

# *Engendering Democracy in Turkey*

## Participation and Inclusion of Women's Civil Society Organizations under AKP Rule

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## LIST OF ABBREVIATIONS

<b>AKDER</b>	Ayrımcılığa Karşı Kadın Hakları Derneği (Women's Rights Association against Discrimination)
<b>AKP</b>	Adalet ve Kalkınma Partisi (Justice and Development Party)
<b>ANAP</b>	Anavatan Partisi (Motherland's Party)
<b>BDP</b>	Barış ve Demokrasi Partisi (Peace and Democracy Party)
<b>BKP</b>	Başkent Kadın Platformu Derneği (Capital City Women's Platform Association)
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CHP</b>	Cumhuriyet Halk Partisi (Republican People's Party)
<b>CS</b>	Civil Society
<b>CSO</b>	Civil Society Organization
<b>ÇATOM</b>	Çok Amaçlı Toplum Merkezleri (Multi-Purpose Community Centers)
<b>DGM</b>	Devlet Güvenlik Mahkemesi (State Security Court)
<b>DIKASUM</b>	Diyarbakır Kadın Sorunlarını Araştırma ve Uygulama Merkezi (Diyarbakır Women's Problems Research and Implementation Center)
<b>DO-NGO</b>	Donor-organized non-governmental organization
<b>DP</b>	Demokrat Parti (Democrat Party)
<b>DSP</b>	Demokratik Sol Parti (Democratic Left Party)
<b>DTP</b>	Demokratik Toplum Partisi (Democratic Society Party)
<b>DÖKH</b>	Demokratik Özgür Kadın Hareketi (Free Democratic Women's Movement)
<b>DYP</b>	Doğru Yol Partisi (True Path Party)
<b>ECTHR</b>	European Court of Human Rights
<b>EU</b>	European Union
<b>EWL</b>	European Women's Lobby
<b>FP</b>	Fazilet Partisi (Virtue Party)
<b>GAP</b>	Güneydoğu Anadolu Projesi (Southern Anatolian Project)
<b>GIKAP</b>	Gökkuşluğu İstanbul Kadın Kuruluşları Platformu (Rainbow Istanbul Women's Organizations Platform)
<b>GO-NGO</b>	Government-organized non-governmental organization
<b>GRO</b>	Grassroots Organizations
<b>HDP</b>	Hakların Demokratik Partisi (People's Democratic Party)
<b>IHD</b>	İnsan Hakları Derneği (Human Right's Association)
<b>IKKB</b>	İstanbul Kadın Kuruluşları Birliği (Istanbul Women's Associations Union)

<b>IKKB-İzmir</b>	İzmir Kadın Kuruluşları Birliği (Izmir Women's Associations Union)
<b>KADER</b>	Kadın Adayları Destekleme ve Eğitim Derneği (Association for the Support and Training of Women Candidates)
<b>KAGIDER</b>	Türkiye Kadın Girişimciler Derneği (Women Entrepreneurs Association of Turkey)
<b>KAHDEM</b>	Kadınlara Hukuki Destek Merkezi (Legal Support Center for Women)
<b>KAMER</b>	Kadın Merkezi (Women's Center)
<b>KCK</b>	Koma Civaken Kurdistan (Kurdistan Communities Union)
<b>KEFEK</b>	Kadın Erkek Fırsat Eşitliği Komisyonu (Commission for Equal Opportunities for Women and Men)
<b>KEIG</b>	Kadın Emeği ve İstihdamı Girişimi (Women's Labor and Employment Initiative)
<b>KSGM</b>	Kadının Statüsü Genel Müdürlüğü (General Directorate on the Status of Women)
<b>KSSGM</b>	Kadının Statüsü ve Sorunları Genel Müdürlüğü (General Directorate on the Status and Problems of Women)
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender/Transsexual, Intersexed
<b>MAZLUM-DER</b>	İnsan Hakları ve Mazlumlar için Dayanışma Derneği (Organization for Human Rights and Solidarity for Oppressed People)
<b>MENA</b>	Middle East and North Africa
<b>MGK</b>	Milli Güvenlik Kurulu (National Security Council)
<b>MHP</b>	Milliyetçi Hareket Partisi (National Movement Party)
<b>MP</b>	Member of Parliament
<b>NGO</b>	Non-Governmental Organization
<b>NPO</b>	Non-Profit Organization
<b>PKK</b>	Partiya Karkerên Kurdistan
<b>RP</b>	Refah Partisi (Welfare Party)
<b>RTÜK</b>	Radyo ve Televizyon Üst Kurulu (Radio and Television Supreme Council)
<b>SHÇEK</b>	Sosyal Hizmetler ve Çocuk Esirgeme Kurumu (Agency for Social Services and Child Protection)
<b>SHP</b>	Sosyaldemokrat Halkçı Parti (Social Democrat People's Party)
<b>ŞÖNİM</b>	Şiddet Önizleme Merkezleri (Violence Pre-Monitoring Centers)
<b>TKB</b>	Türk Kadınlar Birliği (Turkish Women's Union)
<b>TSK</b>	Türk Silahlı Kuvvetleri (Turkish Armed Forces)
<b>TÜSIAD</b>	Türk Sanayicileri ve İş Adamları Derneği (Turkish Industry and Businessmen Association)
<b>UN</b>	United Nations
<b>UNFPA</b>	United Nations Population Fund
<b>VAKAD</b>	Van Kadın Derneği (Van Women's Association)
<b>WEF</b>	World Economic Forum

**WHO**

World Health Organization

**WWHR**

Women For Women's Human Rights- New Ways (Kadının İnsan Hakları  
Yeni Çözümler Derneđi)

**YÖK**

Yükseköğretim Kurulu (Higher Education Council)

## *A Note on the Use of Abbreviations and Non-English Sources*

### ***Abbreviations:***

Throughout the text, I used the Turkish initials for the abbreviations of all the Turkish names of organizations, institutions, parties - except the WWHR because the organization is well known through its English name.

### ***Translations:***

I translated quotations from Turkish or German sources into English to facilitate the reading - except when translation was at hand or existed.

# Introduction

On 18 July 2010, Prime Minister Recep Tayyip Erdoğan, the head of the ruling Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) invited about 90 representatives from various women's rights organizations in Turkey to discuss the institutional steps necessary to take to strengthen democracy and to resolve the Kurdish-Turkish conflict as part of a reform process called "Democratic Opening" (*Demokratik Açılım*).<sup>1</sup> Participant women presented their concerns and suggestions such as the reduction of the electoral threshold (10 %), the introduction of electoral quotas for women, implementing further laws to achieve gender equality, to allow Kurdish as a language of instruction in public schools, and the recruitment of Kurdish speaking personnel in state courts and hospitals in the Kurdish populated regions. Erdoğan dismissed almost all of these demands in his speech, emphasized women's primary roles as 'mothers' and added: "I do not believe in the equality between women and men. I prefer to use the term 'equal opportunity', rather than equality. Women and men are created differently; they are not equal, rather complementary to each other" (Pelek 2010). This statement was a clear challenge to women's civil society organizations (CSOs) that strive for empowerment of women and gender equality. At the same time, it contradicted AKP's political rhetoric that emphasized the importance of the engagement in dialogue with civil society (CS) to consolidate democracy in Turkey. This paradoxical approach towards women's rights organizations raises many questions about the dynamics of state-society relations and the nature of Turkey's democracy. How can Turkish democracy consolidate if the government does not respond to demands of civil society groups? Can democracy consolidate if women's political and civic participation are curtailed? How could women's CSOs play a role in strengthening democracy, if their main concern was categorically rejected by the head of the ruling AKP?

Before searching for answers, it is helpful to clarify what is meant by democracy. A vast amount of democratization studies relies on the two-dimensional definition of democracy developed by Dahl (1971), and this study is not an exception (see Chapter 1). Drawing upon the

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<sup>1</sup> Bianet, 19 July 2010, online: <http://www.bianet.org/bianet/siyaset/123520-zozan-ozgokce-basbakan-oneri-almadi-had-bildirdi> (rev. 22.11.2014)

Dahlian definition, democracy is defined here as a type of a political regime that draws upon the processes allowing: 1) political competition through free, fair, and regular elections; and 2) participation of *all* citizens by guaranteeing civil freedoms such as freedom of expression, freedom of assembly and association, and freedom of information. Accordingly, democratic consolidation can be understood as the institutionalization and stabilization of these two dimensions (see section 1.1).

The starting point of the analysis is the widely-acknowledged assumption of the democratization literature claiming that a vibrant CS<sup>2</sup> pluralizes democratic politics and is conducive to consolidation of democracy (see Chapter 1.2). To put it differently, the more CS participates the more inclusive the political system will be. Following this argument, the main assumption here is that the greater the participation and inclusion of organized women<sup>3</sup> in politics, the more *engendered* and consolidated democracy is. Thus, **engendering democracy** can be understood as a ‘strengthening’ of democracy in its two core dimensions of: a) participation, and b) inclusion with respect to the specific demands, needs, and interests of women, which are explicitly recognized by political decision-making in all relevant policy areas.

Women’s participation and inclusion have rarely been studied in the mainstream democratization literature. The relatively newer gender-and-democratization literature has extensively examined women’s activism in the transition to democracy and suggested tentative conclusions about the “gendered” analysis of democratization processes (Alvarez 1990; Baldez 2003; Jaquette 1994, 2001; Rai 2002; Viterna and Fallon 2008; Waylen 1994, 2003). But a few studies have exclusively analyzed women’s participation in the consolidation phase (Franceschet 2001; Waylen 2007). Such studies mainly look at how women in formal politics participate in political processes and to what extent they *engender* democracy (see section 2.4), i.e. to what extent they translate women’s demands in concrete laws and policies that are set up to strengthen and protect women’s rights. They claim that organized women on their own are unlikely to achieve change in the post-transitional context because key activists enter in state institutions (Waylen 2007: 91). Therefore, they focus on women’s participation in formal political arena. In contrast,

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<sup>2</sup> CS is understood as a network of self-organized *collective* bodies that are *autonomous* from the state and the economic sector. I discuss the term CS in Chapter 1.

<sup>3</sup> Organized women is understood as “the idea that women’s self-organizing to further their own empowerment” (McBride and Mazur 2008: 226).

the present study suggests that women who are organized outside of formal politics play an essential role in pushing for women-friendly changes in the consolidation phase. Organized women as independent actors make politicians and public opinion aware of the gendered differences in political procedures and can push governments to reform. The examination of the role of organized women in democratic consolidation not only contributes to the gender-and-democratization literature, but also expands the scope of the consolidation literature.

Based on the empirical evidences on women's CSOs in Turkey, the study examines **what role women's CSOs played in engendering Turkish democracy under AKP rule**. To this end, the study looks at to what extent women's CSOs participated in decision-making processes in gender policies and what their impact on those policies was under the ruling AKP. To put it differently, to what extent did the AKP respond to political objectives of organized women in gender policies? It thereby aims to elucidate on the democratic consolidation process in Turkey under AKP rule. In doing so, the research also finds answers to the following questions: How do women's CSOs participate in and exert influence on decision-making processes regarding women's issues? What has been achieved in gender policies since the AKP came to power? What remains to be changed? What were the main obstacles for women's CSOs under AKP rule? Has the relationship between women's CSOs and the Turkish state changed? Has the democratic consolidation process influenced the relations among organized women in Turkey?

As indicated by the title, the study will mainly concentrate on AKP rule. The AKP period is especially striking because of the fast pace of change linked to the democratic consolidation process since the party came to power in 2002. Although the AKP, compared to the former Turkish governments, has worked more closely with civil society actors, and included them in policy-making processes, the AKP's relations to women's CSOs have been ambivalent, as it can be understood from Erdoğan's speech cited above. Women's role in public space and gender policies in general are a contentious arena for the religious-conservative base of the AKP. Therefore, the discussion on the role and impact of women's CSOs is well-suited to assess how inclusive and pluralistic democracy has become under the ruling AKP. In other words, the analysis of the role of organized women will serve as a litmus test for understanding whether or not the AKP aimed at building a pluralistic democracy, where women and men have been equally participating. Here, it is important to note that studying an ongoing process, i.e. the democratic

consolidation process, is very much like aiming at a moving target, and it is thus difficult to study. However, the present study attempts to give a snapshot of the first decade of AKP rule, i.e. until the end of 2012, by solely focusing on the relationship between women's CSOs and the state that manifests one dimension of state-society relations.

The main impetus for the present study was the compelling story of organized women amid the democratic consolidation process and the rising power of an Islamist government in staunchly secularist Turkey. At this point, it must be noted that the study does not aim to compare the impact of women's CSOs with the other parts of CS in Turkey. Rather, it will shed some light on the less explored actors, namely organized women in the process of democratic consolidation. Hence, it is not an attempt to measure to what extent the whole CS influences the democratic consolidation process in Turkey.

### ***State of the Art***

In the extensive body of literature on Turkish politics, Turkish democracy has been analyzed from various perspectives. The early studies employed a top-down perspective on the subject matter and exclusively focused on the functioning of the state and its core institutions. In particular, the constitution, the parliament, the electoral and political party system and their level of institutionalization have been carefully examined (e.g. Heper and Landau 1991; Heper and Evin 1994; Özbudun 2000). In addition to the institutional setting, the role of the key actors such as the military and bureaucratic state elite has been studied with regard to democratization (Heper 1992; Özbudun 2000; Poulton 1999; Rustow 1970). Scholars pointed out that the dominance of the military, the fragmented and polarized party system, the military-made constitutions (1961 and 1982) and a weak checks-and-balances system are the main obstacles in the consolidation of democracy in Turkey.

Moving on from explaining the structural impediments and why Turkish democracy has not been consolidated, the scholarly attention has focused on the role of social actors. While the Islamist and Kurdish movements have attracted much scholarly attention (Barkey 2000; Ergil 2000; Smith 2005; Somer 2007), a growing body of literature on Turkish politics has investigated the potential role of CS in democratizing state-society relations and changing the socioeconomic structures. Scholars claimed that limited leeway of CS and the intolerant attitudes and conflicting interests of the state elites hampered the growth of a free CS in Turkey (Kalaycıoğlu

2007; Keyman and Içduygu 2003; Şimşek 2004; Toprak 1996). Information gathered from both the top-down and bottom-up analyses proved particularly useful for outlining the historical development of the Turkish democratic consolidation process (sections 4.1 and 4.2).

The number of studies focusing on Turkish politics under AKP rule has skyrocketed. While a bulk of literature underlined the influence of the European Union (EU) accession process (Kubicek 2005; Müftüler-Baç 2005; Düzgit and Keyman 2007, Ulusoy 2007), others have examined the economic development, the role of CS, and the influence of globalization as important factors in the democratic consolidation process (Çarkoğlu and Cenker 2011; Keyman and Içduygu 2003; Öniş 2009). Studies analyzing the AKP period agree on the fact that major institutional changes expedited the political transformation process and were crucial steps in consolidating Turkey's democracy. A more recent branch of literature seeks to understand why the democratic consolidation process began to stagnate and how the AKP's political dominance shapes it (Müftüler-Baç and Keyman 2010; Öniş 2013). This literature was particularly useful in describing the institutional context of the late AKP rule (section 4.3).

The literature on women's activism in Turkey is considerably rich and analyzes under which conditions and with what demands different women's groups emerged and developed in the civil society arena (Arat 1994, 2000, 2008; Bodur 2005; Coşar and Onbaşı 2008; Diner and Toktaş 2010; Kandiyoti 1995; Tekeli 1995). These studies clearly show that women's groups have been greatly influenced by the political dynamics and conflicts in Turkey (Arat 2008; Diner and Toktaş 2010). While studies on the independently organized Islamist and Kurdish women shed light on their opposition to the Turkish state and their relations with their own movements (Arat 1998, 2005; Marshall 2008; Merçil 2005; Saktanber 2002; Yüksel 2003), studies on feminist and Kemalist women delineate their efforts to change the state's gender policies (Marshall 2009; Tekeli 1995). Particular attention has been paid to their crucial role in the pluralization of the civil society arena. This literature helped to illustrate the motives and aims of different groups of organized women. Recently, scholars began to analyze the broader scope of women's groups with recourse to their potential to offer alternative political visions, and how they changed their relations with the state in order to be more influential (Coşar and Onbaşı 2008; Diner and Toktaş 2010; Marshall 2005, 2009). Later publications (Arat 2010; Coşar and Yeğenoğlu 2011) demonstrate how the AKP government began to push its Islamist agenda in gender policies and

to ignore demands of organized women. These studies contain valuable information about how and with what demands organized women participate in civil society realm and the general characteristic of gender policies under AKP rule. They make general assertions on organized women's role as influential democratic agents, but they do not specifically examine why, how and to what extent organized women contribute to the process of democratic consolidation in Turkey under AKP rule. Overall, there is no systematic and comprehensive study analyzing and comparing the role of different women's groups in *engendering* democracy in Turkey.

### ***Research Design***

The present study seeks to understand the role of organized women in the democratic consolidation process and the gendered outcomes of this process in Turkey. In the research, the variable to be explained is how *engendered* Turkish democracy is under the AKP government, understood as the measurable improvements in laws and policies regarding women's lives. This will be assessed by looking at the concrete changes in laws and codes, and in regulations and policies in three issue areas: *violence against women, women's rights and gender equality, and discrimination against women*. These areas have been chosen for several reasons. First, they are considered to be the most important dimensions of the women rights regime, both on the global and national level. Second, they are framed and discussed differently by each group within organized women in Turkey.

The independent variables include the role of women's CSOs and the institutional context in which they operate. Thus, the activities of women's CSOs and the extent to which they could articulate their demands will be analyzed in great details. This will help to analyze the extent to which they participated in political decision-making processes regarding gender issues. In doing so, the study looks at the alliances they have made and their success, or failure, in putting gender issues on the political agenda of democratic consolidation process. But the analysis also considers the institutional context in which women's CSOs interact with each other and the state. Thus, the general characteristics of the political system before and during AKP rule is described before the empirical analysis. There are also number of intervening variables that include: the impact of international gender regime, referring to all gender arrangements that shape international and national institutions, and the international organizations such as the United Nations (UN) and the EU.

## ***Methods and Sources***

Since the study not only delineates the activities and strategies of women's CSO, but also their interactions among each other and with state institutions, and policy outcomes, the study employs a qualitative research strategy. Qualitative analysis is better suited to showing the nuances and dynamics of human interaction.

Organized women in Turkey are classified here in four different groups: *feminist*, *Kurdish*, *Islamist*<sup>4</sup> and the *Kemalist*<sup>5</sup> women's CSOs. These four groups of women's CSOs represent the salient political cleavages of Turkish politics that have been regarded as the impediments in consolidating Turkish democracy: Kurdish vs. Turkish nationalism and Islamism vs. secularism (see Chapter 4). Thus, the analysis of these four groups will provide valuable insights into the analysis of the boundaries and limits of the consolidation process in Turkey, understood as the strengthening the inclusion dimension of democracy.

The selected women's CSOs are chosen not only from metropolitan cities such as Istanbul, Izmir and Ankara, but also from Van and Diyarbakır (Kurdish populated provinces in East Turkey) which enables to capture the broader picture in examining the role of women's CSOs in the democratic consolidation process. For each group, three women's CSOs have been selected that have high records of visibility and recognition within organized women and the broader CS in Turkey, and that have participated in policy-making processes. All these women's CSOs are committed to adjust gender policies and, thereby, to change the content of politics in Turkey.

The empirical material for this study is collected from both primary and secondary sources. First, based on in-depth and semi-structured interviews with representatives of the women's CSOs, the study delineates the motives, activities, and strategies of these organizations in the issue areas under consideration -*violence against women, women's rights and gender equality, and discrimination against women-*, and their interactions with state institutions in these issue areas. Individuals such as academics and lawyers who have been involved with these women's CSOs are also interviewed. Second, the study has also gathered information from the websites, blogs, and pamphlets of women's CSOs under consideration and from interviews published in

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<sup>4</sup> I use the term Islamist to capture the activism of religiously-oriented and politically-motivated movements.

<sup>5</sup> The Kemalist ideology refers to the founding ideology of the Turkish state and adherents of this ideology are labeled as Kemalist throughout the study.

mass publications such as online newspapers, and websites of TV channels. Third, the study has also profited from the “grey literature”. The surveys, reports, and statements of state institutions, research institutes and CSOs have been analyzed to obtain further information on the strategies and projects of both the women’s organizations and the state. The research also relies on the data drawn from the secondary sources. Thus, the study has drawn on the valuable scholarly works on Turkish politics in general and on the history of the democratization process, the agency of CS, and organized women in Turkey in particular.

### ***Outline of the Study***

The main objective of Part I is to suggest a conceptual framework to analyze the role of organized women in the democratic consolidation processes. To this end, Chapter 1 first defines the concept of democracy and the notions of democratization and democratic consolidation to reach a working definition of democratic consolidation. Second, the chapter gives an overview of the state of the art of democratic consolidation research. As the special attention is given to the role of CS, the subsequent section (1.2) introduces the term CS, and then discusses different theoretical perspectives on the interplay between CS and democratization processes. While the mainstream literature on democratization refers to women’s activism within the context of CS, it remains mainly gender-blind, i.e., it does not focus on women’s participation in democratization processes or the gendered nature of those processes. At this point, the study claims that a ‘gendered’ perspective is needed to examine the relationship between women, CS, and democratic consolidation. Therefore, Chapter 2 first describes why and how to integrate ‘gender’ as a category in the analysis of politics. Drawing upon the assumptions of the gender-and-politics literature, the chapter then shows how gender is implicated in the structures and dynamics of CS and democratization processes that will, in turn, have implications for the analysis of the role of organized women in democratic consolidation. The analytical framework (2.4) seeks to provide a holistic analysis of the relationship between democratic consolidation, CS, and women from a gendered lens that will be applied to the case study, and can be applied to further case studies. Part I concludes with Chapter 3 that maps out the methods employed in the research. The chapter provides a thorough description of the research design, case selection, and sources, and explains how the data is collected.

To examine the role of organized women in democratic consolidation, it is necessary to describe the institutional context; i.e., political structures in which women's CSOs are embedded need to be taken into account. The institutional context *shapes*, if not determines, actors' strategies and objectives as well as political outcomes. Therefore, Part II describes the historical and institutional context in which women's CSOs have emerged, operated, and exerted influence on policy-making processes regarding women's issues. Chapter 4 first reviews the adventures of Turkish democracy before AKP rule to understand the institutional and political background of the consolidation process. The last section in Chapter 4 (4.3) pays special attention to the era of the AKP by delineating three distinct periods of AKP rule. It thereby discusses how both the external and domestic factors gave impetus to the democratic consolidation process in Turkey and sheds also light on the current situation of this process.

Part III embarks upon the empirical analysis. Chapter 5 presents positive gender outcomes in laws and policies before and during AKP rule by focusing on three issues areas: *violence against women, women's rights and gender equality, and discrimination against women*. Positive gender outcomes refer to women-friendly changes in the legal framework and policies that are implemented to improve women's rights. The reason why I prefer first to demonstrate *outputs* than *inputs* is to avoid repetition in the analysis of the roles of four women's groups of women's CSOs. To put it differently, since the strategies of each women's group and the extent of their role in policy-making differ, but *outputs* do not vary, I present the positive gender outcomes under AKP rule as the first chapter of the empirical part. Moreover, an earlier presentation of the impact of women's CSOs on policies helps to assess more exactly the role of each group of women's CSOs in policy changes. The following chapters (6, 7, 8, and 9) examine how and to what extent four groups of women's CSOs (feminist, Kurdish, Islamist and Kemalist women) influenced policy-making processes under AKP rule in the three issue areas mentioned before. Part III concludes with the analysis of the findings with regard to the analytical framework presented in Part I. Chapter 10 thus compares and contrasts the gathered evidences on the role of four groups of women's CSOs in *engendering* Turkish democracy under AKP rule.

Finally, the conclusion summarizes the key findings, discusses the limitations of the research, and addresses the prospects for the future research.

PART I  
Theories and Methods

# Chapter 1

## Democracy and Civil Society

The main motivation of this chapter is to build the conceptual framework that will serve as the foundation for the analysis of the relation between democratic consolidation and civil society (CS). The first section (1.1) discusses the relevant concepts and notions to reach a working definition of democratic consolidation. The working definition will help assess under what conditions a democracy becomes consolidated. As the particular attention is paid to the role of CS in the process of democratic consolidation, the subsequent section (1.2) critically discusses what CS is, or not, and how it contributes to democratic consolidation. This conceptual framework allows an analysis of the research question, i.e. the role of organized women in the processes of democratic consolidation. However, in accordance with the gender-and-politics literature, the present study argues that a ‘gender’ perspective is needed to analyze the role of organized women in democratic consolidation. Since women’s participation has changed what counts as ‘political’, the chapter (2) critically discusses how to integrate ‘gender’ as a category both in the analysis of CS and democratization. The analytical framework that serves as the foundation for the empirical analysis in Part III will be then presented. The analytical framework (2.4) seeks to provide a holistic analysis of the relationship between the democratic consolidation, CS and women from a gendered lens that will be applied to the case study, and can even be applied to different case studies.

