when for the first time in Turkish history, the principle of National Sovereignty was evolved as the political and legal basis of the nation. It was decided that the principle of national sovereignty was to be exercised by democratic form of representative government<sup>3</sup>. The conventional system of parliamentary government, of the representative type, which has the authority to organize departments, was adopted<sup>4</sup>. Thus, the Turkish GNA had the creative right to establish and organize. This principle which the Assembly accepted, and the form of the Government it established under the Constitution of 1924, is still in effect with minor changes<sup>5</sup>.

An analysis of the political and legal character of this little studied period is not only important historically, but it is significant for an understanding of the structure and principles of our system of government. Such a study involves tracing constitutional developments since 1920, to discover what has remained permanent and what changes have occurred. Therefore, in this brief study, an attempt will be made to discuss the origins of the Government of the Turkish Grand National Assembly, its early activities and its political character.

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3) The two other ways in which national sovereignty is exercised, were rejected: i.e. direct democracy, and semi direct democracy (referendum, popular initiative, and popular veto). However, these alternative practices and systems were considered and discussed during deliberations.

4) The other two systems of representative democracy known as the parliamentary government (based on the balance of the executive and the legislative branches), and the presidential government (characterized by the superiority of the executive over the legislative branch) were rejected. However, both these systems were considered during deliberations.

5) It is generally accepted that the 1924 system, was basically an Assembly government, but that it also had aspects of the parliamentary form. See: **Hüseyin Nail Kubah**, *Esas Teşkilât Hukuku Dersleri* (İstanbul, 1957), p. 287. (Lessons in Constitutional Law).



## I. THE ESTABLISHMENT OF THE GOVERNMENT OF THE TURKISH GRAND NATIONAL ASSEMBLY, ITS EARLY ACTIVITIES AND CHARACTERISTICS.

### 1. Elections of 1920.

The Parliament which convened in Istanbul at the beginning of 1920 decided to postpone its meetings because of reasons which are well known<sup>6</sup>. As a result of this decision, Mustafa Kemal Pasha, issued a call for elections on March 19, 1920, in the name of the Representative Committee. This document, which was addressed to the Commanding Generals of the Army Corps, Provincial administrators and Governors, proclaimed that an assembly with extra-ordinary powers was to meet in Ankara, that new elections were to be held, and that deputies who were members of the Istanbul Parliament were also invited to attend. The proclamation presented the following reasons for convoking the Assembly of representatives. The occupation of the capital of the Caliphate and Sultanate by the Allied and Associated Powers had paralyzed the organs of the Government. The Parliament decided that it could not function effectively under these conditions, and therefore had announced officially its own dissolution. Thus, in order to protect the inviolability and independence of the Sultanate and Caliphate, an Assembly with extra-ordinary powers was to be called in Ankara to represent and express the will of the nation. This invitation to meet was made in the name of the nation. Deputies who were able to come to Ankara, would participate in the Assembly. At this time, new elections were to be scheduled based on the electoral law of 1876. The electoral system was based on the district system, and five deputies were to be elected from each district. The elections which were to be indirect (in two stages), were to be held by secret ballot and based on absolute majorities. The elections

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6) (Translators note: because Istanbul was under foreign occupation at this time). For a discussion on this event see my study entitled: *Osmanlı İmparatorluğundan Türkiye Büyük Millet Meclisi Hükümeti Rejimine Geçiş*. (Ord. Prof. Muammer Raşit Seviğ'e Armağan'dan ayrı bası, İstanbul, 1956, pp. 15-18, 19-20). (The Transition from Ottoman Empire to the Regime of the Government of the Turkish Grand National Assembly. Reprint from a work honoring Ord. Prof. M. R. Seviğ).



were to be conducted in such a way as to make it possible for the Assembly to meet in Ankara within fifteen days. Nominations for the elections were to be free. Every party, grouping, or society could present its own slate of candidates, and individuals could run as independents. The highest ranking official in each voting area was to be responsible for the orderly conduct of the elections<sup>7</sup>. The reason for the opening of the Assembly in such haste was necessitated by the threat of a reactionary movement which was gaining strength in Bolu and was spreading toward Ankara.

## 2. The Opening of the Assembly and Its Early Activities.

A notice dated April 22, 1920 announced that all civil and military establishments and personnel were to be placed under the jurisdiction of the Turkish Grand National Assembly as of April 23, 1920<sup>8</sup>. Thus, the Assembly emerged into the arena of history by gathering under its jurisdiction all the political (including military) and legal authority and powers. In conformity to the announced ceremonial program<sup>9</sup>, the Assembly's first opening session was held on Friday, April 23, 1920. The oldest deputy, Şerif Bey (from Sinop) was elected chairman. Mustafa Kemal Pasha, deputy of Ankara, heard an address about the elements which were to form the Assembly<sup>10</sup>, and a commission was selected

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7) The full text of this document is available in my monograph listed under footnote No. 6. See pages 20-21 of my monograph.

8) The text of both these documents (referred to in footnotes 8 and 9) are available in **Gazi M. Kemal**, *Nutuk* (1938 edition), pp. 308-309. (Mustafa Kemal Atatürk's Speech to the GNA, October 15-20, 1927).

9) *Ibid.*

10) According to an address of Mustafa Kemal, the Assembly was to be formed by the deputies who were able to come from Istanbul and those to be newly elected. This appeared in the Assembly's decree No. 1 (April 23, 1920). Decree No. 28 of the Assembly (July 31, 1920) provided for the expenses and per diem of deputies who joined the Turkish GNA, who were members of the Istanbul Parliament, and exile returnees from Malta. This was based on the decision of the Presidium of the Presidency and after the proposal was made to the General Assembly. But without waiting for the Istanbul deputies to join the Turkish GNA, according to Decree No. 61 (October 27, 1920), it was



to keep the minutes of the meeting. In the second meeting held on April 24, Mustafa Kemal Pasha, deputy of Ankara, gave an address about "The political events that took place from the Armistice to the opening of the Assembly"; which was approved by the Assembly<sup>11</sup>. Later on, elections were held for the Presidium of the Presidency of the Assembly<sup>12</sup>. This was followed immediately by discussions and then approval for the formation of a government commission, and law number 1 was passed dealing with taxes involving livestock.

### 3. The Establishment of the Assembly and the Characteristics of its composition.

a) *Two elections*: It is seen clearly that the Turkish GNA was formed by two general elections. Members who were invited from İstanbul, had been elected in a general election held at the end of 1919. But the İstanbul Parliament, for a number of reasons included some vacancies<sup>13</sup>. With the statement of March 19, 1920, a new general election was held. This last election did not fully conform to the 1876 electoral law. The fact that the Assembly was

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stated that "those deputies from İstanbul who later on were to join the Turkish GNA, would be considered members thereof. For the text and discussions of these decrees see: T.B.M.M. Kavanin Mecmuası, C. I, 1341 (1925), pp. 411, 417, 426; and T.B.M.M. Zabıt Ceridesi, D. I, İçtima Senesi, I, C. I, p. 1; C III, p. 15; C. V, p. 209 (1940 edition). (Translator's note: these two sources are the journal of laws of the Turkish GNA, and the official minutes or the proceedings of the Turkish GNA, equivalent of US Congressional Records).

