Turkish Nation State System in the Context of Sovereignty

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Abstract: *In this article, I have tried to analyze Turkey's participation, following the collapse of the Ottoman state, into the European centered International state system. The article also examines the change in Turkey's different polity, sovereignty, national building-identity, economy, democracy, law and order, and national and international law. The first part covers the emergence, development and expansion of the Westphalian Order. After the Imperial wars, and the end of the colonial era, the coming of the new postcolonial members also enhanced the international system of states as the center of global order, adopting the sovereign nation state system in their international institutions too. Later on, as a result, the expansion of international society promoted internationalization, regionalization, globalization and a post-Westphalian order in Europe. In a nutshell, in Turkey, the history of the classical national, state, and popular, democratic and pluralist sovereignty discussions have also been elaborated in legal texts up to the present day.*

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Introduction

Various state systems have emerged, both West and East, in different periods of history. Each state system established the legitimate founder norm, constitution, and rules and desires to maintain its purpose of universality. We have dealt with the notion of sovereignty as a factor of the founder in terms of the highest power or authority. We have studied the rise, development and spread of the modern sovereign nation state during the historical process from the feudal period to the EU. In the Westphalia state order, emerging in post- medieval times, limitless power was granted, thanks to the Bodin who used the notion of sovereignty for the first time, to the king, the worldly political authority representing the state, in a form of natural religious concept during this long historical process. When it comes to Hobbes, he matured the notion by granting the dominant the power of self-defense and omnipotence in protecting its nationals. He defined the notion as absolute, top, continuous and indivisible power, and he presented the state, that is to say the absolute monarchy, as a worldly power fully controlling the public. After sovereignty passed from the king to the nation (as a nation – public sovereignty) in the post-French revolution process, it began to adopt a democratic form. In this transition, Rousseau considers as legitimate that state which is composed as a result of the combination of the free citizens as the owner of sovereignty. The classical national sovereignty is absolute, indivisible, infallible and non-transferable in terms of representing the national sovereignty, however imposes no obligation on members of the public without their consent. Lock developed an ideal that protects the individual against the state in society, along with the principle of natural rights such as life, freedom, and private property, and further developed the idea of political equality, equality before the law, and self-governance based on consent.[1]

The modern international system rising in Europe transformed into a universal structuring with the colony system. As a result of the two World Wars, international organizations became widespread in order to protect peace and stability in international society. Organizations such as the League of Nations and the United Nations aimed to reconstruct the international order, and to establish a stabilized system on a global scale, by promoting cooperation among the increasing number of Westphalian states. During this process, the liberal secular Europe sovereign nation state system transformed different policies in waves, and aimed to transform these policies into homogeneous units similar to itself. In the post-cold war period, this change gained impetus with the impact of globalization. The sovereign nation state system, shaped by the Westphalia system, made Europe a multi-faceted political geography. This situation weakened Europe in global international geopolitical balance of powers. However the new European order, in post-Westphalia, has reconstructed in terms of economy, political, legal, social, and security senses by developing a new concept of sovereignty. Problems arising from the perception of nation state sovereignty, such as the new policy after the nation state, supra-national sovereignty, and inter-governmental approach in the EU in terms of economic restructuring were discussed. The issue of sovereignty established the construction process of a new policy after the Westphalia process and thus, after the actors of this structure built a new order like the European Union, the sovereign nation state structures of the countries that would become members of the EU were discussed in terms of economic, social, political, legal and democratic legitimacy, while continuing to bear in mind the historical process as well. In this article, at first, it is reviewed the sovereignty literatures with the evolution of the European state system. Secondly, there is considered the historical developments of sovereign modern Turkish nation state system and its evolutions in the process of nationalization, democratization, internationalization, globalization, regionalization and Europeanization. At the same time, Turkey not ending and not finished as a classic sovereign polity order which transforms and adapt its majoritarian modern nation state sovereignty into pluralist post-Westphalian order.

Sovereignty as a Concept

Etymologically, the term sovereignty is derived from the English word 'soverainte' and the Anglo-French words 'sovereinté' and 'soverein'. The concept was initially used to denote supreme excellence, a supreme power over a body politic, freedom from external control, autonomy and the autonomous state.[2] In the Cambridge dictionary, the concept of sovereignty is described as originating with the public in some countries, whereas in other countries it means the higher power belongs to one or more individuals or to a group and the power of a country to control its own government.[3] In an English-Turkish dictionary, sovereignty is described as dominance, sublimity, supremacy, superiority, dominion, sultanate, independence, rule, autonomy and sway.[4] Expressions such as ascendancy, ascendant, dominance, dominion, jurisdiction, preeminence, prepotence, prepotency, primacy, supremacy, supreme power, and sway are also used as synonyms for sovereignty. Expressions such as submission, descent, secondariness, weakness, being dominated, impotence, dependency, and obedience may be used as antonyms.[5] In another online dictionary, sovereignty is, in political theory, the ultimate overseer, or authority, in the decision-making process of the state, and in the maintenance of order. The concept of sovereignty, one of the most controversial ideas in political science and international law, pertains closely to the difficult concepts of state and government, and of independence and democracy.[6] Likewise, in the "Online Etymology" dictionary, the notion is described as pre-eminence from the Anglo-French "sovereynete", Old French "souverainete" and from "soverain". The meaning "authority, rule, supremacy of power or rank" is recorded from a sense of existence as an independent state.[7] Wikipedia dictionary describes sovereignty as the comprehensive governing right of political power (as executive, legislative and judicial powers) over a place or public's governance, while "sovereign" is described as the high lawmaker, which is not subjected to anyone else.[8]