### ***1.1 Assessing Democratic Consolidation***

The term “democratic consolidation” includes two different discussions: 1) the perennial problem of scholarly debate over the definition of ‘democracy’, and 2) how we define the ‘consolidation’ of democracy (Schneider 2009: 9). Democracy is one of the most debated concepts in political science. Especially after the “third wave” of democratization (Huntington 1991)<sup>6</sup>, scholars have faced the challenge of conceptually dealing with diverse forms of democratic regimes. Thus, scholars have sought to increase conceptual differentiation and created hundreds of subtypes of democracy such as ‘illiberal democracy’, ‘pseudo-democracy’, ‘tutelary

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<sup>6</sup> Huntington (1991) identifies the long first wave of democratization from 1828 to 1926, and the second wave from the post- Second World War to 1964.

democracy’, ‘delegative democracy’, ‘defective democracy’, or ‘hybrid regimes’ (Collier and Levitsky 1997; Merkel 2004; O’Donnell 1994; Valenzuela 1992; Zakaria 1997).<sup>7</sup> These diminished subtypes generally identify “specific attributes of democracy that are missing” (Collier and Levitsky 1997: 438) or combine “some democratic features with authoritarian practices” (Wigell 2008: 230). As Collier and Levitsky aptly note, diminished subtypes are useful for characterizing different regimes in the real world, but “they raise the issue of whether these regimes should in fact be treated as subtypes of democracy” (1997: 450). Hence, they claim that scholars must clearly define and explicate the concept of democracy they are using instead of inventing new terms and concepts. In the following, a working definition of democracy will be suggested by relying upon the most widely employed ‘procedural definitions’<sup>8</sup> of democracy in the research on democratization.

### **The Concept of Democracy**

In comparative politics, democracy is referred to as “a type of a political regime”<sup>9</sup> or “a form of governance” (Collier and Levitsky 1997; Linz and Stepan 1996; Mainwaring 1992; O’Donnell 1992; Schmitter and Karl 1991). By explaining why, when, and where democracy happens, a large volume of empirical work has relied on the “two-dimensional” procedural definition of democracy put forward by Robert Dahl. Dahl suggests that democracy is a political system that allows: 1) ‘political competition’ or ‘public contestation’ through regular, free, and fair elections, and 2) ‘participation’ in this system of political contestation (1971: 2). Accordingly, Dahl attributes eight institutional requirements for a functioning democracy:

- 1) Freedom to form and join organizations; 2) Freedom of expression; 3) Right to vote, 4) Eligibility for public office; 5) Right of political leaders to compete for support; 6) Free and fair elections; 7) Alternative sources of information; and 8) Institutions for making government policies depend on votes and other expressions of preference (Ibid.: 3).

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<sup>7</sup> Collier and Levitsky (1997) reviewed a large volume of democratization studies and found around 550 examples of “democracy with adjectives”.

<sup>8</sup> Procedural definitions of democracy focus on procedures (political and legal institutions) in a political system, see further: Collier and Levitsky (1997) and Mair (2008).

<sup>9</sup> A regime refers to “an ensemble of patterns that determines the methods of access to the principal public offices; the characteristics of the actors admitted to or excluded from such access; the strategies that actors may use to gain access; and the rule that are followed in the making of publicly binding decisions” (Karl and Schmitter 1991: 76).

This set of rights and liberties makes political participation more inclusive. Thus, democracy, as Dahl calls “polyarchy”<sup>10</sup>, requires not only pluralism of political candidates but also “a broader societal pluralism that makes political contestation and participation truly meaningful” (Diamond 1997: 7). Hence, the participation dimension is of a great importance for a genuine democratic regime.

Some studies on democratization employ even a “thicker” conceptualization and add to the two-dimensional definition of democracy further criteria such as the rule of law, horizontal accountability (checks and balances), effective power to govern, the accountability of rulers or the distribution of power in society (Collier and Levitsky 1997; Diamond 1997; Karl and Schmitter 1991; Merkel 1999, 2004; O’Donnell 1996; Valenzuela 1992; Wigell 2008). However, more substantial notions of democracy might complicate the theoretical analysis, and the root concept can become fuzzier (Collier and Levitsky 1997; Schneider 2009).

Relying on the Dahlian (1971) definition of democracy, the present study regards a political regime as democratic:

- if competitive elections are conducted freely, fairly and at regular intervals {public contestation},
- if all adult citizens have the right to vote and to compete for votes and for support, without facing any coercion {inclusive participation},
- and if the regime allows its citizens to articulate and to signify their preferences by guaranteeing political and civil liberties such as freedom to form and join organizations, to assembly and freedom of information and of expression.

In democracies, the above mentioned political and civil liberties must be effectively available to all citizens without hindrance. ‘All’ citizens allude to literally all, irrespective of gender, ethnicity, age, class, religion, race, sexual orientation or disability.

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<sup>10</sup> Since political regimes in the real world only approximate the democratic ideals to a certain degree, Dahl prefers to call a relatively democratized regime as ‘polyarchy’.

## **Defining the Process of Democratization**

It is widely acknowledged that transition from an authoritarian regime to a democratic one is called the “democratization” or “transition” process. The general consensus is that the introduction of competitive elections is the crucial step in the democratization process. But political regimes in the real world vary in the degree of permitting competitive elections. Thus, Dahl suggests that for a relatively democratized regime, the dimension on public contestation has to be accompanied by inclusive political participation by means of effective guarantees of civil liberties (1971: 4f.).

To facilitate a persuasive analysis, scholars divide the democratization process into three stages: “liberalization (breakdown)”, “democratization (transition)”, and “consolidation” (O’Donnell 1992; Przeworski 1986). Liberalization refers to “an easing of repression and extension of civil liberties within an authoritarian regime” (Mainwaring 1992: 298), but this does not necessarily lead to a democratic transition. Democratization requires “open contestation over the right to win control of the government” (Linz and Stepan 1996: 3). The last stage, democratic consolidation, refers to the post-transitional context, and it is usually conceived of as “the durability or stability of new democracies” (Gasiorowski and Power 1998: 741) or as “the institutionalization of elections and their surrounding freedoms” (O’Donnell 1996: 37). The division of the transition phases allows scholars to assess the preconditions and determinants of each stage separately, although there is an overlap between phases, and helps to understand how exactly a transition unfolds (Waylen 2007: 17). But how do scholars study democratization? What are the major theoretical approaches in the democratization literature?

## **Overview of the Democratization Literature**

The comparative literature on the transition to democracy is preoccupied with the questions how and why transition occurs, whereas studies on consolidation seek to answer under what conditions a democracy becomes consolidated, or which democratizations end up with consolidation. In order to answer these questions, democratization scholars have developed diverse analytical models and focused on various explanatory factors. The early democratization literature has generally concentrated on the *socio-economic factors* such as the level of economic development, the extent of urbanization, or the level of education that are thought to be

conducive to democratization (Lipset 1959).<sup>11</sup> Such studies also regard ‘economic development’ as the key to democratic stability (Przeworski 1991; Przeworski et al. 1997). Other macro-level analyses scrutinize *class structures* of given societies to explain democracies or non-democracies, and question the likelihood of democratic transitions (Moore 1967; Rueschemeyer, Stephens and Stephens 1992). A large volume of the democratization literature pays particular attention to *political institutions* such as the electoral system, the party system, or the division of power to explain differences across the newly democratized regimes (Diamond et al. 1997; Linz and Stepan 1996; Merkel 2004). These studies also argue that the nature of the previous authoritarian regime influences the transition path; in other words, they inquire into the relation between the previous regime type and the forms of transition (Linz and Stepan 1996; Przeworski 1992). In this regard, in different types of non-democratic regimes, the transition might be ‘negotiated’ or ‘pacted’ between the authoritarian elites and the oppositional groups, and might hold different challenges and outcomes for the consolidation of democracy (Linz and Stepan 1996: 65).

Since the early 1990s, “actor-based models” have dominated democratization studies. While a group of scholars examines *the role of political elites* (O’Donnell, Schmitter and Whitehead 1986; Przeworski 1992), others focus on the role of interest groups, social movements, and CS (Croissant et al. 2000; Diamond 1994; Schmitter 1993). There are also studies focusing on *the values and attitudes of the population* in explaining the transition to or the consolidation of democracy (Almond and Verba 1963; Huntington 1991). Besides the internal factors, the democratization literature also emphasizes *the role of external factors* and points out wars, revolutions, democratization waves in neighboring regions as well as the role of the international organizations such as the EU as decisive factors, which might contribute to the collapse of a non-democratic regime or to the democratic consolidation process (Gasiorowski and Power 1998; Linz and Stepan 1996; Schneider 2009; Schneider and Schmitter 2004).

Clearly, democratization is a complex and multi-layered phenomenon. Scholars employ different approaches and suggest a multitude of indicators, and different theoretical models to

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<sup>11</sup> Socio-economic factors have been employed by the modernization theory, which claims that the high level of economic development increases the chances of the transition to democracy or the likelihood of the survival of democracies. Although the modernization theory has been contested in the literature, the economic indicators are still regarded as influential factors in the democratization literature.

explain democratization as well as consolidation. However, in the democratization literature, consolidation is a highly contested term, and it is not clear what scholars refer to while discussing the notion of consolidation. Thus, the working definition of the consolidation of democracy in the present study should be clarified.

### **A Working Definition of Democratic Consolidation**

In examining consolidation, most scholars focus on the ‘stability’ of democratic regimes. Stability usually refers to “the survival of the newly democratized regime” over a period of time by “avoiding a democratic breakdown or erosion” (Gasiorowski and Power 1998; Merkel 2008; O’Donnell 1997; Schedler 1998; Valenzuela 1992).<sup>12</sup> Accordingly, scholars argue that a democracy consolidates when democratic rules and practices are “firmly institutionalized” (Linz and Stepan 1996: 5), and when “a return to the authoritarian rule is highly unlikely” (Gasiorowski and Power 1998: 743; Schedler 2001: 66). In addition to responding to these challenges of impeding democratic breakdown, consolidating democracy may also involve positive tasks of “deepening of a full democracy” or “completing a semi-democracy” (Schedler 2001: 67). Obviously, there are competing meanings and definitions of consolidation. In a consolidated regime, as many consolidation scholars would agree, democracy becomes strengthened and stabilized.

Recently, a group of consolidation scholars have sought to develop means of framing and assessing “the quality of democracy” (Diamond and Morlino 2005: ix). This stream of the literature partly focuses on deepening of democracy in its procedural dimensions (Ibid.: xii), thus overlaps with the consolidation literature. Studies on the quality of democracy in fact evaluate how ‘good’ a democratic regime is. They deal with the democratic performance and effectiveness of the regimes by identifying the quality of the democratic contents, procedures, and outcomes such as the rule of law, the accountability of the government, equality in access to power, distribution of resources, broadly legitimated regime that satisfies citizen expectation,

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<sup>12</sup> Schedler argues that many scholars use democratic consolidation as close synonyms for the terms such as “democratic stability, stabilization, survival, guarantee, continuity, maintenance, permanence, endurance or persistence” (1998: 5). Despite acknowledging the fact that it is highly debated whether stability is equal to persistence or durability, the term stability is used interchangeably with the terms endurance, persistence and maintenance in the present study. It is not within the scope of this study to debate the differences between the mentioned terms.

or whether the constitutional provisions are enforced evenly to all citizens (Karl and Schmitter 2002). However, there are plenty of notions around the term ‘quality’, and this pluralism around the core concept impedes creating a clear typology. For this reason, the quality-of-democracy approach will not be employed here.

In the present study, the term ‘democratic consolidation’ refers to the institutionalization of democratic institutions. In other words, democracy becomes consolidated when aforementioned two-dimensions of democracy have been institutionalized and stabilized. Yet, in defining consolidation as the stability of democracy, I do not claim that the consolidation is an irreversible condition; it is rather “a relatively stable equilibrium of a democratic system’s defining components” (Merkel 2008: 15). In other words, even when a democracy is thoroughly consolidated, democracy can always become weaker or stronger (Diamond 1997: 3). In the following discussion, I review some of the major approaches to the study of democratic consolidation, and identify several explanatory factors that have plausibly been suggested to foster the consolidation of democracy.

### **Theoretical Approaches to Democratic Consolidation**

Despite the lack of a consensus on the definition of democratic consolidation, most scholars agree on some preconditions of the consolidation of democracy. Firstly, it is acknowledged that there can be no democratization, or democratic consolidation, unless there is a ‘state’ (Dahl 2000; Linz and Stepan 1996; Rustow 1970). Scholars, thereby, refer to the state’s effective capacity to rule within a “territorial unit” (Linz and Stepan 1996; Schneider 2009). Secondly, scholars claim that a democracy can only be consolidated, when the transition to free and competitive politics is completed (Linz and Stepan 1996; Shin 1994). Yet, there is a considerable disagreement over where to draw the line between the end of the transition and the beginning of the consolidation process. Some scholars argue that there can be “overlaps” between these two phases (Merkel 1998; Schedler 1998, 2001).

A great deal of the debates on consolidation has focused on the survival of a democratic regime. Accordingly, a democracy is consolidated when competitive elections and the surrounding political rights and civil liberties are institutionalized, and when such a regime is likely to endure (O’Donnell 1997: 43). Similarly, Linz and Stepan (1996) put forward, a

consolidated democracy is the political situation when democracy becomes “*the only game in town*”.<sup>13</sup> This expression has been adopted by many students of consolidation. But when does democracy become ‘institutionalized’ and ‘stabilized’?

The influential consolidation scholars Linz and Stepan suggest three dimensions to assess consolidation:

“**Behaviorally**, a democratic regime in a territory is consolidated when no significant national, social, economic, political, or institutional actors spend significant resources attempting to achieve their objectives by creating a nondemocratic regime or turning to violence or foreign intervention to secede from the state.

**Attitudinally**, a democratic regime is consolidated when a strong majority of public opinion holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in a society such as theirs and when the support for antisystem alternatives is quite small or is more or less isolated from pro-democratic forces.

**Constitutionally**, a democratic regime is consolidated when governmental and nongovernmental forces alike, throughout the territory of the state, become subjected to, and habituated to, the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process” (1996: 6).

With the behavioral, attitudinal and constitutional consolidation, a democratic regime is likely to endure. However, Linz and Stepan concede “two caveats” (Ibid.). First, they do not exclude the possibility of the tendencies towards de-consolidation or a democratic breakdown, so that they avoid to present consolidation as a teleological concept; i.e., consolidation is not “an irreversible final condition” (Merkel 2008: 15). Second, Linz and Stepan do not claim that there is “only one type of consolidated democracy” (1996: 6). Consolidated democracies can either continue to deepen democracy by raising the democratic quality, or continue to strengthen the newly democratized institutions. Linz and Stepan argue that it is important to understand the specific tasks of crafting democratic consolidation (Ibid.).

In a similar vein, Schedler identifies three main approaches in the consolidation literature that differ in their objects of observation as well as in their causal assumptions: the behavioral, attitudinal, and structural approaches (2001: 69). While some researchers focus on

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<sup>13</sup> Linz and Stepan remark that they owe the expression “the only game in town” to Guiseppe di Palma, *To Craft Democracies* (1990).

the behaviors or attitudes of the key actors in the political realm, others focus on the structural environment perceived as the institutional and socio-economic context (Ibid.). Schedler argues that these three explanations of consolidation are hierarchically ordered, and that the behavioral approach dominates both the attitudinal and structural approaches (2001: 85). In other words, the behaviors of political actors are decisive for the sustainability of a democratic order.

Likewise, Przeworski argues that democratic consolidation occurs when democracy becomes the 'only game in town' and "no one can imagine acting outside of the democratic institutions" (1991: 26). For instance, if the armed forces or paramilitary groups do not attempt to overthrow the democratically elected government, then that regime can be regarded as consolidated (Agüero 1992; O'Donnell and Schmitter 1986). By the same token, Schneider and Schmitter refer to the consolidation of democracy "as the process, or processes, that make mutual trust and reassurance among the relevant actors more likely" (2004: 61). These authors argue that politicians and citizens might not agree on substantive goals and policies, but they do have to agree on a common set of rules for democracy (Ibid.: 62). These scholars underscore the importance of the fit between formal democratic rules and the behavior of the relevant actors (O'Donnell 1997: 47).

By contrast, Diamond gives particular attention to the attitudinal consolidation and asserts that democracy becomes truly stable "[...] only when people come to value it widely not solely for its economic and social performance but intrinsically for its political attributes" (Diamond 1993: 430). Several consolidation studies argue that the democratic "legitimacy" is the only explanation for consolidation; i.e., people hold a strong belief that democratic rules and practices are the only possible way to conduct politics (Lipset 1959; Morlino 2005; O'Donnell 1997; Valenzuela 1992). Indeed, there is a considerable amount of evidence that a high level of support for democracy provides security for the survival of the regime. As Schedler claims, if we take legitimacy as a variable for assessing democratic stability, it will lead the analysis in a vast terrain of inquiry with "boundless series of structural and institutional exigencies" (2001: 75).

Therefore, the analysis of legitimacy will not be operationalized for the examination of consolidation.<sup>14</sup>

It is important to underline that the behavioral and attitudinal consolidation can be reached only through formal rules; i.e., when democratic rules are embedded in the constitution. This brings us to the discussion about constitutional consolidation. In accordance with Linz and Stepan (1996), O'Donnell also contends that consolidated democracy embodies “a set of rules and institutions (many of them complex organizations) that is explicitly formalized in constitutions and auxiliary legislation” (1997: 45). He believes that formal rules are “good predictors of behavior and expectations” (Ibid.: 46). The government, state institutions, officials, and citizens must all be subjected to a set of laws embedded in the constitution.

In sum, both the behavioral and attitudinal dimensions are crucial in examining democratic consolidation. That is, when democratic rules and procedures are respected and habituated by political actors, and when the democratic institutions are accepted by citizens as the only possible locus for managing and moderating political processes, then the regime is likely to endure. Therefore, in a consolidated democracy, “destabilizing factors”<sup>15</sup> are isolated by the constitution (O'Donnell 1992; Przeworski 1991; Valenzuela 1992). Accordingly, Merkel (2008) argues that the constitutional consolidation can be seen as a first level of democratic consolidation. In addition to constitutional frameworks, scholars also focus on institutional conditions such as the institutional design (parliamentarism or presidentialism) (Stepan and Skach 1993), or the party and electoral systems (Carey 1997; Mainwaring 1992).

Other than the behavioral and attitudinal approaches, scholars also pay attention to ‘structural determinants’ that contribute to the consolidation of democracy. The most studied structural factors are socio-economic conditions: economic development, the distribution of wealth, class structures and the level of education (Gasirowski and Power 1998; Lipset 1959; Przeworski et al. 1997; Rueschemeyer, Stephens and Stephens 1992). Another group of studies

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<sup>14</sup> For further analysis of legitimation as an object of study, see: Beetham (1991); for legitimacy in nondemocratic regimes, see: Schlumberger (2010).

<sup>15</sup> Valenzuela lists destabilizing factors, or “perverse institutions” as he calls them, as follows: “tutelary power; reserved domains of policy; egregious and deliberate distortions of the electoral system and political representation, and the existence of the widespread belief that non-electoral means are possible to form the national government” (1992: 93).

have examined the strength of CS (Diamond 1994; Schmitter 1997); or prior democratic experiences (Huntington 1991; Linz and Stepan 1996; Schneider 2009). Structural approaches point to political, economic, and societal conditions that produce democratic actors, behaviors, and attitudes (Schedler 2001: 80). Hence, structural factors are worth studying in the analysis of democratic consolidation.

Linz and Stepan suggest that “five interconnected and mutually reinforcing conditions” must be present for the consolidation of democracy:

“First, the conditions must exist for the development of a **free and lively civil society**. Second, there must be a relatively **autonomous and valued political society**. Third, there must be a **rule of law** to ensure legal guarantees for citizens’ freedoms and independent associational life. Fourth, there must be a **state bureaucracy** that is usable by the new democratic government. Fifth, there must be an **institutionalized economic society**.” (1996: 7)

With regard to these conditions, consolidated democracy must be conceived as an interacting and multi-level system, rather than a single-regime (Linz and Stepan 1996; O’Donnell 1997; Schneider and Schmitter 2004). All the above-mentioned conditions can only function properly with the support from the others. Yet, Linz and Stepan consider the first three conditions as “definitional prerequisites” of a consolidated democracy and state that: “to achieve a consolidated democracy, the necessary degree of autonomy and independence of civil and political society must further be embedded in and supported by the rule of law, our third arena” (1996: 10).<sup>16</sup> The politically significant actors must agree on and respect the rule of law and obey the democratic procedures (Ibid.). For an autonomous political society and a free CS, public contestation and inclusive participation need to be guaranteed by the regime. The other two arenas, a usable bureaucracy and an institutionalized economic society, support the first three conditions.

Likewise, Merkel suggests that a consolidated democracy consists of five “partial regimes”: the “electoral regime”, “political rights of participation”, “civil rights”, “horizontal accountability” (division of power) and “the guarantee of the effective power to govern”, i.e. state power is held only by elected representatives (Merkel 2004: 38-42). He asserts that these partial regimes jointly guarantee the functioning of a democratic state. At the very core, Merkel

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<sup>16</sup> The coming section on CS explicates what CS consists of and how it differs from a political society.

relies on the Dahlian approach to democracy, but expands the notion by introducing 'horizontal accountability' and 'the effective power to govern'. Similar to Linz and Stepan (1996), Merkel claims that a stable liberal democracy is possible only if these five regimes function effectively, and are "mutually embedded" (2004: 43). 'Mutual embeddedness' refers to these partial regimes supporting each other, but not dominating each other. In addition, Merkel mentions three structural factors that form the external environment of a consolidated democratic regime: "the socio-economic context; a strong CS, and the international and regional integration" (2004: 44). A consolidated regime, hence, depends on the interplay between the strong external conditions and the mutual cooperation of the partial regimes. In a similar vein, Valenzuela (1992) suggests that the electoral system, a functioning party system, judicial independence and respect for human rights should be affirmed and strengthened in a consolidated democracy (1992: 58). Both Merkel (2004) and Valenzuela (1992) stress the crucial role of the rule of law.

Recently, studies have also considered the external political environment that might contribute to the consolidation of democracy, that is, scholars have examined the influence of the states, transnational or international organizations or democratization waves in neighboring regions (Merkel 2004; Schneider 2009). For instance, the EU has historically been an influential actor in democratizing authoritarian regimes in Southern and Eastern Europe. The concrete EU membership prospect has, for instance, accelerated democratization processes or helped stabilize newly democratized regimes in Eastern Europe (Merkel 2004; Schneider 2009; Waylen 2007).

In examining democratic consolidation, scholars mainly focus on the stability or sustainability of the democratic order. They claim that a consolidated democracy requires much more than elections and the availability of political rights and civil liberties for the participation in elections. Accordingly, consolidation scholars point to the importance of the behaviors of political actors, the attitudes of citizens, and the constitution, all of which enable a democratic regime to endure over a period of time. This three-dimensional understanding of consolidation - behavioral, attitudinal and constitutional- encompasses a multitude of indicators that vary from institutions and structural factors to the agency of internal actors. A holistic approach needs thus to take these multitude of variables into consideration in order to explain the process of consolidation.

*Table 1.1: CONSOLIDATION of DEMOCRACY*

<b>Consolidation of Democracy</b>	<b>Indicators</b>
<b>Constitutional Dimension</b> (institutional context)	<ul style="list-style-type: none"> <li>• free, fair and regular elections</li> <li>• institutionalized civil liberties such as freedom of assembly and association, freedom of information and of expression</li> <li>• the rule of law</li> <li>• balance of power between the executive, the legislative and the judicative</li> <li>• an institutionalized party system</li> </ul>
<b>Behavioral Dimension</b> (actors)	<ul style="list-style-type: none"> <li>• No veto power, i.e. no significant group advocates antidemocratic changes (armed forces, paramilitary groups, landowners, business or radical groups);</li> <li>• results and outcomes of the elections are respected by the elected officials</li> </ul>
<b>Attitudinal Dimension</b> (actors)	<ul style="list-style-type: none"> <li>• the resolution of any political, societal, and economic crisis by means of democratic rules</li> </ul>
<b>Socio-economic factors</b>	<ul style="list-style-type: none"> <li>• Level of economic development</li> <li>• the level of industrialization</li> <li>• the literacy rate</li> <li>• the level of urbanization</li> </ul>
<b>International influence</b>	<ul style="list-style-type: none"> <li>• democratization waves in neighboring regions/countries</li> <li>• wars</li> <li>• the impact of international organizations such as the EU and the UN</li> </ul>

Sources: Linz and Stepan (1996) and Merkel (2008)

A considerable amount of democratization studies have employed a top-down perspective on democratization processes and analyzed institutional settings, or what role political elites play in the transition to or consolidation of democracy. In these studies, the role of popular movements in bringing about political change or in consolidating democracy has rarely been addressed. However, with the success of civil societies, especially in Eastern Europe, it was acknowledged that forms of collective participation are equally important in understanding democratic transition or consolidation. This bottom-up approach; i.e., explores how a mobilized CS interacts with state institutions and political society and in what ways it can contribute to

the consolidation of democracy. The following discussion devotes particular attention to the role of CS and seeks to understand the relationship between CS and democratic consolidation.