11) This address which touches on some very important problems, was delivered by Mustafa Kemal Pasha before he was elected the first President of the Assembly. It was published and distributed upon the proposal of Hamdullah Suphi (Tanrıöver) deputy of Antalya. A resolution was passed thanking Mustafa Kemal Pasha. See T.B.M.M. Zabıt Ceridesi, pp. 18, 16-26, 30, 33-35.

12) The election took place in the second conference (24.IV.1920) of the 5th meeting. The results based on absolute majorities were as follows: M. Kemal Pasha (Atatürk) 110 votes, Celalettin Arif Bey 109 votes. The election of the vice-president was held up for a while since the votes were dispersed and an absolute majority was not available. Finally, Çelebi Efendi and Hacı Bektaş Çelebisi Cemalettin Efendi were selected. See T.B.M.M. Babit Ceridesi, pp. 42-44.



elected by two elections is a rare event in the world's constitutional history, and thus this has given the organ of the Turkish revolution, the Assembly, a special character.

b) *An increased total membership:* the deputies who formed the Assembly can be divided into three principal groups: 1) 92 deputies who transferred from the Istanbul Parliament; 2) 14 deputies one came from Greece and the rest returned from (exile in) Malta; 3) 232 deputies who were elected in accordance with the announcement of March 19. Thus, in the first session of the Turkish GNA, these 337 deputies, were elected from 66 constituencies<sup>14</sup>. The difficulties which developed by the increased membership following the elections, were solved by the Act on the Deliberative Quorum. The importance of this law is realized when one takes into consideration this increased total membership<sup>15</sup>.

c) *Classification of deputies by professions:* Classifying the membership of the Assembly by their professions may give one a useful indication of the political and legal ideology of this institu-

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13) For the status of the Ottoman Parliament and the elections of 1919, see pages 2-5 of my study referred to under footnote 6.

14) See T.B.M.M. İsim Defteri, D. 1 (Ankara, 143 edition) (Register of Names of the Turkish GNA), and T.B.M.M. nin 25 inci yıldönümü anış albümü (April 23, 1945) (Album commemorating the 25th anniversary of the Turkish GNA).

15) The Act on the Deliberative Quorum was one the first laws promulgated by the Turkish GNA (No. 18, September 5, 1920), and again the Assembly's Resolution on interpretations also concerned this law. (September 8, 1920). (T.B.M.M. Kavanin Mecmuası, C. I, 2. tabı, Ankara 1341 (1925, pp. 31-33). Article 5 of the Act on the Deliberative Quorum, which took into consideration the existing conditions, solved the problem arising from the excessive total membership. Article 5 stated that "a quorum was constituted by one more than half the total deputies elected, under the rule of five members elected from electoral area. The main importance of this law that it solved the problem of excessive membership. This law was also concerned with the Assembly's law on treason (article 2), and its approval (article 1), as well as problems involving by-elections, regulations about deputies and officials, appropriations and expenditures. Also the Assembly's principle of continuous sitting was introduced by this law (article 1).



tion<sup>16</sup>. As a result of estimated findings one can make certain observations: 1) *Private enterprise*. There were a large number of deputies classified as belonging to the professions and private enterprise (about 120 deputies). Of these most were classified as dealing with trade and commerce (40 deputies), farming and agriculture (32 deputies). The next largest group belonged to the legal profession (lawyers) (20 deputies). Journalists consist of (11 deputies). The technical professions were represented by only 2 engineers. There was only one member of the working classes (foreman in a rifle factory). 2) *Government employees*. Government employees had a large representation with their varied backgrounds totalling about 125 deputies. Officials of the Ministry of Interior and administrators were the majority (36 deputies). These were followed by educators (25 deputies) and Justice Department officials (19 deputies). The membership included all kinds of persons from Ministers to tax officials, from governors to court reporters, chief secretaries, tax collectors, directors of prisons and telegraph clerks. 3) *Municipality officials*. Municipality officials were also not few in number (about 13 deputies). 4) *Military*. The deputies with military background totalled about 53 persons. Among these were 10 generals. 5) *Members of the religious classes*. These included Islamic teachers totalling 53 deputies. It is necessary to specify that 14 of these were *muftis* (Islamic religious teachers, 10 sheikhs. The sheikhs belonged to the Mevlevi, Bektashi and Nakshibendi orders. Among these were also those who were honoray Islamic judges of Medina and Mecca, chanters and two cadis (Islamic judges). 6) *Tribal chiefs*. There were 5 deputies listed as tribal chiefs in the Assembly.

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16) The only reliable document available regarding the composition of the Assembly is T.B.M.M. nin 25 inci yildönümü anis albümü (Ankara, April 23, 1945). We have a copy personally corrected by the deceased General Secretary of the Assembly Veysel Genya. Information about the deputies and their professions in this album is, however, incomplete. It becomes especially difficult to classify the religious class and government officials, since many were also involved in educational and legal work. Our estimates, therefore are only approximations, prepared with a view at showing the character of the Assembly.



d) *The Political Parties and Deputies of the 1908 Second*

*Constitutional Period:* Most of the deputies who formed the new Assembly were old enough to have known the period before 1908, lived through the eventful years of the Second Constitutional Period, and had experienced the injustices of the Armistice period. In fact, among them were some Young Turks who had struggled against the rule of Abdul Hamid II. These deputies had formed the Assembly after two elections, that of 1919 and 1920. Among them were many who had been members of political parties during the Second Constitutional Period, such as the Responsible Secretary of the Committee of Union and Progress Party, and the founder of the Liberal Union Party. There were also deputies who had been members of large and small political parties of the period of the Armistice. There were those who had been listed on the membership of several parties such as the Farmers Association, the Turkish National Party, the Labor Party of Turkey, the National Liberal Party, and the Popular Economy Party. There were also deputies who had belonged to secret societies in İstanbul during the Armistice period, or had been elected with the support of these societies. In both elections, the Defense of Rights organization and societies had played a real constructive role. Thus, all those sent to the Assembly were representatives of this Defense of Rights association and its committees and branches. Since most of these organizations had profited from their experiences with the Committee of Union and Progress Party organizational methods in the past, despite denials of all partisan feelings, they were influenced, even if it be partially, by that organization. However, no matter where they were elected from, they all became members of the Association for the Defense of the Rights of Anatolia and Rumelia.

