ULUSLARARASI İLİŞKİLERDE EGEMEN EŞİTLİĞİ

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Öz

Egemenlik kavramında genel kabul, devletlerin iç işlerinde otoriter, dış işlerinde ise bağımsız ve dolayısıyla diğer devletlerle egemenlik ve bağımsızlık bağlamında eşit oldukları yönündedir. Bu genel kabul klasik, Westphalian ve mutlak egemenlik olarak tanımlanmaktadır ve mutlak egemenlik mutlak eşitliği içermektedir. Mutlak eşitlik ise fizikî, askerî, ekonomik, demografik vs. birçok parametre bağlamında eşit olmayan devletlerin yer aldığı bir uluslararası sistemde gerçekleşmesi mümkün olmayan bir iddia olmaktadır. Fiziksel, politik, ekonomik, nüfus, askeri güç gibi faktörler dikkate alındığında, dünyadaki bütün devletlerin eşit olduğunu söylemek mümkün değildir. Büyük güçler lehine hiyerarşik bir yapı vardır. Bu nedenle, büyük devletlerin uluslararası örgütler üzerinde etkili ve yönlendirici olduğunu söylemek yanlış olmayacaktır. Bir çelişki gibi görünse de, küçük ve zayıf devletlerin egemenliklerini gerçekleştirmelerinin tek yolu, uluslararası sistemi düzenleyen çeşitli rejimlere katılmaktır. Bu çalışmada, egemenlik teorisi ile uluslararası ilişkilerdeki uygulamaları arasındaki ilişki incelenecektir.

Anahtar Kelimeler : Egemenlik, Eşitlik, Otorite, Devlet, Oy.

SOVEREIGN EQUALITY IN INTERNATIONAL RELATIONS

Abstract

In the concept of sovereignty, the general acceptance states are authoritarian in the internal affairs and independent in the external affairs. Therefore, all states are equal in the context of sovereignty and independence. This general acceptance is defined as Westphalian sovereignty or absolute sovereignty, and absolute sovereignty includes absolute equality. However, in international system, there are unequal states in the context of many parameters such as physical, military, economic and demographic. In this sense, absolute equality is a claim that cannot be realized. Considering factors such as physical, political, economic, population, military power, it is not possible to say that all states in the world are equal. There is a hierarchical structure in favor of great powers. Therefore, it would not be wrong to say that big states are effective and directive on international organizations. While it may seem like a contradiction, the only way for the small and weak states to realize their sovereignty is to participate in various regimes that regulate the international system. In this study, relationship between the theory of sovereignty and its applications in international relations will be examined.

Keywords: Sovereignty, Equality, Authority, State, Vote.

SOVEREIGN EQUALITY IN INTERNATIONAL RELATIONS

INTRODUCTION

State domination is naturally a social structure. The contemporary state structure is not built on an untimely norm of sovereignty, but on the creation of a normative formation that connects power, land, people and acknowledgment in a distinctive and certain habitation. The realization of this ideal requires statesmen, diplomats and intellectuals to work hard. The ideal of state sovereignty is "a product of the actions of powerful agents and its resistance to the actions of those who are in the margins of power".

Sovereignty is defined as a simple and traditional rule of living within the system of states; it is a concept that transcends ideological differences and the rise and fall of great powers, and is often called both to be protected and as an institution that needs to be defended. Sovereignty is the basis for international law for allegations of state law, and its violations are routinely applied as a international law for the use of force in international relations. Sovereignty is therefore naturally a social concept. While the states' claims of sovereignty can build a social environment in which they can interact as a society of international states, the mutual recognition of the rights of states is also an significant element in the structure of states (Biersteker and Weber, 1996: 1-2).

The state becomes doubly abstract, disconnected from ruler as well as from ruled, yet dependent on mediation or the equivalence between them. Thus, the modern sovereign state is composed by an array of self-subsistent analogical relationships, drawing together and mediating between the internal aspects of particularity and universality, between subjectivity and objectivity (Bartelson, 1995: 241).

The sovereign institution is produced and reproduced by state actors as a sovereign and to this extent exist only through a societal method. It reflects a instrument of assessments reflected at work. Players learn to see themselves and thus acquire social identities as a function of how others behave. They then engage in mutual recognition practices designed to verify their identity; because through these, they add meaning to their existence and define who they are. In the case of sovereignty there are very few practices that states must engage in, and to that extent it is a very open-ended institution. But they have to avoid violating each other's sovereignty, and this refusal (or recognition) will be implicit in all of the practices that this open-ended institution makes possible. Set the reciprocal, live and let live environment of sovereignty, the result is an assurance game in which each state recognizes the sovereignty of others as long as they reciprocate. The problem in this harmonious picture is that sovereignty is not the only principle constituting state actors (Wendt and Friedheim, 1996: 248).

The meaning of sovereign equality thus always involved two elements that point to institutional inequalities. First, informal hierarchies between Great Powers and other states led to a differentiated distribution of civil rights and obligations on resource inequalities. Historically, Vienna Conference in 1815 also its successors in the following years exemplify this type of institutional inequality. Second, colonialism and imperialism always pointed to hierarchy between members of the state system and the outside world. Arguably, the latter, more formal side of institutional inequality declined from First World War on and finally dissolved with the breakup of the Soviet Empire. The former institutional inequality, however, is still in place.

One can even go further and ask whether sovereign equality as an element of the regulative idea of sovereignty has been complemented by now with a certain institutionalization of inequality; that is, a formal

inscription of inequality onto the functioning of institutions, and thus the undermining of formal or functional equality. To be clear, institutionalized inequality is different from effects of legal regulations that accentuate inequality, as many of the critics of the World Bank and the International Monetary Fund (IMF) claim. Notion of institutionalized inequality goes beyond such effects (Zürn and Deitelhoff, 2015: 203).

The dominant view in International Relations is that the system is, state centered According to this general acceptance, the main actor of this system starting with Westphalia is the nation state. In Westphalian, the state is an absolute sovereign within its borders and does not allow any external power to interfere in its internal affairs, thus it is independent. In addition, the sovereign is equal because it carries out its relations with other states on the basis of the principle of equality. However, with the increasing effect in the 1960s, the process of globalization has caused significant changes in the nature of the nation-state. The process of questioning the nature and future of the nation-state has started with the developments in the technological and economic fields.

