

**Yeni Bir Uluslararası Hukuk İnşası Mı:  
Modern Otoriterlik ve Konfüçyüsçü  
Kimliği Doğrultusunda Çin'in  
Uluslararası Hukuk Yaklaşımı**

**Vildan MEYDAN**



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\*Bu Kitap, Prof.Dr. Burak Samih GÜLBOY'un danışmanlığında yürütülen Vildan MEYDAN'a ait "Yeni Bir Uluslararası Hukuk İnşası Mı: Modern Otoriterlik ve Konfüçyüsçü Kimliği Doğrultusunda Çin'in Uluslararası Hukuk Yaklaşımı" adlı doktora tezinden üretilmiştir.

**ISBN**

978-625-399-474-7

**Yayın Koordinatörü**

Yasin DİLMEN

**Kitap Adı**

Yeni Bir Uluslararası Hukuk İnşası Mı:  
Modern Otoriterlik Ve Konfüçyüsçü Kimliği  
Doğrultusunda Çin'in Uluslararası Hukuk  
Yaklaşımı

**Sayfa ve Kapak Tasarımı**

Akademisyen Dizgi Ünitesi

**Yayıncı Sertifika No**

47518

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**Bisac Code**

SOC000000

**Editör**

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ORCID iD: 0000-0002-7309-8665

**DOI**

10.37609/akya.2898

**Kütüphane Kimlik Kartı**

**Meydan, Vildan.**

Yeni Bir Uluslararası Hukuk İnşası mı: Modern Otoriterlik ve Konfüçyüsçü Kimliği  
Doğrultusunda Çin'in Uluslararası Hukuk Yaklaşımı / Vildan Meydan,  
editör : Burak Samih Gülboy.

Ankara : Akademisyen Yayınevi Kitabevi, 2023.

356 s. : 160x235 mm.

Kaynakça var.

ISBN 9786253994747

1. Sosyal Bilimler.

**GENEL DAĞITIM**

**Akademisyen Kitabevi AŞ**

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# ÖNSÖZ

21. yüzyıl, çoğu açıdan uluslararası sistem için ezberlerin bozulduğu, Soğuk Savaş sonrası kurulan düzenin devamının sorgulandığı ve çeşitli açılardan bazı değişim ve dönüşümler tecrübe etmesi muhtemel bir dönem olarak Uluslararası İlişkiler'e damga vurmuştur. Soğuk Savaş sonrası dönemde ABD öncülüğünde kurulan hegemonik düzen anlayışının artık iyiden iyiye etkisini yitirdiği görülmekle birlikte, yeni bir uluslararası düzen inşasının muhtemel olup olmadığı, böyle bir inşanın söz konusu olması halinde ise hangi aktörün öncülüğünde gerçekleşeceği sıkça sorulan ve tartışılan sorulardandır.

Tarih boyunca da tecrübe edildiği üzere, uluslararası sistemde yeni bir gücün yükselişi, uluslararası düzende de birtakım değişim ve inşaları beraberinde getirmektedir. 21. yüzyılda uluslararası sistem Çin'in bu anlamda sahneye çıkışına şahit olmakta, bu yüzyıla damgasını vuran kimlik inşasının en önemli Batı dışı örneğini Çin oluşturmaktadır. Uzun ve köklü bir tarihe sahip olan Çin için 21. yüzyılın ikinci yarısı, uluslararası sistemden izole tarihinden farklı olarak uluslararası hukuk ile tam bir entegrasyon içerisinde geçmiştir. Çalışma, bu dönüşümde Konfüçyüsçülük ve modern otoriterlik sentezi üzerine inşa edilen modern Çin kimliğinin tartışmasız bir yeri olduğunu savunmakta ve yeni bir uluslararası hukuk düzeninin Çin tarafından gerçekleşmesi ihtimalini sorgulamaktadır. Uluslararası hukuk ve uluslararası sistemin olası dönüşüm ve inşasında Çin'in rolünün ne olduğu, çalışmanın sorduğu ana sorulardandır. Bu sorulardan hareketle yapılan incelemeler sonucunda çalışma, Çin'in mevcut uluslararası hukuku ve uluslararası sistemi alaşağı etmek isteyen bir profil çizmekten, diğer bir deyişle yeni bir uluslararası hukuk inşası amacından uzak olduğunu savunmaktadır. Mevcut literatürün ağırlıklı olarak Çin'in yükselen gücü çerçevesinde ABD hegemonyasına oluşturduğu Çin tehdidi çerçevesinde şekillendiği göz önüne alındığında bu kitabın, Çin-uluslararası hukuk arasındaki 2000'lerden itibaren dönüşen ilişkiyi inşacı yaklaşım çerçevesinde sorgulanması açısından, alana önemli bir katkı sağlayacağı umulmaktadır.