4. **The Establishment of the First Executive Body.**

a) *Mustafa Kemal Pasha's Report:* As soon as Mustafa Kemal Pasha, deputy of Ankara, completed his speech, he presented an official note, by which he advocated the creation of a government commission without delay. He was motivated by the



following considerations<sup>17</sup>: 1) It is essential that under existing conditions, the national forces be united under a central organization. The experience of history and the principles of constitutional law support this view. 2) The organization should be sovereign and responsible, that is, it should not be based on the non-responsible concept of the Ottoman Constitution, otherwise its life will not be long. The need for legality and constitutionalism in itself creates the need for an Assembly. Thus the Assembly, which is the expression of the national will, must form a government attached to it in order to promulgate the laws. 3) The Assembly, is not merely a legislative body, limited in scope to regulating the Government (Executive Council) by means of checks and balances. It does not watch over the destiny of the nation in this manner or by taking a bird's eye view, but is obligated to occupy itself directly with the nation's destiny. The problem is not the formation of a parliamentary system with the normal Executive - Legislative mechanism. But rather it is to devise a system that will meet the needs of these extraordinary times and circumstances of history. One should either dissolve the Assembly and vest the Executive body with more authority, or one should do the opposite, by strengthening the Legislative body (Assembly). The control of the government should not be allowed to fall into the hands of a few individuals, and thus weaken the power of the executive. The reaction of the Turkish GNA is to oppose the first thesis which involves the control of government by a few individuals, and Muslim Public Law must also be taken into consideration in our decisions. Under these circumstances, the second alternative is most acceptable, and the Assembly would be vested with both Legislative and Executive functions. 4) Since the Assembly cannot be occupied and deal with the details of the day by day operations, it should select a council or commission from among its membership. Selected Governmental functions should then be delegated to the administration of members of these sub-committees. The members, indivi-

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17) For a full text of this statement see T.B.M.M. Zabıt Ceridesi (as quoted in footnote previously), pp. 30-32, and for summary of Atatürk's statement see also Gazi M. Kemal, *Nutuk* (1938 edition) pp. 313-314.



dually and as body, should be responsible to the Assembly. The council should be named (Executive Council) and their members should be referred to as Ministers. 5) The Assembly will select a President of the Assembly, who will represent the Assembly, but he must also be the chief of the Executive Council. The President of the Assembly, will be held responsible for his actions by the Assembly, like in the case of other Ministers<sup>18</sup>. This was a serious duty, and the concept of responsibility was born both from the Assembly as well as from the Chief of the Executive Council. 6) "We are obliged to form a government without a chief"<sup>19</sup>, this is because: although the Sultan-Caliph, is both the head of the Ottomans and the Muslims, he is now living under duress and threats. Therefore, even though as a temporary measure, it would not be right to form a government with a supreme head in Anatolia, nor would it be right to appoint a deputy-Sultan. The aim is to liberate the Sultan-Caliph. Transferring the leadership of the State to another person, and considering him not responsible to the nation, could also lead to tragic results. Therefore, reliance on Islamic political principles is one way of meeting these unsettling state of affairs: rather than limiting the legal authority of the

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18) This item in the report can be considered as a reaction to the 1876 constitutional principle which held the Sultan not responsible to parliament. Thus, the sound policy of accepting the supremacy of the Assembly, became the basic characteristic of the Assembly Government.

19) This concept was included in order to appease the conservatives, who were used to the idea of the Sultan-Caliph. In this respect it is conciliatory. It was also included in order to prevent any chief of the Assembly from assuming unwarranted powers which would make him not responsible to the nation. In this respect it was reformist. It has always been adhered to. Thus, in 1922 during the celebrations of the deliverance of Istanbul from Allied occupation, Refet Pasha, who represented the Government of the Turkish GNA stated this principle, and Lutfi Fikri Bey had criticized it. For details see: **T. Z. Tunaya**, *Türkiyede Siyasi Partiler*, pp. 540-541.

20) This is one of the reasons for disunity and antagonisms in the Turkish GNA. (Another concept was the principle of national sovereignty). The abolition of the Sultanate removed this factor of disunity. See **Ali Fuat Başgil**, *Türkiye Siyasi Rejimi ve Anayasa Prensipleri* (Istanbul, 1957), pp. 108-109, 112. (The Political Regime of Turkey and its Constitutional Principles).



newly elected Assembly, the purpose is more the desire to make the Assembly the focus where the national will can be centered. Therefore, there would be no other legal or political force in the country superior to the Assembly (i.e. there was to be no body or organ superior to the Assembly in the enforcement and application of national sovereignty)<sup>21</sup>. 7) In the political history of Turkey, there were government systems which had been copied from other countries, and also absolutist regimes had existed. The new proposals being made at this time took all these past experiences into consideration. The ultimate decision belonged to the General Assembly. But there was always the danger of failure, weakness and dissolution. Therefore, under the existing extra-ordinary conditions, it became imperative to act rapidly.

b) *Ideas being manifested*: This report of Mustafa Kemal Pasha aroused the deep interest of the members of the Assembly who had gathered for the first time in the middle of Anatolia. Some deputies favored a vote to decide these issues. Others requested time to think things over, while yet other deputies favored the immediate acceptance of the recommendations of the report without even discussing it further. Whereupon, Mustafa Kemal Pasha clarified the situation by the following statement: "The sub-committee formed under the Representative Committee (of the Assembly) has with extra-ordinary success carried out its assignment from March 16, 1920 to this day. It has taken upon itself both the material and spiritual responsibilities and has faced effectively all the great difficulties and problems that have arisen. This responsibility has been very great. It cannot be allowed to be weighed under these responsibilities any longer. I, therefore, propose that from this moment on, that the destiny of the nation be taken into consideration by you. There is no reason to evade this responsibility. This duty is so great, the times we are living through so historical and decisive, that this great responsibility cannot be allowed to remain in the hands of a few individuals. This whole Assembly must become completely responsible in the full meaning of the term. The nation sent us here to take action, not to turn

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21) This principle if taken without the modifications, would have denoted that the principle of the Sultanate had been actually rejected.



over the destiny of the nation into the hands of a few individuals"<sup>22</sup>. Mustafa Kemal Pasha then asked for a secret session, and in this session made some additional proposals<sup>23</sup>. He pointed out that there was general agreement that something had to be done about the fact that Anatolia was without leadership, that the civil authorities did not know where the authority lay for them to get their directives, and that this political indecision should be remedied. The deputies had pointed out that the situation bordered on one of anarchy. This report of Mustafa Kemal Pasha brought into the open the whole problem. During the deliberations an opposition appeared against Mustafa Kemal. The deputy of Kocaeli, Sırrı Bey charged that Mustafa Kemal Pasha was trying to force a *fait accompli*, with statements he (Sırrı Bey) made which were not considered clear. However, Sırrı Bey also favored the formation of a government. The nation was not to struggle like a chicken with its head cut off, and Anatolia could not remain like a "body without a head"<sup>24</sup>.

c) *Proposals*: It can be said that there were two main views on this subject. A *Radical Proposal*, which favored supporting a proposal for a full fledged Assembly system of government: in this government a President of the Assembly was to be selected, a government was to be organized by means of commissions, and that it would assume the administration of the country. Nazım Bey, deputy of Tokat and his colleagues favored this view<sup>25</sup>. The other proposal was more conciliatory or moderate: it favored a temporary Executive Committee. It proposed that a 15 man parliamentary commission be formed to study such a bill. Since Celaleddin Arif Bey, deputy of Erzurum, was a professor of Constitutional Law, attention was paid to his views, and the above which was his proposal was accepted<sup>26</sup>.

22) T.B.M.M. Zabıt Ceridesi (as quoted in previous footnotes), pp. 36-37.

23) Gazi M. Kemal, Nutuk (1938 edition), pp. 314-315.

24) The statements of Mehmed Şükrü Efendi deputy of Karahisari Sahip, and Müfit Efendi deputy of Kirşehir are worth noting. See T.B. M.M. Zabıt Ceridesi (as quoted in footnotes previously), pp. 54, 57.

25) The same work, (Ibid.) p. 52.