Globalization has brought with it principles, processes and structures such as capitalism, democracy, human rights, international cooperation, non-governmental organizations, collective security and international or transnational political and economic organizations and international courts. All these considerations have weakened the domestic and foreign policy distinction of states and thus the national sovereignty of the nation-state. It has become difficult for the state to control its borders, the internal and external distinction has been eliminated, international cooperation and international obligations have made it possible to legitimize and interfere in its internal affairs, and some states have become more equal than others.

Aims and Objectives of the Study: In the concept of sovereignty, the general acceptance states are authoritarian in the internal affairs and independent in the external affairs. Therefore, all states are equal in the context of sovereignty and independence. This general acceptance is defined as Westphalian sovereignty or absolute sovereignty, and absolute sovereignty includes absolute equality. However, in international system, there are unequal states in the context of many parameters such as physical, military, economic and demographic. In this sense, absolute equality is a claim that cannot be realized. In this study, the relationship between the theory of sovereignty and its applications in international relations will be examined.

Research Questions: The rules of international treaties and regimes restrict the sovereignty of the member states to these regimes and agreements at first sight and may be seen as violating. However, it is considered that the sovereignty of the states may exist together with these agreements or regimes and may even strengthen. This study examines the concept of sovereignty in practice and theory, and answers the following research questions:

- What is the connection between the great variation in state capacity and aspiration to sovereign equality?
- What is the functional relationship in legal and political equality?
- How and to what extent do international institutions mitigate or promote the inequality of states?
- How and to what extent do institutions contribute to equality or inequality among states?
- Is state sovereignty out-of-date theory?
- Is sovereignty statehood compatible with a globalized world?

State sovereignty is a very broad and controversial issue. For this reason, work brings the concept of sovereignty in terms of the rules of international organizations such as the UN and the IMF.

CONCEPT OF SOVEREIGNTY

Sovereignty is the vote. "The union card. The insignia of membership in the club". The club, which was less exclusive than it once was, now surrounds most of the world and currently non-members continue to log in, and they usually use very rough methods for this purpose. Sovereignty remains the "essential qualification for full membership in international society, or, to express the point more comprehensively, the qualification which makes a state eligible for full membership." Sovereignty names an aspiration; "serves as a goad to action; signifies an accomplishment; defines an opposition (state/society); and encodes a legalistic construction (formal sovereignty)" (Elsthain, 1996: 171).

Term of Sovereignty

Sovereignty is nothing "but a set of rules and resources embedded in a collectively held legal understanding in the state system". While sensitizing people to the rhetorical functions of the concept, this quasi-phenomenology of sovereignty suffers from genesis amnesia. The historical question of how this politico-legal inter-subjectivity came into being and became constitutive of international and domestic life is simply impossible to answer within James's framework. Making a legal rule foundational begs the question of how it was founded in political practice, and with political practice defined in terms of the same rule, the circle is closed; a history of either except in the terms of the other would have been impossible.

In the current international society, attaining sovereignty - defined as "a political entity's externally recognized right to exercise final authority over its own affairs" - is rooted within a course of the social acknowledgment of territorial states (Inayatullah, 1996: 51).

Grotius defines sovereignty as: "State is exposed by this partition of sovereignty, which makes of it as it were a body with two heads; but in the matter of civil government, it is impossible to provide against all Inconveniencies; and we must judge of a right, not by the Ideas that such or such a person may form of what is best, but by the will of him, that conferred that right" (Grotius, 2005: 307).

Cranston describes sovereignty as follows:

> "It is worshiped like a god, and as little understood.
>
> It is the cause of untold strife and bloodshed. Genocide is perpetrated in
>
> its sacred name.
>
> It is at once a source of power and of power's abuse, of order and of anarchy.
>
> It can be noble and it can be shameful.
>
> It is sovereignty.
>
> It is sovereignty widely and unwisely thought in our time to mean only
>
> national sovereignty with every nation supposedly supreme inside its own borders and

acknowledging no master outside them, restrained but not necessarily much by international laws, treaties, and codes of civilized behavior, all of which are breakable and none of which are enforceable in the reasonably reliable and just way that laws are enforced in free and orderly nations" (Cranston, 2004: 1).

Synman conveys from Krasner how this term is used:

• "Domestic sovereignty, which refers to the organization of political authority within a state and the level of control enjoyed by a state".

• "Interdependence sovereignty, which is concerned with the question of control, for example, the ability of a state to control movements across its own borders".

• "International legal sovereignty, which is concerned with establishing the status of a political entity in the international system. The state is treated at the international level similarly to the individual at the national level".

• "Westphalian sovereignty, which is understood as an institutional arrangement for organizing political life and is based on two principles, namely territoriality and the exclusion of external factors from domestic structures of authority. Westphalian sovereignty is violated when external factors influence or determine the domestic authority structures. This form of sovereignty can be compromised through intervention as well as through invitation, when a state voluntarily subjects internal authority structures to external constraints". (Synman, 2006: 2; see also Krasner, 2010: 96).

Sovereignty was certainly came out of a "desire to understand and explain power", moreover to claim, "legitimize and challenge power, a tool of analysis and polemics simultaneously" (Koskenniemi, 2010: 223).

Concept of Sovereignty

The concept of sovereignty has been "not only constitutive of what modern politics is, and what modern political science is all about, but also a perennial source of theoretical confusion". Despite the wide agreement about its central place in political terminology and accepting, concept has evaded almost each effort of difficult description and conceptual study. To take two influential remarks on the concept of sovereignty:

"It [sovereignty] was never more than a convenient label; and when distinctions began to be made between political, legal and economic sovereignty or between internal and external sovereignty, it was clear that the label had ceased to perform its proper function as a distinguishing mark for a single category of phenomena ... The concept of sovereignty is likely to become in the future even more blurred and indistinct than it is at present."

"In the light of this analysis it would appear a mistake to treat 'sovereignty' as denoting a genus of which the species can be distinguished by suitable adjectives, and there would seem to be a strong case for giving up so protean a word." (Bartelson, 1995: 13).

The concept of sovereignty is sometimes used to refer to a property of state actors, similar to "constitutional independence," besides occasionally is used to refer to an association of the governments system as a whole. The two are in fact mutually constitutive but irreducible usages, and as such need to be differentiated clearly (Wendt and Friedheim, 1996: 246).

