Invisible Sovereign: Nation Vısible Power: People

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Abstract

This article deals with the complicated and ambivalent relationships between people and nation within the idea of sovereignty, emphasizing the Turkish case. We analyze, firstly, how the principle of sovereignty is transferred to the people during the nation-building process in Western Europe through a historical background. Secondly, we try to understand, why the term nation often replaces the term people. As in Turkey's case, the two different notions; demos and ethnos related to people and nation are deliberately confused. The new born nation defines itself rather with the particularities of an ethnos as an overlapping notion : while the majority ethnic group claims to embody the characteristics of organic unity as nation, they try to eliminate the other ethnic minorities.

Keywords: nation, people, ethnics, democracy, sovereignty

Introduction

This article seeks to understand the complicated and ambivalent relationships between people and nation within the idea of sovereignty, emphasizing the Turkish case. In the Turkish constitution, as we will see below, 'sovereignty is vested in the nation'. On the other hand, in many constitutions, sovereignty belongs to the people. The problematic nature of sovereignty has found itself a new way of expression since the time of Bodin and Rousseau in relation to the 'general will', and the "general will" has become the sole builder of the nation. This will is in the essence of law. In most constitutions the principle of sovereignty is not based on the nation but on the people.

Within this thesis is that this displacement comes not only from a simple confusion of the two concepts, 'nation and people', but is also the result of two different but combining processes:

1. In my opinion, the shift from people to nation is the result of the relationship between the invisibility of nation and the visibility of people, which determines the connection between power and sovereignty. On the one hand, the people could only have expressed their visible existence to the degree to which they participated in the political arena. On the other hand, democracy (rule of the people) is only possible when the direct participation of the people is available.

During the nation-building process, sovereignty as a principle is transferred to the people. However, the secular state glorifies its power by adapting a theological pattern. The theological creation model of monotheistic religions is the process of establishing the sovereignty of the invisible – of the creator and omnipresent God who never shows himself – over the material world. Nevertheless, the visible power is held by the ruler.

Beyond the secular dimension, the idea of sovereignty was derived from the power of the people, which was not detached from sacred or transcendental values as was the usual case in Western Europe. In this model, the invisible nation exercises its sovereignty through the visible people, and, thankfully being invisible, the sovereign nation has maintained its theological pattern.

2. This ambivalent displacement of the nation instead of the people is also related to another ambivalent relationship between *ethnos* and *demos*. The idea of nation is directly related to ethnicity – *ethnos* – whereas people are connected with *demos* – common people – (which is one of the etymological elements for the word *democracy*). Especially in modernity, when the term *nation* replaces the term *people*, the two different notions of *demos* and *ethnos* are confused, and the major ethnic group claims to embody the characteristics of organic unity and people. Associating these concepts causes ambiguity in their meanings, while it facilitates the dominant ethnic group to establish its own ideology and power.

In the first part of this article, we analyze the problematic relationship of the people and the nation in the nation-building process. While doing this, we approach the historical background of sovereignty and people in Western Europe. In the second part, we consider the reasons for the overlapping of the notions of *demos* and *ethnos* according to M. Mann. In this article, the nation-building process as well as different theories will not be explained in detail. We will analyze how and why nation and people are amalgamated.

The People and Their Sovereignty

'Sovereignty is vested fully and unconditionally in the nation.[1] The Turkish Nation shall exercise its sovereignty through the authorized organs as prescribed by the principles laid down in the Constitution. The right to exercise sovereignty shall not be delegated to any individual, group or class. No person or agency shall exercise any state authority which does not emanate from the Constitution.' (tbmm.gov.tr/anayasa.htm 2011)

In the sixth article of the Constitution of the Turkish Republic, to whom sovereignty belongs is determined as such. This article states that the nation is unconditionally the sole owner of sovereignty that the Turkish Nation shall exercise direct sovereignty only through the authorized representatives to which no one individual or class is entitled. In the concluding line it re-establishes that no one person is entitled to 'exercise any state authority which does not emanate from the Constitution' (tbmm.gov.tr/anayasa.htm 2011). Further articles explicate the provisions of the authority held by the legislative, executive, and judicial branches, as well as the conditions of exercising fundamental rights and freedoms.