Doktora gibi üst düzey bir psikolojik yönetim gerektiren süreci, kendi adıma başlangıcından sonuna dek duygusal olarak inişli çıkışlı ve çoğunlukla zorlu bir maceranın ardından bu çalışma ile noktalamak, benim için kendi adıma bir gurur kaynağıdır, umuyorum literatüre de katkı sağlayacak ve geniş bir okur kitlesine

ulaşacaktır. Hayatta emek ve özveri sarf etmeden ve başlangıcından sonuna dek aynı motivasyon ile ilerlemeden başarı sağlanmayacağını bir bakıma çalışma ile tecrübe ettim. Bu çalışma, uzun ve zorluklarla dolu bir sürecin meyvesi olup, destekçim olan geniş bir ekibin manevi destekleri ve işbirliği sonucu nihayete ermiştir. Dolayısıyla bu ekibe teşekkürlerin en büyüğünü borçluyum ve kitabımın ilk satırlarını da buna ayırmak istiyorum.

Öncelikle kıymetli hocam Prof. Dr. Burak Samih Gülboy'a tezime danışmanlık yaparak tüm süreç boyunca desteğini esirgemediği için çok teşekkür ederim. Aynı şekilde çalışmamla başından itibaren yakından ilgilenen Prof. Dr. Pınar Gedikkaya ve Doç. Dr. Muharrem Hilmi Özev hocalarıma da ayrıca teşekkür etmek istiyorum.

Kuşkusuz bu noktada en büyük teşekkürü aileme borçluyum, zira onların desteği olmasaydı bu uzun ve sancılı süreci tamamlamak benim için çok daha zor olurdu, hepsine ayrı ayrı minnettarım. Yalnızca doktora sürecimde değil, akademik hayatımın başlangıcından beri bir an olsun desteğini esirgemeyen, her yorulduğumda ve motivasyonumu kaybettiğimde güçlü sevgileriyle beni tekrar ayağa kaldıran en büyük destekçim annem Ayla Ercan'a, babam Nihat Ercan'a, ablam Aydan Ercan'a, hayat arkadaşım Burak Meydan'a ve oğluma en büyük teşekkürlerimi sunuyorum. Çalışmamı tamamlamamda en büyük motivasyon kaynağım olan oğlum Yavuz Selim, deyim yerindeyse bu tez ile birlikte büyüdü. Umarım ileride çalışmamla o da gurur duyacaktır, çalışmamı bu nedenle oğluma armağan ediyorum.

Vildan MEYDAN  
İSTANBUL, 2023

# KISALTMALAR LİSTESİ

<b>AB. :</b>	Avrupa Birliđi
<b>A.B.D. :</b>	Amerika Birleşik Devletleri
<b>A.e. :</b>	Aynı Eser
<b>APEC:</b>	Asia Pacific Economic Cooperation
<b>ASEAN:</b>	Association of Southeast Asian Nations
<b>Bkz. :</b>	Bakınız
<b>BM :</b>	Birleşmiş Milletler
<b>BMGK :</b>	Birleşmiş Milletler Genel Kurulu
<b>BKBY :</b>	Bir Kuşak Bir Yol
<b>BMDHS:</b>	Birleşmiş Milletler Deniz Hukuku Sözleşmesi
<b>CCTV:</b>	China Central Television
<b>CRI:</b>	China Radio International
<b>Çev:</b>	Çeviren
<b>ÇHC:</b>	Çin Halk Cumhuriyeti
<b>ÇKP:</b>	Çin Komünist Partisi
<b>DB:</b>	Dünya Bankası
<b>DOC:</b>	Declaration on the Conduct of Parties in South China Sea
<b>DSÖ:</b>	Dünya Sağlık Örgütü
<b>DTÖ:</b>	Dünya Ticaret Örgütü
<b>Ed. :</b>	Editör
<b>GATT:</b>	General Agreements on Tariffs and Trade
<b>GDYİH:</b>	Gayri Safi Yurt İçi Hasıla
<b>IMF:</b>	International Monetary Found
<b>MEB:</b>	Münhasır Ekonomik Bölge
<b>MÖ:</b>	Milattan Önce
<b>MS:</b>	Milattan Sonra

Kısaltmalar Listesi

**NATO:** North Atlantic Treaty Organisations

**NPT:** Non-Proliferation Treaty

**V.d. :** Ve Diğerler

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