Traditional sovereignty basically denotes the idea "that there is a final and absolute political authority in the political community ... and no final and absolute authority exists elsewhere". Since this idea depends on external recognition, states and the state system stand in a relationship of mutually constituting each other. Zürn and Deitelhoff (2015: 194) conceptualize traditional sovereignty as a concept that has several components, each of which is a correlate to the internal components of the modern state. It is based on a notion of:

> *"recognition that refers to capacity (assuming states do have control over their territory);*
>
> *formal equality and segmentary differentiation (not allowing for a relationship of formal dominance between states);*
>
> *final authority (not allowing for the rise of authority beyond the state/s); and*
>
> *social and economic independence (allowing for independent economic and social development in the domestic sphere), yet comprising interdependence among states in the security realm".*

A Short Overview on History of Sovereignty

The concept of sovereignty did not emerge suddenly in 1648 with the signing of the Peace of Westphalia. Rather, the treaties that ended the Thirty Years' War were merely an important early formalization of a political-territorial order with roots in the free cities of late medieval Europe, in the emergent absolutist states of the West, and in the principle of cuius regio, eius religio in the Holy Roman Empire. The period leading up to the Peace of Westphalia was one in which "the territorial structures and spatial understandings in Europe were undergoing profound transition. The medieval was giving way to the modern" (Murphy, 1996: 84).

Revolutions in sovereignty result from "prior revolutions in ideas about justice and political authority". "The ideas convert hearers; these converts amass their ranks; they then demand new international orders; they protest and lobby and rebel to bring about these orders; there emerges a social dissonance between the iconoclasm and the existing order; a new order results". In the twentieth century, it was "nationalism and racial equality" that brought "the revolts, protests, and colonial wars that extended the system globally" (Phillpott, 2001: 4).

The Thirty Years' War was an unusually bloody period in Europe's history and the treaties that were drawn up at the end, collectively known as the Peace of Westphalia, grew out of the failure of all sides to win a decisive victory. Included within the treaties was an agreement to recognize the political autonomy of many of the different corporate entities that made up the Holy Roman Empire. Despite the limitations that were imposed on the absolute autonomy of rulers in parts of the treaties, many political theorists came to look back on the Peace of Westphalia as the first formal step toward the establishment of a sovereign state system. Taken literally, such a system has never come into being. There have always been external challenges to the autonomy of territorial states, and empires of one form or another have not entirely disappeared. To conclude that sovereignty does not matter, or that it is simply a concept that has been employed when it is politically expedient, however, is

to ignore the extraordinary power of the dissemination and widespread acceptance of sovereignty as a political-territorial ideal. In a more philosophical vein, ignoring the significance of sovereignty assumes that ideas and beliefs are simply the outcome" of circumstance, not also shapers of circumstance.

Acknowledging the historical importance of sovereignty as an ideal does not suggest that sovereignty is, or has been, a static concept. Rather, understandings of sovereignty have evolved and changed over the past several centuries. To understand those changes, it is useful to distinguish between two different but related aspects of sovereignty: "sovereignty as a principle governing relations among states and sovereignty as a territorial ideal". The latter is concerned with the relationship between territory and power in a sovereign state system; "its central focus is the degree to which the map of individual states is also a map of effective authority". The difference between these two dimensions of sovereignty can be seen in the different ways each dimension has been treated in the past. There have been times of considerable de facto state autonomy, "when sovereignty has been understood as a principle that permits state rulers to do anything in their own self-interest, including attacking the territory of a neighboring state". At other times, even though individual states have been no less autonomous, sovereignty has been widely understood as a principle limiting the right of states to pursue territorial claims (Murphy, 1996: 86-87).Europe has seen wide fluctuations between a systemic and an anarchic view of sovereignty over the past several centuries. To encourage thinking about these fluctuations, it is possible to schematically diagram dominant views of sovereignty as a principle governing relations among states, situating those views in a spectrum running from the complete acceptance of a systemic order to an entirely anarchic understanding of sovereignty (Figure 1). (Murphy, 1996: 87-88).
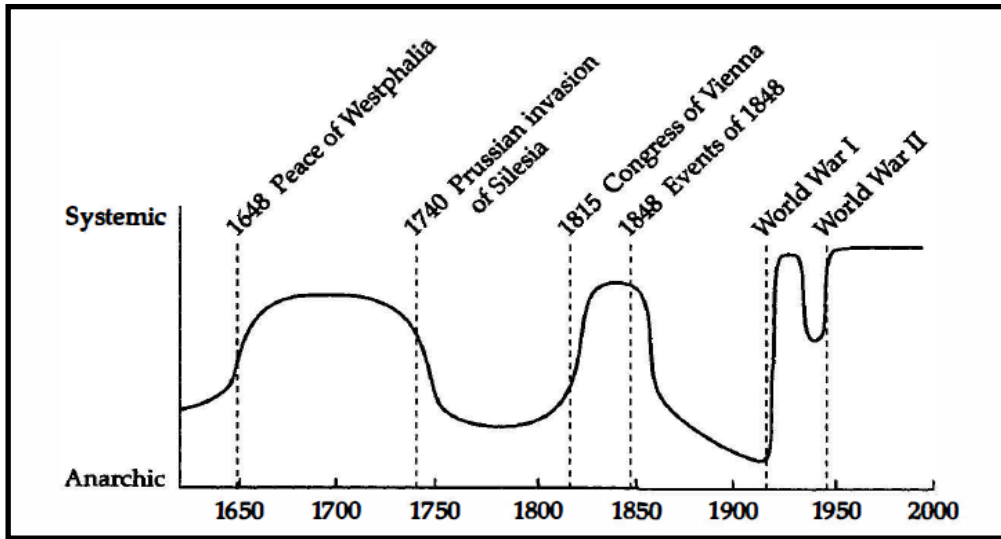

Figure 1: "Dominant views of the nature of sovereignty as a principle governing relations between states, as seen from the core of the sovereign state system" (Murphy, 1996: 88).