Rise of Europe's Classical Sovereign Nation State System

The root of the concept of sovereignty dates back to the Westphalia Peace in 1648. In this period, the European states mutually abandoned supporting or intervention so as to protect their co-religionists which located outside of their own territorial jurisdictions, in any problems within the neighbor states. Kings and princes mutually recognized each other's judicial rights within their defined boundaries, and developed a policy of not interfering with land-based countries. Thus the authority of the Rome-centered Papacy (extra-territorial or respublica christiana) was considerably weakened outside of its boundaries, leading to the development of the monarchic state by Bodin, national consciousness 'raison d'etat' strengthened by Richelieu, and the constitutional secular nation state with the French revolution. European princes mutually recognized each other's sovereignties, and they showed that they could abandon, not only the support of religious minorities, but also political goals, in exchange for ensuring internal control and stability.[9] As a result of the Napoleonic Wars, the 'Concert of Europe' or 'Westphalian Order', the legitimate state order based on liberal popular sovereignty was restored, as a reaction to absolutist central government and revisionist policies. Civilizations shaping their policies on that basis created permanent, continuous, and universal structures, forming spaces, societies, economies and common mentalities.[10]

Emphasizing the historical nature of sovereignty, C. Weber says that different state' sovereignties exist all together in modern global political life; for instance, he underlines that sovereignty varies according to democratic, authoritarian, totalitarian regimes in one sense, and to national socialist and capitalist political economic systems in another, and he further emphasize that the different roles and functions of sovereignty change according to time and place in first, second, third, fourth and fifth world countries.[11]

Regardless of the relations between the states (independent, suzerain, hegemony, dominion, and imperial) composing the international system, the case of absolute independence or empire, which fully govern the world, from this ambivalent logic is a theoretical abstraction rather than a practice.

Hence, there is a constant tension between order and independence within state systems. Each order aims for peace, stability and development, yet it bears a cost for every society, leader, and state, restricting their freedom, autonomy, independence, and autonomous actions and operations. The rules and institutions of the order, accepted as restrictive or voluntary by the potential or active hegemonic authority, may mean interference with the member countries' internal and external affairs, security, economy, independence, autonomy and autarchy. [12] Each and every country has a mutual interaction in this process, either as a rival or ally.

Plato compares the theoretical and practical secondary and tertiary position of the artist and carpenter example in designing in the context of reaching ideal, truth, imitation, and reality regarding also as the state we establish being the best for people's private and formal public life in terms of peace, welfare, war, order, justice and education. [13]

The issue of sovereignty is described as a country-based unit, which takes part in the laws and constitutions. The League of Nations, established as a result of World War I and the Wilson Principles, has been an example of an international legal organization providing collective security and conducting the relations of sovereign states. Sovereignty has achieved its state and corporate based transition with the principle of self-determination in nations' own national destinies. Here the nation concept combines the law and land, the basic factors composing the state. It is believed that real states have national societies, and real nations have their own states. [14] However, this situation varies in practice in states such as France and Germany, which built their sovereign political structure according to the civic or ethnic structure. Furthermore, upon the degree of countries' homogeneity or otherwise in terms of nation, race, ethnicity, culture, religion or language is so crucial for the construction of nation building policies. The political history of each country sets a separate example in this process.

R. Jackson states that sovereignty began its career as dynasty and finished as popular sovereignty. [15] The French and American revolutions in the 18th century had a major impact on the transition to national sovereignty. In this process, the political power is elected in a democratic or representative sense, and the public enacts its sovereignty in its country, at its own will, and without outside intervention. In this context sovereignty is single, indivisible, indispensable and continuous under the French Constitution dated 1791. Sovereignty, which belongs to the nation, cannot be transferred to a person or a group. The republican form of the sovereign nation state thus formulated became a threat to multi-national state policies governed by dynasty. In the history of sovereignty, the principle of self determining national destiny has come late. A regime where the state authority is based on people was taken into account in the acceptance of member states to the League of Nations established by the efforts of Woodrow Wilson. Moreover, the principle of self-determination, which arose in Central and Eastern Europe, was applied to the Habsburg and Ottoman Empires. Lastly, the disintegration of the USSR, Yugoslavia and Czechoslovakia cases set an example. Within the framework of these principles, the sovereignty of Turkey was guaranteed in Lausanne in the post-war period as per Wilson's Article 12. However, a great number of nation states emerged in the Ottoman geography, yet the boundaries did not sociologically encompass any single nation, and national minorities came about in the neighboring countries. [16] The announcement of the National Pact in Anatolia, covering a greater part of modern Turkey, may be given as an example in accordance with this process.

J. Hutchinson says that in the creation of the modern nation state the French revolution commandeered loyalty against dynasty and transformed passive citizens into active, self-governing citizens; Thus the nation state model emerged in Europe and worldwide. [17] As a new power ideology replacing the feudal political structure, secular nation state sovereignty is frequently deemed as a political regime prioritizing liberalism, modernization, print-capitalism, urbanization, industrialization, market and trade, and targeting a transition from subject to citizen. [18]

The Rise of Modern Turkey: Republican Political Nation State System

The Ottoman Empire could not protect its multi-national state structure, and many Christian and Muslim sectors disintegrated to establish their own sovereign nation states by means of external interventions and uprisings. The Ottoman state regressed against Europe's state systems of the Westphalian order and the imperial sovereignty system. Cemalettin Efgani wanted to modernize the Islamic world, and the idea of establishing each one's own national state, of Ottoman citizens and the Muslim nations living in the colony, also impacted Ottoman-Turkish thinkers. Conservative-Turkish intelligentsia had a great impact on the basic infrastructure of the republic. However, this intelligentsia did not anticipate that a Western state would be established from a secular root. In the Ottoman State, movements such as Pan-Ottomanism and Pan-Islamism were used to hold the state together, but failed. Moreover, according to G. Özdoğan, it was obliged to move from the Pan-Turanism movement to Bozkurt (Grey Wolves), an Anatolian centered nationalism, that is why, the establishment of such nation states actually conflicted with the 'umma' and universality concept of Islam.[19] Names such as M.Abduh, R.Rıza, S.Ahmet Han, Emir Ali, S.Halim Paşa and Muhammet İkbal can be seen as examples of conservative thinkers defending the sovereign nation state idea in the Islamic geography, Muslim countries were expected to be established as a family of Republican states.[20] However, the political, social and economic structures of these newly established states were quite different from those in Europe. Western style modern sovereign nation state identity has been highly problematic in the Middle East.[21] Whereas, in the establishment of a restricted land-centered, country-based, territorial nation state, similar to the modern European type, Western, democratic, sovereign, secular nation state system, factors such as nationalism, nation, tribe, ethnicity, nationality, state, language, religion, secularity, culture, religious sect, national, international, regional and universal concepts, ideologies (such as Pan Arabism, Arab Socialism, Pan Islamism) were not disintegrated, but became intertwined and conflicted with each other in the East. While in Turkey, one or other of two options(ethnic and civic nationalism), the ethnic, language-based nationalism of Akçura based on the unique Turkish culture continued till 1950, and after that the approach of cultural nationalism, was adopted which approach history and religion as national moral and spiritual values.[22] In discussions pertaining to sovereignty, internal sovereignty has been discussed within the context of national sovereignty as the new order against the old regime, and the country-based, restricted to Anatolian land-centered Republican and popular sovereignty in the sphere of TBMM (Grand National Assembly of Turkey). External sovereignty means having equal legal status to other Western states as an autonomous, economically and politically independent and self-sufficient state.[23]

