



Wissenschaftskolleg zu Berlin
INSTITUTE FOR ADVANCED STUDY

Workshop
Wissenschaftskolleg zu Berlin

Friday, May 17, 2019

**Constitutional and Extra-Constitutional Configurations in Ottoman/Turkish History
(17th-20th-Centuries)**

Organizers

Başak Tuğ (Wissenschaftskolleg zu Berlin), Yavuz Aykan (Université Paris 1/Sorbonne)

This workshop aims to discuss the long and ever-ending history of constitutional settlements in Ottoman/Turkish history from the 17th to the 20th centuries. By discussing the relationship between governance, sovereignty, violence, dissent and subjecthood/citizenship in a large spectrum of the Ottoman/Turkish history, the workshop endeavors to open a wider platform of conversation with the colleagues charting similar processes in other temporal and spatial contexts (i.e. European, Middle Eastern, South Asian and African history as well as the disciplines of constitutional law and political science).

Legal codification is a dynamic historical process that involves the circulation of different legal sources at imperial, national and transnational levels. By focusing on human networks and political actors in the process of constitutional configurations and reconfigurations, the workshop approaches legal texts and jurisprudence as constructions of the social, cultural and political contexts. By doing so, we aim to go beyond the binary between the “local/indigenous/national” and “foreign/borrowed” with a particular emphasis on the circulation and amalgamation of different legal norms and traditions. The reshaping of these sources according to the local socio-political realities in their historical *longue durée* will constitute the heart of the debate. In this sense, the workshop aims at providing a more historicized approach to the questions of constitution and legal codification in the Ottoman/Turkish context.

Within this framework, the workshop will discuss the Ottoman/Turkish constitutional history by bringing into the picture the amalgamation of legal concepts and norms pertaining to different world-times and spaces. We will focus on the crystallization of the following legal corpuses: the Criminal (1858), Constitutional (1876) and Civil (*Mecelle*-1877-1926) Codes in the historical context of the questions of “dissent and disorder” (banditry), “honor and dignity”, as well as the “state of emergency and exception”. As such, the workshop will attempt to contextualize these legal constellations in relation to the larger social and political dynamics transpiring the Ottoman Empire/Turkish Republic from the 17th to the 20th centuries.

Program

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Panel 1: 10:00 – 12:00

Chair: Irene Schneider (Wissenschaftskolleg zu Berlin/Universität Göttingen)

Yavuz Aykan (Université Paris 1/Sorbonne)

Title: “Mapping the Times and Spaces of Codification from the Delhi Sultanate to Turkish ‘Modernity’”

Coffee break: 11:00 – 11:15

Başak Tuğ (Wissenschaftskolleg zu Berlin/Istanbul Bilgi University)

Title: “Violence and Honor in Ottoman Constitutional History”

Lunch: 12:15– 13:00

Panel 2: 13:15 – 15:30

Chair: Daniel Schöpflug (Wissenschaftskolleg zu Berlin)

Tolga U. Esmer (Central European University)

Title: “State(s) of Exception and the Unintended Consequences of the Over-Outsourcing of Imperial Violence and Governance in Late Ottoman History”

Coffee break: 14:15 –14.30

Noémi Lévy-Aksu (LSE – The London School of Economics and Political Science)

Title: “Constitutionalizing Discretion in the Turkish Republic: An Ottoman Legacy?”

General discussion: 15:45 – 16:30