

# The First Republic of Azerbaijan: A State without a Nation

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## Abstract

The process of forming modern nation-states is the nationalization of belief and consciousness through secularization. Azerbaijan has experienced modernity under Tsarist colonialism. Due to colonialism, the modernization process started without national policy. This article aims to shed light on the research related to the first Republic of Azerbaijan. In this respect, first, a theoretical background was formed, then modernization was addressed in the colonial context, focusing on the formation of modern secular belief in Azerbaijan. Moreover, Turkism was addressed as the basis for the formation of national/political consciousness. The study was built on the problem of why the republic was an incomplete state. The main point of the study is the problem of why the first Republic of Azerbaijan, being the first modern state, is not or cannot institutionally become a competent nation-state. Failure in the adoption of the constitution was used to support the hypothesis of non-completion of national sovereignty's construction.

**Keywords:** The First Republic of Azerbaijan, Constitution, Turkism, Colonial Modernization, Nation

## Introduction

It is possible to seek the genuineness or novelty of modernity in the assignment of new meanings to concepts (Valiyev, 2022: 55). The concepts of republic and nation, the central concepts of this study, gained a new political identity along with modernity. Popular sovereignty's intrinsic meaning was assigned to the republic, especially by the impacts of the French Revolution and the notion of Enlightenment. And nation formed the nationality and legitimacy of the modern state that had evolved into rule by the king (Bezci, 2022).

Along with the independence regained after the Cold War, a quantitative increase in research on the republic occurred. In the first place, the works of the intelligentsia of the period were published again, both in Azerbaijan and Turkey. Direct research

on the republic has always been limited. And the research generally could not deal with the construct of the state as a nation-state.

In recent years, nationalism has gained visibility again (Tamir, 2019). Accordingly, an increase is being observed in research on the process of modernization giving rise to the republic along with the triggering of nationalism and the republic per se. Extensive literature has formed on this matter (Huseynov and Mokhtar, 2019; Balayev, 2022; Nasibli, 2019; Nəcəf, 2021; Rzayev, 2019; Rzayev, 2020; Valiyev, 2020; Valiyev, 2020a; Valiyev, 2022c: 55-71). In some research, the republic was addressed from a historical perspective (Balayev, 2022; Nasibli, 2019). Hüseynov and Mokhtar criticized the republic-related works of Tadeusz Swietochowski, who is known for his works on the modernization of Azerbaijan.

The Republic of Azerbaijan signifies the start-up stage of modern Azerbaijani statism. The period of the republic, which lasted a short time, is a past embodying several complexities. In this study, the republic itself was built as the problem of the research for the elimination of complexities regarding the republic. The deficiency of academic implications on the whatness of the republic is evident. The implementation of a theoretical method for eliminating these deficiencies is inevitable. Research performed with a theoretical method may be a guide for the elimination of complexities.

### **1. Transformation of Belief: Building National Consciousness**

“A modern person is the one who has command over his nature, and a traditional person is the one who adapts himself to his nature” (Bezci, 2022). This sentence also expresses the transformation of the belief that enabled modern politics. Such a modern person, who has command over his nature, has also been imagined as the legitimating factor (nation) of modern politics. The person who adopts Kant’s mind as a guide is an enlightened person who refuses adaptation. In this sense, the revolutions, starting with the French Revolution, have enabled the construction of secular beliefs in modern people. Belief expresses the consideration of the individual within the context of a group or collective identity. In this sense, it can be said that collective consciousness or belonging shapes under the guidance of modern politics. The collective consciousness, which forms under the guidance of politics, enables the formation of the motherland in the modern sense. Because, along with modernity, being a member of a nation promises equality (nationality) and freedom (law). For this reason, the modern person risks laying down their life for their country or motherland, whether they are Turkish, Azerbaijani, British, or French, etc.