The volatility in historical understandings of sovereignty as a principle governing relations among states is not matched in the history of dominant understandings of the territorial organization of power. Figure 2 presents the spectrum graphically for the period 1600 to 2000, with those understandings that tend toward a political order with power displayed at multiple scales in overlapping territorial structures on the lower end of the vertical axis,

and those that tend toward a single-scale sovereign territorial arrangement at the upper end of the vertical axis.
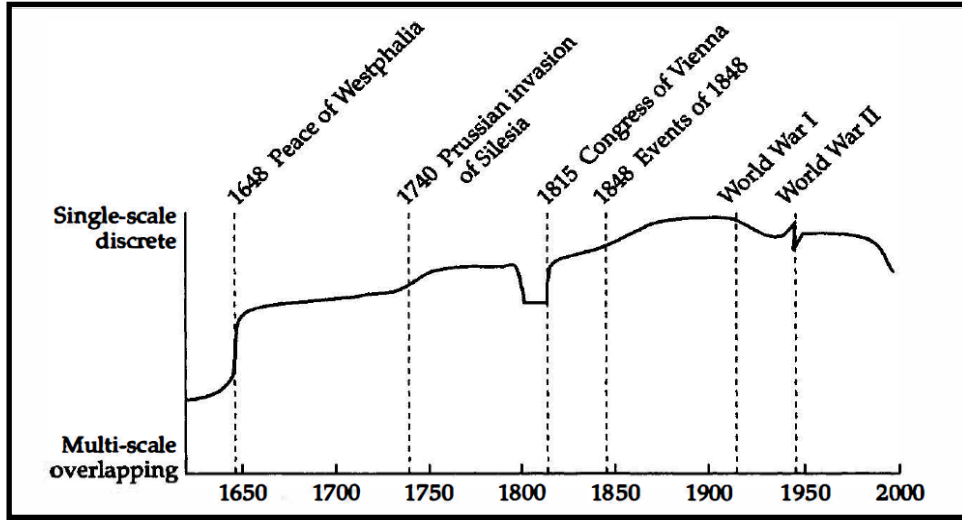

Figure 2: "Dominant views of the appropriate political-territorial structure for international society, as seen from the core of the sovereign state system" (Murphy, 1996: 89).

What Makes a State a State?

The state is a structure of political authority in which there is a monopoly on the legitimate use of organized violence. As a structure, the state cannot act or do anything; it is the purposive organizational agents of governance, or state actors, that are embedded in structures of political authority which do things, have identities and interests, and so on. In the formal organization of the Westphalian system these two concepts of state coincide spatially, since state actors are constituted as the sovereign centers of juridically distinct structures of political authority (Wendt and Friedheim, 1996: 246).

As sovereignty is an institution comprising several sometimes conflicting norms, and is associated with a basket of properties such as territory, population, autonomy, authority, control, and recognition, it is a contested concept, with both legal and political attributes. Because of the apparent complexity of sovereignty, it is difficult to provide a definition that is sufficiently broad to encompass all its different meanings, yet specific enough to be analytically useful (Zaum, 2007: 29).

The Population: The state as a "human organization" is made up of people that reside within its territory (NOUN, 2008: 150). It is impossible to talk about the existence of a state without a population. One of the indispensable elements for a state is that it has population and people.

The Territory: Another essential part of being a state is to have a land belonging to the state. Despite the dramatic changes that have occurred in the conceptualization, management, and defense of territory over the past several hundred years, the notion of territorial control has been at the heart of political life since before the Peace of Westphalia. Political authority can be exerted over sets of issues or institutions, but it is difficult to construct an enduring system without a territorial base. Indeed, as the foregoing discussion suggests, the survival and

success of sovereignty as an organizing principle of the modem state system has much to do with its territorial underpinnings (Murphy, 1996: 110).

The Authority: Authority is founded on "right to rule and brings about compliance through a moral obligation on the part of the ruled to obey". Even though political theorists have unclear the base on which authority rests, "they have nevertheless agreed that it always has a moral character". This implies that "it is less important that authority is obeyed than that it should be obeyed" (Heywood, 2004: 129-130).

Formal sovereignty is based on "the existence of effective government; and government, as conceptualized with regard to the mandate territories, was created principally for the purpose of furthering a particular system of political economy that integrated the mandate territory into the metropolitan power, to the disadvantage of the former". That was achieved by a technique of rendering the whole of mandate society in economic terms, by a process that might be called the "economization" of state (Anghie, 2004: 179).

Sovereignty can be also situated in "principle and practice in any of several places in a political order, and different locations result in very different authority structures". Sovereignty rests either in the hands of the people as a whole or in the state apparatus or the leader of the state. Relationship between the sovereign and the exercise of authority generally is: "to what extent does the sovereign body actually wield authority?" The sovereign body may be either engaged or recessed in exercising authority. The sovereign is engaged when it actually wields governmental authority (Deudney, 1996: 196).

The state sovereignty of today's international system is, consequently, described by a "particular collection of ideas and practices of political authority: specifically, territorial demarcation and mutual exclusion" (Branch, 2014: 19-20).

The Recognition: Practices of recognition or non-recognition are not only linked to imperialism or to its legacy, neocolonialism, but they also take practical political form during military struggles. Wars and interventions, as well as the justifications offered by states for these activities, "participate in the social construction of which territories, peoples, and authority claims will be accorded sovereign recognition" (Biersteker and Weber, 1996: 12-13).

The quality of being sovereign, then, presupposes an institutional framework in which it is recognized by others. "Recognition" is not meant here as formal diplomatic recognition, but as an effect of other states' refusal to violate the exclusivity of one's territorial claims when the opportunity presents itself, in effect, a de facto permission from others to rule exclusively (Wendt and Friedheim, 1996: 247-248).

States recognizing each other's sovereignty and equality have, by definition, no authority over each other. Statesmen controlling administration, army and police are at the apex of a legal hierarchy. The distinction between the two kinds of behavior, diplomatic-strategic and political, seems to me essential, even if the similarities are many. Power on the international scene differs from power on the national scene because it does

not use the same means, nor function over the same terrain (Aron, 2017: 51-52).

States have a "dualistic structure", in that they have two faces, one looking outwards and the other looking inwards. The outward-looking face of the state deals with the "state's relations with other states and its ability to provide protection against external attack". The classic definition of the state in international law is found in the "Montevideo Convention on the Rights and Duties of the State (1933)". In accordance with Montevideo Convention Article 1, state has four features:

- "A defined territory"
- "A permanent population"
- "An effective government"
- "The capacity to enter into relations with other states"

In line with this view, "the political existence of the state is not dependent on its recognition by other states". Even without recognition, "the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit (Article 3)". The inward-looking face of the state deals with the state's relations with the individuals and groups that live within its borders and its ability to maintain domestic order. As of this standpoint, "the state is usually viewed as an instrument of domination" (Heywood, 2011: 112).