A. Toynbee portrays the newly established Turkish Republic as a positive agreement consciously acquiring the West's military techniques, political institutions, economic organizations and moral values without any pressure or compulsion.[24] Likewise, Toynbee considers that the problem arises from the fact that the separation between religion and policy, moral and material, celestial and mundane, did not emerge under the law ruling in the area known as Islamic geography, contrary to the development in the West.[25]

According to B. Lewis, Turkey wishes to create a home country like Europe in a secular and territorial sense through Westernization and Turkification policies, and wants to bind the people of the Anatolian geography to the motherland in a mystical and permanent way; in this context, the Anatolian movement interiorizes itself with the Hittite, Sumer and Troy theories, thus with this political construct the aim is partially to protect Turkey's Turkic people from dangerous movements such as Pan-Turanism.[26] Ziya Gökalp sees the liberation of Turkey, an Anatolian country continuously regressing since Vienna, in the creation of a modern contemporary nation and nation state in all areas, within an organic solidarity and in a political Turkification, which is localized and secularized in language, business and idea by means of Ismail Gasprinski's method.[27] In the War of Independence Turkey reached the National Pact to a large extent, which draws the main framework of the state's founding purpose. Moreover, the legal and political registry in the Lausanne Treaty maintains the outline of Turkey's external policy, "Peace at home, peace in the world", in spite of minor changes. (Montreux, Hatay, Cyprus)[28] In this period, membership in the League of Nations and regional security agreements are indicative of Turkey's efforts to join an amicable international community,

just like the Sa'dabad Pact and the Balkan Pact. Many states in Europe wanted to build a homogenous national identity, while Turkey, affected by this process, only accepted religious minorities (Greek, Armenian, Jewish) under the Lausanne Treaty. This situation resulted in marginalizing other different ethnic cultures and caused partial tensions.[29] Turkey has developed many strategies and policies, both successful and unsuccessful, in order to overcome this tension.

As a result of the long lasting struggle, which would shake the moral and political supremacy of the West, in order to become an equal member of the European-centered international community, countries from different civilizations have officially participated in Europe's independent sovereign nation states system by means of the Lausanne Treaty, signed with Japan, Egypt, China and the Turkish Republic in 1900, 1936, 1943 and 1923 respectively.[30] Two major historical developments achieved by Atatürk, the founder of modern Turkey: the National War of Independence and the founding of a unitary republic by building national consciousness out of an empire based on umma and conquering policy. The construction of a sovereign nation state was carried out under post Balkan War and World War I conditions. A secular Republican system, positivist development and enlightenment process were radically applied in time with modernization. The main evolution from Ottoman Empire to Republic was experienced during the transition period from the multi-national and multi-faith empire order to the secular and single national state system. [31] Unlike Japan and France, Turkey applied its Westernization policy in every area and in an earlier period, after gaining a military victory against the European imperial states in a manner that even the colonial regime would not dare to attempt.[32] There has been social and political resistance in Turkey to the 'sovereign secular nation state model', which was gained as a consequence of brutal skirmishes, conflicts, and wars lasting three centuries in the West. Incidents in which Turkish modernization conflicted with religious tradition since the era of the Ottoman Empire, such as the 31 March, Menemen, Sheik Said Rebellion incidents, have been repeatedly addressed, as a general message both to internal and external policy, in many publications reflecting the Republic's rooted and national tradition. Modernization, Westernization, nation building, secularism, populism, secular nationalism, and positivist progressivism have created difficulties between state - community and society - bureaucracy - civil - military relations in Turkey, especially for the single party regime (from top to bottom) of authoritarian state elites' projects on changing the passive traditional community.

Likewise, Lewis states that Turkey has succeeded in passing to a developing parliamentary system by becoming a signatory, of its own free will, to the European Council and Atlantic Pact in the 1950s, and by adopting an external policy in accordance with the West as a result of the successful Westernization policy; However, he argues that the authoritarian attitude of the Democratic Party caused rapid degeneration of the multi-party system, and corruption in the Turkish Republic's stability after the religious and racist movements grew stronger. [33] The victory of the Western democracies, as the winner of the war, dragged Turkey towards democratizing its state-centered, elitist, bureaucratic, single party, tutelage based sovereignty concept, due to internal and external impacts, along with the fact that the West also shares the New Soviet sensitivity. After 10 years of majoritarian power, the DP, which came to power via democratic elections, reignited the democracy crisis in Turkey with a military intervention.[34] It is said that political power's actions in respect to protecting the benefits of certain groups and dynamics, and diverging from Atatürk nationalism instead of governing the state with public and legal constitutional institutions, and protecting the common national benefit, led to the military coup.[35] As a result of Kemalist modernization and urbanization, Turkey has managed to establish a unitary republican state in political, social and cultural senses, and a developmental, homogenous, populist, nation state system with a growing population. However, there is a weakness in creating a national consensus between those political and social elite dynamics in terms of forming pluralist society by stabilization and democratization of Turkey. Because, even if it may succeed in integrating the political sociology and psychology in practice with the civil, ethnic, religious-denominational, regional and sub-nation dynamics, the 'pulsed and parrot memories', as well as the partisan practices of these structures and actors, degenerate the democratic culture. This background opens the door to military intervention against civilians, and creates vulnerability among the competitive policies of the international community. İ. Dağı says that there is a 'huge struggle' between the state-centered bureaucratic-authoritarian center and the democratic sphere, and among the

political parties in terms of nationalism, secularism, conservatism (Islamism), militarism, Kemalism and the Kurdish issue. [36]