The problematic concern is the understanding that requires a kind of sovereignty unconditionally belonging only to the nation, which also dictates the 'Turkish Nation' to delegate sovereignty to authorized organizations. Although not specified in the constitution but made reference to, who this *Millet* (nation) is, is another aspect. The Turkish nation, the question of defining all citizens of the Turkish Republic (those having Turkish identification cards), or people in general (individuals simply living within the territory of Turkey) should be considered. When we review the debates over the constitution (see the latest discussions regarding the ratification of the constitution), we come to understand that politicians in particular use the two terms of *nation* and *people* interchangeably.

However, the first and second articles of the constitution of France, on which the constitution of the Turkish Republic is based and with which it bears many similarities, primarily refer to civil rights, in abidance with the principles of the French Revolution. The nation of France also guarantees equality by emphasizing equal rights for all citizens regardless of their religion, race, or ethnicity. At the end of the second article, it is pointed out that the Republic of France adopts the motto of '*Liberté, égalité et fraternité*' and the principle that it is 'the government of the people, by the people, and for the people'. The third article, on the other hand, explains the term *sovereignty*: 'the national sovereignty belongs to people, who shall exercise this sovereignty through its representatives by means of referendums. No section of the people or any individual may arrogate to themselves or himself the exercise thereof' (thisnation.com/library/france. 2011).

As stated explicitly, national sovereignty does not belong to the nation but to the people. The word *nation* is used by the end of Article 4, referring to the political parties and general elections that require political institutions 'to respect the national sovereignty and democracy' and promising that the Law will ensure the expression of pluralist ideas as well as equal democratic participation of political parties and groups in the people's lives. In comparison, the United States Constitution, grounded on completely different principles, formulates as well: 'We, the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America' immediately in the Preamble (usconstitution.net/const.html#Article1 2011).

When compared with the above set examples and especially with the constitution of France, with which it shares similarities, the constitution of the Turkish Republic prefers the term *millet* (nation) over the term *halk* (the people). The reason is that in all the constitutions constructed since the 1921 Constitution (*Teşkilatı Esasiye Kanunu*), the rights of sovereignty have been granted not to the people but to the Turkish nation.

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[1] Nation means *millet* or *ulus* in Turkish. The first is the old word, while the second is the new one. Both are used in Turkish. In the constitution the word is *millet*.

In the Turkish dictionary, *halk,* which means people, is defined as: '1- a group of people living in the same country and having the same culture, 2- a group of people from diverse social backgrounds or occupations that come together to build a nation' (tdkterim.gov.tr 2011).

On the other hand, the term *millet* (nation), which is of Arabic origin, means a group of people devoted to the same religion and religious beliefs. According to Nişanyan, although the original meaning of the word is most likely "people speaking the same language", its undertone as "people belonging to the same moral laws" became predominant and had come to be used in Turkish in this sense until the late nineteenth century. Throughout the course of time, inspired by the French word, the meaning of *nation* was adopted in Turkish and later transferred to the modern Arabic language. The word *ulus*, (*ülüş*) on the other hand, is of Mongolian origin, which defines a territory, a territorial share assigned to a member of noble family (Nişanyan 2011).

According to Kapani, the difference between people and nation is stated as, 'The most significant difference between *halk* and *millet*'; the former 'is composed of several social sections that presently live in the society' whereas the latter 'depicts a specific lineage from past to present' (1981: 25). It is rather a nationalistic definition which put emphasis on the differences among the social groups within one society. One prominent aspect of *halk* is that it has not acquired characteristics of being a *millet*. While we observe that the difference between *halk* and *millet* is divergence in levels of consciousness according to the above description, it can be noticed that *millet,* as a more abstract concept, is rather more comprehensive and continuous. The connection between the notion of *halk,* its physical existence and its unrepresentability makes the exercise of sovereignty of people problematic.

Carl Schmitt, although he made a distinction between the concept of sovereign, people, (and states that the sovereignty depends only on the authority of decision making,) (2005: 5) especially draws attention to the physical properties of the definition of people: 'People is a concept that becomes present only in the public sphere. The people appear only in the public.'(1993: 382) In this context, according to Schmitt, people cannot be represented: '…, because only something that lacks the enhanced type of being that is capable of existence… can be represented, not people who are entirely present… In pure democracy, there is only self-identity of genuinely present people.' (Schmitt 1993: 382) Within the framework of Schmitt's analysis, the public realm is where the people exist materially and public existence itself is created by the people. The most significant aspect of people concerns the masses gathered in the public sphere who are visible and who cannot be represented.