## ***1.2 Understanding Democratic Consolidation from below: The Role of CS***

### **The Conceptualization of CS**

The concept of CS has become increasingly popular with the rise of the oppositional movements in Latin America and Eastern Europe. Scholars have praised the role of CS and claimed that “a lively and free CS” plays a significant role in democratization processes, if not *the* major role (Bernhard 1993; Croissant et al. 2000; Diamond 1994; Foley and Edwards 1996; Grugel 2002; Linz and Stepan 1996; Merkel 2004; Schmitter 1993). Even though there is a large body of literature on CS, there is a lack of consensus on the definition of CS.

CS emerged as a historical phenomenon in Europe. By the late eighteenth century relatively autonomous social groups began to challenge the power of monarchies. In this process, ‘a sphere of autonomy’ for these social actors began to emerge. This new public space was located between ‘the official public life of the state’ and ‘the private and/or communal life’ (Bernhard 1993: 308). In this public space, political groups such as political parties, associations, social movements, and the press “were able to autonomously organize themselves outside the dominant official political sphere and to compel the state through political struggles to recognize and respect their existence” (Ibid.). Thus, CS has been regarded as the *public space* for associational life that lies between the state and the private life.

Based on this conceptual tradition, many contemporary scholars define CS as “a set or a system of private voluntary organizations” which act in the “self-organized public space” between the state and the private sphere of the family (Cohen and Arato 1992; Diamond 1994; Keane 1988; Linz and Stepan 1996; Schmitter 1993; Shils 1991). Actors in CS pursue specific interests and join together for common purposes. Like the notion of democracy, due to the disconnection between the idea of CS and CS as an observable reality, the notion of CS became also difficult to describe (Malena and Heinrich 2007: 338). But scholars agree on that the state is regarded as the ‘regulatory power’ that enacts laws which set the rights and boundaries of CS (Bernhard 1993; Merkel 2004; Schmitter 1993). Accordingly, scholars argue that CS must be

legally separated from the state by law, and the private actors within CS must be guaranteed specific civil liberties, such as freedom of expression, assembly, and association, to pursue their broadly conceived interests (Bernhard 1993: 309; Diamond 1994: 5; Shils 1991: 10).

Drawing upon these definitions, the present study describes CS: as the public realm in which a network of *collective* bodies joined together for common purposes, organized *voluntarily*, and can act *autonomously* from the state for the pursuit of non-private and non-commercial interests. CS is bound by a legal order and both distinguishable from the state and the family.<sup>17</sup>

### **Characteristics of CS**

CS has three defining components. First component is ‘collectivity’; i.e., people coming together to discuss social matters in an attempt to advance their interests and to influence political society and policies (Foley and Edwards 1996; Schmitter 1993; Shils 1991). Second, people organize on a ‘voluntary basis’, not guided by the state or the rules of primordial collectivities (Shils 1991: 4). Therefore, the vast majority of CS theorists conceive CS to be beyond the boundaries of the private realm of the family (Cohen and Arato 1992; Diamond 1994; Schmitter 1993; Shils 1991). Third, CS acts within the pre-established rules in a refined or civil manners (Diamond 1994; Schmitter 1993; Shils 1991). But what does not belong to CS?

### **What is not CS?**

With the proliferation of diverging interests of the citizenry, CS has been conceived in opposition to political society (political parties, political leadership, elections, or the parliament) and economic society, i.e. business networks, business or economic lobby groups. However, there is a long-standing debate whether economic units belong to CS or not. While some scholars assert that CS comprises economic groups (Diamond 1994; Shils 1991), others oppose this view and argue that CS functions differently than the market entities (Cohen and Arato 1992; Schmitter 1993). Actors in CS do not aim at gaining profits or replacing private actors of the economy (Schmitter 1993). Civil society organizations (CSOs) are in pursuit of specific public goods and interests, whereas lobby groups pursue private interests to achieve particularistic goods. Thus, economic firms or business corporations and networks are not considered civil

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<sup>17</sup> Here, I refrain from stating that CS lies between the state and the family. This issue will be discussed below.

society actors, but if workers or consumers organize around a common interest, as is the case with labor unions and consumer organizations, then they can be defined as a member of CS.<sup>18</sup> For instance, the Daimler Company (one German automotive corporation) is clearly not a member of CS, but any labor union, which Daimler's workers belong to, is part of CS.

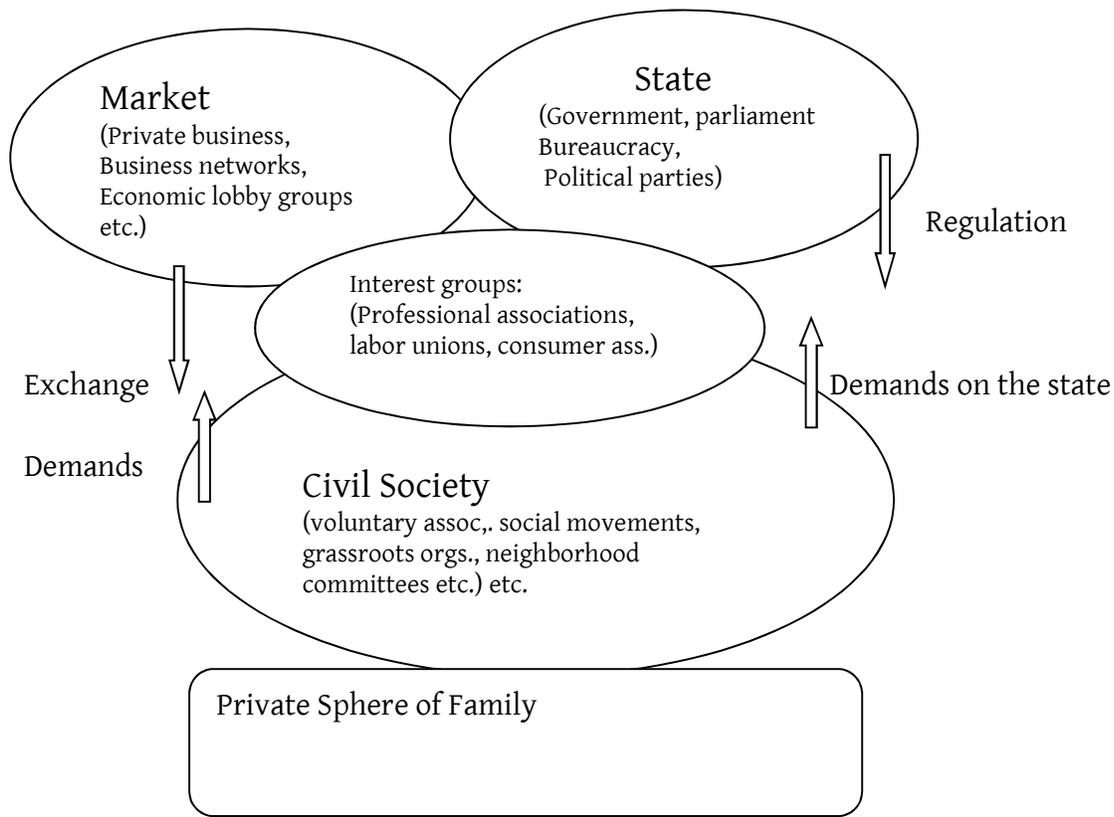
Studies on CS also differentiate between a 'political society' and CS. As Linz and Stepan state, political society - in a democratized setting - is the arena in which political entities contest for the legitimate right to exercise control over the state power (1996: 8). The core institutions of a political society are political parties, the electoral system and rules, legislatures, and the political leadership. Both political parties and CS mediate between the state and individual, but they do so in different ways and have different functions. The values and interests of CS can determine or shape the political society in a democratic context; however, CS does not seek to acquire the state power or take the responsibility of governing practices (Linz and Stepan 1996: 14). This is the function of political parties. CS can represent specific public needs and interests, but they cannot translate their actions into national decisions or policies. Thus, political parties are not regarded as a part of CS in the present study.

Following the discussions above, CS does not aim to obtain the state power or pursue profit-making interests, nor does it aim to replace family relations (Diamond 1994; Linz and Stepan 1996; Schmitter 1993).

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<sup>18</sup> Some scholars use the term "third sector". As Seibel and Anheier contend, "the third sector designates all organizations which are neither profit-oriented businesses nor governmental agencies or bureaucracies" (1990: 7). Organizations in the third sector can employ private interests for public goods.

*Figure 1.1: CIVIL SOCIETY, STATE, and MARKET*



### **Civil Society-Uncivil Society**

One of the major disputes on CS is about its normative character. The literature on CS presupposes that individuals or groups in CSOs articulate their interests and demands “peacefully”, without exercising violence (Diamond 1994; Glasius 2001; Keane 1988; Schmitter 1993; Shils 1991). Hence, CS acts within “the pre-established rules of a ‘civil’ and legal nature” (Schmitter 1993: 4). The norm of ‘civility’ refers to “a widespread pattern of refined or civil manner” (Shils 1991: 4). Scholars thus include values and principles such as tolerance, equality before law and justice, pluralism, transparency or accountability into the definitional core of CS. Following this definition, scholars contend that the public goal or activities of civil society groups do not violate the existence and rights of others, i.e. they respect pluralism and recognize the rule of law (Diamond 1994; Merkel 2004; Schmitter 1993). Such a definition of CS is mainly associated with democratic regimes.

There is, however, a converse view about the civil character of CS. It claims that the multiple forms of interaction and collectivity within CS can be fragile and subject to serious conflicts (Glasius 2001: 6; Keane 1998: 50). Hence, CS can become an arena for political conflict or extremist ideas. Criminal associations such as paramilitary groups, human trafficking networks or extremist groups (racist, nationalist, or religious) can easily infiltrate CS. Also, authoritarian political elites might use CS to suppress other groups within CS (Kopecky and Mudde 2003; Malena and Heinrich 2007). Such groups employ non-democratic methods and practices – violence in demonstrations, agitation or hate speeches - in order to achieve their goals (Malena and Heinrich 2007: 341). In the literature, they are subsumed under the category of an “uncivil society” (Kopecky and Mudde 2003; Mercer 2002) or “the dark side” of CS (Croissant et al. 2000; Lauth and Merkel 1997). The dark side of CS lacks the civility (Kopecky and Mudde 2003); i.e., it neither recognizes state authority nor accepts the plurality and diversity within CS. Hence, they are in general excluded from the analysis on the role of CS in democracy or development. Civility is useful in defining CS as an 'ideal', but is less useful in assessing the reality of CS around the globe (Malena and Heinrich 2007: 341). As Kopecky and Mudde argue, an ‘uncivil society’ is part of the vibrant associational life, and it can enable us to find out why democratization fails (2003: 11). Although there is truth in this view, for the purpose of the present study, groups or organizations that use violent acts and hate speeches in order to achieve their goals will not be regarded as CS actors.

### **Forms of Organizations in CS**

CS is referred to as the arena that comprises organizations that vary from voluntary associations, civil initiatives, and advocacy groups to non-governmental (NGOs) and non-profit organizations (NPOs). The term ‘NGO’ usually refers to those “organizations that are officially established, run by employed staff (urban professionals or expatriates), well-supported (by domestic, or as is more often the case, international funding), and that are often relatively large and well-resourced” (Mercer 2002: 6). NGOs are driven by rules and policies and can operate on a regional, national, or on an international level.<sup>19</sup> As Yaziji and Doh (2009) state, there are

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<sup>19</sup> In a non-democratic context, regimes may try to co-opt donor assistance to NGOs by creating NGOs that are labeled as *GO-NGO* (government-organized NGO), or donor assistance itself may prompt the formation of

different types of activities NGOs pursue: “advocacy”, “service” and “hybrid” NGOs. Advocacy NGOs engage in lobbying, can serve as representatives and advisory experts to decision-makers, conduct research, hold conferences, disseminate information to key constituencies, develop and promote codes of conduct, and organize boycotts, mass demonstrations, petitions or investor actions for their specific demands (Yaziji and Doh 2009: 8). They can be active in different issue areas including equality, education, environmental protection, women, minority or human rights. By contrast, “service” NGOs provide goods and services to people with unmet needs, such as the Red Cross or Doctors without Borders, while hybrid NGOs pursue both sets of activities simultaneously, or evolve from one to the other (Ibid.: 11).

NGOs are seen as different from “grassroots organizations” (GROs) that are usually understood “to be smaller, often membership-based organizations, operating without a paid staff but often reliant upon donor or NGO support, which tend to be (but are not always) issue-based and therefore ephemeral” (Mercer 2002: 6). Both NGOs and GROs provide opportunities for more citizen participation. NGOs may have a broader influence on public policy-making than GROs, because they are well-organized and better networked. If a NGO has an extensive global outreach with thousands of direct members to deal with specific issues in many countries, it is considered ‘International NGO’ (INGO) (Nelson 2007: 3). Amnesty International, Oxfam International or Greenpeace are examples of INGOs.

Defining CS and describing the public space in which CS acts are important steps in assessing the role of CS in the transition to or the consolidation of democracy. There are, however, diverse and conflicting views about the relationship between CS and democratization. In the following, I highlight the discussion on the interconnectedness of CS and democratic consolidation, and examine this relationship in a more general level.

### **The Nexus between CS and Democratic Consolidation**

In democratization studies, scholars have argued that a vibrant CS promotes democratic stability, and that it enhances the effectiveness of democratic governments. (Bernhard 1993;

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institutions specifically to secure external funding, hence, called *DO-NGO* (donor-organized NGO) (Carapico 2000: 14).

Diamond 1994; Kamrava and Mora 1998; Kopecky and Mudde 2003; Schmitter 1993; 1997; Tusalem 2007). There is, however, little consensus on the exact role of CS in the democratization process. It is hard to generate a theoretical model that can exactly capture the role of CS in the process of democratization, because its role varies according to the political context in each country. While studies on consolidation and on the quality of democracy have paid attention to the stabilizing and strengthening role of CS, transition studies have tried to specify how CS has been successful in initiating democratic transitions. Such diverse views on the role of CS can be subsumed under two categories: the “*liberal*” and the “*radical*” perspective on CS (Foley and Edwards 1996; Grugel 2002; Mercer 2002; Waylen 2007).

The liberal perspective regards CS as a key to a “healthy” democracy (Diamond 1994; Mercer 2002; Putnam 1993). Accordingly, CS is defined as “the realm of organized social life” (Diamond 1994: 5) that is said to promote effectiveness and stability in a democratic polity (Foley and Edwards 1996; Tusalem 2007). The more CS participates the more inclusive the political system will be, thus, state-society relations can develop into a more democratic form (Diamond 1994; O’Donnell and Schmitter 1986; Putnam 1993). However, this depends to the political context. If a country's political institutions are capable of channeling and redressing grievances, then CS can buttress political stability and democracy (Berman 1997: 569). How exactly does CS promote effectiveness and provide democratic stability? First, CS can be a vital instrument in containing the power of democratic governments and in preventing the resumption of power by authoritarian actors, especially during economic or political crises (Diamond 1994; Linz and Stepan 1996). Second, a rich associational life can help political parties stimulate participation and increase the political efficacy (Diamond 1994: 7). Third, CS can also be a crucial arena to develop democratic values and norms such as tolerance, moderation, social trust, or respect for others (Diamond 1994; Mercer 2002; Putnam 1993; Tusalem 2007). This function of democratic CS has also been analyzed under the term “social capital” which can bolster the performance of the polity (Putnam 1993: 173). Last, CS acts on an intermediate level between the state and citizens, which serves as the basis for resolving conflicts in society and for controlling the behavior of its members (Diamond 1994; Foley and Edwards 1996; Schmitter and Karl 1991). By channeling the demands and concerns of social groups to the state, CS underpins an effective and streamlined state, ensuring legitimacy, accountability and transparency (Mercer 2002: 7).

However, if CS is weak, underdeveloped, and polarized along ethnic and cultural cleavages within a given society, then it can even undermine the democratic performance (Diamond 1994; Mercer 2002; Schmitter 1993).

The liberal perspective also regards CS as “an aid to the state, especially in terms of reducing the load the state carries, and as a check on state excesses” (Grugel 2002: 95). In this regard, recent studies interpret the role of CS as diminishing the role of the state to a minimal level so that politically mature citizens take on their own social responsibilities. Nevertheless, some scholars have claimed that the liberal perspective is limited in explaining the role of CS in case of oppositional movements in the transition to democracy (Grugel 2002; Waylen 2007), and only emphasizes the “*positive effects*” of associational life for democratic governance (Foley and Edwards 1996: 39).

The radical perspective, on the other hand, points out the “transformative capacity” of CS. The radical perspective emerged in the aftermath of the transformations in Eastern Europe, where CS came to be seen as a way of resisting the “tyrannical state power” (Foley and Edwards 1996: 39). It assumes that civil society activism is a way to challenge the unequal power relations by exposing the abuses of non-democratic states, to force the state to change and thereby to foster political transition and an eventual democratic consolidation process. Civil society’s opposition to the state was useful in democratic resistance. Hence, in this view, the struggle between the state and CS is considered a way to achieve democracy (Grugel 2002: 95). In contrast to the liberal view, the radical view includes groups that enable citizens to counter state power. Accordingly, the civil society realm can be interpreted as a key terrain to undermine the legitimacy of non-democratic states, to construct the vision of an alternative political order or to limit state authority (Diamond 1994; Grugel 2002; Linz and Stepan 1996). Compared to the liberal perspective, the radical view is more helpful to analyze the democratic potential of oppositional or anti-systemic movements (Grugel 2002; Waylen 2007). With the help of the radical perspective, the role of marginalized groups such as women’s movements, indigenous or ethnic minority movements<sup>20</sup> in transforming regimes can be better understood.

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<sup>20</sup> The analysis of “collective actions based on shared beliefs and solidarity” in contentious politics are generally embedded in social movement theories, see further: Tarrow (1998). These theories are interested in the dynamics

Both the liberal and radical perspectives emphasize the importance of a vibrant and independent CS in building democracy, but interpret the role and nature of CS differently. While the radical arguments on CS lay special emphasis on the autonomous and resisting character of CS and regards it as a counterweight to the state, the liberal arguments underscore the complementary power of CS that strengthens and deepens the democratic system and practices. Foley and Edwards thus argue that there is “a degree of contradiction” between these two arguments (1996: 39). But they claim that their difference lies in the sociopolitical settings in which these perspectives have emerged (Ibid.: 42). The liberal argument is framed by the liberal democratic view in which strengthening CSOs is beneficial for enhancing legitimacy of the democratic state and providing stability (Mercer 2002: 20), whereas the radical argument emerged as a response to the authoritarian state and its apparatus, including state parties, unions and organizations (Foley and Edwards 1996: 43). Hence, scholars claim that what kind of role CSOs play rather depends on the larger political settings (Foley and Edwards 1996; Mercer 2002).

Instead of seeing these arguments as conflicting or diverging views on the role of CS in democratization, the present study sees them as complementary parts of *one* civil society argument. Both perspectives assert that CS pluralizes the public arena and provides citizens with more opportunities to engage with the state power (Grugel 2002; Mercer 2002). While the liberal perspective on CS highlights the stabilizing and strengthening role of CS in consolidation, the radical perspective focuses on the opposing role of CS during the breakdown or transition process. It can thus be assumed that what the literature fails to identify is that these arguments explain different stages of the democratization process. Thus, the liberal perspective on CS is more useful in explaining democratic consolidation processes.

As Linz and Stepan put forward, “a robust civil society, with the capacity to generate political alternatives and to monitor government and state can help transitions get started, help resist reversals, help push transitions to their completion, help consolidate, and help deepen democracy” (1996: 9). The autonomous existence from the state, the capacity to pluralize the

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of social contention, rather than examining their specific impact on political outcomes. Thus, social movement theories will not be employed in the present study.

political arena, and to challenge or push the state towards a political change make CS a crucial component of both in the transition to and the consolidation of democracy (Diamond 1999; Grugel 2002; Linz and Stepan 1996, Merkel 2004; Tusalem 2007).

However, there is also a more pessimistic scenario for the role of CS in the democratization process. CS can lose its strength and capacity to push for reforms after a transition to democracy. Several reasons have been suggested to explain such a decline in CS activism: 1) the loss of enthusiasm and solidarity, 2) coopting by those who still control the state apparatus, 3) the expansion of political society, and 4) the fragmentation of CS after successful democratization (O'Donnell and Schmitter 1986: 55ff.). Following this, the state can re-assert its control over society and can disable CS for its political strategies. At this point, certain groups may claim that they are satisfied with the degree of democratization, while others may try to push for more reforms and some others may pronounce anti-democratic sentiments within CS. For instance, several scholars claim that the newly democratized regimes of the Third Wave have failed to exhibit adequate interests in including CSOs in the consolidation process (Croissant et al. 2000; Merkel 2004; Schmitter 1993). Therefore, a transition to democracy does not ensure the further survival and development of CS. Considering the varieties of the forms of CS around the globe, the success or failure of CSOs in democratization not only depends on the structural properties of such organizations, but also on the sociopolitical setting they are embedded in - as mentioned above. The general pattern in consolidating democracies has shown that CS does not disappear from the public realm, rather CSOs become more institutionalized within a democratic public space than prior to a democratic transition.

In measuring the strength of CS, scholars focus on a multitude of factors that can be subsumed under four dimensions: "the external environment, the internal structures, the values and the impact of CS" (Malena and Heinrich 2007: 341). The external environment refers to the institutional context in which CS operates and to the ways in which it interacts with other partial regimes of the political system; while the internal structures denote the size of CS, its actors and their activities (Ibid.). These four dimensions enable us to assess the strength or weakness of CS in a holistic manner. For instance, an important segment of CS is women's rights organizations. In order to assess their impact on state policies, scholars first look at the legal structures which govern the possibilities and limits of action for women's organizations, then

the internal structures of those organizations and the values they promote. To examine the impact of women's CSOs, scholars focus on significant policy changes regarding women's issues, and how much such changes reflect demands of women's CSOs. Conclusively, to assess the role of CS in democratic consolidation, scholars not only consider the structures of CSOs, but also the legal, political and social context in which CSOs operate and interact with other actors.

Until now, the theoretical discussion has elaborated on the role of CS in democratization or consolidation processes. Let us now focus on a specific group within CS: 'organized women'. By organized women, scholars specifically refer to women's collective activities in which women organize explicitly as *women*, engage in improving the circumstances of women's lives, and promote gender-based interests in the public realm (McBride and Mazur 2008; Ray and Korteweg 1999). Although there are some democratization studies referring to women's mobilization within the broader frame of CS, only a handful of studies have closely examined the role of organized women in the transition to or consolidation of democracy (Alvarez 1990; Jaquette 1994; Viterna and Falon 2008; Waylen 1994, 2003). In a similar vein, the literature on CS, or on social movements, has examined women's movements, but has rarely examined the analytical relationship between women and CS (Beckwith 2000; Weldon 2004). In a nutshell, both the research on democratization and on CS has remained "gender-blind" (Waylen 2003, 2007). A slowly growing body on the gender-and-politics literature has claimed that a thorough examination of women's political and civic participation is only possible by taking women's lives and experiences into account. This entails employing a "gendered" perspective that more explicitly integrates women into theoretical and empirical analyses.

## Chapter 2

### *Gendering CS and Democracy*

This chapter combines the assumptions of both the gender-and-politics literature and democratization literature to examine the role of organized women in democratic consolidation processes. To this end, it first briefly discusses how women can be integrated in the analysis of politics by introducing 'gender' as 'a category of the analysis'. This enables us to perceive women as political subjects, as much as men are, and help reconsider women's participation and representation both in the political sphere and CS. At this point, it must be noted that the integration of the term 'gender' does not aim to add another 'ambiguous' concept to the overblown research of democracy, it rather seeks to present a notion of democracy that substantially includes women by underlining two dimensions of democracy: women's participation and inclusion. In the same vein, the gendered perspective on CS does not aim to stretch the concept, rather it highlights how women participate in the civil society sphere with their gendered identity. This gendered approach in the theoretical analysis will include women not only in the definitions of democracy and CS, but also in the operationalization of these concepts.

#### ***2.1 Gender in Political Science***

Feminist theory claims that for centuries, the debates on politics have proceeded as if women were not existent in the political realm (Pateman 1989; Phillips 1991). Women and politics literature claimed that the early political theories of eighteenth and nineteenth century based their understanding of the 'universal' concepts such as rights, freedom, justice or democracy on the idea of "an abstract individual male citizen" (Pateman 1989; Phillips 1998a). This patriarchal understanding, in which the role of the male regarded as the primary authority figure, took little notice of women as citizens (Okin 1998; Young 1998). Thus, this literature sought to "[...] establish 'women' as a politically relevant group whose inclusion in political science research was necessary for drawing generalizations, and whose exclusion from such arena has no scholarly merit" (Beckwith 2005: 128). In short, the excluded part - who comprise almost the half of the world population - had to become included.