Although national sovereignty institution constructs an area that protects the freedom of the individual against the absolutist state in the popular sovereignty issue, it still, paradoxically, makes it an object in the public area where the political power of the state is exercised. [37]

> *"Even today, though almost eighty years have passed, we could not shake off being a country where religious-Islamist political movements, supported by foreign focuses and bloody reactionary attacks, prevail. The claim that the governing party, government and Çankaya are hypocritical raises serious concerns.*
>
> *Religious-Islamist State Model!*
>
> *The design to spread the implementation to a long maturity, occupying public institutions, winning over young generations through education and training, making religion-based capital, attributing a democratic look to the policy through strategy conducted from the bottom up, emphasize the timed ingenuity injected from outside. [38]*

The European type classic republican sovereign secular nation state understanding of the elites who established the republic, basically appears dominant here. Of course, the homogenous sovereign nation state concept shows the same reaction to religious and separatist ethnic nationalist movements as well. K. Karpat highlights that democracy needs strong political government and also opposition, and he reduces this discourse into two problems in Turkish democracy. Firstly, any political party or political dynamic who manipulates the state power as a tool of political force is to implement a specific view and ideology upon society, so as to define any opposition movement as a threat or danger to the existence of the nation state or national interest through the use of historical archaic pejorative symbols within the 'reactionary, religious, bigot' context; secondly, some officials working in public institutions and organizations have created social groups just like the single party concept of the Republican People's Party (CHP), occurring after the Law on 'Maintenance Order', and used the slogans 'party, state, nation' to easily overcome any opposition with the accusation of 'religiosity and backwardness', as a pretext of patriotism and nationalist duty or task, and using political violence and coercion against any opposition by taking the state under minority domination, cannot be accepted.[39] Ergün Özbudun explains with self-criticism that the authoritarian concept, which legitimizes the military interferences in the early periods of the Republic and afterwards, actually conflicts with democracy and mistakes were made in this sense. Some comments also related to the lawsuits (Ergenekon etc.) which were the traditional attempts to change the democratically elected governments and officials in Turkey, now any jurisdictional interrogations of the coups so as to delegitimize such acts whether they are punished or not are all the great contributions in promoting of Turkish democracy.[40]

Şeref Gözübüyük classifies democratic sovereignty into national and popular sovereignty, in addition to Divine sovereignty. It is necessary for Turkey to display popular sovereignty, the democratic side of which comes to the fore, instead of national sovereignty; to make efforts on civilized distribution of work and cooperation[41], instead of superiority, by considering the separation and balance of powers, and to realize that its social dynamics have acquired local, regional and national maturity.

The political, economic, social and cultural dynamics of Turkey, which cannot be internationalized in regional and global scale, fail to benefit from many transnational, political, economic and cultural opportunities, in addition to multinational and supra national. Turkey's own social dynamics, as well as the socialization, modernization, nationalization and integration of conservative right and nationalist left is a lengthy process. This is because the political-socialization format of many of these remains limited to national or local scale. It is also said that 1960 Turkish Constitution was so democratic that favored basic freedoms, human rights, rule of law and pluralist

society by limiting executive state powers, that is why, those less institutionalized-rigid civil and political parties and dynamics through polarization, fragmentation, anarchy and violence locked legal public order, thus military coup took over state; the 1982 Constitution strengthened the executive and administrative state powers.[42] Developments made in awareness that we draw a pessimist outlook can unfortunately be executed via the trial and error method, leading to vast waste of resources. Otherwise the poor, simple, internal-domestic politic' polemics, and the quantity of nation state polities reaching to and soon-to-be exceeding 200 with the not having forms of open society national orders (left and right groups in 'protectionist-isolationist-introvert nationalist closed society rather than open society cycle'), as well as radical religious and racist movements, cause conflicts, corruptions, disappointments and resentments[43] not only on a national scale but also on a European, Middle Eastern and global scale.

Whereas, there is a danger in not having an open society infrastructure in Turkey. In the post 1950 period, various political tendencies emerged upon the modernization, differentiation and urbanization of the community in Turkey, for instance, the infrastructure of a liberal, left, modern, nationalist, conservative, democratic, secular political community was created. However, a solidarist, monist and statist view and policies cannot be imposed upon a society that has various differentiated social complex class dynamics in the political order. If conflictive and confrontational methods are used in a majoritarian authoritarian democratic way, it may lead to the polarization, fragmentation and destabilization of political order between the secularist civil and military bureaucratic elites, nationalist, leftist, rightist, liberal and conservative political parties, interest and civil group dynamics. B. Ersanlı emphasizes that unless the differences are interpreted with a pluralist approach at each level, without any local, national, or regional identity, it will not be possible to create a universal identity among future generations while teaching them about the whole world, namely the Turkish world, the Islamic world, and the world of the Turkish Republic, in a confused way in high school books. [44]