The notion evolving along with modernity has opposed the adaptation of people. Therefore, it has built the person as a determinant or effective subject in the sense of an individual. Especially in the liberal thought tradition, it has dwelled on the freedom of the individual (Mill, 2016). The process of developing the individual has formed the modern group identity of the person in the context of “national consciousness” (Veliyev, 2021). Hence, it can be said that the new times against the old arise along with modernity. Kadir Dede expresses the novelty of modernity as follows:

This era has the quality of a new world order that isn't like the previous ones and in which the constructs and relationships of the recent past completely become upside down. This order corresponds to a period, in which the feudal commitments and traditional manner of relationships are eliminated, enlightenment occurs, and the effectiveness of factors causing failure in the maturity of a person, the institution of religion being in the first place, is reduced, the bourgeoisie positions itself distinctively in both economy and politics as an elevating class, the old political regimes lose their efficiency, the scientific revolution and the technological developments facilitate human life and extend life, the idle time arises along with the changing quality of labor and communication technologies improve along with printery (Dede, 2021: 128).<sup>1</sup>

Dede's comment regarding modernity may also be seen as a summary of developments enabling the formation of modern collective or national belief. This process has also enabled the rise of nationalism, which would give rise to nations and accordingly, national beliefs and consciousness. Nationalism, the new face of modern politics, has required historical understanding to build national consciousness (Valiyev, 2022). However, considering the epistemic status of national consciousness, it is not possible to make an exact judgment regarding national consciousness. Then, an epistemic judgment related to politics will be fallible and falsifiable. Because politics makes the person a part of the whole (society). This process has arisen as a person or subject who can spell *sapere aude* (“dare to know”) in the context of modernity and who is promised *equality* and *freedom* as a reward. Hence, it is obligatory for the building of national consciousness to be in a relationship with history. In other words, politics has not been eager to maintain lasting cooperation with philosophy/philosophers. In this sense, the offenses of the philosophers of the enlightenment revolution against the *ancient regime* were political rather than philosophical. And history is one of the two sources of a subject's cognition in a disciplinary sense, along with philosophy, and

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<sup>1</sup> Translated from Turkish by Orkhan Valiyev.

the output of our historical understanding must be a view or justified true belief (Mehdiyev, 2019). Therefore, it can be said that policy necessitates an epistemic view of history regarding the act performed. This is because history, which undertakes a principal role in building collective consciousness and belief, can operate in tandem with politics. In brief, politics has interfered with every aspect of human life in all periods from antiquity to the modern era. While the individual's relationship with political structures in the Middle Ages was to tell about the "*gesta Dei*" ("God's work"), it has transformed into praising England, Turkey, and Azerbaijan per se in the enlightened modern era (Collingwood, 2019: 85). In the modern period, history, which assures the formation of a person's beliefs and commitment to the political structure, has focused on a person's aims. Such that, it was stated that the factor enabling the British identified as the first nation of the modern era, to become a nation was "the complete replacement of belief with another belief" (Greenfeld, 2021: 31). Within the frame of modernity, the referenced transformation of belief has legitimized the discourse of "my mind is my institution of religion" of Thomas Paine, in the enlightenment era, who believes in the equality of people (Paine, 2016: 3, 4).

In the formation phase of modern belief, the Renaissance was an effective stage as "the recent past of modernity" (Bumin, 2016: 9-34). Such that, the Renaissance refused the intellectual system of the Middle Ages and evolved it to a more humanitarian conception of history. Thus, the modern process, in which the person (subject) will once more position themselves at the center of belief and thought process, has begun (Collingwood, 2019: 89). In other words, the Renaissance cast doubt on the beliefs of the Middle Ages, but a specific time was required for the modern person to build his own beliefs. It is possible to indicate Descartes as the sharpest contrast between the Renaissance and modernity. As Descartes, who can be specified as a "transition philosopher" in a sense (Tepe, 2016: 52), focused on episteme, he turned his back on view and thus on history. Descartes, as the philosopher of a period in which politics and states did not require nations or national consciousness for legitimacy, positioned his own clear and distinct knowledge theorem by being skeptical of the reality and beliefs of religious doctrine. In brief, Descartes refused historical understanding as he did not or could not have committed to the political community like philosophers such as Locke, etc. However, in the eighteenth century, it entered a stage in which nations, or the era of nationalism, began. And at this stage, the "a historic" and "polemicist" enlightenment philosophers of the Middle Ages paved the way for modern national belief by offending the belief built within the frame of religious doctrine. For this reason, the nation-state may be deemed the legacy of enlightenment thought due to the building of modern consciousness.