Types of Sovereignty

The various types of sovereignty are a subject of controversy among writers. Some have written on "legal and political sovereignty, others on de facto, de jure and external/internal sovereignty". It is possible to deduce and make a possible distinction between "legal, political, de facto, de jure, internal and external sovereignty" (NOUN, 2008: 161). Some other sources show negative and positive sovereignty as two additional types of sovereignty.

Political Sovereignty: While parliament is the legal sovereign, political sovereign refers to "that body which is supreme in a state, the will of which is ultimately obeyed by the citizens of the state". In this sense, the electorates, constitutes the political sovereign. By voting for legislators and the executives, "the electorate delegates to these arms of government the decision-making powers". The electorate remains the ultimate power in a state by subjecting those who exercise the state legislative sovereignty to periodical renewal of their mandate through elections (NOUN, 2008: 161).

De facto Sovereignty: This term is used to refer to "the body or group of people who use force to make citizens obey their command after having overthrown the legitimate sovereign of the state through invasion, revolution, or coup d'etat". De facto, or actual, sovereignty is sovereignty as of a fact (NOUN, 2008: 162).

De jure Sovereignty: De jure, or legal, sovereignty concerns the expressed and institutionally recognised right to exercise control over a territory. In a sense, sovereignty always involves "a claim to exercise legal authority, a claim to exercise power by right and not merely by virtue of force". All substantial claims to sovereignty

therefore have a "crucial legal dimension". The sovereignty of modern states, for example, is reflected in the supremacy of law: "families, clubs, trade unions, businesses and so on, can establish rules which command authority, but only within limits defined by law". This is evident in the simple fact that systems of law are everywhere backed up by a "machinery of punishment, involving the police, courts and prison system". Legal authority, in other words, is underpinned by the exercise of power. Lacking the ability "to enforce a command, a claim to legal sovereignty will carry only moral weight" (Heywood, 2004: 90-92).

Internal Sovereignty: The concept of internal sovereignty refers to the "location of power or authority within a state, and has been crucial to the development of state structures and systems of rule". Some liberal thinkers warn that the concept of internal sovereignty is always tainted by "its absolutist origins, arguing that the idea of an absolute and final source of authority is difficult to reconcile with the reality of diffused power and pluralist competition found within the modern democratic state". (Heywood, 2011: 113).

External Sovereignty: External sovereignty refers to "the state's place in the international order and therefore to its sovereign independence in relation to other states". A state can be considered sovereign over "its people and territory despite the fact that no sovereign figures in its internal structure of government". External sovereignty can thus be respected even though internal sovereignty may be a matter of dispute or confusion. Indeed, some of the "deepest divisions in modern politics involve disputed claims to such sovereignty" (Heywood, 2004: 95).

The idea of external sovereignty eventually led to the "development of modern international law". The principle of external sovereignty to a large extent determined the "overall structure and the entire substance of the international law of co-existence" (Synman, 2006: 4-5).

External sovereignty and internal sovereignty are intimately linked: "Changes in the international state system, perceived violations of external sovereignty, and uncertain or wrongly drawn external boundaries have profound effects on strategies to acquire or maintain internal sovereignty" (Mostov, 2008: 20-21).

Negative and Positive Sovereignty: Positive sovereignty likewise presupposes capabilities which enable governments to be their own masters: "it is a substantive rather than a formal condition". A positively sovereign government is one "which not only enjoys rights of nonintervention and other international immunities but also possesses the wherewithal to provide political goods for its citizens". It is also a government "that can collaborate with other governments in defense alliances and similar international arrangements and reciprocate in international commerce and finance". Positive sovereignty is the means "which enable states to take advantage of their independence usually indicated by able and responsible rulers and productive and allegiant citizens" (Jackson, 1990: 25-29).

Unlike negative sovereignty, "it is a substantive and empirical dimension, which negatively sovereign states may or may not enjoy". For this reason, it does not feature very prominently in international legal discourse but is, instead, "central to those disciplines which study the empirical dimension of statehood and state-building, such as history, political science, and international relations". Positive sovereignty concentrates on statehood as a

complex empirical phenomenon: "it is something that a polity possesses in virtue of its empirical attributes, rather than a status which other states confer upon it as a matter of right". It indicates the capacity of states to be their own masters by making, and effectively implementing, meaningful discretionary choices on "institutional, political, socio-economic, and foreign policy matters". It is what "enables states to take advantage of their own independence." (Ronzoni, 2010: 5-6).

SOVEREIGN EQUALITY IN INTERNATIONAL RELATIONS

The general acceptance of the current political-territorial order is a reflection of one particular and highly significant effect of the modern state system, that is, "its role in shaping peoples' thinking about the geographical structure and organization of their world". The modem state system is the latest incarnation of a political-territorial order that has its roots in late-medieval Europe. That order is associated with the emergence of a group of at least semi-autonomous territorial states. The system began to take shape during an era when individual rulers were increasingly able to consolidate control over discrete territories. As the system developed and grew, so did understandings of its organizing principles. One of the most important of these was the idea that "final authority over most if not all social, economic, and political matters should rest with those in control of the territorial units that make up the system". Sovereignty is the term that is generally used to denote this idea. Consequently, the system itself is often called the sovereign state system (Murphy, 1996: 82).

State

The State has sovereign rights; and those who manipulate it will too often cause it to be used for the protection of existing rights. The two get identified; "the dead hand of effete ancentralism falls with a resounding thud on the living hopes of to-day" (Laski, 1999: 17).

State sovereignty is a modern solution which produces a whole set of binary pairs that are woven into one another in a long chain of equivalence: inside/outside, self/other, politics/relations, realism/idealism, International Relations/ethics, presence/absence, progress/repetition, self/other, the empirical/ Normative (Malmvig, 2006: 11).