Meanwhile, the transition from the multi-national, multi-cultural, multi-lingual imperial state model to homogenous, local (territorial) nation state sovereignty concept, in terms of a political, social, economic and legal sense, is a significant historical milestone for Turkey. As this change and transformation was a revolutionary one, which brought a halt to the continuous defeat and regression starting as of Vienna. Nazım Hikmet's interpretation, "You did not hear the owls' hooting, You came in the rose age", reflects the general defensive, nationalist mood of Anatolian Turkey at the time of independence war. Moreover, many political novels (written by Ömer Seyfettin, Falih Rıfkı Atay, Yakup Kadri Karaosmanoğlu, Kemal Tahir, Halide Edip Adıvar, A. Hamdi Tanpınar etc.) reflecting the political-psychological mood of the Republic Period, help us better understand this transition process, the disappointments, and the general balance of Turkish society. Turgut Özakman's political novel, *Those Crazy Turks,* is highly impressive due to the fact that it reflects the general mood of that period and transfers it to the following generations. However, according to Füsun Üstel, instead of a French-style contractarian nation, our German-like organic nationalism prevails in terms of timing as the notion of modern, contemporary citizenship reflects the voluntary side of Republican Westernism; by the way, Citizenship includes a certain manner of life and community project that is beyond a legal and political belonging between the individual and state.[45] In Turkey, however, an individual is brought up on the basis of a communitarian understanding, and with not civil but a reasonable militant citizenship concept, and with a perception of patriotism, right and duty, threat and danger. The patriotism of an individual toward his/her family, nation, state would be on a territorial, ethnic and cultural scale.[46]

Historian Orhan Koloğlu says that both the Ottoman Empire and Japan commenced modernization and reform movements in the 1850s, yet Japan swiftly reached a level at which it could compete with sovereign Western modernization. Of course, there would be geopolitical and geo-strategic reasons behind this comparison. In those days, the literacy rate stood at 10% in both countries, but Japan managed to bring this to half of the population in 1850, and to 90% in the 1900s. As a result of this, Japan was able to challenge the power of the Western states. He states that the Ottoman people maintained the literacy rate at 10% until the foundation of the Republic.[47] Thus, as the producer and creator of new life practices in the West upon the rise in its literacy ratio, the public has become the transformer of the sovereign political system as the dynamic of economic and social

development. In the Ottoman Empire however, the public was required as national subjects, and objects in terms of military needs and tax. In this situation, the security concerns of the Ottoman Empire, with its conquest-based approach, increased due to land losses, and it sought the key of salvation against the superior culture (as expressed by Arnold Toynbee) by clinging to the past and tradition.

In conclusion, the efforts of the Ottoman Empire, whose policy was weakening in the changing, dynamic imperial international system, to change its social and political structure into an ethno-political structure with relatively unionist approaches in the last period, before acquiring a robust national political autonomy in the sovereign states systems, eased its dissolution. A. Davutoğlu states Turkish people were dominant in the Ulama and Seyfiye (a military class in the Ottoman Empire) classes.[48] The Ottoman Empire participated in European states systems with the London Accord, which ended the wars it had fought against the Egyptian States (1831-32 and 1839-40); the Paris Accord executed with Russia (1856), and the Berlin Accord with Russia (1878). However it suffered considerable losses while defending its land, spread over three continents.[49] In the mid-19th century the population of the vast Ottoman Empire was relatively low.[50]

İdris Küçükömer attributes the basic factor why a political society hadn't emerged in the Ottoman era to a structure, in which the production forces among the production relations of the system create a capitalist economy, in other words, to the sense of subsistence economy. Ottoman politics did not allow the creation of a bourgeoisie, which would enter into power struggles with the sultan, as in the West. While the manorial system yielded to the tax farming system (privatization of taxes for pragmatic reasons) after the ending of the conquests and beginning of territory losses, the de facto emergence of the local landed proprietors, feudalism in the Ottomans' property system led to the disruption of justice, equality and state order.[51] The tax farming system gave rise to the degeneration of the system and the backing of the Muslims by the state, and this made it easier for the Christian components, which were already integrated into the international economy, to participate in separatist and nationalist movements. Ömer Çaha argues that idealistic individuals who might lead to the formation of civil society in the Ottoman Empire were stifled by the cynical and mystical structuring of the sects. (Conference-interview 2004). The fact that the guilds and foundations created a (small and local scale) special organization area for artisans and retired bureaucrats, constructed the small surplus value of agricultural society as charities.

Küçükömer says that, when they possessed governing authority, those who wanted / want Westernization during the Ottoman and Republican periods, promoted the idea of the construction of the entire military, political, economical, educational and some cultural institutions of the West in Turkey. However, they argued that a policy covering a civil society in the Western sense can only be established based on the principle of laicism. He also indicates that a modern western-style political and social structuring in fact favors the ideology of the foreign economic capitalism of the West, and the West has greatly benefited from this. Pessimistically, Küçükömer says, "Turkey cannot westernize without becoming capitalist". He finds liberation in the historical experience followed by the western capitalist countries (French, English and Greater German) and Japan.[52] In addition, he defends the view that possessing Western institutions, being a member of NATO, the principle of laicism, and the embracing of the Ottomans into the Caliphate in the final period, are not parts of a solution, and the squabbles among Westernist- civil- laic and Easternist-Islamist groups in Turkish politics lean in favor of the West.[53] Sketching the macro and micro pictures of the political social base of Turkey, from the Ottoman era to date, İdris Küçükömer says that it is very difficult for Anatolia to develop and thrive without capitalization (internationalization).

Within this frame, the Republic has been greatly affected by the collapse of the Ottoman State. The national and foreign capital rates in the last period of the Ottoman State was as follows: 50% of the capital was owned by Rums, 20% by Armenians, 5% by Jews, 15% by foreigners and 15% by Turks.[54] During the process of Ottomans' articulation with the economies which had undergone the industrial revolution; the capitulations, Balta Limanı Treaty of Commerce, foreign debt and Public Debts (Duyun-u Umumiye) led the state into a semi-colonial status and afterwards, the sharing and distribution disputes fragmented the state. The Ottoman Young Turks were aiming to construct a nation-state and create a national market in the 20th century. However, the Ottoman reform had

created an ambivalent structure, which contained both traditional and new modern institutions. Therefore, it failed to set up holistic political, social and cultural institutions to build a national structure within its own body.[55] 85% of the capital in this system was held by actors who hadn't supported the national center. The majority of this capital was then owned by the expansionist imperial units, which didn't support the Ottomans and the Republic of Turkey. This situation also created a ground of legitimacy for the capital nationalization and domestication policies of Ataturk and his friends.[56] In this way, a national development was targeted with the domesticated capital and the support of the state. However, the new Republic had to perform several structural, political, economic, and social revolutions in order to participate in the contemporary, capitalist Western sovereign states system.