## 1.2 Enactment of Modern Belief: Social Contract

It is possible to interpret the law as the rise of moral norms for human action. It is deemed that people enter a social contract when they begin to experience social life by abandoning natural life (Arıkan, 2020: 81). In the context of modernity, the laws have been built as social contracts. For instance, in Locke's text, for a British subject made equal and free, the law necessitates a commitment to British political society in moral terms. In this sense, it is first required to know what the nation is. In "What is the Third Estate?", Emmanuel-Joseph Sieyès specifies the nation as follows:

1. What is a *Tiers-État* [nation]? – EVERYTHING.
2. Until now, what happened in the political order? - NOTHING.
3. What does it want? - BEING SOMETHING (Sieyès, 2005: 7).<sup>2</sup>

Then, the question of "What is a nation?" may be answered as "a common community living under a common law and being represented by the same legislature" (Sieyès, 2005: 13). The law determined human beings and rights as the determining factors of modern politics. Such statements, in the manifestos declared in Europe or America on the verge of modernity, the rights of the human were just mentioned within the frame of law. Mentioning the presence of nations without a legal basis or constitution may become difficult. Because constitutions are the basis of modern social contracts, they preserve their importance as the final stage in the building of nations. Modern equality has been distributed within the frame of the concepts of freedom, nation, and nationality. Such that, the link of nationality is asserted as the prerequisite of being deemed as being from the Turkish nation. In brief, an agreement before the law, namely a social contract or constitution required for the building of a nation. It may also be expressed as the legal source of sovereignty, one of the fundamental distinctions between nations, and nation-states (Duguit, 2013: 387-395). The designation of a nation as the source of sovereignty within the frame of law or a constitution may also be deemed as the determination of the authority to which the modern power understanding will be called to account.

"The nation-person has been the natural legal source of sovereignty since the beginning" (Duguit, 2013: 393). From this point of view, it may be understood that modern nation-states must build their own beings or nations before the law for them to be deemed as entirely settled states. The concept of "national sovereignty" may be understood as "collective consciousness" or "will" that makes the power legitimate and sovereign in the society, and that is regulated by law (Duguit, 2013: 391). A prerequisite of being pictured as a nation is simultaneously thinking about,

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<sup>2</sup> Translated from Turkish by Orkhan Valiyev.

worrying about, or being happy about the same challenge (Anderson, 2015). In brief, modern law has also determined the limits of modern consciousness formed in the context of offenses against the *ancien régime* (old regime) under law, social contracts, and constitutions.

## **2. Colonial Modernization: Problematic of Transformation of Belief and Literacy**

It is possible to define the emergence of an era of nationalism or nations through the possibility of literacy for everyone (Gellner, 79). In this sense, social contracts or constitutions may be expressed as a legal consequence of the validity of literacy for everyone. Because the constitution accepted by the individuals must be in the official/national language that can be read by everyone. Whereas in the period before modernity, sacred books could be read-only by specific individuals such as reverends, etc. As equality, the basic claim of nation-states was not expressed as a challenge in the modern period (Greenfeld, 2021), it can be said that the scope of equality -or what may be referred to as “dignity” (Taylor, 2016)- was extended to everyone being a national in the modern era. Accordingly, it is possible to define modernity as the horizontal extension of equality. However, in practice, this process, which is indicated as theoretically, is formed in the context of each society. For instance, in the nineteenth century, which may be expressed as the era of nationalism, the process actualized for Azerbaijan, which was under the colonial administration of tsarist Russia, in a different frame than the nation-building of England, France, or Turkey. For this reason, modernization arose in the colonial context (Valiyev, 2020a). It is possible to observe the effect of colonial modernization in “*Gülüstan-i İrem*” (The Flower Garden of Heaven), the first literary work written in the modern period of Azerbaijan. Such that, A.A. Bakikhanov adopted very prudent wording in the book, and he could not show a political attitude toward geography. Whereas it may be expected for a book written in the era of nationalism to pursue a national concern.

In this sense, the modern story of Azerbaijan was determined or began in 1828 at Turkmenchay. The consequences of Turkmenchay also determined the nationwide movement leading to 1918. For this reason, it must research the process, which developed in the context of “colonial modernization”, in the context of a modern, but “small nation” model or hypothesis (Valiyev,2020a; Valiyev,2020). When considered from this point of view, it is observed that the modernization of Azerbaijani society developed toward the requirements and permits of Tsarist Russia administering Azerbaijan as a colony. In this context, it can be expressed that the nineteenth century was the determinant or initial stage for the formation of Azerbaijan’s modern story (Hüseynov, 2007; Valiyev, 2020a; Valiyev, 2020).