26) Ibid., p. 53.



At this time other proposals were also made<sup>27</sup>. It was pointed out by some that since a government already existed in Istanbul, it was not feasible to create another government. In reply to this type of statement Mustafa Kemal Pasha again stressed the seriousness of the existing conditions. He pointed out that it did not matter what name was given the new committee, this was not vital, but it was imperative that a commission be selected to study means whereby measures could be taken "to prevent the engine from stopping"<sup>28</sup>.

Both the proposed bodies (Executive Committee, and the Parliamentary Commission to study the bill) were selected<sup>29</sup>. At this time, as a result of a decision taken by the Assembly, it was decided that the Chief of the General Staff would be made part of the government and would be responsible to the Assembly<sup>30</sup>.

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27) An example is that of Refik Şevket (İnce) Bey, who proposed that the Presidium of the Presidency of the Assembly handle the affairs of state on a temporary basis.

Ibid., p. 57.

28) Ibid., p. 57.

29) There were 6 members selected for the Executive Committee as follows: Celalettin Arif (Erzurum); Cami (Baykurt) (Aydın); Bekir Sami (Amasya); Fevzi Pasha (Çakmak) (Kozan); Hamdullah Suphi (Tanrıöver) (Antalya); Hakkı Behiç (Denizli). İsmet Bey (İnönü) (Edirne) was also attached to this committee. The President of the Assembly (Mustafa Kemal Pasha) was the natural chief of this committee. The 15 persons selected on the parliamentary commission to study the bill included the following: Dr. Rıza Nur (Sincop); Celalettin Arif (Erzurum); Yusuf Kemal (Tengirşenk) (Kastamonu); Yunus Nadi (Abaloğlu) (İzmir); Hamdullah Suphi (Tanrıöver) (Antalya); Sırrı (İçöz) (İzmit); Refik (Koraltan) (Konya); Şeyh Servet (Bursa); Haydar (Kütahya); Emir Pasha (Sivas); Çelebi Efendi (Konya); Besim Atalay (Kütahya); Ferit (Çorum); Abdülkadir Kemali (Öğütçü) (Kastamonu). When Çelebi Efendi, deputy of Konya resigned on 27.4.1920, Mustafa Kemal Pasha (Ankara) was elected in his place on the commission. The opposition of Sırrı Bey, deputy of İzmit, was again seen at this time. T.B.M.M. nin 25 inci yıldönümü Anış Albümü, p. 90. (The deputies who were assigned to both bodies are in italics, i.e. underlined).

30) The Assembly considered the function of the Chief of the General Staff as executive. T.B.M.M. Zabıt Ceridesi (as quoted in previous footnotes), pp. 59, 70. See also Albüm (as quoted in previous footnotes), p. 90.



d) *The Council of Ministers Act, the first Council of*

*Ministers and its program:* The parliamentary commission studying the bill for government organization presented their plan to the Assembly on May 1, 1920. After long and heated debate, the law was passed, and in order to put it into effect a Council of Ministers (Cabinet) consisting of 11 persons was selected<sup>31</sup>. The Assembly, which was able to organize the government and the executive organ, for which they had waited, now made it possible for more energetic action to be taken.

The program of the Council of Ministers was based on the following principles: Recourse would not be taken to "theoretical, obscure, and slow processes" while the destiny of the nation and its very existence were being threatened. The function of government is to strive to obtain the realization of the nation's aims. In the *field of foreign policy*, a sound way will be followed to make the National Pact<sup>32</sup> a reality, and to make the occupation Powers respect it. The Assembly is empowered to accept peace terms and to ratify peace agreements. In the *field of domestic policy*, the principle of national unity is accepted, and peace and order will be maintained. In the *field of military affairs*, the Nationalist Forces, will be organized into a regular Armed Force.

This program which is very brief is based on the following principles: rather than introduce completely new ideas, it is better to preserve that which exists, and to introduce reforms as necessary. After victory is achieved, a more radical program could be

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31) The first Council of Ministers of the Turkish GNA Government consisted of: Minister of Muslim Divine Law: Mustafa Fehmi Efendi (Gerçeker) (Bursa); M. of Interior: Cami Bey (Baykurt) (Aydın); M. of Justice: Celalettin Arif Bey (Erzurum); M. of Foreign Affairs: Bekir Sami Bey (Amasya); M. of Health and Social Assistance: Dr. Adnan Bey (Adivar) (İstanbul); M. of Economy: Yusuf Kemal Bey (Tengirşenk) (Kastamonu); M. of National Defense: Fevzi Pasha (Çakmak) (Kozan); Chief of the General Staff: İsmet Bey (İnönü) (Edirne); M. of Education: Dr. Rıza Nur Bey (Sinop); M. of Finance: Hakkı Behiç Bey (Denizli). (See T.B.M.M. Zabıt Ceridesi, C. I, pp. 198, 203, and the previously mentioned Albüm, p. 90-93).

32) Please consult my study listed under footnote 6 for the text and an analysis of this document.



considered. In the field of Finance, Public Works, Education and Justice, this principle of gradual reform would apply. The program was some what more detailed in the case of education and justice matters<sup>33</sup>.

The program was read by the Minister of Education Dr. Rıza Nur, who was formerly a member of the Liberal Union Party, and one of the strongest critics of the Committee of Union and Progress Party. The Assembly gave special attention to the problems involving education and justice matters. The deputies discussed in detail problems involving language, justice, Muslim religious schools, while the occupation Forces of the Great Powers advanced into the country further. In general, the program is found very brief. Also, the question of individual initiative and decentralization, dating from the 1908 Second Constitutional Period, was again a subject of discussion during the Assembly's deliberations.

The program had several characteristics. Firstly, it was very brief, and many important subjects and problems, were not mentioned at all. Until the passage of the law establishing the Constitution of 1921, the question was constantly raised as to what the doctrinal principles of the Assembly were. Also, a question raised was whether the Council of Ministers or the Assembly's views would apply in the carrying out of this program. The legal aspects raised by these questions are of interest since their answers would clarify the nature and legal character of the Assembly.

The real problem was on what doctrinal principles would the Assembly base its policies. In order to determine the political character of the Assembly, it was necessary to establish these principles as soon as possible.