This problem leads the notion of people to be included into the notion of nation, and sometimes the two replace each other; the visible people dissolve into the invisible nation, which takes the problem to another level. Overlapping of the two concepts is so common that they are used as such not only in daily language, but also in political terminology. This confusion is an outcome of a historical nation-building process and the result of the ideological structure of the sovereignty. Since Hobbes, the political power in Western thought is to be understood on the model of God's creation and as stated by Schmitt: 'All significant concepts of modernity of the state are secularized theological concepts…' (2005: 36). During the secularization process, 'they are transferred from theology to the theory of state, … the omnipresent God became omnipresent lawgiver….' (2005: 36). This theological and absolute creation model is also the basic reference of modern nation-states.

I . The 'Bright Side Of'[2] the People-Nation Relationship: Visible People, Invisible Nation

Particularly in monotheistic religions, the creation of the universe is attributed to a supernatural, extraterrestrial being. God is the creator outside and extraneous to the creations (the universe and all beings on it), which he has created from nothing; God is the initiator without a beginning that 'lasts from eternity to eternity' (Arendt 1990: 206). God is not only extraterrestrial and un-engendered but also *anarchos*.[3] Despite his *a-nomos*[4] quality, God is the absolute sovereign on earth with his *nomos*. Being the sole sovereign on earth, this unique God bears plurality by his creatures in his singularity, and hands over the power and the administration of the material world to human beings.

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[2] Reference to Michael Mann's book, *The dark side of democracy…,* (2005)

[3] *Anarchos*, which in ancient Greek means without principle; derived from *arché*, which means principle

[4] *Nomos*: law, norm; *a-nomos* : out of law or norm.

The renowned formulation of Erik Peterson that 'God reigns but does not govern' (2007), has later on been transposed and applied to the state-power model by political powers. Visible powers govern the world in the name of God. The theory of the 'King's two bodies' (Kantorowicz 1997) enables the ruler, the embodiment of the Divine Being, to establish a system to exercise sovereignty and power, since the ruler as the holder of sovereignty encompasses both the *corpus mysticum* and *corpus physicum*. The monarchy bound by divine law is considered legitimate. This theory of absolute creation in Western thinking also finds a place in rational thought. Every new beginning originates from an absolute source, and this absolute explains the origin (Arendt 1990: 206).

For this reason, in every beginning process, one finds a narrative of independence, a search for freedom and an attempt to reach the ideal of establishing a state on a new – rather, a promised – land. Once attained after a liberation process, independence makes reference to a boundless time and absolute power just as God (Arendt 1990: 205). Rationally, it is evident that nothing is created out of nothing, and that there is no new beginning other than the mythical narrative of genesis. However, every human has to have a new beginning (birth) because it is only by way of being born into the world that an individual generates a sense of newness (Arendt 1990: 211). Although birth is the continuation of a generational cycle for humankind as an engendered being, because each individual is a single self, his or her birth is the beginning of one's life as a social subject.

Etymologically, *nation* also means birth, since in Latin it is *natio* derived from *natus*. The relationship between nation-building and birth is obvious: together with the creation myth, the newly built society separates itself and becomes a subject. In this process of establishing nation-states, the doctrine of the 'King's two bodies' is replaced with the notion that people and nation are integrated into a single body: the State. Within this context, the secular State as the sovereign power establishes its legitimacy by claiming to represent the invisible nation. Thus, when the visible people fall into an abstract existence, the fatherland within a set of boundaries becomes one with the state established on that territory. After coming into existence (*natus*), the nation (*natio*) combines the physical body of the people with the mystical body of the nation and there begins the process of establishing singular sovereignty. By being citizens of a nation the people carry themselves to another level of consciousness.

It was Fichte who first brought forward the difference in the level of consciousness and that the people blended into a notion of 'nation'. For Fichte, 'people' is an ethical body, a transcendental entity in which 'I' becomes 'We'. This collective self is the compatriot who feels a sense of patriotism when he combines his individual identity with the identity of the people. By adding a metaphysical dimension to the ideas of people and patriotism, and combining the notion of people with patriotism, Fichte develops the idea of nation building around a common language (1975). For a nation to exist, there needs to be a people through whom it can emerge. However, this is not sufficient. Being a nation means achieving the targeted identity and moving from mortality to immortality. The agents of such a process are the compatriots with a common language. For that matter, the nation is the existence of eternity within the historical mortality of humans. As Fichte claims, nation and fatherland are the real sacred elements of politics; even this transcends the idea of state (1975: 169-171).