However, it can be stated that the process of modernization or nation-building commenced with the concern of popularizing literacy in Azerbaijan (Valiyev, 2020: 74-88; Valiyev and Bezci, 2021). The main occupation or concern of the intelligentsia, who became prominent, especially after the second half of the 19<sup>th</sup> century, was to make possible for Muslim society the developments and progress in the modern world. In this direction, the religious doctrine, which formed the traditional social consciousness, had an “obstacle” that was required to be criticized or surpassed. For instance, in the comedies written by Akhundzada, it can be observed that modern understanding was advocated for, ensuring the formation of nationalism rather than seeking nationalism outright. In other words, Akhundzada was a person who prepared the transition from pre-modern society to modern society (Valiyev and Bezci, 2021). It can be specified that the intelligentsia of the 19<sup>th</sup> century were directly opposed to the notion of reaching the knowledge of reality via God.

In a modern sense, the solution to the problem of literacy came out to be the primary issue for the intelligentsia of the 19<sup>th</sup> century for the progress and enlightenment of society. For this reason, religious doctrine has been subjected to criticism. In this direction, Akhundzada wrote his work named “*Kemalüddövlə Mektupları*” (Letters of Kemalüddövlə), in which he propounded his critical thoughts regarding religious doctrine. This process may be expressed as the transformation of belief in the context of the modernization of Azerbaijan. In this sense, it can be said that the intellectual path of the intelligentsia of the 19<sup>th</sup> century intended to “free” itself from the understanding built around religious doctrine rather than building a society. Because Ahundzade did not or could not consider history within the frame of a specific nation as his nationalist successors (Valiyev, 2020: 71-74). He just intended to be freed from the understanding built around the religious doctrine. In the “*Letters*”, which was his principal work, he specified as follows:

On the European side, the unbelievers and atheists are writing down their own opinions since each person was allowed to freely spread their views regardless of their incorrectness, harmfulness, or correctness and usefulness. However, no one is preventing them or hurting them (Ahundzade, 2018: 31, 32).<sup>3</sup>

From this viewpoint, it is possible to mention the period of education as the most effective or initial period in the modernization process of Azerbaijan due to the transformation in belief (Muşdiyeva, 2019). The referenced transformation enabled

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<sup>3</sup> Translated from Turkish by Orkhan Valiyev.

the researchers to use the conceptualization of “directing to national identity from the religious community”. In brief, it is observed that the educationalists’ movement or transformation in beliefs that occurred in the nineteenth century initiated the process toward republicanism.

### 3. Turkism: The Emergence of Political

It is possible to seek traces of Turkism in the texts of the Turkic intelligentsia of Tsarist Russia and in different geographies of the Ottoman Empire. However, Turkism’s acquisition of political identity became possible through the “*Üç Tarz-ı Siyaset* (Three Political Systems)” work of Yusuf Akçura (Akçura, 2015). Thus, in political terms, its place of birth may be expressed as Istanbul. Turkism became the source of Turkish nationalism in Anatolia and of Azerbaijani nationalism in Caucasia. In other words, Turkism may be expressed as a reaction. While this reaction was opted for in Anatolia to save the state that was considered lost (Akçura, 2015: 75; Valiyev, 2022a: 294), it emerged in Caucasia as a reaction against colonial identity (Hüseynzadə, 2007: 41-70). In brief, Turkism may be expressed as the first nationalist or political reaction against colonialism in the context of Azerbaijan. In this sense, “*Hayat Gazetesi ve Füyuzat Dergisi* (Life Newspaper and Blessings Magazine)”, in which Ali Bey Hüseynzade propounded his thoughts, are important. Because the “*Türkler Kimdir Kimlerden İbaretir* (Who are Turks? They Consist of Whom?)” named essay of Hüseynzade may be expressed as the first political reaction against Tsarism in the context of Turkism (Valiyev, 2020). More clearly, the new approach of the Azerbaijani public against the Tsarist Russian identity in political terms was expressed as covering all of Turkic society.