## II. THE POLITICAL CHARACTER OF THE GOVERNMENT OF THE TURKISH GRAND NATIONAL ASSEMBLY

### 1. Homogeneity and unanimity of views.

The Turkish GNA retained the broad basic spirit of the Congress of Sivas, and conserved the legal characteristics of the De-

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33) For the text and discussion of this program see T.B.M.M. Zabıt Ceridesi, C. I, (As quoted un previous footnotes), pp. 241-246.



fense of Rights organization. In the same manner, the Council of Ministers was an outgrowth of the original Representative Committee of the Assembly. As we have seen, the Assembly was composed of deputies with varied backgrounds and formerly belonged to different political parties and groupings of the Second Constitutional Period, and the Armistice Period. However, the Assembly superseded the Association for the Defense of the Rights of Anatolia and Rumelia. All the deputies, even the most conservative, were critical of the Ottoman Administration. The deputies blamed the *Tanzimat* (Reforms of 1839) for its superficial limitation of Europe, and the Second Constitutional Period for its erroneous policies. They were anxious to avoid the mistakes of the period of Ottoman decline in the formulation of new policies. They felt that the "Great Work" (of liberating and building a new Turkey), had to be achieved by their own direct personal active participation. These ideas became the basis of political movements and legal concepts. This new ideal made them forget the differences in their doctrinal inclinations, and all their energies were devoted to the realization of this aim. The best proof of this new trend was demonstrated in the new oath of office adopted by the deputies, which was based on the concept developed at the Congress of Sivas (1919), when partisan politics were rejected (in favor of the liberation movement and national unity<sup>34</sup>). Therefore, they no longer were split and did not suffer from the enmity engendered by the old bitter partisan rivalries and hates that existed between the Committee of Union and Progress and the Liberal Union parties. The Turkish GNA was united under a broad enough framework to contain both individual and political differences in

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34) In the various motions and proposals submitted on this subject (taking oath for office) such statements as the following appeared: "I will not be bound, in this Assembly, to the political views and aims of any political party or group." However, the final formula that was adopted reads: "I will follow no other aim than to work for the deliverance of the Caliphate and Sultanate and for the independence of the Fatherland and the Nation." This form was accepted during the conference held on 6.7.1336 (1920). The deputies took this oath on 10.7.1336 (1920). (T.B.M.M. Zabıt Ceridesi, C. II, pp. 186, 213 and continuation). Later there were further changes in the wording of the oath.



views. Conditions obtaining in the Assembly were no obstacle to the development of a variety of political ideas and groupings. The homogeneousness and political unanimity of views of the Assembly was only in the general agreement of opinion respecting its basic aims.

2. **The Aims of the Government of the Turkish Grand National Assembly:**

What was the aim of the Assembly, which had attracted persons of different views to its support? What were the ideals, beliefs, and the ideology behind its aims? It is important to know this since in its broadest sense this aim was the source of all that inspired the activities and motivated the legal actions of the Assembly. The Turkish GNA was a revolutionary organ. This is revealed in the ideas presented in the Assembly's deliberations and discussions (Statements, speeches, motions), and in the documents (Laws, legislative interpretations, and the General Assembly's decisions), as well as in the declarations of the Assembly made on special occasions<sup>35</sup>. The Turkish GNA declared itself a revolutionary

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35) The texts of legislation which reveals the aims of the Assembly are listed below: 1) Among the laws see especially: The Law on Treason (No. 2, April 19, 1336 (1920); Law establishing gendarmerie units from infantry and cavalry classes (No. 5, June 7, 1920); Law on the deliberative quorum (No. 18, September 5, 1920); Law regarding deserters (No. 21, September 11, 1920); Law on Medal of Independence (No. 66, November 29, 1920); the Fundamental Law (Constitution) (No. 85, January 20, 1337 (1921); Law for commemorating April 23 as a national holiday (No. 112, April 23, 1921); Law commuting prison term of Giresunlu Ziyinikoğlu Temel (No. 126, May 28, 1921); Law commuting prison terms of condemned persons who served loyally and showed bravery during national wars (No. 135, July 14, 1921); Law pertaining to the Treaty between Turkey and Afghanistan (No. 140, July 21, 1921); Law pertaining to the Treaty between Turkey and (Soviet) Russia (No. 141, July 21, 1921); Law conferring title of Commander-in-Chief to his Excellency Mustafa Kemal Pasha, President of the Turkish Grand National Assembly (No. 144, August 5, 1921); Law conferring title of Gazi (victor) and rank of Marshal to his Excellency Mustafa Kemal Pasha (No. 153, September 19, 1921); Law establishing Tribunals of Independence (No. 244, July 31, 1338 (1922); Law amending certain articles of the Constitution (No. 364, October 29, 1339 (1923)). Among the General Assembly decrees see the



organ: it was a legal entity which included in its structure the office of the Commander-in-Chief (this meant that it directly administered the War of Independence). It was the custodian of National Sovereignty the most supreme element in national scene, and it was the only legitimate organ of the nation which recognized no rival<sup>36</sup>. But its having no rivals, did not mean that its authority was limitless. The Assembly was limited by the regulations it passed and by its own basic aims. The Government of the Turkish GNA used every opportunity to make this clear and announced it through the previously mentioned documents. The aim of the Assembly can be summarized as follows: *To liberate the Caliphate and the Sultanate, the Fatherland and the Nation, within the framework of the principles of National Sovereignty.*

However, the aims of the Assembly expressed in this manner remained obscure and even contained some contradictions<sup>37</sup>. The apparent contradictions in the aims of the Assembly can be said to have resulted from two main causes. The first reason was the fact that these statements of its aims attempted to include the views of such diverse groups as Pan-Islamists, Nationalists, Socialists, Traditionalists and Communists. These differences in opinion obviously arose from the diverse domestic and foreign policy aims of these groups. In this respect, one can describe the Assembly as an assembly of contrasts and contradictions. The second reason

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following: Nos. 2, 4, 5, 16, 23, 26, 28, 37, 104, 108, 307, 308, 313, 341-344, 364 and 365. (These decrees reveal the aims of the Assembly). Among the first Declarations of the Assembly were the following: The Declaration of the Grand National Assembly to the Nation (April 26 1920); the Declaration of the Guidance Commission (May 9, 1920); the telegram sent to the Sultan by the Assembly (April 28, 1920); the Declaration of the Muslim Religious Commission (May 9, 1920). See also the Declaration on Populism (December 18, 1920).

36) The designation "Grand" was ascribed to the National Assembly to emphasize its extra-ordinary authority, and this fact was reaffirmed and stressed at every opportunity. In a way this was a rejection of the Sultanate.

37) The first program is the one mentioned under footnote 34. But the Assembly desired to express its program in greater detail. The Constitution of 1921 and the Populist Declaration are the results of this desire for a clearer expression of the Assembly's aims.



was derived from the continuation of the first reason. On the one hand, the principle of National Sovereignty was supported, and the institutions were established in accordance to this concept, yet, on the other hand, it was declared that the Sultanate and the Caliphate were to be liberated, implying that the monarchy but be continued. The desire to maintain two incompatible political systems created a contradictory situation.

But this contradictory situation in the Assembly was in the actual structure of the organization. This was the result of trying to appease the conservative (reactionary) elements who were quite large in numbers in the early days. As to the very aims themselves being obscure, this arose from the difficulties involved in deciding the internal structure of a new political form of government, and the desire to obtain international recognition for it. That it was caused by the difficulties involved in deciding the basic principles of domestic and foreign policy which the Government should follow. It was clear that the Ottoman social and political system which no longer effectively operated in this area, had to be replaced by revolutionary principles. The old system was still strongly under the influence of the Islamic religious groups, who had lost their original character. In addition to this domestic problem, there were other difficulties arising from the geopolitical position of Anatolia and Thrace: the problem of finding a direction between the Western philosophy and the Eastern philosophy of government became important. In this connection, in addition to the other documents in existence, the ideological principles upon which the Government of the Turkish GNA was built, is available in two important documents: The Populist Declaration (December 18, 1920) and the Constitution of (January 20, 1921). Despite the fact that these documents were ratified and approved by the Assembly, the basic principles of its aims are not restricted only to these two documents, but other document must also be considered to get the full picture. But before anything else is discussed, one should clarify the problems arising from the pressures and influence that the concepts of West and East<sup>38</sup>, would exert on the

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38) What is meant here by the terms West and East is this: when the Government of the Assembly was being established, the West was



Assembly's aims and its political character. More specifically, the impact of this East-West controversy on the direction that the Assembly's program would take should be discussed.