To fill this gap, feminist theory has offered the term ‘gender’ as “a category of analysis” (Beckwith 2005; Hawkesworth 2005; Scott 1986). Gender is defined as the “socially constructed” roles or identities of women and men (Beckwith 2005; Hawkesworth 2005; Scott 1986; Staudt 2007).<sup>21</sup> Gender as a category helps question how femininity and masculinity are constructed and institutionalized through social and cultural codes, and how they regulate the relations between women and men (Beckwith 2005; Scott 1986; Staudt 2007). By integrating gender into the analysis, scholars could reveal that identities, values, and practices in the political realm are not ‘gender-neutral’ or ‘gender-inclusive’ in nature, but rather they serve to exclude women categorically. Accordingly, gender and politics literature contended that the concepts and theories of political science have to be reconsidered and reshaped by taking gendered perspectives into account (Mazur and Goertz 2008; Phillips 1991, 1998).

With the help of the term gender, scholars can include women into the theoretical and empirical analyses and can acquire a better understanding of the different dimensions of politics. Research on gender and politics claims that the gender bias in political theory depends on the particular way of conceiving ‘public’ and ‘private’ spheres (DeLue 1996; Okin 1998; Phillips 1998).

## ***2.2 Rethinking the Public/Private Divide***

In political theory, the idea of the ‘public sphere’ refers to a general realm in which political, economic, or societal affairs take place, whereas the ‘private sphere’ refers to the domestic life; i.e., the family, household, childcare, kinship, and friendship relations (DeLue 1997; Dietz 1998; Okin 1998). In traditional political theory, as gender scholars contend, the public sphere has been conceived as a ‘male’, whereas the private sphere was looked upon as a ‘female’ domain (Fraser 1990; Okin 1998; Pateman 1989; Phillips 1991). Thus, men were thought to be preoccupied with the economic or political life in the public sphere, whereas women, as mothers and wives, were related to the domestic life of the private sphere (Okin 1998: 118). These socially

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<sup>21</sup> The term ‘gender’ is differentiated from the term ‘sex’, which refers to the biological differences between men and women (Scott 1986). As Scott asserts, the term ‘gender’ sounds more objective than ‘women’ does, and the term “[g]ender seems to fit within the scientific terminology of social sciences and thus dissociates itself from the (supposedly strident) politics of feminism” (1986: 1056).

constructed gender roles of men and women have passed through generations and have shaped power relations between the sexes within politics and society.

Feminist scholars have argued that this assumed demarcation between the private and public sphere in political theory represents a view of society from a traditional male perspective (Moghadam 2003; Okin 1998; Phillips 1991; Waylen 2007). This mainstream understanding tends to exclude women as political subjects from the analysis. The public/private divide also excludes so-called “private” issues that really are not of a private nature and interests related to women from the public debate (Fraser 1990: 73). For instance, domestic violence against women and children was thought to be a ‘private’ matter and has not been of public concern. Thus, the state has not taken any action to eliminate domestic violence, even though it was a threat to the lives of its female citizens and of children. Hence, the public/private demarcation in political theory has worked to women’s and children’s disadvantage and ignored women’s role as citizens and political subjects (Okin 1998; Pateman 1989; Phillips 1991, 1998).

Feminist theory has claimed that the private and public need to be conceived as mutually connected, rather than completely separated (Phillips 1991: 95). This is based on the argument that the family and the household are not immune from the power dynamics of the public realm (Okin 1998: 124). Thus, feminist scholars have contended that public policies such as social security, health insurance, and education influence the relations inside the family. Conversely, the relations in political or economic life are shaped by the sexual division of labor in the household. Thus, what is considered to be a ‘private’ matter, can be of equally high ‘political’ concern. In comprehending private and public spheres as interrelated, women should not only be defined by their roles as mothers or wives, but also as equal individuals who can take full advantage of their citizenship rights (DeLue 1997; Okin 1998). This will not only include women as political subjects in the analysis, but also put women’s concerns on the political agenda and thereby expand our understanding of what is ‘political’ (Phillips 1991; Waylen 2007). The reshaping of the public/private divide would alter the relations within the household and open the ways for women’s participation in the political realm, and this would make democracy more inclusive and representative (Fraser 1990; Okin 1998; Phillips 1991, 1998; Waylen 2007).

The reconsideration of public and private as mutually dependent has also important implications for the way the CS is conceived. In its conceptual history, CS has been differentiated

from the family, and, thereby, theories on CS could overlook women as political subjects (Howell 2007; Okin 1998; Phillips 1998). CS theories have not paid enough attention to the analytical relationship between gender and CS, neither have gender theories (Howell 2007; Reverter-Bañón 2006). Both literatures have employed diverse theoretical frameworks to analyze women's inclusion/exclusion in the public sphere, but neither of them has explicitly conceptualized the term CS from a gendered lens.

### ***2.3 Toward a Gendered Approach to CS***

The theoretical discussions in the CS literature have mostly revolved around the relationship between the state and CS, both of which were established and managed primarily by men. Despite the growing number of studies on women's civic participation in different political contexts, the gendered nature of processes and practices in CS have not been analyzed thoroughly. Why has the CS literature failed to understand the gendered relations in the civil society arena? First, the gender-blindness of CS theories can be traced back to the failure of political theory to integrate gendered concepts and theories into the analysis (Howell 2007: 421). Second, as most CS theories claim, the private sphere of the family, which is implicitly linked with women, lies beyond the sphere of CS. Therefore, the private sphere of the family, through which gendered practices are transmitted to the political sphere, has not been considered in examining the state-CS relations. Hence, a gendered analysis of CS seemed irrelevant (Howell 2007: 423). As Howell contends, if CS theories have integrated the gendered perspective on the public/private division, they could have explained how the behaviors and dynamics of the family shape norms and practices in CS as well as how gendered power relations pervade the sphere of CS (2007: 423).

In a similar vein, the gender-and-politics literature has also scarcely paid attention to the concept of CS (Howell 2007; Weldon 2004). The reasons are twofold: first, it was because feminist theory has in general subsumed CS under the public realm which has been defined as a 'male-dominated' sphere. Thus, CS has not been taken into consideration as "an organizing category for analyzing gender relations" (Phillips 2002: 72). Second, gender scholars have been mainly concerned with revising the assumed demarcation between the private and public spheres in order to expand the realm of 'politics' for women. In short, the concept of CS offers valuable insights to the study of politics from a gender perspective. Howell argues that if the gender

perspective of the public/private demarcation is applied to the concept of CS, scholars can better reveal inequalities in civil society arena and theorize “how CS discourses, spaces, and organizations, and practices are shaped by, and in turn reproduce, particular configurations of gender relations” (2007: 419).

Rather than creating a new concept, it is possible to ‘engender’ the existing concept of CS with the help of gender and politics research. First, research needs to conceive of women’s roles as citizens who seek to take full advantage of their citizenship rights. Second, it needs to acknowledge that the structures and practices within CS are gendered, that is, the socially and culturally constructed roles of women and men influence behaviors, practices and dynamics within CS. By integrating gender into the analysis of CS, scholars will be able to include women in the analysis. In this regard, Howell proposes a theoretical model<sup>22</sup> that captures the four sites: the family, CS, the state, and the market (2007: 426). At this point, Howell suggests that “a circuit of gender relations” infuses each site and connects them with each other (Ibid.). This implies that culturally and historically designed gender roles, identities or norms are created, and reproduced, in the public realm of the state, the market, and CS that are perceived as interconnected (Beckwith 2005; Howell 2007; Mazur 2008).

Similarly, Reverter-Bañón (2006) suggests that in order to link the concept of CS to gender, researchers need to take into consideration the interrelatedness between the state, citizenship rights, CS, and the family. She claims that the idea of the family not only shapes the gender roles, but also the idea of citizenship, the state, and CS (2006: 24). In sum, a gendered perspective on CS proposes a new model where the sites of the state, the economy, CS, and the household are thought to be interconnected, rather than being distinct and separated from each other. This helps reveal how gendered dynamics of these spheres might hinder women’s participation in CS, and how gendered behaviors shape the institutions and structures in the public realm.

Drawing upon the views of Howell and Reverter-Bañón, the present study claims that the gendered perspective on CS can also provide an answer why politically active women prefer to participate in the civil society realm, rather than participating in formal politics. For instance,

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<sup>22</sup> This is a model based on the work of Diane Elson (1998) who constructed a conceptual model of the political economy capturing modes of production.

in the last three decades, women's CSOs have become among the fastest growing groups within the civil society arena. Women contend that combining civic engagement with their everyday life is easier than engaging in formal politics. In other words, women's gendered roles – being mothers, daughters, sisters, or wives – shape also their ways of participation in the public sphere.<sup>23</sup> Moreover, the gendered perspective on CS highlights the differences, or the similarities, in forms and structures of organizing of women and men within the civil society arena. To exemplify this, while well-structured, mix-gender CSOs in general are organized in a hierarchical manner, feminist organizations lay great emphasis on organizing in non-hierarchical manner to encourage women to participate in all dimensions of civic engagement from grassroots and agenda-setting to advocacy, and lobbying decision-makers. To this end, members of feminist organizations take decisions on a collective basis, or they implement a rotating management system in the organizational structure. In sum, the gendered perspective on CS provides a better understanding of women's participation in the public sphere.

Gender inequalities are obvious in the political and economic life. Men mostly dominate leadership positions in politics and economics, whereas women are represented in lower echelons of political bodies or economic enterprises. However, CS provides a fertile ground for women organizing outside of formal politics, and increases the chances of women's access to political and economic institutions, and CSOs. In this regard, women's CSOs, mainly struggling for gender equality, have been successful in extending the boundaries of politics for women and proliferated the chances of women's political participation and representation in political offices. This has led to a considerable change in what counts as 'political', and it has gendered the structures, dynamics, norms, values, and practices in politics. To put it differently, organized women in CS, understood as "the idea that women's self-organizing to further their own empowerment", has challenged the male-dominated public sphere and made democratic politics and the policy-making process more inclusive (Weldon 2004: 1).

The gendered conceptualization of the public and private spheres and acknowledging the gendered practices and structures within CS, the state, and the market have implications for the

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<sup>23</sup> At this point, it must be stated that the ways of participation in public sphere are not only shaped by gender differences but also by 'class' differences. But the argument how class impacts the way of political or civic participation remains out of the scope of this study.

democracy theory. Clearly, socially constructed gender roles and identities are important factors in shaping the institutions, and that they structure and influence the behavior of political actors, all of which contribute to democracy.

## ***2.4 Gendering Democracy***

### **Gender-blindness of Democratization Studies**

The process of political democratization provides women (and men) with new opportunities for political participation (Viterna and Fallon 2008: 668); however, the mainstream democratization literature has rarely paid attention to the impact of gender on the processes of democratization and largely neglected women in the analysis. This has several reasons: First, women as political subjects have not been taken seriously, or gender as a category has been absent in the theoretical analysis (Phillips 1991, 1998; Paxton 2008; Tremblay 2007). This becomes particularly clear in the measurements of democracy. If women's suffrage is effectively included in the measurement, the notion of the waves of democratization is no longer supported, or established democracies in the West do not have a hold on early democratization (Paxton 2008: 68). To put it differently, democratization studies do not regard the introduction of women's suffrage as a determinant of the transition. The most prominent example related to the ineffectiveness of women's suffrage is the case of Switzerland. Although female citizens in Switzerland obtained the right to vote only in 1971, the mainstream democratization literature has usually labeled the country as a democratic state since the nineteenth or the beginning of the twentieth century. If a significant part of the population, in this case women, is hindered to participate in politics, then such a regime cannot be classified as 'democratic'. As the Swiss example exposes, even though women are included in the definitions of democracy, they are mostly ignored in measurements. Hence, researchers must take into account women's inclusion not only in their working definitions, but also in their operationalization (Paxton 2008: 70).

Second, democratization scholars have mainly been concerned with how to achieve and endure institutional democracy (Waylen 2000, 2003). Such studies are confined to studying institutional processes or the behavior of political elites in the transition to or the consolidation of democracy (Jaquette 1994; Waylen 2007). Since the number of women have remarkably been low within the political elite, they have been implicitly excluded from the analysis of

democratization. Moreover, such studies limit the scope of their analysis to the upper echelons of political institutions, where women are not usually represented, and, in consequence, ignore women's issues in the process of democratization (Waylen 2007: 5).

Third, a group of democratization scholars shifted their focus from the upper to the lower echelons of politics and began to question the role of CS in the process of democratization (Croissant et al. 2000; Diamond 1994; Foley and Edwards 1996; Schmitter 1997). However, none of these studies has explicitly discussed the role women played in democratization, even though women formed the majority in many popular movements, especially in the Latin America transitions (Waylen 1994: 334). Because of the lack of interest in women's mobilization and gender issues, these studies have ignored the relationship between gender and the democratization process.

In sum, women's role as political actors and women's issues have been ignored in the literature on democratization. This incomplete understanding of politics, democracy, the public sphere, and CS has made it impossible to place gender in the processes or outcomes of democratization (Waylen 1994: 335). The integration of gender as a category in the analysis of democratization would thus broaden the scope of democratization theories. This is not only because women will be added to the range of political actors to be analyzed, but also women will put forward a new and broader set of issues to achieve democratic politics and society.

### **A Gendered Approach to Democratization**

Since the late 1980s, there is a growing body of literature on gender-and- democratization. Especially after the success of women's movements in the Latin American transitions, gender scholars have begun to scrutinize the role of organized women in bringing down authoritarian regimes and in building democracy (Alvarez 1990; Jaquette 1994; Jaquette and Wolchik 1998; Rai 2003; Viterna and Fallon 2008; Waylen 1994, 2000, 2003, 2007). These single-case and comparative studies not only analyze why and how women mobilize, but also how women's participation and their interaction with political institutions contribute to democratization and consolidation processes (Waylen 2003: 159). Some of the key findings of the literature on gender-and- democratization are:

- Strong women's mobilizations in the transitional period are central for state-level changes in gender policies after the transition (Viterna and Fallon 2008; Waylen 1994, 2003, 2007).
- The existing political institutions, i.e. the institutional context, during the transition to democracy can shape, and change, the strategies and aims of organized women as well as gender relations (Beckwith 2005; Waylen 2007).
- If the presence of influential political parties that are open to demands of women's movements, and that have feminist activists within them, coincides with a transition path that facilitates the participation of women in those processes, it is more likely that progressive gender policies will ensue (Waylen 2003: 173).
- When women's movements develop cohesive coalitions, they are more effective in influencing the newly established democratic regime (Franceschet 2001; Viterna and Fallon 2008).

The special focus in all these studies is exclusively on women's participation and representation in the broader political realm. These studies have introduced a new analytical dimension in the democratization literature and have sought to make a theoretical sense of *engendering* democratization.

Given that democratization research has divided the process of democratization into phases, gender scholars also use this periodization, and analyze the role women play in different stages of democratization. The periodization helps gender scholars to comprehend and compare how differences in the institutional context in each stage of transition have differing 'gender outcomes' (Franceschet 2001; Viterna and Fallon 2008; Waylen 2003, 2007). In analyzing the regime breakdown, gender-and-democratization scholars primarily concentrate on women's mobilization and the circumstances under which women make gender claims visible in oppositional politics (Waylen 2007: 65). As regards the transition to democracy, scholars explore where women organize in the newly forming political arena and focus on their interactions with the changing political context, i.e. with the institutions in the new political regime.

In the democratization phase, women usually engage in CSOs or in grassroots movements. Accordingly, scholars look at the activities and strategies women's organizations pursue, as well as at their effectiveness in putting gender issues on the policy agenda of transitional politics (Waylen 2007: 69). By comparing different case studies, gender scholars have found out that different transition paths have diverging impacts on the effectiveness of organized women (Viterna and Fallon 2008; Waylen 2003, 2007). While the 'pacted' transitions to democracy can offer opportunities for women's organizations more time to mobilize to develop strategies to unfolding events during the transition (Waylen 2007: 71), the modifications of the laws regarding women's lives might be easier in 'un-pacted' transitions since the opposition parties, which are open to women's demands, can refuse the overtures of the authoritarian regime (Viterna and Fallon 2008). However, the impact of transition paths on the effectiveness of women's movements after the transition is closely related with other factors such as the level of women's mobilizations before the transition, the characteristics of the movements, and the openness of the transitional regime to women's demands (Viterna and Fallon 2008; Waylen 2007).

Moreover, gender-and-transition scholars claim that the international gender agenda has a considerable impact on the success of women's movements in the context of democratization process. For instance, the positive impact of the UN's declaration of the years 1976-1985 as the 'UN Decade for Women', the UN's 'World Conferences on Women' and the influential 'Convention on the Elimination of All Forms of Discrimination against Women' (CEDAW)<sup>24</sup>, introduced in 1979, helped popularize and legitimize the struggles and demands of women's movements in a multitude of transition countries (Jaquette 1994; McBride and Mazur 2008; Viterna and Falon 2008; Waylen 2007). Especially, the Fourth World Conference on Women in Beijing in 1995, which declared "women's rights as human rights" in the framework of the Beijing Platform for Action, pointed to the need to focus on the concept of gender and to recognize all relations between men and women within the entire structures of society and to re-evaluate them.<sup>25</sup> Accordingly, national women's movements began to refer to the Beijing

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<sup>24</sup> The CEDAW agreement is considered "an international bill of rights for women". CEDAW consists of thirty articles and defines 'discrimination against women' in its possible broadest sense. It sets a political agenda for national action to counteract discrimination against women. For further details on the Convention, see: <http://www.un.org/womenwatch/daw/cedaw/> (rev. 25.10.2014)

<sup>25</sup> See further: <http://www.un.org/en/globalissues/women/> (rev. 25.10.2014)

Declaration and reminded their governments to take action for empowering women and ensuring gender equality in their countries.

In analyzing democratic consolidation from a gender perspective, scholars have studied whether organized women could translate their mobilization against authoritarian regimes into institutional political power in the newly democratized political regime (Ray and Korteweg 1999: 54). In doing so, the literature first examines the levels of women's "descriptive representation" in the political life, which denotes the numbers of elected women in parliaments, assemblies, and governmental bodies (Tremblay 2007; Waylen 2007). In the aftermath of the Beijing Conference, quotas for women candidates have been discussed globally to enhance women's descriptive representation (Cornwall and Goetz 2005; Tremblay 2007; Waylen 2007). Since then quotas have been adopted by political parties or imposed through legislature or constitutional mechanisms to raise the numbers of women in representative bodies, in both developed and developing countries (Cornwall and Goetz 2005; Waylen 2007). Even though the effectiveness of quotas is still debated, quotas have been implemented as an effective strategy to counteract women's under-representation on different levels of politics.

However, the focus on the numbers of women in formal politics is not sufficient. The attention should also be given to gender policy outcomes (Viterna and Fallon 2008; Waylen 2003, 2007). This refers to the "substantive representation" of women; i.e., the expression of women's interests in policy-making (Waylen 2007: 3). Scholars therefore look at the political outcomes in gender policies in the post-transitional phase of regimes, and scrutinize how and through what ways organized women and women in elected bodies and other state institutions exert influence on the legislative to pass the laws related to women's issues (Jaquette 2001; Waylen 2003, 2007). For instance, the "national machineries for women" (state's women's machineries) have emerged as a unit inside the government to advance women's substantive representation and have become influential in supporting gender mainstreaming in all public policy areas (Rai 2003: 17). As it is the case in the democratization phase, both the differences in the nature of the transition path and of the institutional settings; i.e., how the electoral system, the party system, or the legislature is organized, have a considerable impact on gendered policy outcomes in the consolidation phase (Ray and Korteweg 1999; Tremblay 2007; Viterna and Falon 2008; Waylen 2003, 2007).

In sum, a gendered analysis of democratic consolidation focuses on two dimensions: 1) the extent of the participation of women in the political sphere, and 2) the representation of women's needs and interests in gender policies. To this end, scholars study if women have been included in decision-making processes and have achieved policy outcomes corresponding to their demands and interests. As gender-and-democratization scholars argue, to achieve a fully consolidated democracy in a gendered sense, states need to include women in policy-making processes and to mainstream gender equality in their policies (McBride and Mazur 2008; Paxton 2008; Phillips 1991, 1998; Sauer 2006; Tremblay 2007).

It is often discussed that larger numbers of women in formal politics would bring about 'positive gender outcomes' and would engender democracy (Jaquette 2001; Sauer 2006; Tremblay 2007; Waylen 2003, 2007). Following this argument, gender scholars have extensively focused on the role of women in the formal political arena, that is, the electoral, constitutional/legal and bureaucratic/state arenas (Waylen 2007: 9). They have sought to explain how women in formal politics shape gender policies in a post-transitional period. In doing so, they look at the roles that a range of female actors – not just women's movements – play in translating the articulation of gender issues into positive gender outcomes (Ibid: 91). However, there are few studies that explore exclusively the role of women organized outside of formal politics in the democratic consolidation process. This is because the literature claims that women's CSOs, as CS in general, decline both in numbers and in their impact in the consolidation phase (Jaquette 2001; Waylen 2007). However, it can be contended that organized women, as much as other groups within CS, gain new opportunities to interact with the government, state institutions, and political parties and to continue their struggles to influence the gender policy agenda in the consolidation phase. The present study follows the latter argument and argues that more empirical work is needed that analyzes politically active women in the public sphere beyond the state (and the market), i.e. in the civil society arena, as well as their effectiveness in achieving gendered outcomes in the consolidation period. As discussed in the first section (1.1), consolidation process in general is the most controversially debated phase in the democratization literature. Thus, the examination of the role of organized women in democratic consolidation not only contributes to the theoretical perspective of the gender-and-democratization literature, but also expands the scope of the consolidation literature.

## *2.5 Gender, CS, and Democratic Consolidation: Engendering Consolidation*

The present section lays the foundation for the analysis of the intersection between democratic consolidation, CS, and gender that will be applied to the case study, and can even be applied to other comparative case studies. Before proceeding to the discussion, the present study claims that *engendering democratic consolidation* can best be understood as the strengthening of democracy in its two core dimensions: a) participation, b) inclusion with respect to the specific demands, needs, and interests of women, which are explicitly recognized by political decision-making in all relevant policy areas.

The gender-and-democratization literature has offered a variety of assumptions for explaining the relationship between women and democratic consolidation as reviewed above. However, different than those elaborations, the main focus here is directed to the relation between women organized in the civil society sphere and the democratic consolidation process, rather than between women in formal politics and democratic consolidation. In doing so, the study relies upon the discussions of both the mainstream democratization and gender-and-politics literatures. The democratization, or transition, literature, as mentioned before, claims that a free and lively CS contributes to the consolidation of democracy (cf. Section 1.2). The collective, autonomous, and voluntaristic character of CS provides citizens channels to articulate and defend their interests within the public sphere, to monitor government policies, to balance the strength of the state power, and to influence policy-making (Diamond 1994; Foley and Edwards 1996; Schmitter 1993). Accordingly, scholars focus on the extent and density of CSOs and examine their activities and strategies, which enable them to push the government for reforms in consolidation processes. Relying upon existing evidence, they explore the relationship between CS and the consolidation of democracy. By the same token, a gendered examination of the relationship between CS and democratic consolidation has to consider the participation of organized women and their inclusion in decision-making processes. This entails looking on the **activities and strategies** of organized women during the consolidation of democracy (Jaquette and Wolchik 1998; Viterna and Fallon 2008; Waylen 2007). A gendered analysis also needs to look at **the extent of the participation and inclusion of women's CSOs in decision-making processes** regarding gender policies. But the key point is the impact of women's CSOs on the political agenda of democratic consolidation. Therefore, such a study needs to focus

on **the achievements of women's CSOs in formulating and implementing policies** to improve women's lives by looking at, what Waylen (2003, 2007) calls "positive gender outcomes".

Large numbers of active women within CS would pluralize the political realm beyond the state and render democratic policy-making more inclusive of women's voices. Gender scholars thus look at the levels of women's participation in CS. Furthermore, the activities and strategies of women's CSOs are important for the analysis. Women 'organized as women' explicitly use a gendered discourse, i.e. their ideas, goals, and claims contain a language about the gendered identity of women (McBride and Mazur 2008: 228). Accordingly, women's CSOs point to gendered inequalities prevailing in the political, economic, and social life, criticize the gendered power structures that hinder their participation in society and politics, and insist on an *engendered* version of democracy.

In the gendered examination of the interplay between CS and democratic consolidation, the level of inclusion of women's CSOs in decision-making processes is the salient point. It has been demonstrated that in the consolidation phase, the political realm becomes more inclusive; thus, women's CSOs, within the broader spectrum of CS, gain more space to interact with politicians, political parties, and state institutions (Jaquette 2001; Viterna and Fallon 2008; Waylen 2007). In an inclusive political environment, women's CSOs can freely voice their gender specific needs and interests, influence public debates, and to participate in the formulation of new gender policies.