Sovereignty has been the key concept for "the modern state since the inception in the sixteenth and seventeenth centuries". Expressions such as "sovereign state or state sovereignty clearly indicate that historically, as well as conceptually, these two terms – sovereignty and the state – have run their course more or less hand-in-hand". In any event, the two outstanding theorists of sovereignty, Jean Bodin and Thomas Hobbes, were also the first original thinkers of the modern state. Bodin, in his treatise Les six livres de la République, famously defined sovereignty as "the absolute and perpetual power of a commonwealth". And Hobbes responded in Leviathan by arguing that "a Common-wealth, without Sovereign Power, is but a word, without substance, and cannot stand". In one way or another, 'sovereignty' is juxtaposed to 'the state' so that from the outset they appear to form a peculiar liaison in which they reciprocally support, empower and legitimate each other. The territorial state thus claims to be the bearer of sovereignty, while sovereignty in turn emerges as an essential attribute pertaining to the state. Conceptually, perhaps, this might indicate a vicious circle, yet this circle has effectively served as an absolute center of political thought and political practice for many centuries (Lipping, 2010: 186-187; Bodin,

1986: 1; Hobbes, 1997: 218).

Interdependence and Dependence

In common parlance, dependence means "a state of being determined or significantly affected by external forces". Interdependence, most simply defined, "means mutual dependence". Interdependence in world politics refers to situations characterized by reciprocal effects among countries or among actors in different countries. These effects often result from "international transactions—flows of money, goods, people, and messages across international boundaries". Such transactions have increased dramatically since WW II: "Recent decades reveal a general tendency for many forms of human interconnectedness across national boundaries to be doubling every ten years." Yet this interconnectedness is not the same as interdependence (Keohane and Nye, 2012: 7-8).

Although scholars from the interdependence and dependence traditions have disagreed strongly on many issues, most notably on the benefits of participation in a world economy conducted according to liberal principles, they have nonetheless shared some significant concerns. First, both have been interested in understanding transnational phenomena as agents that exist independent of the state. Interdependence writers explored the emergence and potential consequences of international regimes. Dependency writers critically examined the complex set of linkages between multinational corporations and local entrepreneurs, identifying them in terms of transnational class alliances, and mourned the loss of national control and the absence of an indigenous bourgeoisie. Second, both have an interest in the potential impact of these transnational phenomena. Although there are important exceptions, interdependence writers have tended to stress the positive potential of transnational phenomena, while dependency writers have tended to condemn their negative consequences. In either case, transnational phenomena illuminate important locations of authority outside the state (Biersteker and Weber, 1996: 6-7).

Anarchy

Anarchy is basic to state-centric International Relations (IR) because sovereignty is "basic to state-centric IR". As 'sovereignty' emerged in the sixteenth and seventeenth centuries as a double-headed notion. On the one hand, rulers were sovereign in so far as they accepted "no internal, domestic equals"; on the other hand, they were sovereign in so far as they accepted "no external, international superiors". The extent to which the norms of Westphalia have governed international practice is debatable; the Westphalia notion of sovereignty may indeed "be a matter of 'organized hypocrisy' given the extent to which rulers have actually always intervened in each other's affairs, but, at least in principle, the claim to be a sovereign entails acknowledgement of the sovereignty of others" (Brown and Ainley, 2005: 116).The sovereign state was the enabling concept of traditional IR scholarship. If sovereignty means "supreme authority over a particular territory, it also implies its antithesis: international anarchy, the absence of a higher authority above the sovereign state". But if sovereignty carves out a sphere for IR theory, the sovereign state is also a profound constraint (Bickerton, et.al., 2007a: 2).

Sovereignty and anarchy are tied together ontologically at the level of definition, the former term being logically privileged, since it signifies that which is foundational to international politics. The state is conceptualized as an individual, in the sense of being indivisible. Further, by giving epistemic priority to the

systemic level of analysis, Waltz creates a watertight circular connection between anarchy and sovereignty; their logical interdependence is conditioned by a gesture outside history but inside the theory itself, by splitting the difference between ontological and epistemic priorities realm (Bartelson, 1995: 24).

Whether a state's system is anarchic depends on states' relationships to each other, and this lies on a continuum that measures centralization of political authority. At one extreme, authority is mutually exclusive, relations are therefore anarchic, and agential and structural concepts of state coincide. In the absence of other constitutive principles, the relation between sovereign state actors will be of this form (Wendt and Friedheim, 1996: 246-247).

Hierarchy

Despite the juridical sovereignty of virtually every modern state, "hierarchical political authority is also a pervasive phenomenon in international politics". Great Powers are widely acknowledged to have special prerogatives in their "spheres of influence" to help "manage" the international system. These prerogatives are, of course, partly a function of superior material power and resources. But they also are recognized as "legitimate by international society as a whole, which seems increasingly willing to sign off on Great Power interventions in other states". One principle does so on a basis of territorial exclusivity, and the other principle does so on a basis of hierarchical international governance (Wendt and Friedheim, 1996: 241).

Globalization

Since the end of the Cold War, "the international political terrain has altered significantly". One no longer lives in a world of "discrete national communities, but rather in a world of increasing economic, political, and cultural interdependence, where the trajectories of countries are heavily enmeshed with each other, and where the very nature of everyday processes links people together across borders in multiple ways". Globalization, understood as a multidimensional phenomenon, has put pressure on polities everywhere, gradually circumscribing and delimiting political power (Raffo, Sriram, Spiro and Biersteker, 2007:1).

Globalization is a "slippery and elusive concept". It refers to a "collection of processes, sometimes overlapping and interlocking processes but also, at times, contradictory and oppositional ones". However, the central feature of globalization is the emergence of a complex web of interconnectedness that means that "our lives are increasingly shaped by events that occur, and decisions that are made, at a great distance from us". Not only has the world become 'borderless' in that traditional political borders, based upon "national and state boundaries, have become increasingly permeable, but also divisions between people previously separated by time and space have become less significant and are sometimes entirely irrelevant". An obvious example of this is the immediacy and global reach of internet communications (Heywood, 2011: 107).

International Organizations and Treaties

International organizations, to the extent that they give all sovereign states a seat at the table, have the potential to amplify equality among states. Being recognized as an equal member of an institution puts states on the same formal footing despite vast differences, which has the potential to translate into redistributive results.

At the same time, however, any given rule or law reflects power relationships and therefore might work in favor of more powerful states. One disentangles these contrary effects by distinguishing first between traditional postwar institutions, characterized by executive multilateralism, and those institutional arrangements that, over time, begin to assert their own authority. Second, within both of these types we distinguish between rule setting (i.e. the creation and reform of institutions), which mainly affects issues of political equality, and rule implementation (i.e. the ongoing operation of rules and institutions), which mainly has implications for legal equality (Viola, Snidal and Zürn, 2015: 226).