On the contrary, for Hobbes, the founder of modern state theory, the creation of a state by a social contract is the only way of being a people. The fundamental principle of the social contract is to form the commonwealth that results from the authority, granted to the sovereign by subjects to act on their behalf to 'form the wills'. The majority that gives 'up my right of governing myself to' the sovereign – the state – becomes *a people* by consenting to 'his rule' (2000: 235). On the other hand, thanks to the covenant by which this majority becomes the sovereign people, it loses the right of sovereignty for another power. In other words, once it gives up the representative authority, the majority turns into a people, yet loses its power and existence.

When the majority is represented by One (man), it requires alienation, but the people may only be represented when they are alienated to that representative. Within this paradox, what is representable but alienated to the representative is the majority of the people: unless there are a people, there is no representative; the representative acts on behalf of the people (Hobbes 2000: 271). Commenting on this paradox, Jean Jacques Rousseau considers it a subtlety of Hobbes. Because of the same principle of representation, Rousseau also criticizes Montesquieu. He believes that such a principle is a way of deceiving people and means degenerating the idea of sovereignty; Rousseau opposes the idea that the people should exercise sovereignty via a representative assembly which is legislative authority (1973: liv.2-ch.1). As a matter of fact, Rousseau's analysis also rests on the fact that people make themselves exist by not being represented and by being visible.

Rousseau theorizes his principle of sovereignty around the ideals of 'general will'. This 'general will' is not only the will of every separate individual, but also the entire will of a single 'One', which is the people. The people are 'One' as a collective and moral entity. In any case, being 'Single' the general will cannot be represented. The law is the expression of the general will. The people, the general will, and laws are all one and the same since neither can be represented: 'The government may fall but the general will is infallible' (1973: 83).

For Rousseau, people is a 'collective moral being', while the fatherland is a factor that consecrates profane politics; the individual sacrifices his or her individuality in the name of *patrie*, that is, in the name of a universal factor, because Rousseau considers the state not as an institute but an idea (1973: 87).

The people's will is the expression of the general will and the legislative body. In contrast, legislation is a function of sovereignty. In the course of time, a people do not only becomes the majority but, by reaching a metaphysical dimension, lose their objectivity and are almost transformed into fiction. The disunity between the state of nature and the society divides the individual into two separate entities: a human and a citizen. The reason for this estrangement is civilization and progress. Rousseau solves the dilemma with the *Social Contract*: every individual abandons his claims of self-existence and natural right for the common good, and in return agrees to share the common interests. The social covenant is an unlimited transfer of property; thus, a human being divided into two separate entities only consents to dissolve into a citizen (1973: 89). The social covenant is a republican necessity, which Rousseau values as 'love for one's country'. For the individual, being the social contract is the ability to consider the collective interest, and for himself, the ability to represent and think in political terms in line with the universal law. Therefore, it is against the notion of representation (1973: 98).

However, since in a direct democracy direct participation of the sovereign (general public) is required, Rousseau makes a distinction between the 'common interest' and the 'common good' (i.e., sovereignty). Contextually, while common interest becomes *corpus mysticum*, the physical body of the sovereign (*corpus pyhsicum*) becomes representative of the entire public body, so the two bodies unite (1973: 104). Against the principle of parliamentary (representative) or absolute sovereignty, the idea of direct popular sovereignty is revolutionary. Its implementation, however, is problematic. Moreover, the idea of unrepresentative and direct popular sovereignty also announces the revolution. Emmanuel Joseph Sieyès, one of the leading theorists of the French Revolution, solves the problem by referring to the concept of nation; he engages the ideas of popular sovereignty and representation in the same rhetoric. Hence, he reinterprets the idea of nation that belonged to the *Ancien Régime*, thereby maintaining the principle of sovereignty from monarchy through republic. Thus, the transfer of rights of sovereignty from the hands of the ruler to the people is possible via the nation. By stating this, Sieyès expands the principle of national sovereignty (1988: 45).

In the framework of Sieyès's analysis, the absolute and the indivisible belong to the nation. Here the nation is not limited only to the available citizens but encompasses both past and future citizens; in this sense, the assembly (nation) is greater (superior) than the sum of individuals (1988). National sovereignty is only representative since a fictive nation cannot govern directly. The representatives authorized to represent the nation participate in the government; because they not only represent their own constituents but also the entire nation, they should be obliged to serve the interests of the nation. On the other hand, since the imaginary system of nation lacks mechanisms for direct control, new institutions of power should be formed to prevent the representatives from engaging in abuses. This system is the fundamental principle for separation of powers and authority.