A Turkish company, which achieved exports of $ 5 million worth of candy (halva) to Mexico in the Istanbul food fair in 2007, is a small indicator of the fact that domestic productive forces (the bourgeoisie, businessmen and craftsmen) in the agricultural industry started to realize production perceptibly, and the strategies of expansion towards the international markets after 1980 still continue in the private sector.

However, it has been quite a challenging process for the young Republic of Turkey, which adopted a sovereign nation-state system, to integrate into the 260-year-old capitalist global economy system in the West, which is imperial and global.[57] Turkey, as a peripheral country, could actually and legally have ended its dependence process (capitulations) with the center in 1929. But Turkey was also forced to pay up its share of the debt of the Ottoman State until the 1950s. Along with independence, Turkey has been shaped with the planned economical development model under the control of the state because of the weakness of the private sector. For this reason, the import substitution development model was implemented. Although Turkey had been initially successful in the areas of industrialization and agricultural production, the public and private sector (classical import substitute closed economy model) have been ruptured by the global economy due to high protectionism, lack of competition, inefficiency and over-employment in later periods. After Ankara Agreement with EC, Turkey's accession process to the European Customs Union took nearly 35 years for industrial and processed agricultural products.

According to Eric J. Hobsbawm, Turkey's proximity to deferred national problems in the Caucasus and the Balkans, as well as to the Middle East, which is rife with ethnic and religious turmoil, facing racist attacks as the illegitimate child of nationalism showing up in Europe, and inflammatory slogans such as the "21st Century will be the century of the Turks", which is the product of the same nationalist logic, will not make any contribution to peace.[58] Within the process of globalization, the logic of societies turning inward and imposing themselves outward, developing exclusionary nationalist discourses instead of participating in the efforts of humanity for the development of civilization, will mean to sow the seeds of further violence in a period in which people have started to make conciliatory advances towards each other. Just like the expansionist Russian and Serbian nationalist approaches, the other as Panist ethnic and religious sectarian approaches are also described as very dangerous in Eurasia.[59] In fact, this approach draws us a picture of how every nation perceives each other as "the other", and reflects its character of sovereignty.

The Legal – Historical Development of Sovereignty in Turkey

The idea of national sovereignty in Turkey appeared for the first time with the "adherence to the constitution, loyalty to the homeland and the nation" promise, made at the coronation ceremony of the Sultans, after the amendment in Kanun-i Esasi (Ottoman Basic Law) in 1909. The fundamentals of the sovereignty rights weren't defined in the Constitution of 1876, and these rights were determined for use by the Ottoman Sultanate (dynasty).[60]

Gathering on January 20, 1921 in Ankara, the Grand National Assembly made a substantial reform by introducing the principle, "Sovereignty is vested in the nation without condition", in Article 1 of the Constitution (Teşkilat-ı Esasiye). The TBMM (Turkish Grand National Assembly),

which was the center of power of the new government against the Ottoman system, and which represented the nation, recognized no power or authority other than itself. This constituent assembly proved quite successfully that they exercised sovereignty under War of Independence conditions, too. In the Constitution of 1924, the TGNA (the Parliament) was able to decide in the enactment of laws and the auditing of constitutionality, since the authority of national sovereignty was vested in itself.[61]

Table 1

Basic Constitutional Revolutions from the Medieval Period to the Present Day

Revolutions in Sovereignty	Changes at first dimension	Changes at second dimension	Changes at third dimension	Geographic Boundaries
Westphalia (1648)	States assume sovereignty instead of the Holy Roman Empire.	Politics should bear the main feature of a state and should be Christian.	Governments want absolute sovereignty within the state; noninterference	Europe
Minority Treaties (1878 to after World War I)	Legal supervision and monitoring role of the League of Nations	Minority agreements criterion as a condition to recognize the states	Supervision of the minority practices of the states	Eastern Europe
Integration of Europe (1950 and subsequent expansion)	EU Institutions "Pooling" of the sovereignty of the states	Membership criteria set by EU law	The states are not sovereign in the areas set by EU Law.	European Union Countries
Independence of Colonies (Before the 1960s)	None	Colonials founded as States	None	Global
Intervention (After the Cold War)	The UN assumes executive power to strengthen Human Rights and Justice	None	The states remain open to external effects in supporting human rights	Potential Global

Source: Daniel Philpott, *Revolutions in Sovereignty*, New Jersey: Princeton University, 2001, p.31.

The above table summarizes the development of the orders and rules of sovereignty, which shaped states in the constitutional framework in historical development from Westphalia to the present day.

According to Article 4 of the Constitution of 1961,

> *"Sovereignty is vested in Turkish nation without reservation and condition. The nation shall exercise its sovereignty through the authorized agencies as prescribed by the principles laid forth in the Constitution. The right to exercise such sovereignty shall not be delegated to any one person, group or class. No person or agency shall exercise any state authority that does not derive its origin from the Constitution."* [62]

And according to Article 6 of the Constitution of 1982,

> " *Sovereignty is vested in the nation without reservation and condition. The Turkish nation shall exercise its sovereignty through the authorized agencies as prescribed by the principles laid forth in the Constitution. The right to exercise such sovereignty shall not be delegated to any one person, group or class. No person or agency shall exercise any state authority that does not derive its origin from the Constitution."* [63]

Though there are many efforts charged in Turkey writing a civilian constitutions to reform legal system and adopt EU norms before joining EU, but it failed. Turkey currently wants to change the Constitution of 1982, and in some drafted civilian constitution as the following definitions are discussed in the draft studies, in order to develop a more democratic discourse on sovereignty and citizenship issues in these discussions surrounding Turkey's agenda after the Customs Union, together with the accession process:

> *"Sovereignty is vested in the nation: One of the most radical amendments in the draft regards the exercise of sovereignty. The expression of 'authorized agencies' in the Constitution of 1982 is to be omitted. Thus, the exercise of authority of the institutions and bureaucracy against the will of the nation is prevented. The new text is as follows: "The Turkish nation shall exercise its sovereignty through the legislative, executive and judicial agencies as prescribed by the principles laid forth in the Constitution. Another expression was also added in order to avert a "sovereignty" argument during Turkey's EU accession process. It was emphasized that the international conventions to which Turkey is a party are "exceptions" in the exercise of sovereignty. Also a new definition of Turkishness: The definition of "Turk" in the Constitution of 1982 is to be changed. The statement, "Everyone bound to the Turkish State through the bond of citizenship is a Turk" in Article 66 of the Constitution is to be replaced as, "Everyone bound to the Republic of Turkey through the bond of citizenship, regardless of religion and race, is called a Turk."* [64]

By the way, Franz Oppenheimer regards the modern state as a tool of capitalism in his book *The State*, and recommends us to neither fully sublimate nor totally denigrate the state as in Europe, within the historical development of capitalism. He imagines a state that possesses the institutions to apply the laws and the rules, protects freedom, but doesn't desire any exploitation or superiority.[65]

In his book *Genel Devlet Teorisi* (General Theory of the State), Kemal Gözler uses together the concepts of human-nation, land-country and political government-sovereignty, which he considers the three components necessary for a state. The first group, he includes monarchy and republic as examples for forms of state. He classifies the forms of states as unitary and united in the second group, and mentions federation.[66]

Moreover, in his book *Resmi Ideoloji Sözlüğü* (Dictionary of Official Ideology), Fikret Başkaya puts together some fairly comprehensive titles in the example of sovereign nation-state Turkey, and drew a picture of the system's overall understanding of sovereignty. Surely we can say that theses reflexes are not only peculiar to the nation state of Turkey, but also are the reactions of the

homogeneous political culture encountered in general nation-state politics. He also tries to describe the universal picture of the overall understanding of sovereignty in politics in a reactionary style in the following words: [67]

> *To dominate the time or to rewrite history is only possible by being great. In fact, being great is not enough, by possessing a mighty power! If you have "such" a power, then you can control the entire time and the entire temporal relations of your subject. And directly proportional to your power, you can keep this control sterilized, excluded from any inspection and investigation. And starting from this point of view, if you have "such" a power, then you can rewrite the history of your society starting from your own history and even continue by rewriting the history of all humanity. You can impose this rewritten history and even make your society and humanity get used to it as soon as they are under your control. And finally you can internalize this "knowledge", which is a result of a different production process. The writing of the official history is like this at every level. At first, it is written under the control of the official ideology, and then reviewed again and again, and re-written again and again, and this history, which has been written with mandatory additions and deletions is memorized and instructed to the people repeatedly / renewedly, after degrading its reality, starting from the moment they were born.*

R. Karluk says that the EU doesn't have authority over the sovereign equality of its member states as a supranational sovereignty order. Instead, part of the national sovereignty authorities of the member states is transferred to EU institutions, and these authorities are exercised commonly. The EU institutions have the authority to create direct or indirect rules of law that bind the member countries. These EU laws will be binding for the national law of Turkey, too. Turkey has already transferred its sovereignty on Fundamental Human Rights and Freedoms during the accession process, by accepting to be bound to decisions of the EU Convention on Human Rights, and the European Court of Human Rights.[68] After accession to the EU, the limitation of sovereignty of the member countries, exercise of the constrained legislative, executive and judicial powers in accordance with EU rules, regulations, laws and agreements, and also expansion of the area of sovereignty of the member state are all possible.[69]

Conclusion

In the EU accession process, Turkey has a strong characteristic nation-state sovereignty structure unlike other EU member or candidate countries. This strong concept of state sovereignty complicates the construction, sharing and transfer of a common sovereignty between the EU and Turkey in geopolitical, political, economic, social and cultural terms. However, Turkey is resolving all of these problems one by one is to join into European Post-Westphalian Order.

Turkey's understanding of sovereignty has been discussed in its historical development process. After the War of Independence, Turkey passed to the European modern sovereign nation-state system by making political, economic and cultural reforms in order to become Western and modern, and to reach the level of contemporary civilizations. While Turkey transformed its traditional societal structure to a modern, secular, contemporary, homogeneous nation-state polity thus ethnic, religious, regional or ideological problems also arose. This situation caused the appointed- elected- bureaucratic-tutelage, positivist elites to face a number of democratization problems, in government and opposition relations, in transforming the sovereign nation-state government to the sovereignty of the people. Parties who seize political power in Turkey consider that their majoritarian national sovereignty understanding represents the overall will in terms of Rousseau, and so present Hobbes's absolute state sovereignty as an understanding of national sovereignty to society during their term of government

due to the fusion of powers of parliamentarian regimes. This prevents these parties from reflecting a democratic, civilian, limited and pluralistic understanding of social sovereignty in the sense of Lock. In this aspect, instead of completing each other, the sovereignty of people and the sovereignty of the nation conflict and prevent the construction of democratic sovereignty.[70] Therefore, the democratic process of Turkey's political system has witnessed a number of coups, and its geopolitical position also contributes to this instability.

Notes

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[3] 'Sovereignty', *Cambridge Advanced Learner's Dictionary*, 3.Issue, Cambridge University Press, 2006, p.1233.