The advantage of international treaties is undeniable since, when "the States express their consent to be bound by the treaty, they automatically accept to submit to the procedure laid down therein as regards interpretation". In such cases, state sovereignty is limited voluntarily so as "to decide on the issues of interpretation". But this does not mean that the express or tacit consent of the State is not decisive. What happens is that this consent "included within a tighter and complex network of international obligations and different types of conduct lacking formalization appeared in the legal reality as relative, multiple" (Romani, 2007: 10).

CONCLUSION

Sovereignty is not lost. It still functions as a powerful regulative idea in that it structures social life and remains a normative aspiration for political organizations. Its meaning today is, however, different from that of sovereignty yesterday. In all of its components, we can trace significant changes over time. States come into existence by being recognized by others as states. This is the core of the external side of sovereignty. However, the basis for the recognition of a state has changed significantly. The material capacity of a state is no longer decisive; instead, the willingness and ability to protect one's people is the determining factor. At the same time, the rights and duties of recognized states have changed, as well. The right of non-intervention has weakened, as has the right to be formally equal and the right to have the autonomy to set policies. These rights have been replaced by the right to participate in the exercise of international authority, to ask for a greater share of decision-making power if more responsibilities are taken over, and to learn from each other, especially in an international organization, to improve national policies. These changes stand in a synergetic relationship with each other. Together, they point to an increased importance of individuals and societal groups, as well as a reduction of the value of the state, or to its de-centering. "Conditional sovereignty" sees the state more and more as an instrument to accomplish other values. Conditional sovereignty is significantly different from traditional sovereignty, but it is still sovereignty in that it defines legitimate membership in the state system (Zürn and Deitelhoff, 2015: 211).

The findings from the sources examined within the scope of this study are summarized below:

- Although the state is defined in different ways in different disciplines, the birth of the state, its justification and meaning make quite different associations for many people, but sovereignty is considered to be one of the indispensable elements used in almost all state definitions.

- In many places where sovereignty was used, state sovereignty was mentioned without the need to emphasize the state. When one examines the nature of this perspective, the nature of sovereignty, it appears that there are some shortcomings. In fact, sovereignty and state are actually separate

phenomena and concepts. Sovereignty can simply be defined as the supreme rule, for which there is no need for any political form in which the state and its borders are sharply drawn.

- In the periods when the modern state was not built, for example in the Middle Ages, there is sovereignty. The absence of the state cannot be interpreted as the absence of sovereignty. It is a known fact that the history of mankind experiences the domination of the king, the church or some other religious authorities and the pre-state political units in the individual or institutional sense. The changing thing, along with the construction of the modern state, emerges in the defining elements and meaning of sovereignty. Briefly, sovereignty was socially constructed and its meaning historically underwent some changes. For example, national sovereignty emerged as a result of nationalism. Under the influence of the social contract and the French Revolution, popular sovereignty occurred. In recent years, the concepts of constitutional sovereignty have come to the fore.

- With the establishment of the Westphalian model, the world is divided by states that do not recognize any superior authority on their own. The powers of law, practice and resolution of conflicts have been the monopoly of states. All states are equal in terms of law. The reasons for differences between states are the differences arising from their capacities. States agreed to respect each other's sovereignty and in this sense they were equal in terms of law. The principle of sovereign equality of the states implemented by Westphalia plays a significant role in the construction of a modern international community.

- With the rise of nationalism especially in the 18th and 19th centuries, the recognition of a state by other states in terms of sovereignty has not been sufficient. The issue of recognition in the international environment has required the integration of the state with its community, which defines itself as a nation, to establish a sound internal sovereignty with its legitimate and organizational structure. Although internal and external sovereignty seem to be separate from each other, they are in fact intertwined and inseparable. The fact that one is strong and the other is weak will eventually cause both of them to be weak.

- The principle of sovereign equality of States is one of the basic principles of international law and the UN system. It states that states are equal in international law, in international rights and obligations, in the decision-making processes of international organizations. At the same time, the principle of sovereign equality is a natural consequence of state sovereignty and means that states will not interfere in their internal relations and are independent in their external relations. In international politics, however, large powers / states often interfere in the internal affairs of relatively weak states. They are decisive in the decision-making processes of international organizations and violate the rules of international law.

- The United States, Russia, China, Britain and France have defined themselves as "permanent members" in the UNSC, the most important decision-making body of the UN, and have been adopted by other states. It was made possible by the fact that they were superior in political, military and economic terms. Therefore, the political inequalities resulting from the relatively superior position of these states to other states cause them to make attempts to imply a violation of sovereign equality. In addition, the UN Charter Article 23/1 describes "permanent membership" and clearly stated and recognized, in addition Article 27/3 gives to permanent members implicitly veto right. The fact that the permanent

members are entitled to act on behalf of all the other UN members in the same way causes the political inequality to become legal. In this way, inequality becomes legitimate and the violation of the principle of sovereign equality which is tried to be defined on a legal basis is legally institutionalized. These inequalities are not only in the UN but also in international organizations such as the EU, NATO, IMF, WTO, WB, and they gain a legal character and institutionalize in constitutional texts.

- This institutionalization provides the legal basis of the privileges of the powerful states in international organizations. Due to the change in the structure of international organizations, they are transformed into supra-national status. Thus, they can make decisions that exceed the consent of states. The fact that international organizations depend on powerful states because of their lack of own resources leads to the emergence of hierarchical state groups and their formation.

- Inequality is legitimized to the extent that it takes place in the constitutional texts, decisions and implementations of international organizations within the legal framework. Legitimacy means that something is reasonable and justified, and that it is in accordance with the rules and laws that have been accepted by the society. In the form of legal beliefs and consent, the inequality of the states and the legal framework of the violation of equality is legitimized in the international system. In determining the legitimacy of a concept, three criteria are important: being legal, normative acceptance, consent and ethics. In the context of these three criteria inequality is the UN Charter Articles; 2/7, 23/1, 27/3, 106, IMF Treaty Articles 12/5 / a, 12/5 / b, etc. constitutional and legal practices of constitutional and legal grounds, which are contrary to the provisions of the charter. The adoption of these regulations by the states is a normative acceptance and shows that inequality is realized by the consent of the states. The relationship between inequality and ethics is intrinsic and states that this inequality is accepted by states in terms of political power, stability and security of the system, and national interests.