Nation: A Way of Transferring Sovereignty from the Monarch to the People

It was Louis XV who first brought up the idea of representing the nation to stop the parliamentarians in Paris and the action of Rennes against him: '…the sovereign power resides in my person only… Public order in its entirety emanates from me, and the rights and interests of the nation, for which some dare to create a separate body from the monarch, are necessarily united with my rights and interests and rest only in my hands…' (viveleroy.fr/Le-discours-de-la-flagelletion-par 2011, pp. 112).[5]

King Louis XV rejected an imaginary political body that attempts to upset the harmony between his 'person only' and the nation.

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[5] The speech Louis XV made during the "Session of Scourging" at the Paris Parliament on March 3, 1766.

He maintained that he and the nation were one in the same body, and that he was the only one to hold the sovereign power to establish laws. In respect to the notion of the 'King's Two Bodies' (Kantorowicz), not only does the abstraction finds its own definition in the physical sovereignty of the ruler, but also the monarch finds his legitimacy and the principle of his sovereignty in the concept of nation, already embodied in himself. The coexistence between the king and the nation was transformed into a synergy between nation and people during the post-revolution period after the execution of Louis XVI. The monarch was replaced by the people, which in return required that they be represented. Matter-of-factly, the 1958 Constitution of France still insisted to dictate its own rhetoric: 'The national sovereignty belongs to the people who shall exercise it through representation' (Mairet 1997: 98-99).

This is how the problem of Rousseau's general will, which brought about the principle that 'it may only be represented by self-destroying itself' (1973: 83), was solved. The principle of representation is established when this general will is called nation.

Only at a representative level, this transcendental will becomes the sole builder of the nation. As a result, the national will is in the essence of law (Mairet 1997: 101). Thus, in most constitutions, the principle of sovereignty rests on the people and not only on the nation – as a parallelism to its reliance on the essence of law. As shown above, however, by way of the representation principle, the people are removed from sovereignty, and then when representation becomes a constitutional principle like in the Turkish constitution, a declaration of the national sovereignty is made. The people stay behind the scene; the individual among the people turns into a citizen, but this is not sufficient for seizing sovereignty, because the right of sovereignty is given to the nation. Nevertheless, in modern democracies the nation-people dilemma remains problematic. That is why, as suggested by several constitution and law experts, against the argument that 'the substantiality of people itself is indispensable as the sole of constitution', a new form of sovereignty principle has emerged. This is a form of sovereignty established by emancipated substantial subjects/people in which physical beings have melted into the whole body, which is called popular sovereignty directly related to democracy (Habermas 2010: 232-238).

II . The "Dark Side Of" (Mann 2005) The People-Nation Relationship: Demos-People Against Ethnos-Nation

The concept of popular sovereignty, which is the basis of democracy, was first employed in America within the colonies and spread over time.[6] For De Tocqueville, democracy, transcending all class distinctions, becomes the rule of laws; from the colonies it extends to the government. There is no way democracy may be administered centrally; democracy is inherently off-center (1981: vols. I, 424). For exactly this reason, De Tocqueville points out the problematic aspect of democracy across Europe parallel with the sovereignty principle; the definition of sovereignty within European politics is directly dependent on the political order, which is determined top-down: either the prince or the king desires or orders it. It was due to this fact that even the French Revolution could not bring democracy. Both Jacobinic centralism and its unifying aspect are in accordance with the traditional principle of sovereignty. Jacobins argue that the Republic is one and unitary. Any democracy founded on such notions would lead to terror and collapse (1981: vols II, 370). Democracy is not possible through revolution and the idea of popular sovereignty, just like the notion of people is nothing but an opinion, a dogma, and a suggestion. De Tocqueville observes that democracy may only be attained to the degree that it respects the reforming principle of popular sovereignty (1981: vols II, 316).

In De Tocqueville's analysis, it is due to a lack of political history that America succeeded in establishing democracy. There is no legal unity transcending people. The American people apply the model of God's sovereignty over the universe for people because they do not have kings, and the only absolute power is the people themselves (1981: vols I, 120). As De Tocqueville says, democracy is 'off-centered' and only the people as a substantial body can construct a democracy. The people do not need an indivisible, central authority to attain democracy. Besides, even though the people hold the power, they do not have to define themselves as a nation.