[4] http://www.seslisozluk.com/?word=sovereignty&go_seslisozluk_search=Search. (20.12.2005)

[5] http://thesaurus.reference.com/browse/sovereignty. (13.10.2006)

[6] http://www.britannica.com/eb/article-9068942/sovereignty. (10.10.2006)

[7]http://www.etymonline.com/index.php?search=sovereignty&searchmode=none.(15.10.2006). It is summarized the definitions of sovereignty available online in order to understand the notion better. 1. Complete independence and self-government, royal authority, the dominion of monarch, and the right of a state to govern another country (wordnet.princeton.edu/perl/webwn), 2. Supreme and absolute authority within territorial boundaries. (www.mdk12.org/mspp/vsc/social_studies/bygrade/glossary.shtml), 3. The highest ultimate power in a state, just as in the USA the real owner of sovereignty is the public. (www.nmlites.org/standards/socialstudies/glossary.html), 4. Country or region's power and ability to rule itself and manage its own affairs. Some feel that memberships in international organizations such as the WTO are a threat to their sovereignty. (www-personal.umich.edu/~alandear/glossary/s.html) 5. A government has sovereignty if it has authority over all that occurs within the state, and its authority is not restricted by any authority outside it. (www.thenagain.info/Webchron/Glossary/Glossary.html)(17.11.2007), 6. Sovereignty is an internationally accepted notion. The foundation of sovereignty is a public's power of self-governance. (www.reconciliationmovement.org/resources/glossary.html)(10.11.2006), 7. Means a nation or public takes political and economic decisions in an independent and free capacity. (www.wcit.org/tradeis/glossary.htm)(24.12.2007), 8. Sovereignty is the right of God to do as he wishes with his creation. This implies that there is no external influence upon him and that he also has the ability to exercise his power and control according to his will. (www.carm.org/dictionary/dic_s.htm) (13.12.2007), 9. The right of a country to govern itself without interference. (regentsprep.org/Regents/global/vocab/topic.cfm)(14.10.2007), 10. A country holding the right to self-governance, to deal with its own issues and to have judicial rights on the issues pertaining to its airspace, land and seas. (globaledge.msu.edu/resourceDesk/glossary.asp)(13.09.2007), 11. A political structure or government's power to regulate and control the public's actions within its boundaries. Dictionaries describe sovereignty as the source of all political power and the governing of the political power by itself. (lawlib.lclark.edu/blog/native_america/)(11.10.2007), 12. Sovereignty is described as the right to exercise the government powers owned by all independent countries. It is using their state powers without the need for permission from other states. (naiadonline.ca/book/01Glossary.htm)(14.10.2007), 13. Autonomous, absolute political and military power embodied in a ruler or governmental body (www.hobotraveler.com/ge2countrydefintions.shtml)(13.11.2007), 14.The conditions to not be restricted and dependent on a superior or any other authority. (www.oup.com/uk/orc/bin/9780199281954/01student/flashcards/glossary.htm)(10.08.2007), 15. The authority to govern societies in non-monarchic governments as the highest controlling power (www1.aiatsis.gov.au/exhibitions/treaty/t88/m0066865_a/m0066865_p28_a.rtf), (12.12.2006), 16. Superior authority used in a certain area as single legitimate power. (www.thinkhistory.btinternet.co.uk/britishconstitutionglossary.htm), (11.10.2007), 17. The concept that there is no higher authority than the state. (socsci.gulfcoast.edu/dreese/glosterm.htm)(10.08.2006), 18. Means community demanding control of a certain region. (www.washington.k12.mo.us/schools/labadie/staff/rberges/vocabulary.html), (11.10.2007).

[8]See: http://en.wikipedia.org/wiki/Sovereignty,(11.11.2007),

Design, source or legitimization (either spiritual or belonging to the public) of sovereignty emerge from the way it is exercised or executed by the governmental institutions. In democratic states, the owner of the sovereignty is the whole nation or the citizens. In brief, this is known as public democracy. Society exercises this right of governing, either directly in the comitia curiata just as in old Greek cities, or indirectly by establishing government through publicly-elected representatives. Such type of representative democracies are known as liberal Western European government systems, and many of the world's other modern and post-colonial countries work to this system. After the end of the Cold War, Eastern and Central Europe became included in this system, both with representative democracy and via the European Union integration process. See: Michael Gallaher, Michael Laver and Peter Mair, *Representative Government in Modern Europe*, 2nd Issue, (Newyork: Mc-Graw-Hill), 1995, p.1.

Moreover, popular sovereignty is also found in the constitutional monarchic political structures. Here, it must not be confused the representative democratic systems with the government structures that use referendum as a method. In such policies, the method of attributing national sovereignty to a limitless root (to nature or a God), or sanctifying and legitimizing the ruling rights of the king just as in theocratic or absolute monarchy, is used dominantly. In today's world the acts officially have dominance. That is to say, after an act becomes law through pursuing formal procedures in the constitution, the law is exercised practically and it has sanctions. This law is exercised even if it is contrary to the political will of the nation. However, if the law is not amended officially by complying with the procedures set out under constitutional processes, it can roughly be described such deviation as a revolution or coup d'etat from these formal processes. In constitutional or International law, sovereignty is generally described as a government's full control over its problems within its local-country based-geographic boundaries, and the legal judgment of its authorized bodies without any need for physical supervision or audit by others. Defining who is the sovereign being here is a diplomatic problem rather than a science. Michael Roskin summarizes in his book (*Introduction to Political Science*, Pearson, 2012, pages 98-112) the features of a state in which Liberal representative democratic popular sovereignty dominates, as follows: accountable and responsible government before the public, existence of political rivalry (competition of more than one party or candidate), change of political power with its amicable and legitimate alternative – the opposing party, uncertain election results, election of the political power via public vote, the decision of the majority yet guarantee of the minority's rights within the rule of law, opposition, demonstration and amicable civil unrest, equal participation by all in the political system, consulting with the public, and freedom of press; while he portrays totalitarian regimes as the single ideology covering everything, single party regime, organized terror implementation by the security and intelligence controlling society, monopolization of all communication channels by the state, monopolization of all sorts of armed power by the state, and taking economic life under the control of the state. According to Roskin, society is generally excluded from the political system in authoritarian regimes, yet it is allowed relative freedom in other areas.

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25 Ibid, p.38.

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