To voice their concerns, women's CSOs organize protest demonstrations, petitions and launch campaigns or boycotts. They thereby insist on the full citizenship status under the protection of equitably applied laws and push the government towards the passage of legislation beneficial to women as a group (Phillips 1998; Young 1998). Another important strategy women CSOs conduct is political lobbying. For lobbying, women's CSOs work with key female politicians who formerly might have been active in the civil society arena. Women's organizations discuss their objectives with female representatives, and these women then promote gender issues inside parliaments and other state institutions. Such a cooperation helps women's CSOs to indirectly take part in decision-making processes. Another lobbying channel is cooperation with the 'state's national machineries for women' (Jaquette 1994; Rai 2003; Waylen 2007). These institutional mechanisms, as part of the governmental structures, exert direct influence on

gender policies and is *the arena for gender mainstreaming*.<sup>26</sup> Thus, women's CSOs make politicians and public opinion aware of the gendered differences in political procedures and show them how policies, even 'high-politics' issues such as security or economic and financial policies, have different impacts on the lives of women and men respectively (Sauer 2006: 259).

Finally, studies have argued that the greater the chances for women in participating in political decision-making are, the more 'women-friendly' policies come about (Rai 2007; Waylen 2007). The impact of women's CSOs on the consolidation of democracy can best be understood by looking at gendered outcomes in the sense of policies, practices, and institutions that are implemented to improve women's lives (Viterna and Fallon 2008; Waylen 2003, 2007). In other words, the question here is to what extent the democratically elected governments respond to political objectives of organized women in state's gender policies. To assess positive gender outcomes in the consolidation period, there are several factors to take into account: first, '*women-friendly*' changes in laws that are passed during the consolidation of democracy, especially in the development of new drafts of civil and penal codes; second, *the existence of national machineries for women* inside the state apparatus as this increases opportunities of influencing the executive to draft or to reform gender-related laws (Sauer 2006; Waylen 2003, 2007). Third, as Waylen (2007) argues, one can evaluate *positive gender outcomes in policy-making* by specifically looking at policy outcomes in a number of key issue areas such as domestic violence, the divorce and family laws, the regulations on the reproductive rights or the rights of women in labor markets.

One may pose the question that if the achievement of 'positive gender policy outcomes' refers to the deepening the quality of democratic contents (see the discussion on the quality of democracy), rather than to the consolidation of democracy, understood as the institutionalization of democratic practices and rules. At this point, it must be reminded that the policy outcomes in democratic regimes, whether in gender and social policies or some in 'high-politics' issues, need to reflect the demands and interests of its citizens. Thus here, the focus on the role of organized women in achieving gendered policy outcomes does not refer to

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<sup>26</sup> Gender mainstreaming is defined as the strategy making women's and men's concerns and experiences an integral dimension of all levels of politics, see: United Nations Economic and Social Council Report (1997).

deepening social and economic rights of women, rather it reflects that organized women are included in policymaking processes with respect to their specific demands and needs, and that their demands are explicitly recognized by political decision-making. Moreover, the examination of gendered policy outcomes does not make any inference on how 'good' or 'bad' the policies are, it rather looks if the demands of organized women are reflected or not.

The effectiveness of women's CSOs in a country rises also with the degree to which they are linked to and affiliated with the international or transnational women's networks. Internationally operating women's organizations such as the UN Women and the CEDAW Committee support women's CSOs in newly established and consolidating democracies and provide them some discursive space on a national level, legitimacy, and sometimes material resources to push their governments to reform gender policies (Viterna and Fallon 2008; Waylen 2007). Especially after the UN Conferences on Women in Beijing 1995, the impact of the gender rights regime has increased and gender concerns have been discussed in terms of human rights and democracy (Waylen 2007: 35). As it will be explored in the empirical chapters, the international networks of women's CSOs had a considerable impact on pushing the Turkish governments to reform gender policies.

In sum, in order to illustrate the relationship between women's CSOs and democratic consolidation from a gendered perspective, the present study considers both the role of actors and the institutional context as well as the interaction between them in the consolidation phase. It is then possible to assess how the processes of democratic consolidation are gendered. The interaction between organized women and institutions are also influenced by the external factors such as international agreements on gender rights or international networks of women's CSOs. In assessing the role of women's CSOs in democratic consolidation, this study takes the three factors into account: 1) the activities and strategies of women's CSOs, i.e. their participation within the civil society arena 2) the level of inclusion of women's CSOs in political decision-making processes, and 3) policy outcomes in gender-related issues.

## Chapter 3

### Research Design, Method, and Cases

The present chapter presents the *research design* and *methods* used in the empirical part (Part III) of the study. The initial task is to re-state the research question to identify the cases to be selected as well as to figure out which kinds of data are pertinent. The study explores *the role of women's CSOs in the democratic consolidation process under AKP rule in Turkey*. Drawing upon the widely-acknowledged assumption of the democratization literature that a free and lively CS is positively related to the consolidation of democracy, this study argues that the high level of women's activism in the civil society sphere is vital for *engendering* democracy. In other words, the greater the participation of women's CSOs, the more *engendered* and consolidated democracy becomes. Thus, the study examines to what extent Turkish democracy is *engendered* under AKP rule.

In the present study, the **dependent variable** is democratic consolidation understood from a gendered perspective. The gendered approach gives a better understanding of the political processes where women are involved. Therefore, the evidences generated from the case under consideration may enable us to understand the opportunities and constraints that a consolidation process can provide for an *engendered* democracy. The *engendered* democracy would thus integrate women's needs, demands, and interests into the laws and practices of democratic politics. It entails looking at *positive outcomes* in gender policies during the democratic consolidation process. Policy outcomes can be best assessed by evaluating: 1) changes in laws and codes during the consolidation process, 2) the existence of state's body for women's issues, and 3) changes in specific gender issue areas. Here, the study considers three issue areas: *violence against women, women's rights and gender equality and discrimination against women*. They will be measured in terms of improvements from the previous situation (Waylen 2007: 38).

What are the **independent variables** in the analysis? Any gendered analysis of the democratic consolidation needs to include both the role of actors and structures, i.e. the institutional context. In the present analysis, the main focus is the *role of women's CSOs*. The

examination of how and to what extent women's CSOs participate in political decision-making processes will help to assess what their impact is on those processes. In order to assess the extent of women's civic activism the study first looks at the *legal status of women* in the constitution. Citizenship rights women enjoy shape their access to and participation in the political realm as well as the civil societal sphere. Having formal political and civil rights, however, does not necessarily imply an effectively increased women's participation in the public space. Therefore, the study also looks at: *the demands, activities, and strategies* of women's CSOs and *the extent of their participation* in the political decision-making processes regarding gender issues. The analysis of the activities and strategies of women's CSOs provides information about how they shape policy-making processes. The extent of their participation in decision-making processes can be measured by looking at the strength of women's CSOs. This entail looking at the organizational characteristic, the relationship with other groups of women's CSOs, the autonomy from the state authorities, political parties and other institutions, and the visibility within CS. The extent of the participation of women's CSOs will enable us to make inferences on the extent to which organized women are included in the democratic consolidation process.

But why did the present study choose organized women from a diverse array of actors within CS? Organized women in Turkey has challenged the male-dominated public sphere and made democratic politics and policy-making processes more inclusive. Since organized women have been among those in the vanguard demanding change, rights, freedom, and democracy in Turkey, and in many regions around the world, a democracy cannot be regarded as consolidated without women's participation and the representation of their needs and demands in policies. Thus, the present study concentrates on organized women's agency, and examines democratic consolidation in Turkey from a gendered lens.

It is also imperative to look at the wider *institutional context* where women's CSOs operate. The institutional context does not determine, but shapes the relationships among actors and influences the interactions between actors and institutions and the possibilities for policy changes.<sup>27</sup> Thus, the study looks at both the institutional context during the AKP regime and the

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<sup>27</sup> Pierson and Skocpol (2002) claim that the historical institutional approach to politics helps hypothesize about the combined effects of institutions and processes.

legacy of the previous governments. This will help to see if and what kinds of improvements took place in the institutional context. In doing so, the study pays special attention to several factors: *the role of the military, the extent of civil liberties, the rule of law and the constitution, and the party system* (see Chapter 4). The analysis of the institutional context will help us to understand how broad, or narrow, the leeway for CS is.

There is one important **intervening variable**: the *external environment*, i.e. international influences: the impact of the international women's networks such as UN Women, the international gender regime such as the CEDAW treaty, and the international organizations such as the EU. The presentation of both the institutional and external context in which organized women operate will enable us to trace back under what conditions organized women have articulated and put their demands on the political agenda. In doing so, the study also considers the roles played by both actors and their institutional context *before* the period of investigation, i.e. AKP rule. It is then possible to explain the differentiations in political outcomes.

Although outputs, i.e. policies and regulations, are results of inputs, i.e., demands and supports, the study reverses this perspective and *first* looks at outcomes in gender policies. This reverse order simplifies the examination of the extent of the participation and inclusion of each group of women's CSOs in policy-making processes. In other words, since the gendered policy outcomes are the results of collective bargaining of women's groups, a more fine examination of the efforts (activities and strategies) and the level of participation enables the investigation of the intersection of gender, CS, and democratic consolidation. Thus, the empirical analysis begins with the examination of policy outcomes.

The study is confined to the AKP era. It is mainly because Turkey under AKP rule made not only a remarkable progress on its path to consolidate its democracy, but also went through several political crises. In other words, the democratic consolidation process has experienced several "ups and downs" during the twelve years of AKP rule. Gender policies in general have been a contentious arena for the religious-conservative base of the AKP. Therefore, it is time to contemplate what has been achieved or what remains to be done for the consolidation of democracy in Turkey, understood as *engendering* democracy that would integrate women's needs, demands, and interests that are recognized by all levels of policy-making.

This theoretically driven single-country case study is ideal for digging into political phenomenon how they come about and provide data and information that might be useful for the comparison of other cases. Scholars also claim that single-country studies use analytical concepts that might be applicable in other countries or develop new concepts that may become applicable. Such studies may also help develop new classifications, generate hypotheses for theories, confirm or infirm theories, and explain the presence of deviant countries that do not conform to the theoretical expectations of the researcher (Landman 2003: 34f.).

### **3.1 Units of Analysis**

Over the years, women's CSOs have helped articulate women's demands, institutionalize women's movements, and increase the public awareness on women's problems. By their commitment to empower women, to change gender relations in Turkish society and politics, and to push the government to reform gender policies, women's rights organizations are regarded as influential actors within the democratic CS in Turkey (Arat 2008; Ergun 2010; Kalaycıoğlu 2007; Kubicek 2005;). Due to their considerable achievements, many scholars see them as democratic agents (Arat 1994; Marshall 2009). Therefore, a thorough analysis of the participation and inclusion of women's CSOs would provide a valuable insight into the analysis of the relationship between CS and the democratic consolidation process in Turkey.

There are more than 500 women's CSOs in Turkey.<sup>28</sup> They all focus on empowerment of women in social, cultural, economic, or political life, but they employ different strategies to achieve their goals. Some of these women's CSOs do not necessarily fight for gender equality, but their presence and plurality enrich the public space available for women. To analyze the relationship between organized women and democratic consolidation, the present study takes only women's CSOs into account that actively seek to change state's gender policies.

Organized women in Turkey are not a unified bloc. Broadly speaking, there are four groups of women's rights CSOs whose demands overlap occasionally (Arat 2008; Coşar and Onbasi 2008; Diner and Toktaş 2010; Patton 2010): *feminist, Kurdish, Islamist, and Kemalist* women's CSOs. These selected groups are proponents of different political movements in Turkey. The feminist CSOs

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<sup>28</sup> A list of women's organizations in Turkey can be found on the website of Flying Broom (*Uçan Süpürge*) which is one of the influential women's CSOs in Turkey, see: ([www.ucansupurge.org/dernekler/derneklerlist/php](http://www.ucansupurge.org/dernekler/derneklerlist/php)). (rev. 20.10.2014)

are selected on the basis of their crucial role within the broad spectrum of organized women in Turkey. They have been the first group of women that challenged the patriarchal structures in Turkish society and brought up issues such as violence against women, sexual harassment, incest, women's bodily rights, and gender equality in the private sphere. Organized feminists have two groups within themselves: *radical* and *socialist* feminists, but the present study does not differentiate between these two groups since they act, to a great extent, together. The selected feminist organizations have both radical and socialist feminist members. The Kurdish, Islamist, and Kemalist women's CSOs are selected due to their political identities that represent the dominant political cleavages within Turkish politics and society. While organized Kurdish women have criticized the nationalistic character of the Turkish state, organized Islamist women have demanded more religious freedom and the reconsideration of the secularism principle of the Turkish state. Both groups have also challenged dominance of men within their respective movements and independently formed their own gender-based struggle in the civil society sphere. In opposition to the Islamist and Kurdish women's CSOs, organized Kemalist women have positioned themselves as the defenders of the secularist and nationalist principles of the Turkish state. They are the defenders of women's rights that were granted by the early Kemalist state elite.

For each of these four groups, I selected three organizations with high records of visibility and recognition within their own groups and the broader CS in Turkey.<sup>29</sup> The selected CSOs represent, to a great extent their, own groups. But I have to remark that the selected Islamist women's CSOs are unique examples within the broader spectrum of organized Islamist women due to their openness to cooperation with other women's CSOs and their independence from religious parties and sects (*tarikats*). Despite the ideological differences, all these women's groups have participated in broad organized women's platforms to push the AKP government for reforming gender policies in Turkey. Considering the large numbers of women's CSOs, studying only twelve women's CSOs might raise doubts on the representativeness of the study. While aware of the limitations, I consider the sample to be representative because of their capacity to represent the political cleavages that crosscut organized women in Turkey.

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<sup>29</sup> A detailed information on the selected CSOs will be provided in the empirical chapters discussing each women's group.

The selected women’s CSOs are organized on a voluntary basis, autonomous from the state and political parties, and have a high level of organizational capacity. They cooperate with state institutions, women’s shelters, women’s studies programs, national and foreign CSOs, and international organizations. These women’s CSOs have not only been chosen from major cities such as Istanbul, Ankara, and Izmir, but also from Van and Diyarbakır (Kurdish provinces). This will indeed yield a broader picture on the role of organized women throughout Turkey.

*Table (3.1): SELECTED CSOs*

Women’s Groups	CSOs	Cities
Feminist CSOs	<p><b>Purple Roof Women’s Shelter Foundation</b> (<i>Mor Çatı Kadın Dayanışma Vakfı</i>)</p> <p><b>Women for Women’s Human Right-New Ways</b> (<i>Kadının İnsan Hakları Derneği- Yeni Çözümler</i>)</p> <p><b>Amargi Women’s Cooperative</b> (<i>Amargi Kadın Kooperatifi</i>)</p> <p><b>Associations for Supporting and Training Women Candidates</b> (<i>Kadın Adayları Destekleme ve Eğitim Derneği - KADER</i>);</p>	Istanbul
Islamist women’s CSOs	<p><b>Rainbow Women’s Platform</b> (<i>Gökkusağı Kadın Kuruluşları Platformu - GIKAP</i>)</p> <p><b>Capital City Women’s Platform</b> (<i>Başkent Kadın Platformu - BKP</i>)</p> <p><b>Women’s Rights Association against Discrimination</b> (<i>Ayrımcılığa Karşı Kadın Hakları Derneği - AKDER</i>)</p>	Istanbul, Ankara
Kurdish women’s CSOs	<p><b>Women’s Center</b> (<i>Kadın Merkezi - KAMER</i>)</p> <p><b>Selis Women’s Association</b> (<i>Selis Kadın Derneği</i>)</p> <p><b>Van Women’s Association</b> (<i>Van Kadın Derneği - VAKAD</i>);</p>	Diyarbakır, Van
Kemalist women’s CSOs	<p><b>Turkish Women’s Union- Istanbul branch</b> (<i>Türk Kadınlar Birliği, TKB - Istanbul</i>)</p>	Istanbul, Izmir

	<p><b>Istanbul Women’s Associations Platform</b> (<i>Istanbul Kadın Kuruluşları Platformu - IKK</i>)</p> <p><b>Izmir Women’s Associations Platform</b> (<i>Izmir Kadın Kuruluşları Platformu</i>)</p>	
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Here, three issue areas have been selected for further examination of the impact of women’s CSOs: *violence against women*, *gender equality and women’s rights*, and *discrimination against women*. They are considered to be the most important dimensions of the women rights regime, both on the global and national level. Violence against women comprises range of acts from physical and sexual abuse to verbal harassment, coercion, exclusion, humiliation, threat, intimidation, and hindrance. The end of this spectrum is murder of women. The international organizations such as the UN and the World Health Organization (WHO) have described gender-based violence as a violation of women’s human rights. Gender equality refers to the view that men and women need to have equal access to political, economic, social, and cultural resources and receive equal treatment in these spheres of life. It is thus implicitly related with discrimination against women. The CEDAW treaty, seen as the international bill of women’s rights, defines discrimination against women as the exclusion, distinction, or restriction based on sex which have severe effects on women’s lives. Though these issues seem interrelated in terms of their contents, they are framed and discussed differently within organized women in Turkey.

### **3.2 Methods and Sources**

Since the study examines the role of organizations made up of actors and their interactions with state institutions, it employs a qualitative analysis. Qualitative data are more suited to showing the dynamics of human interaction. The empirical data for this study is largely collected from the primary sources accumulated from 2010 to 2014. First, I have conducted semi-structured, in-depth interviews with the executive members as well as the activists of the women’s CSOs under consideration during my two-month research trips in 2010 and 2011. In identifying interview-partners, I used the *snowball method*, “a method of identifying interview subject-participants by which you ask each subject-participant to recommend other interview subject participants” (Clarks 2006: 419). To contact one of the Kemalist women’s organizations, it was necessary to

contact a third party through personal relations to set up the interview. Surprisingly, the interviewee explained her reservations on accepting random interviews by underlining her concern of being “misrepresented” in the researches (especially in foreign surveys). According to her, such studies make inferences without thoroughly reflecting on the sociopolitical context and on political dynamics in Turkey. Interview questions were sometimes re-phrased for different interviewees – as was done here by using a flexible set of questions – to increase the respondents’ willingness to share information.

Besides the members of women’s CSOs, individuals outside of the women’s CSOs such as academics and lawyers have also been interviewed. These individuals are selected due to their involvement and cooperation with women’s CSOs under consideration. Second, I reviewed publications, pamphlets, public statements, interviews in newspapers and social media accounts of the selected women’s CSOs to supplement the data. Information on feminist WWHR and Islamist GIKAP has mainly been collected from their own websites and publications. Third, the study also profited from the grey literature. The surveys, reports, and statements of the Ministry for Family and Social Policies and the state’s women’s machinery (the General Directorate of Women’s Status) as well as quantitative surveys of the national and international research institutes and NGOs have been analyzed to obtain further information on state’s strategies and projects aiming at empowering women. Fourth, some data have also been drawn from organized women’s mail groups. I shall note that mail groups encompass a wide variety of women’s CSOs sharing information on a daily basis, which has helped me reconfigure the debates among women’s CSOs and understand their different positions.

Further data have also been collected from secondary sources, e.g. the newspaper coverage, and journal and magazine articles on gender issues and gender policy reforms. The studies on Turkish politics with a special focus on democracy and CS as well as on organized women in Turkey have provided the background information about the CSOs, and supplemented the data.

Based on the collected data, the study illustrates the motives, demands, and achievements of the women’s rights organizations under consideration, identifies the problems they face in the area of their work, and provides information on the improvements in gender policies. In sum, by looking at organized women’s roles in the democratic consolidation process,

the present study shows how far women's CSOs have come in *engendering* democracy and how much more work remains to be done.

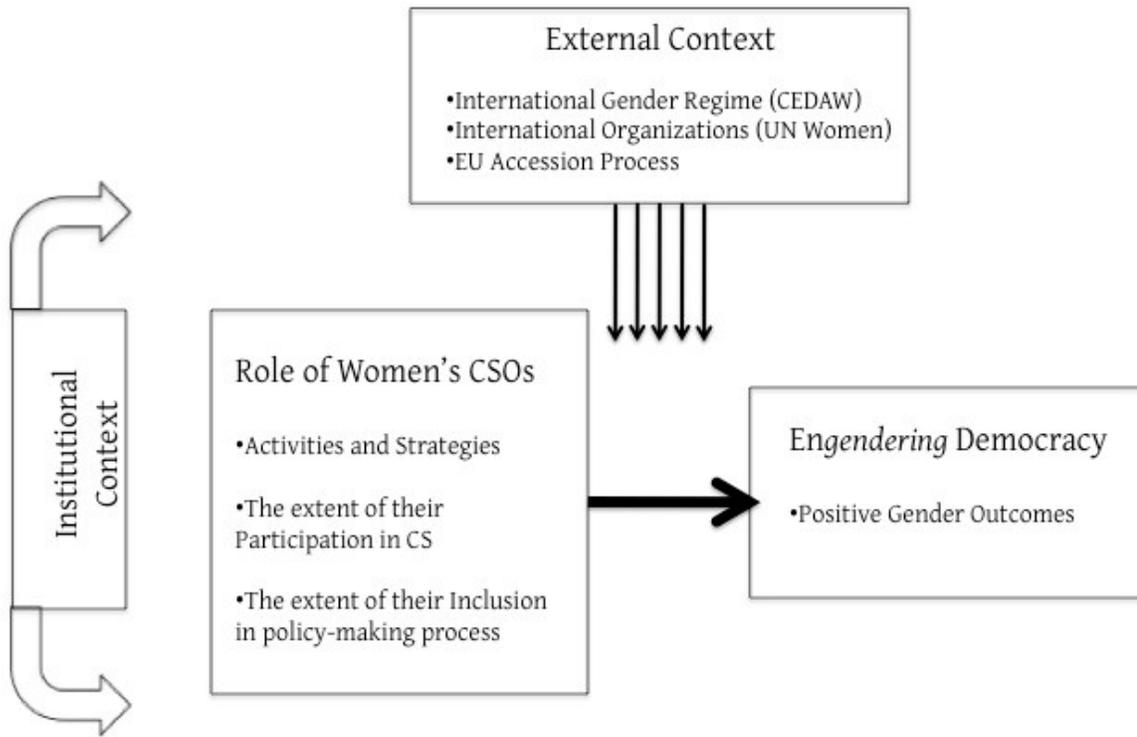
### ***3.3 Structure of the Analysis***

In the following, Part II delineates the institutional context of democratic consolidation process in Turkey. To this end, it first examines the pre-AKP period by looking at different dimensions of democratic consolidation. This will help to see the changes in the pre-AKP period. It is followed by a closer examination of the democratic consolidation process under AKP rule.

To outline the participation and inclusion of the four women's groups in policy-making during the consolidation process under AKP rule is the task of Part III. Part III consists of five empirical chapters, starting with the presentation of gender policy outcomes before and under the AKP governments, and then is followed by the analysis of four groups of women's CSOs under consideration. The beginning with the gendered outcomes instead of the analysis of each women's group helps to avoid the repetition in the analysis since gendered policy outcomes are the same, but the extent of participation and inclusion of each group of women's CSOs in policy-making processes vary. In each chapter, I analyze the activities and strategies of three women's CSOs in the aforementioned issue areas. Each chapter is also preceded by an introductory part that outlines the emergence and the institutionalization (by describing their goals and principles, organizational structures, presenting their fields of activities, financial resources, and their international ties) of women's CSOs under consideration. Then, the analysis exclusively looks at their inclusion in policy-making processes and their achievements. The demonstration of achievements of each group in the 1990s helps understand the evolution of women's CSOs from being 'marginal' social groups into the influential civil society actors, in other words 'agents of change' under the AKP governments.

The last chapter in this part compares and contrasts the findings, and discusses them with regard to democratic consolidation delineated in the theoretical part. Accordingly, more general conclusions will be drawn as regards the successes and limits of civic activism in the process of democratic consolidation.

Figure 3.1. Research Design



PART II

The Institutional Context

## Chapter 4

# Consolidating Democracy in Turkey: An Unfinished Project?

In democratization studies, Turkey constitutes an unusual case. Although the transition to multi-party politics has been accomplished six decades ago, Turkey has neither been transformed to an authoritarian regime, nor has it been consolidated into a fully institutionalized plural democracy. The following chapter offers a chronological overview on Turkey's democratic development. The first subchapter (4.1) briefly outlines the political context in Turkey from transition to democracy in 1946 until the last direct military coup in 1980. The focus on this period helps us to understand how the military as an actor dominated the Turkish politics and how this dominance hindered the consolidation of democracy. The following subchapter (4.2) describes the institutional context by focusing on the political space, in which political actors and CS operated, and the socio-political cleavages that shaped the dynamics of Turkish society and politics before the period of investigation, i.e. before AKP rule. It concludes with a brief discussion on the limits of democratic consolidation following the multi-dimensional explanation of consolidation presented in the theoretical chapter (cf. Chapter 2). This part will shed light on the nature and the legacy of the pre-AKP period. The last subchapter (4.3) pays special attention to the era of the AKP and delineates three distinct periods of AKP rule. Each part discusses the achievements and limits on the path to democratic consolidation by considering both the internal and external impetus for consolidation. The subchapter 4.3 thus serves as a backdrop for describing the institutional context in which women's CSOs voice their demands, interact with the state, and seek to translate their demands into women-friendly policies in the AKP era.