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[6]The phrase, 'We, the People of the United States,' in the preamble of the US Constitution has become the feature of legitimacy. However, those who defined themselves as 'We, the People' were a group of men constituted by some landowners, merchants, and artisans of the thirteen colonies. The founding fathers excluded women as well as slaves and the Native Americans in their definition. Instead, they mentioned active citizens within a multilayered society. The rest of the population consisted of passive citizens who had legal and civil rights but no political rights.

Moreover, etymologically, democracy is directly related to the notion of people. *Demos* in the sense conceived by the ancient Greeks meant *people* as defined as common people. The term *democracy* was used to describe the rule of people (masses).

However, as the fundamental principle of democracies, direct popular sovereignty is no further than a myth in the contextual framework of modern democracies. Simply put, the concept of democracy loses its meaning together with the nation-people narrative. However, in modernity the word *people* has been interpreted as a definition of the ethnic group (ethnos), and in this context, it has been mostly used as a direct synonym for the word *nation*.[7] The term *ethnos*, which translates as (ethnic) minorities today, actually defines a group of humans distinguished from others by their common culture and history. *Ethnos* is described in two dimensions: (a) historical community and (b) cultural specificity (Schnnaper 2003: 45). The history of *ethnos* unfolds close to the history of nations; both are historical constructions. In any case, *ethnos* is a group of belonging and does not necessarily have a political expression. The concepts of nation and *ethnos*, in this sense, coincide with each other, so much that in the eighteenth century ethnic groups were defined with the term *nation* until the construction of modern nations.

Liberal representative states (democracies) emerged as a way of compromising class conflict, giving them a plural sense of people and nation. Democracy became widespread when the ideal of rule by the people 'entwined the *demos* and the dominant *ethnos*, generating two organic conceptions of the nation and the state' (Mann 2005: 3). At the same time, nation (perceived in a higher rank than an ethnic group) is built on a given territory where the majority ethnic group with political consciousness claims its own political rights.

Since 'the ideal of rule by people' has, in modernity, come to mean sovereignty of majority *ethos*, it may simply pave the way for the removal and cleansing of minority ethnic groups (Mann 2005: 3-6). Mann points out the 'two different conceptions of democracy' created by modernity: While regimes in Western liberal democracies accept 'interest group and class conflict within the citizen body', in Central and Eastern Europe, where deep ethnic conflicts were experienced and the tension between ethnicity and democracy climbed, the definition of citizenship is based on the rule of the ethnic majority. As a result, during the process of democratization, the confusion in the definition of *nation* and *ethnos* becomes more evident (2005: 68-69). Besides, the formation of nations as political units is usually a result of wars at the early stages. In the view of Mairet, the condition of war is both the substantiality and the consequence of sovereignty. The ontology of modern politics is determined within and by civil war (1997). Civil war is the founding element of politics, because the main objective of the political unit is specifically the maintenance of civil peace, and under the circumstances where peace is the ultimate goal, it is inevitable that the way leading to peace brings war. There is no peace unless there is war.

Common grounds should be found for the sake of unity in the community, which would only be possible in a time of peace since war destroys the possibility for cooperation. To establish their sovereignty the historical states relied on wars and revolutions (Mairet 1997: 192). For this reason, emphasizing that sovereignty belongs to the people is an exit from a war. It also means that breakups and conflict within society have become dominant around 'Oneness'. However, if a war or a revolution has been waged, that would mean a nation or a people have already affirmed their sovereignty. In the analysis of Bodin (1999) and Machiavelli (1975), the path of 'Oneness' especially calls for civil war by which modern states reinforce their sovereignty. While conflicts strengthen the unity of the dominant *ethnos*, they, at the same time, enable other minorities to gain the same consciousness and trigger their demands as a *nation*. As for Durkheim, 'the image of threatened fatherland occupies' such a deep place 'in one's consciousness', and consequently the bond between individual and society are so strengthened that it is hardly possible to achieve this consciousness in peace time. In particular, victorious nations in war place more confidence in the political power and its values (2002: 68).

The sense of national community after war is created on this consciousness, and it is 'derived from individuals' faith', as indicated by Weber (1978: vols 1, 395-398). However, this national belonging as a result of sharing a common political memory, religious belief, and language is defined by the dominant ethnic group. Taking this belief to another level, a nation at the same time becomes an 'imagined political community' (Anderson 1991: 6) of an ethnos and 'in the minds of each lives the image of their communion, conceived as a deep and horizontal comradeship' (Anderson 1991: 6).