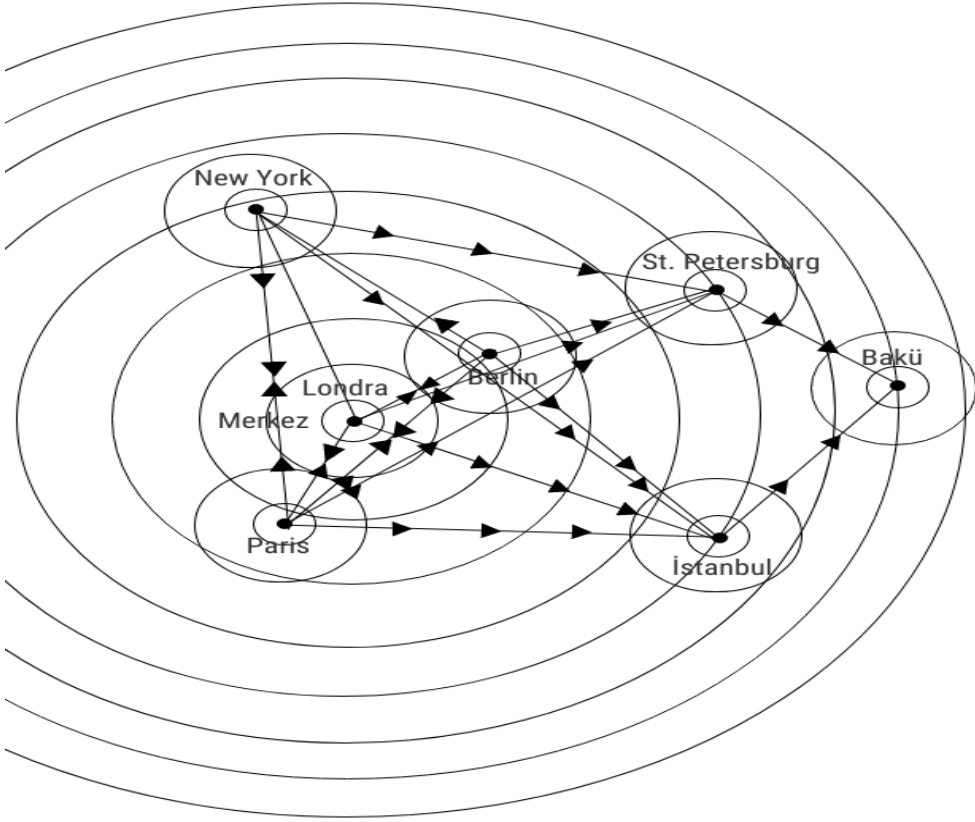
The modern story of Azerbaijan was shaped by the effects of developments in Tsarist Russia (St. Petersburg – colonial modernization), and in the Ottoman Empire (Istanbul - Turkism), which remained beyond the system of modern states (Zarakol, 2019: 161-199; 233-249) [surrounding area of the centre] (see Figure 1). Briefly, it will be more correct to seek the political, intellectual, and ideological sources of Azerbaijan’s modern story in St. Petersburg and Istanbul. In this direction, even if “colonial modernization” caused criticism from the intelligentsia regarding religious doctrine for the elimination of the literacy problem, the effect of Istanbul triggered the emergence of national consciousness in the context of Turkism (see Figure 1). Turkism gives rise to nationalist historical understanding in the context of national consciousness. However, as the consciousness of a nation arose before statehood in Azerbaijan, the historical understanding developed in an “independent” manner. The national consciousness, which was built in the context of Turkism, remained a romantic concept in this sense. For instance, it is possible to observe an abstract intellectual trace rather than a distinct understanding of the motherland in the poems



of Muhammed Hadi, among the romantic poets of the period (Valiyev, 2020: 122-131). However, the knowledge that formed in the context of Turkism became a determinant stage in the emergence of Azerbaijani nationalism (Vəliyev, 2021) or republic, which emerged as a special form of Turkish nationalism. Because for the first time, the intelligentsia of Azerbaijan showed a political reaction against both the traditional identity/religious community and the Tsarist identity. In this sense, the question of “Who are Turks? They Consist of Whom?” in the referred article by Hüseynzade may be addressed as a start.

Thus, in the process leading to the period of the first republic, Turkism became the basic ideology in the formation of the consciousness of a nation or the formation of an identity concern or need. This was because the modernization process in Azerbaijan occurred in two stages. While the source of colonial modernization, being the first stage, was St. Petersburg, the source of the second stage, in which the effects of nationalism and Turkism were observed, turned out to be Istanbul. For this reason, it is possible to conceptualize Baku, the capital of Azerbaijani modernization, as the “periphery of the periphery” (St. Petersburg and Istanbul) (Valiyev, 2020: 217, 218) (see Figure 1).