### 3. The Thesis of the West and the East Concerning Turkey And the Turks.

a) *The Thesis of the West*: It is generally agreed that following the first World War, important changes took place and the old order had lost its meaning<sup>39</sup>. However, despite all these changes, Europe, which practiced what at that time was called "Imperialism", had obtained a relatively more stable and lasting status compared to the 19th century. This situation was especially demonstrated in the case of the Turks and the Middle East policies of Europe. In connection with the Greek War for Independence, European poets and writers, whose influence on European public opinion was important, declared that the Turks were not "civilized". An historian states that the First Ottoman Constitutional Period of 1876 was nothing but "trickery and lies."<sup>40</sup> *The Round Table*, a British Journal, in 1917, before the ending of the first World War, developed a whole theory about the dismemberment and partition of the Ottoman Empire. According to this journal, the Ottoman Empire was not a State. It was nothing more than a military force which dominated diverse peoples and territories.

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represented in the Turkish mind by the Victorious Powers of the first World War. The first aim of these Powers appeared to be "The expulsion of Turkey from Europe". As to the East, this was represented by Soviet Russia, which had planned its world revolution to include Asia. To Turkey, in process of establishing itself, the West and the East appeared as two completely different blocs with opposing views. In reality, the West did not consist wholly of the Victorious Powers, nor did the East consist only of Soviet Russia. But there were no other important and vital proposals regarding the Turks from either the West nor the East. As to the Muslim World, Turkey did not have much hope in the Muslim World, which had no new or vital proposals to make.

39) Zeki Mesut Alsan, *Milletlerarası Hayatın Düzeni ve Pan-Amerikanizm* (Ankara, 1949), p. 32 (The International Order and Pan-Americanism).

40) Albert Vandal, *Les Arméniens et la Réforme de la Turquie* (Paris, 1897), p. 35.



This force never changed its form. According to this publication "The breaking up of Turkey is not the destruction of a living commonwealth, but a liberation of enslaved peoples from prison, a clearing of the ground for the commonwealths which these peoples are at last to build."<sup>41</sup>.

The English Premier Lloyd George carried this thesis further when he stated: "When a race which has no title to its land other than conquest, so mismanages the territories it holds by violence as to deprive the world of an essential contribution to its well-being, the nations have a right — nay, a duty — to intervene in order to restore these devastated areas to civilisation. This same duty constitutes the reason and justification for the white settlers of America overriding the prior claims of the Indian to the prairies and forests of the Great West."<sup>42</sup>. The former English Premier despite the changes that time brought about, continued to hold these ideas even during later dates.

These concepts regarding the Turks, were not only held by political leaders, but were adopted by those who were trying to establish a new Europe. These ideas became the foundation which created a Treaty of Sèvres (1920). This policy of the West was felt with all its force by the Turks at this time. The Council of Ten, which called the Chief Ottoman Delegate to the peace discussions, presented him with a note raising the problem of Turkey's war responsibility (guilt). Actually, Turkey's entrance into the War, according to the Turks, was caused by German pressure. They tried to prove that it was well known that the cause had not been illegal. Despite this plea, the war responsibility and guilt was charged against the whole of the Ottoman people. The actual responsibility for the

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41) *The Ottoman Domination* (Reprint from the Round Table, London, 1917). I was able to consult this pamphlet at Stanford University in the United States, at the Hoover Institution's Library which contains a very rich collection of Turkish historical materials of the recent past and present. I take this occasion to thank again the administrators of the Hoover Institution for their kindness, I also wish to thank the Rockefeller Foundation for making this study possible.

42) **David Lloyd George**, *The Truth About the Peace Treaties* (London, 1938), Vol. 2, p. 1356. (Copy consulted in the Hoover Institution Library).



war in Turkey should be blanded on the Committee of Union and Progress<sup>43</sup>. The answer to this memorandum, was presented in the name of the Great Four of the Council of Ten, and was signed by the French Premier Georges Clémenceau. In this answer one can find the centuries old thesis: "... L'histoire nous rapporte de nombreux succès turcs et aussi de nombreux revers turcs: nations conquises et nations affranchies... Cependant dans tous ces changements, on ne trouve pas un seul cas, en Europe, en Asie, ni en Afrique où l'établissement de la domination turque sur un pays n'ait été suivi d'une diminution de sa prospérité matérielle et d'un abaissement de son niveau de culture, et il n'existe pas non plus de cas où le retrait de la domination turque n'ait été suivi d'un accroissement de prospérité matérielle et d'une élévation du niveau de culture. Que ce soit parmi les Chrétiens d'Europe ou parmi les Mahométans de Syrie et d'Arabie et d'Afrique, le Turc n'a fait qu'apporter la destruction partout où il a vaincu, jamais il ne s'est montré capable de développer dans la paix ce qu'il avait gagné par la guerre. Ce n'est pas dans ce sens que ses talents s'exercent."<sup>44</sup>.

These theses which had been developed for a long time in European public opinion, now was being formalized in an international document. Especially, a French journal, which claimed to be non-political in its contents<sup>45</sup>, had the nerve to continue

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43) For these documents one should specially consult the newspapers of the Armistice period. See also: Şeyh Müşir Hüseyin Kiydavi, İslâma Çekilen Kılıç yahut Alemdarani İslâmın Müdafası (Hüddamül Kabe Neşriyatı, I, London, 1919) (This book deals wholly with this subject) (The Sword pointing at the throat of Islam, and the defense of Islam).

44) Ibid.

45) La Conférence de la Paix et l'Orient (Asie Française, No. 175, Février-Juillet 1919, p. 187 and continuation). The important fact to note is that Clémenceau as did Lloyd George, also insisted in these charges (against Turkey). Even after retiring from public life, in a work written later on, he stated "Wherever the Turks crossed, they turned it into a desert." (Jean Martet, *Le silence de Monsieur Clémenceau*, Paris, 1929, p. 303). In this idea he practically repeated the verse structure of Victor Hugo.



producing literature on this subject (attacking Turkey<sup>46</sup>). All these indicated the views and decisions made by the West: The criminal Turkish nation should be punished and the Treaty of Sèvres was to enforce these punitive measures.

The application of the Principles of Wilson (Fourteen Points) in practice became both unjust and impossible of being applied. This (Western) hatred (for the Turks) tried to prevent the development of a national and independent (Turkish) State. The Government of the Turkish GNA, which was the organ of a national movement, was faced with these harsh accusations of the West, whose very occupation armies were advancing toward Ankara to carry out their punitive aims.