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[7] The Ottomans also used the word *millet* in its ethnical sense to determine the ethnical differences

The Turkish Nation Embodies the Turkish People

Schnapper argues that a nation is defined by its ability to unite different populations around the idea of citizenship. Nation comes into being in this process of integration among populations as a secular political project (2003: 175). Although, in contrast to ethnic identity, citizenship is not founded on cultural identity (2003: 200) – it should not, at least in principle – generally the culture of an *ethnie,* which became nation, is appropriated to the entire nation.

As in Turkey, after the collapse of an Empire in which different ethnics (*millet* in the Ottoman realm) survived for centuries, the new Turkish nation is created merely on the specific Turkish identity. After the 'birth of Turkish nation' (as it is used commonly in Turkey), the mystical body of the nation embodies the physical body of the people and establishes a singular sovereignty. The Republic established after the war of independence is considered as a radical absolute beginning and may only be explained by the presence of a creator. Just like the *ex nihilo* Lord*,* this new established order is a new one where there is no room for the old. Since it has not taken place in evolution, it cannot be a continuation of the old system, but a part of eternity lack of historical time, a radical break with the past. As a matter of fact, the one which came into being with this new beginning is a total stranger to the archives of the past; it is, after all, an entirely 'New Regime' created by one single man – Atatürk. [8]As suggested by Machiavelli, founding a new republic or a thorough reformation of the old system must be the work of one man (1975: 47). Since the new system needs to legitimize its political power, the efforts to establish cultural homogeneity within the project of this building of the nation-state are perfectly incarnated when joined with political unity. The consciousness of being a Turkish nation (*millet*) derived its meaning from the collective social memory created through language, shared experiences, common education, and the participation in a shared knowledge and memory of the new nation (Tugrul 2010b: 41-56).

So much so that in modern Turkish the words *ulus* and *millet* (as mentioned above; both meaning nation, the former being the old word, the latter the new. In fact, however, etymological differences exist in the two words as employed in the Turkish language.) are not used as synonyms of each other, but depending on the context, are used as two distinct notions. The origins of the two words do not share the same meaning; the term *millet* rather connotes *ethnos* by making reference to a common culture (language or religion), while *ulus* is directly associated with a country, a territorial unit. Besides the problems arising when the two terms replace each other in daily language, the definition of *millet* itself has different meanings and interpretations.

When, in the modern sense of the word, *millet* is used in place of *halk* (*demos*) it in fact describes rule of the Turks as an ethnic group. Therefore, in today's understanding in Turkey, *millet* (implicitly *ethnos*) defines people descendant of the same ancestors and who share a common culture as well as a sense of heritage based on homogeneity and do not represent the people who have come together as citizens. In particular, if this group is a large majority, which is the case in Turkey, then democracy becomes the rule of the majority ethnic group, which 'carried with it the possibility that the majority might tyrannize the minorities' (Mann 2005: 2). Since 'the ideal of rule by the people' in modernity has confounded the concepts of 'the *demos* and dominant *ethnos*,' it can easily turn into a tyranny and encourage the elimination and cleansing of minorities, revealing, in Mann's words, the 'dark side of democracy' (2005: 3).

When defining itself as different, every nation carries a conscious sense of belonging to a specific historical community. This modern, secular distinction helps in transcending the difference between civil society and the religious community, and enables a group of people to self-define themselves (Schnnaper 2003: 68). In other words, the meaning of the nation is generally attributed to its distinctive superiority or to its unique cultural values. As an example, the words in such oaths as 'I am Turkish, honest and hard-working…' are viewed as if they are authentic cultural values. Consequently, a people do not become a nation because of collective properties; on the contrary, they acquire collective properties when they constitute a nation, that is, the concreteness of people turns into the abstractness of nation after it is united by a constructed superordinate identity. The Modern Turkish nation has laid the foundations of its new sacred character by transferring the ideas of rituals, temples, saints, and martyrs from religion.

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[8] Atatürk is the name given to the big hero of the independence war and founder of Turkish Republic, Mustafa Kemal, by the National Assembly. It means 'ancestor of Turks'.