In brief, by the beginning of the twentieth century, Turkism was encountered as the main factor in the development of nationalist apprehension both in the Ottoman Empire and in Azerbaijan. On the other hand, in the process of forming a state or republic, both societies politically restricted their attitudes with respect to Turkism. Such that, the republic of Atatürk restricted Turkishness to Anatolia and chose it for building its national identity. In Azerbaijan, the outcome of Turkism manifested itself as a part of the Azerbaijani identity as inspired by the name of the state. In the context of Azerbaijan, the interruption of the state’s tradition also affected the formation of Azerbaijan’s modern story. This was because the Tsarist colonial experience resumed its effect despite independence. Nevertheless, due to the Soviet annexation of the republic, Azerbaijani nationalism and thus the Azerbaijani nation could not emerge in a Turkist sense. This problem is addressed in more detail under the following sub-heading.



**Figure 1.** Small Nations: Periphery of the Periphery

**Source:** O. Valiyev. (2020). *Nationalism in Azerbaijan*. Istanbul: Türkiye Notları Yayınevi. p. 218.

#### 4. Republic: Why an incomplete state?

On the verge of modernization, the central state was divided into khanates. And then, the dominance of Tsarism began in Azerbaijan, which had been divided into two by the end of the Russo-Persian War. These two processes meant the interruption of the presence of the state, which was required for the formation of a political order. In brief, the modern story of Azerbaijan began with the loss of central sovereignty and continued with disintegration (1828). It is possible to seek here the root of difficulties and problems either in building the identity or in building the discourse regarding the political datedness of the state. The republic may be expressed as the emergence of the state in the modern sense following a long interruption. In this direction, it is possible to express the declaration of the republic as “creating out of

nothing”. In this sense, the “flag that comes up once does not come down again” expression of M.E. Resulzade, the founder of the republic, that he used in his address to youth, states that the state emerged because of the fight against colonialism rather than due to transformation.

The nation continues to be the legal source of the sovereignty that keeps the modern state standing. In other words, since the eighteenth century, recorded as the “age of reason”, the concept of the nation has preserved its importance as a factor legitimizing sovereignty. In this sense, the British have been deemed the first nation or nation-state of modernity. Liah Greenfeld, among the leading advocates of this approach, describes sovereignty, based on the first sovereign nation, as follows:

The reform also served to settle the national sovereignty principle. In the year 1533, the law was enacted to assist the divorce of Henry VIII from his first spouse Catherine of Aragon, aunt of Holy Roman Emperor Charles V and thus an esteemed person before Pope Clement VII, and then his marriage with the woman he loves, was a declaration of national sovereignty (Greenfeld, 2021: 29).<sup>4</sup>

As it is understood, the modern concept of sovereignty means the presentation of legal qualities opposing the old one. Additionally, sovereignty may also be expressed as a restriction of freedom and nation-building within the bodies of nation-states. Therefore, the British the first nation-state of modernity (Greenfeld, 2021; Sütçüoğlu, 2021), acquired sovereignty as the result of the transformation of sovereignty in itself. However, the non-dominant ethnic groups, being the others of modernity, fought in order to determine their own destiny against the colonial order before sovereignty (Valiyev, 2022a: 294). For this reason, even though small nations declared their independence as a result of national movements, they could not build their nations as a source of sovereignty.

The declaration of statehood does not imply the completion of building a nation. The building of a nation or national identity makes the presence of a state compulsory. Whereas the republic, being the subject matter of this study, did not or could not become a state in a legal and political sense. In that regard, it is improbable for a historical evaluation regarding the period of the republic to seek the nation of the republic. In the process of building a nation, the necessity of a “state apparatus” is known. In a sense, “making the population conform to this definition, bringing national consciousness to a wide audience, and being mobilized toward national interests” (Dede, 2021: 103) are tasks that can be undertaken only by the state. As building a nation from the peasantry is an economically and politically expensive

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<sup>4</sup> Translated from Turkish by Orkhan Valiyev.

and difficult process, it is not a task that can be undertaken by any organization other than the state. Besides, the foundation processes are generally handled by the state. In this sense, the republic could not reach the level of competence necessary to build its own nation in a political and legal context.