#### 4. The Thesis of the East:

The first World War was an event which accelerated ideological movements. While the Russian Revolution was entering its second anniversary, the Turkish Defense of Rights movement had already started. The Soviet Government felt that it was necessary to develop relations with the Nationalist Movement in Anatolia. But this interest, was motivated by different reasons than the attitudes of the West. The West desired to throw the Turks out of their sphere. Soviet Russia, on the other hand, at first envisaged the Turkish national movement as creating a State which would serve as a buffer between itself (Soviet Russia) and the West. Later, the Soviets invited the Turks to form a government modeled on the Soviet pattern with workers and peasants as the core, and then join their Union. The Soviets planned to make this possible

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46) For example, the Greek writer N. Moschopoulos, in his book makes this judgement: "L'histoire a jugé. Cette nation de pillards et de tueurs n'a pas le droit à s'installer en Europe. Qu'elle s'en aille là où ses ancêtres avaient vécu. Cette région n'est pas le territoire des Seltchoukides, Brousse et Konya, mais ce sont les steppes de l'est de la Sibérie." (*Les Turcs jugés par leur histoire*, Paris, 1920, p. 92). A Serbian General was of the same opinion. A. Tcherep-Spiridovitch stated: "The Turks are spoiling the European order, their crimes are encouraging young apaches in Europe. (*L'Europe sans la Turquie*, Paris, 1910, p. 70 and continuation). Copy in Hoover Institution library.



through the instrument of an Eastern Federation. The Soviet interest shown and assistance given to the Defense of Rights movement was a tactical move on the part of the Communist Revolution. This Communist tactic envisaged two stages in the fulfillment of their plans. According to this tactic, imprisoned nations or semi-colonial areas were first to complete their liberation through nationalist movements. However, these nationalist movements and liberations and the achievement of independence were not to be ends in themselves but a step to the next phase. The liberated territories, which would ultimately be organized modeled after the Soviet system, would bring about an agrarian peasant revolution, and would then join the contemplated Federation that the Soviets were planning. Asia and Africa would become centers of this movement, and would thus participate in the Communist World Revolution. Therefore, the Soviets believed that national movements should be assisted during this stage. It has been proven that the Second and Third Comintern Congresses were in contact with the then existing nationalist movements. The Soviets decided that national movements, even if not sympathetic to Communism, were to be encouraged and supported. The Soviets asked themselves the question of how these territories having achieved independence, would then be induced to join the Soviet camp? The answer arrived at by the Soviet planners was that although one could not expect much from the leaders of nationalists movements who were not attracted to Communism, Soviet aims could be achieved through the establishment of Communist parties in these areas<sup>47</sup>. The second phase of Sovietization would be achieved through agents in these territories. These agents would be under the direction of the Third International, and these territories would be won over. Soviet Russia viewed the Turkish national movement in Western Anatolia with this aim in mind. The Soviet interest in and assistance to Turkey was motivated by this doctrine and policy. The Soviets also desired to obtain the maximum advantage over the West from

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47) In this connection see E. H. Carr, *The Bolshevik Revolution* (London 1953), Vol. 3, pp. 260-270, and Ivan Spector, *The Soviet Union and the Muslim World* (University of Washington Press), p. 13 and continuation.



were transitory and temporary in nature. These movements should have a broad organization and participation of peasants and workers, and should establish the conditions and climate necessary to make the realization of a socialist development possible. The basic aim should be to make these national movements serve as thresholds leading these countries into a Federation of Soviet Republics of the East<sup>50</sup>. The Soviets believed that all these movements should be led and controlled by Communist parties. Thus, Communist parties were to be organized without fail. The Turkish peasant and worker was not to be allowed to be satisfied merely with the attainment of national independence. If necessary, they should be incited to revolt against non-Communist elements in Turkey, and against Mustafa Kemal Pasha and his supporters<sup>51</sup>. It was believed by the Soviets that it was necessary that these aims be put into effect within and outside the Assembly during the period 1920-1922. This was to be done by Communist parties which were to be organized and attached to the Third International, and would aim at liberating the peoples involved<sup>52</sup>. It is known to us that the

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Minutes of the Congress. The historical radio message of the Russian Foreign Commissar Chicherin of September 13, 1919 also advocated this view. (E. H. Carr, as quoted previously, p. 244). This message of Chicherin was delivered a few weeks after the Erzurum Congress).

50) Ibid.

51) Ibid.

52) No real research has so far been undertaken on Communist parties in Turkey. In my book *Türkiyede Siyasi Partiler* (Political Parties in Turkey), I touch briefly on this subject (pp. 530-532). The Turkish Communist Party was formed to meet the strong pressure on the part of Soviet Russia, which insisted that such a party be formed. However, this party had no real ties with the Third International. On the other hand, the People's Participation Party which was formed in Eskişehir, advocated communism. When Rauf (Orbay) became Prime Minister of the Turkish Government of the GNA, he officially banned all (subversive) parties of this type.

53) The Enver Pasha question is one of the important political issues which deserves attention. He had left İstanbul with the other leaders of the Committee of Union and Progress. He was unable to go to Eastern Anatolia to head the forces gathered there. He was able to go to Moscow as a result of the intercession of Communist leaders he met in Berlin. He was assigned to engage in propaganda against the Allied



the developments arising from the Anatolian movement. This tactic reached fruition when it was presented to the Congress of Eastern Nations gathered in Baku during September 1920, and these principles became the basis of many of their (Communists) decisions to action<sup>48</sup>. The delegates who attended the Congress represented the Central Executive Committee of the Communist Party, and included among its membership Zinoviev, Radek, Pavlovitch and Bela Kun. They accepted these general principles and decided to apply them in the case of the Defense of Rights movement of Turkey. For example, according to Zinoviev, the Soviet Government supported Mustafa Kemal Pasha in Turkey. Although Zinoviev was aware that Mustafa Kemal was against Communism, he nevertheless accused him of being one, thus showing that the "Soviets" which were being established, were nothing but instruments of trickery<sup>49</sup>. According to Pavlovitch, national movements

48) The Baku Congress met on September 1, 1920 under the name of "The Baku Congress of the Eastern Nations". The Government of the Turkish GNA sent as its delegate İbrahi mTali Bey. Enver Pasha also participated on an individual private basis. The Congress mentioned the Defense of Rights movement many times, and decisions regarding it were taken. There are few works on this subject, but those that exist are comprehensive. Also the records and minutes of the Congress has been published. In this connection see: **Ali Fuat Cebesoy**, *Moskova Hatıraları* (İstanbul 1955) (Moscow memoirs of first Kemalist Ambassador to Moscow); **E. H. Carr**, *The Bolshevik Revolution*, p. 260 and continuation; **Ivar Spector**, *The Soviet Union and the Muslim World*, pp. 22-34; **X. J. Eudin** and **R. C. North**, *Soviet Russia and the East (1920-1922)*. (A Documentary Survey). (Stanford University Press 1957). (I thank the author of this work for allowing me to see his manuscript. The work is especially worth mentioning in connection with the records and minutes of the above mentioned Congress).

49) See the works listed under footnote 48. Many aspects of this subject and original texts and records of the Congress were made available to me by Mrs. O. Gankin and X. J. Eudin, specialists of the Hoover Institution. (Again according to Pavlovitch: In order to end the fraternal strife between the Caucasians, Armenians and Turks, it would be necessary first to establish a Soviet government in each of these areas. Later, a federation would be formed by the people's of these areas. Later, a federation would be formed by the people's of these countries. "The transitional step toward the full unity of the toiling masses of the different nations lies in a Federation of the Soviet Republics of the East."