The nation and the republic have developed into a new civil religion in this context. Same as in a religious organization, recognition of this new religion has only been possible by unifying around a shared past, a foundation myth, a *narrative of genesis*, and around a demarcated territory – *patrie.*

In fact, this foundation myth helps to encourage the participation of a population into a collective memory that should transcend the idea of gathering around collective values. To secure complete conformity and unity within a society there has to be a 'collective experience' and its 'ecstatic' effect (Broch 2008). However, the effect of such an experience is irrational; furthermore, in some cases (for instance, in panic) communal irrationality becomes the purest form of collective behavior. Similarly, a high level of (individual) ego strength also enlarges the (collective) ego. Besides, still at the individual level, the sense of doubt that could have constrained individual behavior fades away with the state of ecstasy. Thanks to the disinhibiting effect, all legal and ethical values may vanish. Anything and everything is possible in the ecstatic state without any sense of doubt or restriction (Broch 2008: 259). As underlined by Bora, as in Turkey, when those values are lost they are sometimes transformed into a 'lynching culture' and cause to 'exasperate pop nationalism' (2008: 20). Within the collective ecstatic wholeness vertical inequalities are lost; the role of each and every member (individual) is to cooperate and enable the body (community) to function as a whole.

We have already stated that there is a narrative of independence, a search for freedom, and an attempt to reach the ideal of establishing a state in every beginning process. The greatest power of a newborn nation is its externality and singularity, which have been derived from its so-called representative character: It is singular because every nation believes that it is unique and specific. Although, like in Turkey, it represents and is created in the 'own image' of a Turkish ethnic group, assimilating all other 'demarcated' minorities by means of its hierarchical superiority and all-embracing quality (Dumont 1980), the Turkish nation seizes sovereignty and leaves the people as 'bare lives'[9] (Agamben 2003).

Conclusion

As shown above, there lies the idea that sovereignty is derived from the power of the people, but beyond this secular dimension, it is not detached from sacred or transcendental values (Tugrul 2010a).

Since the king held the sword of justice in the ancient régime, it was believed that the king held it in the name of divine power. In the modern world that sword was handed to the people on the condition that they consent to be an (invisible) nation, and to sacrifice the power of sovereignty in the name of nation. Moreover, in a nation that is also a birth history in its origins, the rights are not given to a citizen – which is a political and juridical situation – but to the human being from human rights originate. Citizenship is determined by birth conditions. These human rights are sometimes attributed to the people (the sum of individuals who come together as an integrated whole) in constitutions.

In this process of nation being, while the subject is transformed into a citizen, the 'bare life' of the people becomes the matrix of the sovereign. So the nation-state holds the basic elements of bio-politics, such as birth and 'bare lives', in its structure (Agamben 2003). The sovereign, through his apparent actions, is responsible for, and is also a guaranty of, human rights. Meanwhile, the darker side of the political power controls the 'bare lives' of the citizens through bio-politics. Moreover, this political power may make a distinction between people and population, and to save the people, he can exclude a part of the population. However, as in the case of the Turkish constitution, when the sovereignty is attributed not only to the people but also to the nation that encloses the ethnos, these human rights are attributed neither to the individual, who is a part of the people, nor to the citizen. Thus, human rights lose their meaning, and the function of holding the 'bare lives' rests only on the sovereign. Even though the individuals of the ethnic majority may take part in the politics through their invisible national identity, the people, or the individual, will be condemned to exist as the 'bare life' of the sovereign. To save the nation, the sovereign, which in fact is the ethnic majority, can even eliminate a part of the population.

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[9] Bare life', as defined by Agamben, is the life of the subjects exposed directly to the violence of the sovereign. According to Agamben, the sovereign power has a specific relationship to the lives of his subjects, which is a 'relation of exception': sovereignty is not the exercise on the citizens but on the 'bare life' of his subjects. The sovereign has direct power on life and death, and the 'bare lives' are held in the logic of the exception of his decision. Through this process, the sovereign produces the 'bio political bodies' to institute and to keep his power. See Agamben 1997, 2003.

Therefore, when the Turkish constitution mentions that 'Sovereignty is vested fully and unconditionally in the nation' and that the 'Turkish Nation shall exercise its sovereignty through the authorized organs as prescribed by the principles laid down in the Constitution…', it implicitly gives rights to the ethnic majority to impose the violence of sovereignty, and, in particular, hold the 'bare lives' of the minorities in this country. The sovereignty of the Turkish Nation, for the sake of the protection of the nation, may exclude its minorities, and even hold their lives at a level of survival as simple 'bare lives'.

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