Thus, it can be said that the first republic was not entirely a sovereign nation-state. For instance, the difference between modern nation-states and antique city-states is the simultaneous development of the system covering both the society/nation and the market (Bezci, 2022). In other words, a modern state covers a nation-state, a parliamentary system, and a state-of-law at the same time. In this sense, it can be said that the republic is composed only of the state. In other words, the political construct of the republic could not form its own society, nation, or market. Hence, it may be qualified as an incomplete nation-state (Valiyev, 2020: 200-212). For the intent to be better understood, the following quotation may be provided from the work of Kadir Dede in which he examined the initial 15 years of the Republic of Turkey:

The Declaration of the Republic on October 29, 1923, corresponds to the legal foundation of a nation-state. However, the qualification of the state as a nation is only a start. This date is also identical to the concentration of concrete steps for building a state policy and a nation as a primarily political agenda. Along with this date, the new regime based its own legitimacy and source of sovereignty on a community that had not yet attained the quality of a nation, and it made the effort of nation-building on behalf of the entire population in question (Dede, 2021: 21).<sup>5</sup>

In short, the Manifesto of Independence, being the indicator of the self-determination of the Azerbaijani public as the result of a national movement, does not imply an entirely settled modern state. The pre-modern *agricultural societies* have the status of partially autonomous entities. There is a lack of a language or culture that will build homogeneity. The main concepts in the era of nations or industrial societies caused reason, order, and efficiency (Gellner, 2018: 79-117). In this sense, homogeneity (national identity), which is built on the axis of language or culture in modern societies, gained its final form within the frame of law or constitution. From this point of view, it can be justified that the republic is an incomplete state.

The works of Locke and Rousseau with respect to the social contract try to build the source of the modern sovereign by taking law as a reference along with being among the classical texts of the model defined as the British and French models in nationalism studies (Locke, 2013; Rousseau, 2006; Greenfeld, 2017: 596-602;

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<sup>5</sup> Translated from Turkish by Orkhan Valiyev.

Greenfeld, 2021). From this aspect, it can be said that John Locke's work in question must be addressed in the context of nationalism (Valiyev, 2022a: 161). From this perspective, it is possible to conclude that the nations are the legal source of sovereignty (Duguit, 2013: 387-395). The public's belief in and commitment to national culture are being made compulsory by law or constitution. In short, the building of a nation within a legal framework may be expressed as the essential condition for a modern sovereign state. Modern nation-states must justify their emergence according to a legal basis. In this sense, the Manifesto of Independence declared on May 28, served as the declaration of the republic. Article 6 of the manifesto, which will constitute the basis of the constitution, may be expressed as the legal design on which the founders agree with respect for the quality of the republic.

And the modern constitutions share the administration of the republic with the nation they have built, and they build the nation as constructs determining and legalizing the administration of the state or government. When viewed from this aspect, it is possible to justify that the First Republic of Azerbaijan could not build its nation, being the source of Azerbaijan before the law. Considering these developments, it is expressed that the link between the Republic of Azerbaijan, whose independence was declared after 1991, and the first Republic of Azerbaijan, which was declared in 1918, is possible in the context of policy and history rather than the law (see Figure 2).

In legal terms, it will not be easy to justify the presence of the Republic of Azerbaijan. What the realization of the contract before the law means may be expressed as follows based on John Locke's "*Two Thesis on Government*" in the context of liberal nationalism:

Everyone accepts that the decision of the majority binds themselves by the approval they give. And thus, we observe that the act of the majority is deemed to be the act of everyone, and of course, that the act of the majority determines the power of everyone, as dictated by the rule of nature and reason, at the councils, authorized to act with positive laws, although the number of people giving such authorization to the councils is excluded from the referenced positive law.