Soviet leaders at this time were supporting the activities of Enver Pasha, and were willing to see him develop as a force against the Defense of Rights leadership<sup>53</sup>. Thus, it is seen that one cannot consider Soviet Russia's interest in and assistance to Turkey as merely a desire to see a Turkish nationalist and independent country emerge, which would serve as a buffer state between the West and the East. In any case, it can also be demonstrated that the Soviet aim was to get Turkey to join an Eastern Federation, and develop a government program similar to that of the Soviet system. It can also be considered that the Soviets from the very beginning failed to understand the real implications of the Turkish national movement.

Thus, the Turkish Government of the GNA, had found itself under the heavy pressure of the East also.

##### 5. "Ideological Independence":

The founders of the new Turkey were obliged to operate under the opposing but equally heavy pressure, both material and spiritual, of both the West and the East<sup>54</sup>. In order to make progress

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Powers by the Soviet Government. At first he tried to act as a representative of Ankara, but he was not permitted to do so. The Soviets considered using Enver Pasha as a counterforce against Mustafa Kemal Pasha and his supporters. And the Soviet Foreign Commissar Karahan, stated that the Mustafa Kemal - Enver Pasha struggle would be considered as an internal affair of Turkey by the the Soviet Government. As a result of measures taken in Trabzon, Enver Pasha was unable to land there. Instead he went to Turkestan to fight the British forces there, and died at the head of a forces he had gathered to fight the Russians. (August 1922). It is possible to mention the existence of a group within the Turkish Government of the GNA who supported Enver Pasha. Enver Pasha organized the "Union of Muslim Revolutionary Societies" as a fighting force, and called it the "Union and Progress" in secret. Enver Pasha's activities resulted in tactical changes in Soviet policy. (In this connection please consult the works listed under footnote No. 47. Also see **Sami Sabit Karaman**, *İstiklâl Mücadelesi ve Enver Paşa*, İstanbul 1948, pp. 79-84, 109); (The Struggle for Independence and Enver Pasha); **Richard Euringen**, *Der Serasker Envers Ende. Irrfahrt und Kampf eines kühnen Türken*, Hamburg, 1939); (I owe thanks to Ars. O. Gankin for making this work available).

54) For example, during the May 11, 1920 conference (deliberations:



under these conditions emanating from the pressures exerted by these two external rival power groups, the experience gained during the Second Constitutional period when similar pressures were exerted, was of some help, but this was not enough. The Assembly felt it necessary, and never faltered in following a realistic policy and tried to keep an even keel, throughout the ups and downs of the changing course of political events. The Assembly carefully considered the effects of these two rival groups (West and East) on Turkish developments and institutions. The West had occupied Turkish territories by force of arms. The West tried to enforce the unjust provisions of the Mudros Armistice. They had reduced Turkey into a few provinces in Central Anatolia by the Sèvres Treaty, and had tried to run Turkey as a semi-colonial area. This policy of the West resulted in Turkish disgust with the Victorious Powers, and a reaction to all this was the appearance of some sympathy in the Assembly for the East. But this rapprochement with the East did not have any real political significance worth noting. During the beginning of 1920, the policy planners of the Defense of Rights in their "Estimate of the Situation" report came to the following conclusions to which they remained loyal: the closer the Assembly Government got to the East, the better would their tactical position become in developing better relations with the West, with the minimum of sacrifice<sup>55</sup>. In fact, the Assembly

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of the GNA) the statements made by Besim Atalay Bey and Mahmut Celâl (Bayar) Bey are worth noting. Besim Atalay Bey (Kütahya) stated: "My friends, today the Ottoman realm, Anatolia, is caught between the cross-current of two great torrential floods. One is coming from the East, the birthplace of beliefs and religions; the other is coming from the West, the source of tranny and destruction." Celâl Bey (Sarıhan) remarked: "And the West does all this in the name of civilization." (Applause from the audience.). Besim Atalay Bey (Kütahya) continued: "We, with our thin arms, and our intimidated organization, are caught in this cross-current of two floods and do not know where to turn. Which group should be join? It is evident that these forces will soon be in a fight. Should we knuckle under the bayonets of the grandsons of Gladstone? Or should we run into open arms of the East, which is beckoning to us?" (Voices from the audience: "Let us join the East, the East." T.B.M.M. Zabıt Ceridesi (C. I, p. 258).

55) The publication entitled "An Estimate of our Political Situation in Anatolia during 1920," stated that: "... countries which have



succeeded in this aim. Neither the West's desire to impose semi-colonial status on Turkey by force, nor the pressure to adopt the Soviet system of government proposed by the East succeeded. The Assembly did not consider any of these possibilities. It resisted those who tried to impose these conditions on Turkey. The Government of the Turkish GNA favored the application of the basic principles arrived at during the "peace deliberations" following the first World War. Since every nation was to be permitted to form a State of its own it was felt that Turkey also should be allowed to enjoy this right of establishing an independent country. According to the Turks, their national rights were to be defended, if necessary by force of arms. Therefore, "Defense of Rights" was the natural name for this Turkish movement. This Defense of Rights movement consisted of an appeal for the just application of the Wilson Principles. In fact, the Government of the Turkish GNA, was the result of one of the last delayed nationalist movements, under new conditions (1920), which was very similar to the European national movements that took place in the course of the last century. This Turkish belief attracted Turkey to the West's democratic ideals. This was true, despite all the accusations against Turkey by the West. Turkey fought the West, but by thus fighting with the West, entered into the Western sphere and Western system of society. This actually happened even before the formation of a national and independent Turkish State. The Defense of Rights followed the Western patterns, and all these achievements were the results of its beliefs and doctrines. The Government of the Turkish GNA, caught between the cross-fire of these two groups developed what has been referred to as its own pure policy of

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relations with the Bolsheviks are forced either into social and political unity with them, or have to resist Bolshevik aggression by means of arms. We too are obliged to choose one of two alternatives (between West and East). If the Allied Powers wish us to oppose the Bolsheviks, then they should make certain concessions to achieve this end, or at least withdraw their occupation armies from the non-Arab sections of our territories, which they have occupied now for a year. But a decision which would necessitate such a sacrifice on the part of England, France, Italy and Greece could only be possible under some compulsion. It is also clear that the Allied Powers knew that they could not be compelled to withdraw their occupation forces.



"Ideological Independence."<sup>56</sup> Despite all sorts of shifts and compromises, which were empirical in nature, this pattern of policy was adhered to during the struggle to obtain recognition for Turkey's national rights. This pattern of action, had also its social aspects which are noteworthy. But these social patterns were no different from those which developed in democratic countries, or those countries in process of attaining a democratic regime.

The special nature and character of the Government of the Turkish GNA is reflected in the aims it sought and the constitutional system and institutions that it established. These facts can be demonstrated clearly by the examination of legal documents, official declarations, and the programs of the Council of Ministers (Cabinet). Studies to be undertaken on the legal character of the Assembly Government, will show that the Assembly developed from these ideological premises, the legal structure and principles of which, we have tried to describe here.

*Translated by Kerim K. KEY*

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56) This terminology has been used by E. H. Carr (see his previously quoted work, p. 476). The fact that this historian, who is not sympathetic to the Turks, has made this observation and has used this term, is worth noting.