### ***4.1 Democratic Transitions, Recurrent Regime Crisis, and Military Interventions: Turkish Politics (1950-1980)***

Scholars of Turkish politics argue that the transition from the authoritarian single-party rule to the multiparty system in 1946 is the advent of Turkish democracy (Ahmad 1993; Heper and

Güney 2000; Keyman 2007; Özbudun 2000; Sunar and Sayari 1986). Before the transition to multiparty politics in Turkey, state power was centralized in the hand of the Republican People's Party (*Cumhuriyet Halk Partisi*, CHP), which was formed under the leadership of Mustafa Kemal (Atatürk). The single-party rule enabled Atatürk and the CHP elite to conduct their modernization project<sup>30</sup> and to control all political and social affairs in the country. This “top-down” political approach extensively shaped the future development of democracy and state-society relations in Turkey (Ahmad 1993; Pawelka 1993). After the death of Atatürk in 1938, the CHP's elite adhered to Kemalist ideology<sup>31</sup> and continued to rule the country single-handedly (Ahmad 1993; Barkey 2000; Heper 2002). But in the post-World War II world order, Turkey found itself at a critical crossroads. The CHP's state elite decided to democratize the country to be part of the Western bloc and introduced competitive elections in 1946 (Ahmad 1993; Heper 2002; Özbudun 2000). In the 1950 parliamentary elections, the newly formed Democrat Party (*Demokrat Parti*, DP), which advocated economic liberalism and appealed to conservative rural masses, won a landslide victory. It was a watershed in the history of modern Turkey.

The new political elite of the DP, representing industrial bourgeoisie, merchants, peasants, and conservative local elites, reengaged formerly excluded religious and traditional segments of the population in politics and curtailed gradually the monopoly of the Kemalist state elite in politics (Keyder 1987; Özbudun 2000). The DP era witnessed the emergence of civic engagements in forms of associations, trade unions and media organizations (Özalp 2008: 13). However, the political pluralization approach of the DP reached its limits at the end of the 1950s. Especially after the 1957 parliamentary elections, the DP reacted to its declined support by resorting to authoritarian measures against the oppositional groups (Özbudun 2000: 30). The party's increasing repression and its departure from the Kemalist principles, in particular from etatism and laicism, prompted the first military intervention in May 1960 (Hale 1994; Özbudun 2000). The military seized power from May 1960 to November 1961 to restore democracy. The interim military government introduced a new electoral law, a new Constitution (1961) that broadly defined political rights and civil freedoms, and established the National Security Council

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<sup>30</sup> The modernization project aimed to build a modernized and westernized Turkish nation and introduced a series of political, economic, and cultural reforms that are known as “Atatürk's reforms” or “Kemalist reforms”, see further: Ahmad (1993), Pawelka (1993), Zürcher (2005).

<sup>31</sup> Kemalist ideology, known also as Kemalism, is based upon six principles: nationalism, populism, etatism (statism), republicanism, laicism (secularism) and reformism, see: Ahmad (1993), Zürcher (2005).

(*Milli Güvenlik Kurulu*, MGK).<sup>32</sup> The MGK consisted of the president, prime minister, and several ministers as well as the chief of general staff and four commanders of the Turkish Armed Forces (*Türk Silahlı Kuvvetleri*, TSK), i.e. army, navy, air force, and the gendarmerie. The MGK's aim was to defend both the country and the Republic against the external and internal threats (Heper and Güney 2000: 637).

The Turkish military, drawing upon its constitutional powers provided by the MGK, took an active part in politics for decades to come. Almost in every political deadlock, the military elite intervened in politics (in 1971 and 1980) to safeguard the regime and to restore Turkish 'democracy' according to their understanding of democracy (Demirel 2005; Heper and Güney 2000; Satana 2008). Unlike the Latin American and Southern European military regimes, which retained control over politics for longer periods, the Turkish military has always withdrawn from power after initiating the re-democratization process and implementing new institutions (Cizre 1997; Özbudun 2000; Satana 2008). But political processes were to a great extent influenced by the preferences of the military, rather than of citizens. Özbudun rightly claims that the Turkish case confirms the hypothesis of the democratization literature that "military-led transitions to democracy leave institutional traces in the political system", such as tutelary powers for the military, which in turn hinder the consolidation of democracy (2000: 26).<sup>33</sup> Since the Turkish military elite has not internalized the rules of democracy and intervened in times of political crises, the behavioral dimension of the democratic consolidation (cf. Chapter 2) was not fully attained, and Turkey's democracy could not consolidate, and Turkey was rather labeled a 'hybrid regime' (Altan-Olcay and İçduygu 2012; Schneider 2009).

## ***4.2 Turkey's Democratic Development before the AKP (1980-2002)***

### **Turkey under Military Tutelage**

The military coup on 12 September 1980 has been the strongest military intervention in the history of modern Turkey. The military intervened by claiming that the recent governments were unable to end growing violence between various political factions (namely between the

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<sup>32</sup> Despite its liberal traits regarding civil liberties, the 1961 Constitution provided the military with political powers through the MGK. For a thorough discussion on the constitution, see: Özbudun (2000).

<sup>33</sup> As discussed in Chapter 2, influential scholars O'Donnell (1992), Przeworski (1991) and Valenzuela (1992) argue that "destabilizing factors" such as tutelary power, reserved domains of policy, or deliberate distortions of the electoral system and political representation impede the consolidation of democracy.

leftist and the rightist groups), and that the internal threats against the “unitary nature of the state” were rising (Heper and Evin 1994; Özbudun 2000). The military junta banned all political parties and put their leaders in prison, prohibited all forms of political activity, and strictly controlled CS. Gürbey aptly states: “While the 1960 coup was carried out to protect civil society from the repression of the state, the motivation behind the 1980 coup was to re-strengthen the state against civil society” (2006: 13). From September 1980 until the parliamentary elections in November 1983, the military junta controlled the country under martial law, which meant that military officers retained the ultimate decision-making authority at the local level (Poulton 1999: 48). The 2012 report of the ‘Research Commission on Military Coups and Interventions’ of the Turkish Parliament revealed that during the 1980-1983 military rule, 230,000 people stood trial for their former political activities in the State Security Courts (*Devlet Güvenlik Mahkemeleri, DGM*)<sup>34</sup>, 517 were sentenced to death, and thousands lost their lives in prison as torture and mistreatment were widespread practices.<sup>35</sup>

The military junta drafted a new constitution in November 1982. The new constitution banned former politicians from politics and restricted civil liberties such as the freedom of association, assembly, and of expression to depoliticize the highly polarized society (Heper 2002; Özbudun 2000). The 1982 Constitution also introduced a relatively high national electoral threshold (10 percent) and annulled the formerly used *d'Hondt* method of proportional representation.<sup>36</sup> Most notably, the 1982 Constitution enhanced the prerogatives of the MGK compared to the 1961 Constitution (Özbudun 1994; Heper and Güney 2000; Sunar and Sayarı 1986). Article 118 of the Constitution stipulated: “According to the political agenda, the ministers and the persons concerned may be invited to the Council’s meetings for consultations”. Drawing upon this article, the MGK could reinforce its decisions on the elected governments and control policies concerning the national defense and the matters of internal security which was defined broadly (Cizre 1997; Demirel 2005; Heper and Güney 2000). It was, of course, the military that decided the timing and pace of the re-democratization of the political

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<sup>34</sup> State Security Courts (DGM) were established to try cases involving crimes against the security of the state and organized crime. One of the three judges in each DGM included one military judge. DGMs in general regarded all kinds of political activity as a threat to the state’s security.

<sup>35</sup> For more information, see: [http://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss376\\_Cilt1.pdf](http://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss376_Cilt1.pdf) (rev. 15.07.2014)

<sup>36</sup> D'Hondt system allocates seats to political parties in proportion to the number of votes received. With such a high threshold, the military elite aimed to keep the smaller parties, which were considered as the source of political instability in the 1970s, out of the Turkish Parliament.

system and set the date for the first competitive elections in November 1983 (Demirel 2005; Evin 1994). But the military elite allowed only three newly formed political parties to run for the 1983 elections.<sup>37</sup> Hence, the return to democracy took place in a seriously constrained political leeway.

### **Return to Democracy: The Limited Political Environment**

The 1983 elections and its aftermath marked a significant turning point in the democratic development of Turkey. Contrary to the preferences of the military elite, the newly established Motherland Party (*Anavatan Partisi*, ANAP) under the leadership of Turgut Özal won the parliamentary elections (Heper and Evin 1994; Özbudun 2000). During the military rule, Özal had served as the state minister responsible for economy and implemented economic reforms that transformed the inward directed Turkish economy (import substitution industrialization model) into an export-based economy (Heper and Evin 1994; Kalaycıoğlu 2002).<sup>38</sup> Özal's political success lied on his attractive economic projects and reforms aiming at integrating Turkey into the market economy (Öniş 2004: 118). The ANAP, as a politically conservative but economically liberal party, ruled the country until the 1991.

Özal realized that to improve Turkey's international image the return to a functioning democracy was necessary. In 1984, the parliament allowed some political parties that were banned by the military junta to run for municipal elections and lifted martial law in several Turkish provinces (Metz 1995). In September 1987, the bans on former politicians, who were overthrown in the 1980 coup, were lifted by a referendum, and they returned to politics with their older parties under new names (Heper and Landau 1991; Özbudun 1994). Meanwhile, the ANAP government changed the election law to increase its own advantage as a large party and sought to gain both from the high electoral threshold (10 percent) and from the way how extra seats were allocated to strongest political party.<sup>39</sup> In November 1987, all political parties took part in the parliamentary elections, which were held under the most democratic conditions since the 1980 coup, and the ANAP was re-elected.

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<sup>37</sup> These were the Nationalist Democracy Party (*Milliyetçi Demokrasi Partisi*), the Populist Party (*Halkçı Parti*), and the Motherland Party (*Anavatan Partisi*, ANAP). The former two parties were established by the military elite.

<sup>38</sup> Özal symbolized all the transformations that Turkey has gone through in the spheres of politics, culture, and foreign policy in the post-1980 era, see further: Heper and Landau (1991), Kalaycıoğlu (2002), Öniş (2004).

<sup>39</sup> <http://global.tbmm.gov.tr/index.php/EN/yd/icerik/14> (rev. 10.11.2014)

In November 1989, Özal became the president of Turkey, and the ANAP furthered the institutional reform process with Özal's directives.<sup>40</sup> In April 1991, the Anti-Terror Law (No. 3713) entered into force by repealing Articles 141 (regarding membership in anti-system organizations such as communist parties), 142 (banning communist or separatist propaganda), and 163 (regarding membership in or propaganda for anti-secular organizations) of the Turkish Penal Code (Poulton 1999: 51). The Turkish Parliament also repealed Law 2932 that limited the use of Kurdish language. However, Article 8 of the Anti-Terror Law was used by the state prosecutors to convict journalists, politicians, and human right activists for having used the word 'Kurdistan'. In April 1993, the newly elected government<sup>41</sup> eliminated the state's monopoly on radio and television broadcasting (Article 133), and the establishment of private channels was allowed (Yazici 2011). Thanks to these constitutional amendments, the political realm became liberalized.

As noted above, the military-made 1982 Constitution has envisioned a depoliticized society by seriously limiting political participation and activities (Kalaycıoğlu 2007; Özbudun 1994). Article 33 of the 1982 Constitution, for instance, stipulated: "Voluntary associations, professional organizations, and trade unions are banned from engaging in all kind of political activity and having relationships with political parties". Therefore, the connection between CS and political society was severely damaged, and the capacities and effectiveness of political parties in political processes were curtailed (Gürbey 2006: 14f.). Surprisingly, the limits on political participation led citizens to shift their attention to civilian politics and to engage in the civil society realm.

### **Expanding Public Space: CS as a Democratic Agent?**

As discussed in Chapter 2, a vital and strong CS is essential for the consolidation of democracy. Since the state has been strong in Turkey; i.e., it strictly controlled the public sphere, CS could not really unfold until the 1980s (Poulton 1999; Toprak 1996). But the economic transformation, rapid urbanization, the reduction of the state's social-welfare policies, and spread of corruption

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<sup>40</sup> Although the president was regarded as a ceremonial figure in the Turkish Constitution, Özal wanted to act both as the head of the state and the ANAP. See further: Heper and Evin (1994).

<sup>41</sup> The prominent politician of the former decades Süleyman Demirel came to power with his True Path Party (*Doğru Yol Partisi*, DYP). He formed a coalition government with the Social Democrat Populist Party (*Sosyaldemokrat Halkçı Parti*, SHP) under the leadership of Erdal İnönü. The DYP-SHP coalition continued to govern until 1993, when Demirel became the president because of the sudden death of Turgut Özal.

in the 1980s paved the way for the emergence of CSOs demanding more freedom, equality, and democracy in Turkey (Keyman and İçduygu 2003; Toprak 1996). From the mid-1980s on, the number of autonomous and self-organized associations, which were committed to civilian politics, has increased (İçduygu 2007; Toprak 1996).

Newly emerging feminist groups were the first group that had the courage of challenging the military dominance and voicing their demands for more freedom and gender equality (Arat 1994; Tekeli 1995).<sup>42</sup> In 1987, feminist groups organized a mass demonstration condemning domestic violence, which was considered the first visible democratic opposition to the state-dominated public sphere (Arat 1994, 2000). Turkey also witnessed a slow growth in the number of CSOs whose areas of interests varied from environmental issues to human rights, and from religious groups, regional solidarity associations (*hemşehri dernekleri*) to cultural rights.

The main reason for the increase in the number of CSOs was the introduction of several constitutional reforms in 1995. Aforementioned Article 33, which restricted the relations between CS and political parties, was lifted (Özbudun 2000: 130). Moreover, public workers such as university staff were allowed to engage in political activities (Yazici 2011). Although Turkey faced serious political conflicts in the 1990s, the expansion of political rights and civil liberties led to the proliferation of different types of CSOs, and thus the pluralization of the civil society arena.

In the 1990s, CS came to be seen as a way of resisting the strong state and as a tool to push for consolidating democracy in Turkey. This idea was also positively influenced by the rise of contentious movements that played an important role in Central and Eastern Europe democratization processes. It was believed that CS would challenge the unequal power relations between the state and society. This radical perspective on CS (cf. Chapter 2) has been idealized in Turkey. But while praising the proliferation of CSOs, scholars have ignored the fact that political space in Turkey, in which CS was operating, was still limited. The leeway of CSOs was determined by the state's stronghold. The state elites were inimical to all forms of expression other than the official Kemalist line and closely monitored the activities of CSOs that were critical of the Kemalist state (Özbudun 2000; Poulton 1999). Since the relationship between CS and political parties was in its infancy, political parties have not really represented the interests

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<sup>42</sup> Chapter 6 examines in great depth organized feminist women in Turkey.

of CS, and the access of CSOs to political processes was almost non-existent. Notwithstanding the fact that the number of independent CSOs in Turkey have increased, CS could not substantially exert influence on the government.

While CS was struggling to fully integrate itself in the political sphere, the Turkish state was experiencing a serious legitimacy and identity crisis. The two core principles of the Kemalist state, Turkish nationalism and secularism, were contested by the resurgence of Kurdish uprisings and the political Islam (Ergil 2000; Özbudun 2000; Smith 2005; Somer 2007). Both the Islamist and the Kurdish movement have clamored for the recognition of their religious and ethnic identities and demanded inclusion in the political processes.

### **Challenges to Democratic Consolidation: The Rise of Kurdish Separatism and Political Islam**

Since the establishment of the Turkish Republic, the Kemalist state elite (the military and the state bureaucracy) had suppressed the identity claims of the religious and ethnic segments of society by imposing a rigid understanding of secularism and ‘Turkishness’ (Öniş 2013: 105). This approach has led to major discontents within the religiously conservative as well as the Kurdish segments of Turkish society. While stressing the Turkishness of citizenship, the Kemalist state elite denied the existence of the Kurdish identity, which over the years resulted in several Kurdish insurrections (Satana 2012: 171). The most challenging one emerged in the aftermath of the 1980 military coup. In 1984, a separatist insurgency by the Kurdistan Workers' Party (*Partiya Karkerên Kurdistan*, PKK), an extreme left-wing group set up by Abdullah Öcalan in 1978, began armed attacks on the Turkish security forces mainly in the Kurdish populated south-east of Turkey (Ergil 2000; Poulton 1999; Satana 2012). The PKK fought for the self-determination of the Kurds and initially demanded a separation from Turkey to establish a free Kurdish state.<sup>43</sup> The PKK leadership saw the violent resistance as the only possible way to contest the limited political space for Kurds (Satana 2012: 172). The violent conflict between the Kurdish PKK and the Turkish military has escalated throughout the 1990s and cost more than 30,000 lives.

During the Turkish-Kurdish conflict, the Kurdish region witnessed the state of emergency, recruitment of Kurdish villagers to take arms against the PKK (known as “village

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<sup>43</sup> For an overview of the Kurdish question in Turkey, see: Ergil (2000), Kirişçi and Winrow (1997).

guardians”), the burning down the villages, displacement of the Kurdish population from villages to the cities, and disappearances under police custody (Ergil 2000; Satana 2012). Even though the ban on the use of the Kurdish language in cultural activities was partly lifted in 1991, spoken Kurdish was a taboo in daily life. All these facts have escalated the Kurdish-Turkish conflict even further. While the PKK maintained its guerilla warfare, Kurdish human rights organizations, such as the ‘Organization for Human Rights and Solidarity for Oppressed People’ (*İnsan Hakları ve Mazlumlar için Dayanışma Derneği*, MAZLUMDER, close to the Islamist circles) and ‘Human Rights Association’ (*İnsan Hakları Derneği*, IHD, close to the leftist circles), carried out an effective work on making torture and ill treatment in the Kurdish region publicly visible. They also criticized the Turkish state’s militaristic approach towards the Kurdish question. These CSOs faced pressure and censure imposed by the state authorities. Meanwhile, the Kurdish political parties were often banned, and their politicians were put in prison (Ergil 2000; Poulton 1999). Since the participation and inclusion of Kurdish citizens in the political system were hindered and the “tutelary power” (Valenzuela 1992) of the military shaped the daily lives of the Kurdish population, the Kurdish question became a major political problem for the consolidation of Turkish democracy in the 1990s.

In the same decade, Turkish democracy also faced the Islamist challenge. The rise of the political Islam was a boomerang effect of the military elite’s attempt to unify society under the banner of religion. Although the military considered itself the guardian of secularism, the military junta of the 1980-1983 decided to impose religion in public life to counteract the ‘alien ideologies’ such as Marxism and fascism (Gürbey 2006; Heper and Güney 2000; Poulton 1999). Accordingly, the Turkish state by means of the constitution, the military, the government, and the bureaucracy promoted a conservative nationalist-religious ideology in social and cultural life that has been labeled “Turkish-Islamic synthesis” (Arat 1994: 245). The military junta, for instance, introduced compulsory religious education in primary and secondary schools, which is still in force (Article 24). The promotion of Islamic morals throughout the 1980s prompted the Islamist movement, and it began to develop its own political strategy for expanding the Islamist awakening.

The Islamist Welfare Party (*Refah Partisi*, RP), under the leadership of prominent politician Necmettin Erbakan, embraced the urban poor who were hit by the economic and political instability of the 1990s. Erbakan’s RP promised to provide a “just system” (*adil düzen*)

by referring to the fair distribution of wealth (Yavuz 2000: 35). The masses appealed to political Islam as a response to the rough urbanization, a backlash against globalization, and the erosion of cultural identity (Smith 2005: 314). In 1994, the RP won the local elections in major cities, including Istanbul and Ankara, and the parliamentary election in 1995. For the first time in Turkey's history, an Islamist party had gained a majority in the electoral arena. Yet the RP's success alarmed both secularist segments of society and the Kemalist state elite. Even though the RP formed a coalition government with the secularist center-right True Path Party (*Doğru Yol Partisi*, DYP), the secularist-Islamist tension within society became radicalized. At the MGK meeting on 28 February 1997, the military elite forced the RP-DYP government to enact several measures to prevent Islamist activities in public life in order to protect secularism. The 28 February intervention was called the "post-modern coup" in public debates, because it was not a direct military intervention, and unlike the previous coups (1960, 1971, and 1980) it was followed by a civilian government (Ozcetin 2009: 111). Since Prime Minister Necmettin Erbakan hesitated to implement the MGK recommendations, he was later forced to resign from his office. In 1998, the RP was outlawed by the Constitutional Court, and the party's leadership were banned from political activity for a period of five years (Demirel 2005; Heper and Güney 2000; Özbudun 2010). Paradoxically, the democratically elected RP was closed down in the name of secularism and "balancing" democracy, as the military defines it. The repercussions of the 28 February intervention determined Turkish politics in the years to come.

Clearly, to understand the points of divergences within CS and the conflicts in the political life in Turkey, one needs to take into account the dynamics of Turkish politics conveyed mainly by the Kurdish question and the Islamist movement. The best example is the fragmentation of organized women's movement due to these two political cleavages. In the 1990s, women activists were not merely labeled "Turkish women with secular persuasion", but referred as feminist, Islamists, Kurdish feminist, or Kemalist women (Arat 2008: 400).

### **Limitations on Democratic Consolidation in the 1990s**

Drawing upon the theoretical approaches discussed in Chapter 2, scholars labeled Turkey a 'defect democracy' or a 'hybrid regime' in the 1990s (Heper 2002; Özbudun 2000).<sup>44</sup> Despite

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<sup>44</sup> For brief definitions of hybrid regimes or deficit democracy, cf. Chapter 2.

political reforms, Turkish democracy suffered from several deficits. As briefly discussed, the **dominant role of the military** in politics through the MGK had inhibited the effective power of the incumbent governments. Political crises have not been solved by means of democratic rules, but rather by the military's interference in politics. Hence, elected governments lived under the shadow of possible military coups. This has, in turn, restricted **the autonomy of the political society**, i.e. political parties, political leadership, and elections. The recurrent military interventions and the Constitutional Court decrees to ban the political parties have disrupted party continuity and their organizational development as well as their capacity. Between 1990 and 2000, the Court has banned sixteen parties<sup>45</sup>, which made the party system weak and volatile. Moreover, the limited capacity to develop strong organizational roots within CS was a further obstacle for political parties to fulfill their roles as mediators between the state and CS.

The major problem was the **lack of the rule of law**. Even though the 1982 constitution stipulated that “Turkey is a democratic, secular, and social state governed by the rule of law” (Article 2), basic rights of individuals such as right to freedom of speech, expression, and assembly were not protected. For instance, those who raised topics such as rights of the Kurdish minority have been subjected to a variety of extra-legal measures such as arbitrary arrest, threats, physical violence, or even murder (Poulton 1999: 58). In addition, the absence of the rule of law severely **damaged the separation of powers**. As mentioned above, the judiciary was acting in line with the Kemalist ideology, rather than protecting individual rights and democracy. Despite the extensive economic liberalization in the 1980s and 1990s, Turkey had severe **economic problems** such as low productivity, high inflation, decreased wages, and unfair income distribution (Barkey 2000; Öniş 2004). The privatization of state enterprises has led to **weakening of the bureaucratic apparatus** with costly consequences that became evident with recurring corruption scandals (Öniş 2004: 127). Consequently, none of the ‘partial regimes’ (electoral regime, civil rights, political liberties, the rule of law, and CS), that are deemed to necessary for the consolidation of democracy has functioned.

Conclusively, constraints on political rights and civil liberties (especially for Kurdish and Islamist groups), the illiberal nature of the 1982 Constitution, the upper hand of the military in politics, and deficiencies in the rule of law have hampered political inclusion, and thus the

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<sup>45</sup> See: [http://www.tbmm.gov.tr/kutuphane/siyasi\\_partiler.html](http://www.tbmm.gov.tr/kutuphane/siyasi_partiler.html) (rev. 25.07.2014)

democratic consolidation process in Turkey. The ill-equipped Turkish political system failed to establish a *fully consolidated* democracy.

### **4.3 Consolidating Democracy in Turkey? The AKP Era**

At the turn of the century, Turkey entered another phase in its democratic development. Several external and internal factors revitalized the democratic consolidation process. First, Turkey was granted the status of a candidate country for EU membership at the 1999 European Council's Helsinki Summit (Kubicek 2005; Müftüler-Baç 2005; Öniş and Keyman 2003; Öniş 2009). The European Commission emphasized the requirement to fulfill the political aspects of the Copenhagen criteria, which meant to provide the stability of democratic institutions and to respect the rule of law and its corresponding freedoms and institutions (Aydın and Keyman 2004; Müftüler-Baç 2005). Thanks to the EU membership prospect, CSOs in Turkey developed relations with the EU institutions and acquired skills and tools, and even funding, to conduct their activities in a more effective way (Ergun 2010: 508). A vast array of CSOs strongly supported Turkey's EU bid (Ergun 2010; Kubicek 2005).