Thus, every man, by consenting with others to make one body politic under one government, puts himself under an obligation to everyone of that society to submit to the determination of the majority. And this simply occurs through agreement for joining a political society, and the contract among the individuals, joining a nation or forming a nation, is only for this, or it is required to be as such. And thus, the factor, that initiates any *political society* and that really *forms* it, is nothing but the

approval given by a specific number of free people who are able to form the majority in the order to form a society. Only and only that [approval] constitutes the beginning of any legal government in the world (Locke, 2013: 92, 93).<sup>6</sup>

Despite differences in approaches, both Locke and Rousseau ground law as the prerequisite to being able to be a nation. Because modern nation-states, which are shaped under the guidance of capitalism in a sense, require law. In this sense, it is possible to consider the Republic as a construct composed only of the government. Because it can be said that the first Republic of Azerbaijan was an incomplete state as it could not build its nation, thus its sovereignty. In other words, the nation sought could not be substituted. In a general sense, it is understood that the nation-building process leading to the republic remains incomplete (see Figure 2).

Considering that national identity is “a form of legitimacy, a source of sovereignty, a political identity having cultural factors” (Dede, 2021: 56), it is understood that the Republic could not build its national identity. Considering that the building of nations occurs in the context of the state, intellectuals, and bourgeoisie, it can be said that nationalism, as an ideology reinforcing homogenization or belonging and commitment of modern persons to modern political systems, did not arise in the context of the republic in Azerbaijan. Because the nations are pictured through nationalism on the axis of the triangle of state, intellectuals, and bourgeoisie (Dede, 2021: 56).

Along with its legal dimension, it can be said that the Republic could not actualize or nationalize the education system, which played a determinant role in the building of the nation. Because the education system ranks first in the formation and reinforcement of commitment to the nation to be built (Dede, 2021: 113). As it is known, mass/national education carried out by the state is a compulsory stage in the success of nation-building processes. And education, which is required to be brought to the citizens and which is easily accessible (Gökalp, 1980: 175-179), is a project that can be undertaken only by the state. This status necessitates an extensive education policy. However, expecting an extensive national education policy from the undeclared republic as the result of a nationwide movement that develops under a colonial system with a zigzag course is improbable. Therefore, all these evaluations indicate that the republic could not complete the building of a nation as it did not or could not entirely become a state in the context of the law. The Republic is the start-up phase of Azerbaijan in the modern sense. For this reason, in the context of Azerbaijan, the revolution may be sought in the declaration of the republic that anticipates the sovereignty of the people. In brief, if we express with the Schmitt-

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<sup>6</sup> Translated from Turkish by Orkhan Valiyev.

based concept, it is possible to express the republic as an irregular or nationless state that does not or cannot have a constitution (Schmitt, 2020: 68) deemed as its *nomos* (law). In the final analysis, even if the declaration of the republic was circumvallation in the Lock-based sense, it can be said that order (*nomos*) did not come along in the Schmitt-based sense (Brown, 2022: 55).

	Objectives	Result
<b>First Republic</b>	Completion of the nation-building process after finalization of the constitution's establishment as a consequence of the quest of the nation and the state, and in the light of the Manifesto of Independence	Incompletion of the creation of the first nation-state, and of nation-building
<b>Second Republic</b>	Nation's objective of state's independence, acceptance of the constitution	Acquisition of independence, and completion of nation-building

**Figure 1.** Objectives of and Results Obtained by First and Second Republics

**Source:** M. Y. Alptekin ve Z. Çevik. *Nation-Building in Turkic World* within O. Valiyev. (2022). "Comparative Analysis of I. and II. Republic of Azerbaijan in the light of Secularization and Nationalism Theories" Ankara: Nobel Akademik Yayıncılık. s. 68.

## 5. Conclusion

Thus, there is a deep academic silence regarding the first Republic of Azerbaijan, which is deemed the beginning of modern Azerbaijani statism. Generally, in the research performed by historians, the benediction for the Republic and its founders

is found. The dominance of research in this sense may be due to the ambiguity and uncertainty regarding the Republic and its founders. The Republic is being expressed as the most competent stage of state-building and nation-building processes in Azerbaijan. Whereas, it is clear that the republic declared, by the end of a long-term colonial experience, is not or could not be a competent sovereign state. Such that, it did not or could not draw up the social contract or constitution that would form its own nationals and nation. Thus, it will be correct to refer to the republic only as a state, as if it were like Athens. Even if many factors make a society a nation, maybe the most important one is proving the "conqueror", or warrior capacity, or having a successful independence war. Hence, in the context of Azerbaijan, even the second Republic of Azerbaijan, which gained its independence after the Soviet Union collapsed, acquired the possibility and capacity of being a competent sovereign state with the victory in the Second Karabakh War.

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