- Considering the United Nations General Assembly and the UN Security Council structures in terms of voting and decision-making methods, it is seen that there are two different interpretations of sovereignty in two separate bodies within the same organization. Ironically, the UN, which is the guarantor, legitimator and practitioner of sovereign equality, also provides legal grounds to justify the violation of the principle of sovereign equality.

- Considering factors such as physical, political, economic, population, military power, it is not possible to say that all states in the world are equal. There is a hierarchical structure in favor of great powers. Therefore, it would not be wrong to say that big states are effective and directive on international organizations. While it may seem like a contradiction, the only way for the small and weak states to realize their sovereignty is to participate in various regimes that regulate the international system.

If the result of the study is summarized in a single sentence, it is clear that there is a profound discrepancy between the theory and practice of the sovereign equality of states.

SOVEREIGN EQUALITY IN INTERNATIONAL RELATIONS
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EXTENDED ABSTRACT

Devlet hakimiyeti doğal olarak sosyal bir yapıdır. Çağdaş devlet yapısı zamansız bir egemenlik normu üzerine değil, farklı ve belirli bir yerleşim yerinde iktidarı, toprağı, insanları ve kabulü birbirine bağlayan normatif bir oluşumun yaratılması üzerine inşa edilmiştir. Bu idealin gerçekleşmesi devlet adamlarının, diplomatların ve aydınların çok çalışmasını gerektirir. Devlet egemenliği ideali, "güçlü ajanların eylemlerinin ve iktidarın sınırlarında bulunanların eylemlerine direnişinin bir ürünüdür". Egemenlik, devletler sistemi içinde yaşamanın basit ve geleneksel bir kuralı olarak tanımlanır; ideolojik farklılıkları ve büyük güçlerin yükselişini ve düşüşünü aşan bir kavramdır ve genellikle hem korunması hem de savunulması gereken bir kurum olarak adlandırılır. Egemenlik, devlet hukuku iddiaları için uluslararası hukukun temelidir ve ihlalleri, uluslararası ilişkilerde güç kullanımına yönelik uluslararası bir hukuk olarak rutin olarak uygulanır. Devlet ikiye katlanarak soyut hale gelir, yöneticiden olduğu kadar yönetilenden de kopar, ancak arabuluculuğa veya aralarındaki denkliğe bağımlı olur. Daha sonra kimliklerini doğrulamak için tasarlanmış karşılıklı tanıma uygulamalarına girerler; çünkü bunlar aracılığıyla varlıklarına anlam katarlar ve kim olduklarını tanımlarlar. Egemenlik durumunda, devletlerin dahil olması gereken çok az uygulama vardır ve bu kapsamda, çok açık uçlu bir kurumdur. Ancak birbirlerinin egemenliğini ihlal etmekten kaçınmaları gerekir ve bu reddetme (veya tanıma), bu açık uçlu kurumun mümkün kıldığı tüm uygulamalarda örtük olacaktır. Karşılıklı ayarlayın, yaşayın ve egemenliğin yaşanmasına izin verin, sonuç, her devletin karşılık verdikleri sürece diğerlerinin egemenliğini tanıdığı bir güvence oyunudur. Egemen eşitliğin anlamı, her zaman kurumsal eşitsizliklere işaret eden iki unsuru içerir. Birincisi, Büyük Güçler ve diğer eyaletler arasındaki gayri resmi hiyerarşiler, kaynak eşitsizlikleri üzerindeki medeni haklar ve yükümlülüklerin farklılaştırılmış bir dağılımına yol açtı. Tarihsel olarak, 1815'teki Viyana Konferansı da sonraki yıllardaki halefleri bu tür kurumsal eşitsizliği örneklemektedir. İkincisi, sömürgecilik ve emperyalizm her zaman devlet sistemi üyeleri ile dış dünya arasındaki hiyerarşiye işaret etti. Muhtemelen, kurumsal eşitsizliğin ikinci, daha resmi tarafı Birinci Dünya Savaşı'ndan itibaren geriledi ve sonunda Sovyet İmparatorluğu'nun dağılmasıyla çözüldü. Ancak eski kurumsal eşitsizlik hala yürürlüktedir. Uluslararası İlişkilerde hakim görüş, sistemin devlet merkezli olmasıdır. Bu genel kabullere göre, Westphalia'dan başlayan bu sistemin ana aktörü ulus devlettir. Westfalyan'da devlet, sınırları içinde mutlak bir hükümdardır ve herhangi bir dış gücün kendi içişlerine karışmasına izin vermez, bu nedenle bağımsızdır. Ayrıca egemen, diğer devletlerle ilişkilerini eşitlik ilkesi temelinde yürüttüğü

için eşittir. Ancak 1960'larda artan etkiyle küreselleşme süreci ulus-devletin doğasında önemli değişikliklere neden olmuştur. Egemenlik kaybolmaz. Sosyal yaşamı yapılandırdığı ve siyasi örgütler için normatif bir istek olarak kaldığı için hala güçlü bir düzenleyici fikir olarak işlev görür. Ancak bugünkü anlamı, dünkü egemenliğinden farklıdır. Tüm bileşenlerinde, zaman içindeki önemli değişiklikleri izleyebiliriz. Devletler, başkaları tarafından devlet olarak tanınarak var olurlar. Bu, egemenliğin dış tarafının özüdür. Bununla birlikte, bir devletin tanınmasının temeli önemli ölçüde değişmiştir. Bir devletin maddi kapasitesi artık belirleyici değildir; bunun yerine, kişinin insanlarını koruma isteği ve yeteneği belirleyici faktördür. Aynı zamanda, tanınan devletlerin hakları ve görevleri de değişti. Müdahale etmeme hakkı, resmi olarak eşit olma hakkı ve politikalar belirleme özerkliğine sahip olma hakkı gibi zayıflamıştır. Bu haklar, uluslararası otoritenin kullanımına katılma, daha fazla sorumluluk devralındığında karar alma yetkisinden daha fazla pay isteme ve özellikle uluslararası bir organizasyonda birbirlerinden öğrenme hakkı ile değiştirilmiştir. ulusal politikalar. Bu değişiklikler birbirleriyle sinerjik bir ilişki içindedir.

Anahtar Kelimeler: Egemenlik, Eşitlik, Otorite, Devlet, Oy.