The coalition government at that time (1999-2002), consisting of the center-left Democratic Left Party (*Demokratik Sol Parti*, DSP), the center-right ANAP, and the far-right Nationalist Movement Party (*Milliyetçi Hareket Partisi*, MHP), formed a parliamentary commission to prepare constitutional changes to harmonize Turkish laws with the legal framework of the EU. Diverse segments of Turkish CS, journalists, and intellectuals strongly supported the political reform process for the EU candidacy. At the beginning of the 2000s, Turkish society's support for the EU membership was around 64 percent (Kubicek 2005: 371). Despite the internal conflicts and long bargaining processes, the DSP-ANAP-MHP government succeeded to launch a set of reforms (34 amendments to the Constitution): the limitation of the use of death penalty to times of war and criminal offences related to terrorism; the revision of the Anti-Terror Law (No. 3713); changes that made the prohibition of political parties more difficult; the strengthening of civil authority in the MGK; lifting restrictions on broadcasting in languages other than Turkish; and the introduction of a modernized Civil Code that granted gender

equality in the family (Aydın and Keyman 2004: 15; Müftüler-Baç 2005: 22). This so called “Europeanization” process has been conducive to Turkey’s democratic consolidation process.<sup>46</sup>

The second factor that fostered the democratic consolidation process was the devastating economic crisis in Turkey in February 2001, which was a result of both the economic failure and “the populist clientelist and corruptive nature of Turkish politics” (Aydın and Keyman 2004: 11). The economic growth was negative, the Turkish lira had lost value against the US dollar, and many thousands of small firms had to file bankruptcy. To overcome the crisis, the coalition government acquired the help of the International Monetary Fund (IMF). The IMF’s stabilization programs were launched by Kemal Derviş, who was appointed by the government as Minister of Economics and who successfully managed to bring Turkish economy out of this severe crisis by privatizing state assets and reducing budget deficits. The government was thereby pushed to free the economic sector from the dominance of the state (Ibid.).

As a third factor, on the domestic level, CS was an influential actor in furthering democratic consolidation process (Aydın and Keyman 2004; Ergun 2010; Kubicek 2005; Toros 2007). Since the 1990s, CSOs have slowly appeared in the political arena and addressed issues such as reducing poverty, protecting human rights, and strengthening democracy (Öniş and Keyman 2003; Toros 2007). During the EU pre-accession process, CSOs became highly active and developed relations with state institutions to push for democratic reforms.

Last, but not least, during the reform process, the incumbent coalition government experienced internal conflicts and decided to hold an early parliamentary election in November 2002. While the parties in government were defeated, the newly formed Islamist AKP, with its market-oriented and reform-based political ambitions, won a sweeping victory (34.2 percent of the votes).<sup>47</sup> It was a tectonic change for Turkish politics because the decades old parties were thrown out of the Turkish Parliament. The results reflected widespread dissatisfaction with the major political parties, political instability, corruption, and the unjust distribution of wealth (Aydın and Keyman 2004; Insel 2003; Öniş 2009).

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<sup>46</sup> In the literature, the influence of the EU on domestic politics of the member states and candidate countries is labeled the “Europeanization process” or “European integration”, see further: Featherstone and Radaelli (2003). The concept has become a buzzword in most studies dealing with the EU-Turkey relations. Clearly, the EU pre-accession process had an important effect on Turkish domestic politics, but the analysis of the Europeanization process in Turkey remains out of the scope of this study.

<sup>47</sup> In the 2002 elections, the CHP gained 24.6 percent of the national votes. The remaining 46 percent of electoral preferences remained unrepresented in the Parliament due the 10 percent threshold.

The AKP was formed by a reformist group who had split from the constitutionally banned Islamist Virtue Party (*Fazilet Partisi*, FP) that was the successor of the aforementioned RP. Different than both of its predecessors, the AKP has represented itself as a “conservative-democratic” party, rather than a religious one (Insel 2003; Öniş and Keyman 2003). It advocated economic liberalism, entrepreneurship and efficiency, and culturally conservative values that also harbor a vigorous nationalistic vein (Insel 2003: 301).<sup>48</sup> In its party program, the AKP emphasized the centrality of religion as “an institution of humanity” and characterized secularism “as a pre-requisite of democracy and an assurance of the freedom of religion and conscience”.<sup>49</sup> In December 2002, drawing upon its parliamentary majority, the AKP formed the first single-party government since the end of the ANAP government in 1991.

### **A New Momentum in Democratic Consolidation: The AKP’s first term (2002-2007)**

During the AKP’s first term in the government, the prospect of EU membership continued to be an influential factor in the democratic consolidation process in Turkey. Contrary to their predecessors, the AKP politicians acknowledged the importance of the perspective of an EU accession to transform the state-centric political system in Turkey and to limit the role of the Kemalist state elites (Insel 2003; Müftüler-Baç and Keyman 2012). Accordingly, the AKP accentuated the needs for the removal of constraints on political rights and civil freedoms and the democratization of the judiciary to strengthen democracy. The AKP government, first under the leadership of Abdullah Gül and later under Recep Tayyip Erdoğan, furthered the political reform process initiated by the previous government (Müftüler-Baç 2005: 24).<sup>50</sup> Between 2003 and 2005, the AKP government made great strides in strengthening civil freedoms and launched seven democratization packages. As Table 4.1 demonstrates, these institutional reforms aimed not only to remove the restrictions on political rights and civil liberties, but also to democratize the civil-military relations as well as socioeconomic life in Turkey. The AKP’s impressive achievements paved the way to the opening of the EU accession negotiations in December 2005

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<sup>48</sup> For a detailed analysis of the AKP, see: Hale and Özbudun (2010), Insel (2003), Müftüler-Baç and Keyman (2012), and Tepe (2005).

<sup>49</sup> [https://www.akparti.org.tr/english/akparti/parti-programme#bolum\\_](https://www.akparti.org.tr/english/akparti/parti-programme#bolum_) (rev. 24.07.2014)

<sup>50</sup> When the AKP came to power in November 2002, Recep Tayyip Erdoğan was banned from politics for reciting a religiously incriminating poem during a public speech in 1997. But the Turkish Parliament annulled his political ban, and Erdoğan could be elected from Siirt province and became Prime Minister of Turkey in March 2003.

that obliged Turkey to adopt the EU's legal order (*acquis communautaire*), consisting of various chapters, each covering a specific policy area.

*Table 4.1: LEGAL CHANGES (2002-2005)*

Issue areas	2002/2003	2004/2005
<b>Freedom of expression</b>	Lifting of Article 8 (regarding propaganda against the indivisible unity of the state) of the Anti-Terror Law	Article 46 of the Penal Code (death penalties turned into life imprisonment)
	Amendments to Article 312 (inciting people to enmity and hatred by pointing class, racial, confession and religious differences)	Revision of the Council of Higher Education ( <i>Yükseköğretim Kurulu, YÖK</i> )
	Easing Article 159 (insulting the state and state institutions)	
<b>Freedom of press</b>	The penalties for media outlets in violation of the resolutions of the Supreme Board have been reduced	The Press Law amended to repeal prison sentences for criminal offences related to the press
		Restructuring the Radio and Television Supreme Council ( <i>Radyo ve Televizyon Üst Kurulu, RTÜK</i> ), (no military representative)
<b>Freedom of associations</b>	Expansion of freedom of establishing associations	Revision of the Law on Associations (lifting the restrictions regarding government approval for the establishment of associations; and regarding restrictions on the activities of foreign associations in Turkey)
	Abolishing the restrictions on the acquisition of the property of non-Muslim community foundations	
	Liberalization of the Political Parties Law	

<b>The rule of law</b>	Retrial of cases decided in State Security Courts (paved the way for retrial of the cases of Kurdish politicians in prisons)	Abolishing the State Security Courts (DGM), replaced by the Heavy Penal Courts
	Revision of the laws in the Penal Code to prevent torture	Full abolishment of death penalty
	Adoption of the Protocol 6 of the European Court of Human Rights (ECtHR), Conversion of all death sentences into life-time imprisonment	Subordination of domestic law to international law in the case of fundamental rights and liberties
<b>Strengthening civilian politics</b>	Restructuring the MGK (its policy-setting role downgraded to an advisory one)	Strengthening civil control over the military (a civilian has been appointed to head the MGK for the first time)
	Increase of parliamentary oversight of military expenditures	
<b>Improvement in women's rights<sup>51</sup></b>		Revision of the Turkish Penal Code, esp. in laws pertaining to violence against women and children, increase in penalties for sexual offences (took effect in June 2005)

Sources: Aydın and Keyman (2004); Müftüler-Baç (2005); Öniş (2013); Freedom in the World Index Turkey Reports (2005, 2006 and 2007).

Meanwhile, the AKP government has been consistent in implementing the IMF stabilization program launched by the previous coalition government and continued to pursue the policy of privatization of the banking and energy sectors, to reform the welfare and tax systems, and to provide greater access for foreign investors (Karakas 2007: 32). Within three years, the government could achieve rapid economic growth, to increase annual per-capita income around 8 percent, and to reduce the two-digit inflation rate to under 10 percent (Ibid.). The AKP had also a slightly more success in distributing the wealth compared to the previous governments. It developed diverse welfare policy programs to help the poor and improved local government services in the poor suburban areas (Öniş 2009: 24).

<sup>51</sup> A more detailed analysis of the legal improvements in women's rights will be presented in the coming chapter.

## The Role of Civil Society

Along with the external push from the EU, there was also the internal pressure for democratic change on the AKP government. Since the 1990s, a considerable number of CSOs have been successful in raising public awareness about democratic needs and the controversial issues such as human rights violations, the Kurdish and the Armenian questions. Many scholars argue that the EU membership prospect provided even more legitimacy for the democratic struggle of CSOs in Turkey and strengthened them in demanding protection of political rights and civil freedoms (Altan-Olcay and İçduygu 2012; Ergun 2010; Kubicek 2005 and 2011; Müftüler-Baç 2005; Toros 2007). Accordingly, CSOs developed their networks with European CSOs, and initiated projects with European funding designed to cultivate CS in candidate countries. The AKP, as it has promised in its election campaigns, engaged CS into policy-making processes. Between 2002 and 2005, prominent CSOs such as the ‘Turkish Industry and Businessmen Association’ (*Türk Sanayicileri ve İş Adamları Derneği*, TÜSIAD), ‘Helsinki Citizen Assembly’ (*Helsinki Yurttaşlar Derneği*), the ‘Economic Development Foundation’ (*İktisadi Kalkınma Vakfı*), and aforementioned Human Rights Association (IHD) initiated projects with European partners and assisted the AKP government to implement democratic practices and institutions such as the rule of law, human rights, and the protection of minorities (Kubicek 2005: 368). For instance, the AKP government worked with the ‘Women’s Platform on the Turkish Penal Code’ (*Türk Ceza Kanunu Kadın Platformu*), which consisted of a group of influential women’s NGOs and legal experts, on the revision of laws in the Penal Code regarding women’s lives (see Chapter 6). During the AKP’s first term in the government, the number of CSOs skyrocketed and Turkish politics became pluralized. The inclusion of CS in decision-making processes was indeed conducive for the consolidation process.

However, the CS sphere was not completely free of state’s control. Associations “with names and objectives that are considered contrary to the Turkish Constitution” were still facing restrictions by registration, in accessing to government funding or state institutions (Altan-Olcay and İçduygu 2012: 167). Conclusively, despite the liberalization in the Association Law and the increased participation of CS in political decision-making processes, the stronghold of the state shaped the activities and strategies of CSOs.

## The Limitations to Political Inclusion

The bright picture, however, had its dark spots. There were still serious impediments in freedom of speech. Article 301 of the revised Penal Code (2005) on “denigrating of Turkishness, the Republic, and the foundation and institutions of the State” was used against journalists, activists, and novelists who discussed controversial topics such as the Kurdish and Armenian questions, military’s excessive powers, and the Cyprus issue.<sup>52</sup> Furthermore, the prevailing military struggle against the PKK, the official as well as informal discrimination against Kurds, and the state’s denial of the Kurdish identity and culture hampered improvement in protecting democratic rights of the Kurdish minority (Öniş 2013; Satana 2012). But contrary to former governments, the AKP government showed a more liberal approach towards the Kurds, by acknowledging the Kurdish question. Freedom of information was also curtailed. For instance, a court, relying upon its prerogative to block websites whose content is deemed to be anti-constitutional, briefly banned the access to YouTube in March 2007 over a video allegedly insulting Atatürk. Meanwhile, EU-Turkey relations ran into various difficulties in 2007 due to disagreements on several other issues and the disregard of some European politicians for Turkey’s membership perspective.<sup>53</sup> Gradually, the EU lost its impact as an external actor for Turkey’s reform process.

Between 2005 and 2007, the political reform process has slightly slowed down because of the tension between Islamists and secularists. Both the secularist state elite and secularist segments of CS regarded AKP’s democratization reforms as a means of weakening the military’s power and accused the AKP of having a “hidden Islamist agenda” (Insel 2003; Müftüler-Baç 2005; Öniş 2009). The tension between secularists and Islamists has strongly manifested itself in the headscarf debate. The two camps had diverging views on headscarf-wearing in public institutions.<sup>54</sup> In 2004, the AKP tried to lift the ban on headscarf wearing in universities, but the Constitutional Court, one of the bastions of the Kemalist institutions, decided that the headscarf

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<sup>52</sup> One of the high-profile and internationally known cases was against the 2006 Nobel laureate Orhan Pamuk, which was later closed.

<sup>53</sup> The whole picture of the EU-Turkey relations under the AKP government is a broader discussion and exceeds the scope of the thesis. Müftüler-Baç and Stivachtis (2008) give an excellent overview on the achievements and limits of EU-Turkey relations, but see also: Kubicek (2011) and Öniş (2008).

<sup>54</sup> After many political discussions throughout the 1980s, the Constitutional Court banned headscarf-wearing in public institutions in 1989 by claiming that it contradicts the secularity principle of the Turkish state. The headscarf debate will be explored in great depth in Chapter 7 on Islamist women’s CSOs.

is a political symbol and cannot be regarded as the ‘freedom of conscience’ or ‘freedom of religion’. Similar tensions surfaced shortly before the presidential elections in April 2007, when the AKP nominated Abdullah Gül, then Foreign Minister, as the presidential candidate. Like in the 1990s, military elites feared that the AKP with the backing of a president with an Islamist background, and whose wife is wearing a headscarf, could undermine the secularist legacy of the Turkish state (Aksoy 2015). On 27 April 2007, the military tacitly warned the AKP in its choice for the presidential post on its website by underlining their role as the protector of the secular regime.<sup>55</sup> Secularist opposition parties and CSOs organized massive demonstrations to condemn the Islamist agenda of the AKP. Subsequently, Prime Minister Erdoğan called for an early parliamentary election on 22th July 2007. These recurring internal tensions between the AKP government and the secularist state elites have jeopardized the political reform and democratic consolidation process.

Overall, the AKP has recorded significant political accomplishments for the consolidation of democracy during its first term in power. From 2002 to 2007, Turkey's civil liberties rating improved from 5 to 3 in the Freedom House’s “Freedom in the World” Index (1 = Best, 7 = Worst). Öniş (2014) thus describes the period as the AKP’s “golden age”. On the one hand, CSOs could operate more effectively and were included in policy-making and implementation processes, but on the other hand, some part of CS faced restrictions in pursuing their activities. Clearly, the most important achievement in consolidating democracy was to reduce the involvement of the military in politics. The AKP government succeeded to limit the prerogatives of the military in the political and judicial sphere and to establish the civilian control over the military. Thanks to the domestic push as well as the impetus coming from the EU, the AKP government extended the frontiers of democratic politics in Turkey in this period (Müftüler-Baç and Keyman 2012; Öniş 2013).

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<sup>55</sup> Several columnist and scholars in Turkey labeled this military intervention “e-memorandum”, see; Turkish daily newspapers *Radikal*, *Hürriyet*, and *Zaman* in April 2007.

## **The Stagnation of Democratic Consolidation: The Second Term of the AKP (2007-2011)**

Despite serious challenges from the secularist state elites, the AKP won a landslide victory in the July 2007 parliamentary election by raising its votes from 34 up to 47 percent (Müftüler-Baç and Keyman 2012; Öniş 2009). It was a clear response that Turkish voters wanted no more military intervention in politics and insisted on their democratic choice. Subsequently, Gül was re-nominated and has been elected as the president of the Turkish Republic by the AKP-dominated Turkish Parliament.

In the aftermath of the 2007 parliamentary election, the bitter power struggle between the secularist Kemalist elite and the Islamist AKP continued to hamper the reform and democratic consolidation process. After Abdullah Gül has been elected as the eleventh president of the Turkish Republic, the AKP's first move was to alter the regulations of the presidency. In a referendum in October 2007, citizens approved the constitutional amendment that reduced the presidential term from seven to five years, with a possibility for re-election and that enabled presidents to be elected by popular vote, rather than by the parliament. The second move posed a more direct challenge to the secularist elites. In January 2008, the AKP government, with the support of the nationalist party MHP, proposed, once again, a draft law to lift the ban on headscarf wearing in universities by arguing that female students were deprived of their right to education. Despite the objections of the secularist CHP, the Turkish Parliament approved the draft law in February 2008 (Arat 2010; Turam 2008). In its immediate aftermath, the chief prosecutor of the Supreme Court of Appeal (*Yargıtay*) brought a case to the Constitutional Court and requested to ban the AKP for its alleged anti-secularist activities and seventy-one political figures from seeking electoral office for five-years, including President Gül and Prime Minister Erdoğan (Cagaptay et al. 2008).

In June 2008, the Constitutional Court rejected the prosecutor's request on the prohibition of the AKP, but imposed financial penalties on the party (Özbudun 2010: 137). This decision was welcomed both by domestic and international actors, such as the EU, and the democratically elected AKP could remain in power. Meanwhile, the Constitutional Court overturned the law on headscarf wearing in universities and re-implemented the ban. Öniş states that these moves by the secularists represented threats to the party at the peak of its power (2013: 14). In 2008, another pending closure case was waiting for the Constitutional

Court's decision. The pro-Kurdish Democratic Society Party (*Demokratik Toplum Partisi*, DTP)<sup>56</sup> was accused of being linked to the PKK, which was considered as a threat to the territorial integrity and unitary character of the country (Öniş 2013; Satana 2012). Contrary to its decision on the AKP's case, the Constitutional Court decided to ban the DTP in December 2009, and two Kurdish parliamentarians were forced to resign despite their political immunity. The rights of Kurdish citizens to political competition were once again constrained. The remaining Kurdish parliamentarians formed the Peace and Democracy Party (*Barış ve Demokrasi Partisi*, BDP) over the heels of the closure of the DTP.

Party prohibition cases in Turkey have not been a rarity. The Constitutional Court, drawing upon its constitutional powers, has mainly acted according to the Kemalist state ideology and banned parties by emphasizing the interests of the state, rather than considering political party freedom as an indispensable part of a democratic order (Özbudun 2010: 125). Kurdish, Islamist as well as leftist parties have often been banned as the Constitutional Court perceived them as a threat to state's integrity and secularism. Therefore, human rights associations, liberal, Islamist, and Kurdish CSOs have persistently stressed the need for removing the restrictive provisions in the Law on Political Parties, but the incumbent AKP showed no political will to amend the law.

The struggle between secularists and Islamists continued to dominate public debates. In July 2008, a massive investigation began against the alleged members of a clandestine ultranationalist group called *Ergenekon*, including retired army and police officers, lawyers, academics, politicians, journalists as well as CS activists (Reynolds 2013). The court charged eighty-six people for conspiring to stage terrorist attacks, and thus provoke a military coup against the AKP. The Ergenekon case was seen as a challenge to the "deep state"<sup>57</sup> in Turkey (Öniş 2013: 107). The liberal intellectuals and CSOs advocating to overcome the military tutelage in Turkey paid special attention to the court trials and endorsed the investigation. The government attempted to ban reporting of the Ergenekon case, but the court overturned this proposal. As the Ergenekon investigation continued and widened to other trials, hundreds of

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<sup>56</sup> Kurdish politicians of the DTP entered the 2007 parliamentary elections as independent candidates to overcome the 10 percent threshold and after being elected, they formed their group within the Turkish Parliament.

<sup>57</sup> The term "deep state" in the Turkish political context refers to the interactions between formal political institutions and informal groups such as organized crime groups, guerilla groups, autocratic clique, and the mafia. For a further analysis of the deep state in Turkey, see Söyler (2012).

additional suspects were charged, and their cases were eventually folded into the main trial (Öniş 2013; Satana 2012). Meanwhile, prominent secularist CSO, such as the ‘Society for Supporting Modern Life’ (*Çağdaş Yaşamı Destekleme Derneği*), were closely investigated because of their alleged ties to the Ergenekon group. More arrests followed in 2010, as 200 active and retired military officers were accused of plotting a military coup in 2003 against the AKP, the so called ‘Operation Sledgehammer’ (*Balyoz Harekatı*). The Ergenekon and Sledgehammer cases<sup>58</sup> seriously polarized the country, leaving secular segments of society furious at the AKP government. Given the long detention periods and high numbers of the detainees, many critics from diverse political parties and secularist CSOs accused the AKP government of staging these trials to eliminate its secularist opponents and manipulating the judiciary for its own political purposes.

During this power struggle, the consolidation process lost its momentum. Compared to the substantial amendments to the Constitution in its first term in power (2002-2007), the AKP rather introduced cosmetic changes in its second term. The Table 4.2 shows the legal changes implemented by the AKP government between 2007 and 2011.

*Table 4.2: LEGAL CHANGES (2008-2011)*

	2008	2009	2010	2011
<b>Freedom of expression</b>	Penal Code section on insults to “the Turkish nation” is revised, reducing the maximum sentence from three to two years in prison	Last restrictions on Kurdish broadcasting are lifted		An internet filtration system is introduced
<b>Minority Rights</b>			Restoring the Kurdish names of the villages in the south-east of Turkey	
<b>Rule of law</b>	New laws to prevent torture,		Constitutional reforms	

<sup>58</sup> These legal investigations on two alleged groups are extensively discussed in Turkish and international newspapers, and in working papers of international and Turkish research institutes. Clearly, these cases need a profound analysis from a political science perspective. Such an analysis can provide an alternative insight on describing civil-military relations, the political processes between formal and informal institutions and its impact on state-society relations both in semi-democratic and authoritarian regimes. Yet this discussion is beyond the scope of the present study.

	including a policy involving surprise inspections of police stations		(changed after the 2010 referendum)	
<b>Freedom of religion</b>	Lifting the ban on headscarf wearing in universities (annulled by the Constitutional Court)			
<b>Strengthening Civilian Politics</b>		A law restricting the use of military courts	Limiting the jurisdiction of military courts to military personnel	

Source: Based upon the reports of Freedom House’s Freedom in the World Index 2009, 2010, 2011, and 2012

The most remarkable reform was the constitutional reforms in 2010. The AKP drafted a reform package to amend the Constitution (1982) in accordance with the EU requirements. Owing to the disagreements with other parties in the Turkish Parliament, the AKP brought the issue to a referendum that took place on 12 September 2010.

### **Constitutional Referendum (2010)**

During the constitutional reform process, the opposition parties CHP and MHP as well as secularist actors within CS claimed that the AKP was seeking to cement its hold on power, rather than to consolidate democracy (Müftüler-Baç and Keyman 2012: 86). According to the oppositional parties, if these legal changes were enacted, the government would gain more influence on the judiciary through its control of appointments and promotions of the judges. Therefore, the CHP and the MHP campaigned for “No” votes for the referendum, whereas the Kurdish BDP boycotted it. Table 4.3 shows in which areas the AKP government aimed to implement constitutional changes. They focused on political and civil freedoms, economic and social rights, structure of the judiciary and military justice. The referendum resulted in a 58 percent “Yes” votes against 42 percent “No” votes.

*Table 4.3:* CONSTITUTIONAL AMENDMENT 2010

<b>Article 10: Equality before the law</b>
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Applying positive discrimination favoring women, children, the elderly, the disabled, widows and orphans of martyrs and veterans do not violate the principle of equality.
<b>Article 20: Right to privacy</b>
Protection of individuals' personal information, which can only be obtained with individual's permission or in certain legal circumstances.
<b>Article 23: Freedom of movement</b>
The right to travel abroad may be restricted only during ongoing criminal probes and upon a judge's order.
<b>Article 41: Children's rights</b>
The increasing of the state's responsibility to protect the child against all forms of abuse and violence/
<b>Article 51: Right to organize labor</b>
Workers are entitled to enroll in more than one trade union in a single sector.
<b>Article 74: Right to petition</b>
Individuals can file complaints and requests for information to a government-appointed ombudsman.
<b>Article 84: Loss of membership in the Parliament</b>
MPs, whose actions were judged by a court as a reason to ban a political party, should not be expelled from the Parliament
<b>Article 94: Administration of the Parliament</b>
Changes in the length of the parliamentary speaker's term in office
<b>Article 125: Recourse to judicial review</b>
Allowing soldiers discharged by a Supreme Military Council decision to appeal against such decisions
<b>Articles 128, 129: Public service</b>
Civil servants gained the right to collective bargaining and to appeal disciplinary action
<b>Article 144: Inspection of judicial services</b>
Only judges or prosecutors can inspect the prosecutors of the Ministry of Justice
<b>Articles 145, 156, 157: Military justice</b>
Military personnel would not be tried in military but in civilian courts. Civilians shall not be tried in military courts.
<b>Articles 146, 147, 148, 149: Constitutional Court</b>
17 judges, instead of 11, each chosen for a 12-year term. They face mandatory retirement at the age of 65.
Turkish Parliament and the president would nominate judges to the court.
Top generals will be tried for offences related to their duties by the Constitutional Court.
<b>Article 159: Supreme Council of Judges and Prosecutors</b>
Formatting the Council and the way its members are selected. It creates 22 regular and 12 substitute members on the board.

**Article 166: Economic planning**

Establishment of the Economic and Social Council as a constitutional institution

**Provisional Article 15:**

Allows prosecution of members of the MGK and bureaucrats who had legislative and executive powers following the 1980 military coup

Source: <http://www.reuters.com/article/2010/09/12/us-turkey-referendum-articles/idUSTRE68B28B20100912>, and Freedom in the World Overview (2011)

This referendum represented an important step in terms of overcoming the authoritarian legacies of the 1982 Constitution drafted by the military elites (Öniş 2013: 106f.). However, the opposition was bitter about the referendum because they claimed that the AKP has pushed for changes according to its own preferences without regarding the demands of other segments of Turkish society (Müftüler-Baç and Keyman 2012; Öniş 2013).

In the second term of the AKP government, freedoms of expression and press were seriously downgraded. The aforementioned Article 301 of the Penal Code continued to be used against journalists. In 2011, prominent journalists, who were reporting on the flaws in the indictments related to Ergenekon case, were arrested because of their alleged links to the Ergenekon group. Although the state channel expanded its daily Kurdish broadcasting from six to twenty-four hours (2009), the Kurdish newspapers were often closed down by court decisions, and their websites were blocked. Likewise, freedom of public assembly was violated, as the police was using excessive force against peaceful demonstrators. Moreover, newspapers critical of the government, especially those that belong to the *Doğan* Holding, faced financial investigations, and were sentenced to pay fines for tax evasion (Puddington and Csaky 2012). Thus, the liberal segments of society and CSOs, which had strongly supported the AKP during its first term, became disillusioned with the declining impetus of the democratic consolidation process (Öniş 2013: 107).

The political rights of Kurds were further constrained. In October 2010, 151 suspects, including twelve mayors from the BDP, were sentenced for alleged ties to the organization called the Kurdistan Communities Union (*Koma Civaken Kurdistan*, KCK), which was linked to the PKK (Üstündağ 2010). Like in the Ergenekon case, Kurdish politicians and activists from the BDP were detained for long periods with alleged evidences. The court rejected the request of the defendants to present their defense in Kurdish with the claim that they know enough Turkish.

The laws were changed in a positive sense, but freedoms of speech and assembly for Kurdish citizens were still limited.

Indeed, constraints on political rights and civil freedoms have narrowed the political leeway for CS. CSOs that have been active and effective in the initial years of AKP rule have lost their influence on political processes. The loss of the momentum for a bottom-up push for reform had several reasons. First, relying upon its electoral power, the AKP government began to take little notice of the views of the democratic CS. Second, the repercussion of the secularist/Islamist conflict has polarized CS even more. Third, CSOs working on taboo topics such as the Kurdish issue, human rights abuses or the Armenian question have been subjected to harassment by state authorities (Kubicek 2011: 921). Lastly, although the EU's financial aid for strengthening CS continued to flow to Turkey, CSOs that are critical of the AKP government could not reach these funds and grants.<sup>59</sup>

Overall, the reformist spirit of the AKP waned in this period. Thanks to the constitutional reforms, the AKP consolidated its power within the state structure and took more control over the judiciary and the military. Between 2007 and 2011, the democratic pendulum swung from consolidating democracy to majoritarian democracy where the majority ruled by ignoring the demands of the minority.<sup>60</sup> In a nutshell, the AKP under the leadership of Erdoğan, by drawing on its electoral majority, wanted to be the 'one-man' who determines the rules of the game. On the one hand, the AKP accomplished important reforms eliminating the military's influence in politics and strengthening civilian politics, but on the other hand, showed authoritarian and anti-liberal reflexes towards the opposition and the critical media. This political paradox was also the result of the stalemate in the negotiation process with the EU and the resulting decline in Turkey's aspirations for EU membership. As Keyman states laconically: "the increasing power of the reform-oriented AKP did not result in democratic consolidation" (2010: 324). Turkish politics and society was polarized between the AKP-supporters and -skeptics (Somer 2011).

### **The Hegemony of the AKP and the Democratic Reversal: 2011 and beyond**

In such a polarized political context, the parliamentary elections took place on 12 July 2011. In this election, Kurdish was for the first time allowed to be used in electoral campaigns. The AKP,

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<sup>59</sup> Almost all my interviewees mentioned this problem.

<sup>60</sup> I am thankful to Ayşen Candaş from Boğaziçi University, Department of Political Science and International relations, for this comment. She described the political situation in 2011 as such.

for the third time, won the elections by increasing its votes up to 49.9 percent. The party made it clear that it was *the* absolute winner in Turkish politics. Table 4.4 demonstrates that it has been the AKP's highest vote-share in three consecutive parliamentary elections since 2002. This was a unique experience in the history of the Turkey's multiparty system.

*Table 4.4: ELECTION RESULTS IN PERCENTAGE (%)*

Parties	2002	2007	2011
AKP	34.2	46.66	49.9
CHP	19.4	20.85	25.9
MHP	8.4	14.29	12.9
Independents (Kurdish political parties)	-	5.20	6.65

Source: <http://www.electionresources.org/tr/>

As mentioned before, the constitutional reforms helped the AKP to overcome the military's dominance in politics. The first issue addressed by Prime Minister Erdoğan was the drafting of a new constitution in consultation with the opposition, CS, and academics to get rid of the military-made 1982 Constitution and to establish a presidential system in Turkey (Müftüler-Baç and Keyman 2012: 93). Accordingly, President Gül assigned the 'Constitution Reconciliation Commission' (*Anayasa Uzlaşma Komisyonu*), which consisted of representatives from the parties represented in the parliament, to negotiate and prepare the draft for a new Constitution.<sup>61</sup> The AKP was represented with a majority in this commission and sought to push forward its own preferences. This, of course, led to tensions between the AKP's members and the oppositional MPs, especially with the BDP and CHP parliamentarians. While negotiating on the draft for a new constitution, members from the BDP and the CHP addressed the unfair treatment of their party members in the ongoing pretrial detentions of the Ergenekon and KCK cases. Moreover, there were disagreements on issues such as the extension of democratic rights of Kurdish citizens, redefining secularism, and transforming the parliamentary system into a presidential one. This commission continued its work until November 2013 without succeeding to prepare a

<sup>61</sup> <http://yenianayasa.tbmm.gov.tr/calismaesaslari.aspx> (rev. 15.09.2014)

new draft and has therefore been abolished by the Head of the Parliament. Scholars argue that to replace the authoritarian 1982 Constitution by a more democratic and liberal one is only possible with the active participation of key political parties and in cooperation with CSOs; otherwise drafting a new constitution will not succeed (Cengiz 2014; Kubicek 2011; Öniş 2013; Keyman 2010).

Despite the barriers to EU funding and the very limited local funding, democratic CSOs have continued their advocacy efforts in different issue areas. As we will discuss in the coming chapters, women's CSOs have been highly active in the issue of the strengthening women's rights, but also local CSOs have become active in the economic and social development of their cities. Meanwhile, CSOs developed new strategies and began to form bigger coalitions or networks. For instance, the Checks and Balances Network (*Denge ve Denetleme Ağı*), which is supported by the US-based National Democratic Institute, is a broad coalition comprised of more than 130 diverse Turkish CSOs.<sup>62</sup> The Network's mission is to strengthen Turkey's checks and balances system as well as checks by individual citizens, CSOs, and independent media. Yet the overall effect of CS remained limited. However, CSOs of ethnic and religious groups, especially the Alevites, the Armenians, and Greeks, who demanded more freedom for their communities, were closely monitored (Freedom in the World, Turkey Report 2013).

Drawing on its electoral power, its increased autonomy from the military, the weakness of the oppositional parties as well as the economic prosperity of the country under its leadership, the AKP became a self-confident party and began to turn a blind eye to social and political demands of the opposition and democratic CS. Both civil liberties and political rights were seriously curtailed. By the end of the 2011, almost 4,000 people were arrested in the KCK case, 1,000 of them were BDP politicians from different ranks (Aksoy 2012: 87). In 2012, CHP members elected in 2011 elections were still in prison due to the Ergenekon case. By September 2012, 3,000 university students were in prisons, many had been charged with terrorism offenses because of participating in demonstrations demanding free higher education (Freedom in the World- Turkey 2013). Moreover, police force ruthlessly suppressed almost all public demonstrations opposing the AKP government. As regards to freedom of press, Turkey became the biggest prison for journalists. By the end of 2011, seventy-six journalists were in prisons, the

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<sup>62</sup> <http://www.birarada.org/> (rev. 17.11.2014)

majority of them were Kurdish and charged under the Anti-Terrorism Law (Reporters without Borders 2012). Prime Minister Erdoğan was using a harsh tone towards any criticism from liberal media, and has accused critical journalists of being “Ergenekonists”. This situation led also to self-censorship of the media, and many prominent journalists, who criticized the AKP government’s policies, lost their jobs.

The judicial processes continued to harass the AKP-opponents. In September 2012, 329 military officers were imprisoned in the Sledgehammer case. The major incident in the Ergenekon trial was that the former chief of the general staff (2008-2010) Ilker Başbuğ was accused of being a “terrorist” and sentenced to life imprisonment. The secularist parties and a diverse array of CSOs have constantly voiced their concerns about the flaws in these legal processes. Both domestic and international observers claimed that the AKP government was using the coup trials and KCK arrests to completely silence oppositional politics in the country. Indeed, both Ergenekon and Sledgehammer trials resulted in the consolidation of power of the AKP government and weakened both the secularist opposition in politics and CS.

Not surprisingly, Turkey’s overall civil liberties rating in the Freedom in the World Index 2013, based on the evaluation in 2012, declined from 3 to 4. The growing pressure on the press and the judiciary as well as the increased exclusion of the oppositional segments of CS prompted a widespread concern about the AKP’s intentions. The AKP-skeptics were concerned about the creeping authoritarianism and Islamist rhetoric that have been accumulated in the party’s recent actions and political statements. The AKP and its leadership, in particular Erdoğan, have employed a religious rhetoric in social policies concerning women’s, children’s and youth’s lives, and disregarded the views of CSOs working on these sections of society. Some scholars argue that the AKP instrumentalizes these issues to keep its conservative-religious establishment content and to gain support from the traditional voters, whereas others fear that the recent policy changes pertaining to social life would transform the country into an authoritarian political system similar to Putin’s Russia or China (Müftüler-Baç and Keyman 2012; Öniş 2013; Özbudun 2014).

The increasing tensions between the AKP government and the oppositional segments of society were reflected in the widespread Gezi Park demonstrations against the autocratic style of Erdoğan in the summer 2013. Indeed, the Gezi uprisings were a breakthrough in Turkey’s recent era. On the one hand, this certainly showed the AKP government that liberal segments of

society, particularly educated youth in urban centers, were dissatisfied with the political status quo under the AKP government. On the other hand, it showed the limits of “politics from below” in transforming the state-centric Turkish politics (Öniş 2014: 7).<sup>63</sup> After the end of the uprisings, the AKP government, without cooperating with the opposition or taking the demands of CS into account, launched a democratization package in September 2013, including the removal of restrictions on the headscarf wearing in public institutions (except in the army, judiciary, and security offices), and allowing the use of different languages during the elections campaigns (Keneş 2013). These reforms, however, were cosmetic changes, rather than a real democratic change.

In this negative picture, there was one important development for the consolidation of democracy in the latest phase of the AKP era. The AKP government has initiated a peace process in cooperation with the BDP politicians who regularly communicated with the imprisoned PKK leader Öcalan. As a short-term effect, the PKK launched ceasefire, and the clashes between Turkish armed forces and the PKK were terminated. At the time of writing (September 2014), the Kurdish leaders push for the institutionalization of peace talks by a parliamentary decree. It remains to be seen, whether these talks will lead to a peaceful solution to the Kurdish question. Given the turmoil and violence close to the Turkish border to Syria and Iraq, and complicated conflicts in this region, this remains doubtful.

Overall, in the latest phase of the AKP, there is growing evidence for democratic reversal of the democratic consolidation process in Turkey. The party emphasizes an economically strong Turkey with a rather minimalist understanding of democratic rights and institutions (Öniş 2013: 114). The hegemony of the AKP increasingly limits the leeway for the opposition and political pluralism. With the election of Recep Tayyip Erdoğan to the presidency in August 2014, there arise many further questions about the future of Turkey’s democracy.

## ***Conclusion***

As many scholars argue, Turkey has succeeded in establishing “electoral democracy”, but has failed in terms of generating a “consolidated” democracy based on a genuinely pluralistic and

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<sup>63</sup> Since the end of the Gezi demonstrations, there appeared many scholarly analyses on the causes and dynamics of the protests. However, the effects and repercussions of the Gezi uprisings on Turkish politics, both on domestic and international level, remain unanswered.

inclusive political order (Kemahlioğlu and Keyman 2011; Keyman 2007, 2010; Müftüler-Baç and Keyman 2012; Öniş 2013; Özbudun 2014). From the transition to multiparty system in 1950 to the AKP's rise to power in 2002, Turkish democracy was interrupted three times by the military (1960, 1971 and 1980), which inevitably shaped the nature of institutions, the behaviors of key political actors, and the dynamics of the political processes in Turkey. Although the military had the upper hand in the 1980s and 1990s, Turkish governments slowly extended the frontiers of democracy and the public space available for CS. By the end of the 1999, the external impetus from the EU accompanied by the domestic pressure pushed Turkey to initiate substantial reforms to consolidate its democracy. Clearly, the AKP era constitutes the most significant era in the history of Turkish democracy.

In its first two terms, the AKP has successfully initiated top-down reforms, and different segments of CS struggled for a bottom-up democratization. Yet, in light of the discussed political developments, one might speak of an authoritarian backlash. These developments include: constraints on freedom of expression and the press, palpable deficiencies of the rule of law, weakened judicial independence and the politicization of the judiciary, growing defects in the checks and balances mechanism that enhances the executive power at the expense of the legislature and the judiciary, and last but not least, the disregard of the diverse segments of CS, except the government supported Islamist NGOs (or GONGOs). Turkey's democracy is now at a critical juncture, it can either evolve into an "illiberal democracy", where elections regularly take place and the majority rules, but where the political participation and inclusion are severely restricted, or it can revitalize its democratic consolidation process and push to reach liberal and pluralistic democracy.

After having explored the historical development and institutional-political context of the democratic consolidation process under the AKP, it is possible to examine to what extent women's CSOs could participate in and were included in policy-making processes regarding gender issues. In other words, the study can explore to what extent women's CSOs play a role in *engendering* democracy under AKP rule.

## PART III

# *Engendering* Democracy in Turkey: Women's Participation, Inclusion, and Gender Outcomes

# Chapter 5

## Positive Gender Outcomes

Before presenting the changes in the legal framework and policies pertaining to women's lives under AKP rule, it is important to examine the laws and regulations which governed gender rights in pre-AKP Turkey.

### *5.1 Institutional Background: The Legacy of the Kemalist Regime*

Kandiyoti aptly remarks that “[a]mong the countries of the Middle East, Turkey may be singled out as a republic that has addressed the question of women's emancipation early, explicitly, and extensively” (1987: 320). After the establishment of the Turkish Republic in 1923, the new Turkish state, under the leadership of Mustafa Kemal (Atatürk), recognized women's emancipation as a key component of the country's wider modernization project. To this end, the Islamic legal order (*shari'a* law) was abolished, and secular civil laws and codes introduced, which allowed women to be liberated, to a degree unique in the Muslim country, from the restrictions of Islamic laws as traditionally imposed (Arat 2010b: 870). In addition to the legal changes, the Turkish state secularized the education system, encouraging girls to attend schools and universities and to pursue professional careers (White 2003: 150). The republican state elite regarded improvement of the symbolic status of women as vital to the cause of dismantling the old Islamic order and building a modern, more Western nation (Arat 2010b; Kandiyoti 1987; Tekeli 1995). The Turkish Republic's efforts to make equality and visibility of women in the public sphere a national policy in the founding years has even been labeled “state feminism” (Arat 1998; White 2003).<sup>64</sup>

The most notable legal change regarding women's rights was the introduction of the Turkish Civil Code in 1926 that was adapted from the Swiss Civil Code. The Civil Code banned polygamy, subjected marriages to secular law, and gave equal rights to both women and men in divorce, inheritance, and custody of children (Arat 1994, 2010b; Kandiyoti 1987; White 2003).

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<sup>64</sup> For a critical analysis of state's women's policies in the nation-building years, see: Kandiyoti (1987), Tekeli (1990), and White (2003).

Clearly, the legal status of women was improved. But the Civil Code reflected the social values and norms of its time and maintained the patriarchal structures in the family. For instance, Article 152 stipulated that the husband is the head of the household. Accordingly, men had the final say over the choice of domicile and children (Anıl et al. 2002: 5). Also, women needed permission of their husbands to travel abroad and to work outside home (Article 159). In case of divorce, the law recognized the separate ownership of property, which in reality worked against women because they were housewives and could not earn money necessary to acquire property (Arat 2010a: 239). Moreover, the Civil Code ruled that the minimum age for marriage for women was fifteen and for men seventeen (Article 124). The patriarchal perspective on women's role was maintained in the Turkish Penal Code (1926), which will be presented later.

The second important reform was the introduction of women's suffrage. It took place in two steps: women were first granted to vote at local elections in 1930 and at the national level in 1934 (Kandiyoti 1987; White 2003). In 1935, eighteen women were elected to the Turkish Parliament, making up 4.6 percent of the 400-seat parliament (White 2003: 151). This was the highest percentage of women's representation in the Turkish Parliament until the 1999 parliamentary election. As many scholars contend, Kemalist reforms directly benefitted women of the urban middle and upper-middle classes, and did not touch the lives of women in rural areas (Arat 1994, 2008; Diner and Toktaş 2010; Kandiyoti 1987; Tekeli 1995). State feminism was primarily concerned with women's formal equality and took little notice of the patriarchal values and division of labor within the private sphere. Therefore, Kandiyoti describes Turkish women of the time "as emancipated, but unliberated" (1987: 324). Since there were no political demands from women to change this situation, these discriminatory laws remained untouched until the 1990s.

## ***5.2 Updating the Gender Rights Regime (1980-2002)***

From the 1970s on, the UN began to promote the idea that "women's rights are human rights". Thanks to the influence of UN's world conferences on women, the newly developed international mechanisms such as the CEDAW treaty (1979), which is regarded as the international bill of women's rights (cf. Chapter 3), and the rise of feminist women's movement on the global level, national governments were pushed to remedy their gender rights regimes. Besides these external forces, the feminist movement in Turkey began to emerge and to voice

its gender specific demands for concrete policy changes. Against this backdrop, in 1985, Turkey signed and ratified the CEDAW agreement, albeit with reservations to Article 15 and 16 (Ertürk 2006: 96).<sup>65</sup> This bill forced the Turkish state to adjust to the international women's rights regime and to establish the goal of gender equality. Accordingly, in 1990, the Turkish government took a major step and established a state body responsible for women's issues: 'the General Directorate on the Women's Status and Problems' (*Kadının Statüsü ve Sorunları Genel Müdürlüğü*, KSSGM) under the authority of the Prime Ministry (Acuner 2007: 128). KSSGM's primary goal has been to engage in activities to improve the status of women and to secure existing gender rights. To this end, it collaborated with women's organizations, activists, universities, local governments, and bar associations to increase gender awareness of society (Kardam 2006:12).

Both Turkey's CEDAW obligations and the advocacy efforts of the feminist movement pushed the Turkish government to annul some of the discriminatory articles in existing statutes. In 1990, the Turkish Parliament repealed Article 438 of the Penal Code, which granted a reduced sentence (one third of the existing term) for rapists if the victim of rape was a sex worker (Anıl et al. 2002; Arat 1994; Ertürk 2006). In 1992, the Constitutional Court annulled aforementioned Article 159, allowing women to work without the legal permission of their husbands. Another important step in strengthening women's rights to economic independence was the amendment to the 'Income Tax Act' (1998), which enabled married women to make independent income tax declarations (Anıl et al. 2002: 23). In 1994, a parliamentary commission was formed to prepare a new draft for the Civil Code, but the social and political conflicts at the time (cf. Chapter 4) hindered the reform process. Meanwhile, feminist activists and KSGM's feminist bureaucrats called for the full implementation of the CEDAW, but Turkey did not lift its reservations to the aforementioned Articles 15 and 16 until September 1999 (Kardam 2006: 14).

In the mid-1990s, some feminist and Kemalist women's organizations conducted a campaign for the annulment of the articles on adultery in the Penal Code. The Penal Code stipulated different sentences for adultery committed by men and women. In 1996, Article 441

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<sup>65</sup> Articles 15 stipulates: "State Parties shall accord to women equality with men before the law". Article 16 states: "State Parties shall take all appropriate measures to eliminate discrimination against women in all matters pertaining to marriage and family relations, and in particular shall ensure, on a basis of equality of men and women." The Turkish government at the time claimed that these articles would threaten the traditions and customs of Turkish society, see further: Kardam (2006).

regulating adultery committed by men and, in 1998, Article 440 regulating adultery by women were annulled by the Constitutional Court on account of violating the constitutional principle of equality before the law (Anil et al. 2002: 18). Furthermore, in 1999, the Ministry of Justice passed a statute eliminating virginity testing, which had been employed by schools, universities or families to prove of ‘unchastity’ of women (Ibid.: 29).

As a result of two decades of women’s activism, the Turkish Parliament approved the ‘Law on the Protection of the Family’ (No. 4320) in January 1998. The law institutionalized the state’s responsibility to interfere in cases of domestic violence (Coşar and Onbaşı 2008: 330). Under Law 4320, any member of the family exposed to domestic violence could file a suit for a ‘protection order’ against the perpetrator of the violence (Anil et al. 2002: 26). The law also gave public prosecutors the right to file against abusive partners and to prevent further harassment of the victim (Arat 2008: 406). The public prosecutor could take precautionary measures against the perpetrators to ensure the protection of the victims: to leave the abode shared with the spouse and children, not to damage the property of the spouse, surrender his/her weapon, not to cause distress to the spouse and children, not to approach the house under the influence of alcohol or any other intoxicating substances (Anil et al. 2002: 26). Indeed, the enactment of this law has institutionalized the combat against domestic violence on the state level.

In addition to implementing protective laws, the Turkish state also acknowledged the need to develop mechanisms to protect women and children from violence. In the mid-1990s, the ‘Agency of Social Services and Child Protection’ (*Sosyal Hizmetler ve Çocuk Esirgeme Kurumu*, SHÇEK) – affiliated with KSSGM – began to establish governmental services and to develop programs to overcome violence against women and children. To this end, SHÇEK has established ‘guesthouses’ and ‘counseling centers’ for women and children experiencing domestic violence (Işık 2007: 65).

As will be delineated in the coming chapters, women’s rights organizations have been influential in pushing for changes in laws and regulations in women’s rights. However, the Turkish state began to pay more attention to the demands of organized women when Turkey was granted an official candidate status for the EU in 1999. Since the Turkish laws relating to women rights had to be adopted to the EU’s *acquis communautaire*, the Turkish government

established parliamentary working groups to eliminate the discriminatory provisions in the Civil and Penal Codes.

### **The New Civil Code (2002)**

As demonstrated above, the Civil Code assigned women a secondary role in the family. Despite minor changes, the Civil Code from 1926 remained mostly intact for seven decades. But in April 2000, the Justice Commission of the Turkish Parliament, which consisted of the representatives of the coalition government (DSP-ANAP-MHP), began working on a new draft of the Civil Code in cooperation with legal experts from women's rights organizations. KSSGM also took an active role in the drafting process of the Civil Code (Kardam 2006: 15).

The nationalist and religious-conservative members of the Justice Commission were highly critical of several proposed laws and argued that equality between spouses would “threaten the foundation of the traditional Turkish family” (Anıl et al 2002: 7). The most contentious issue between women's rights organizations and lawmakers was the division of property in case of divorce (Article 202). The opposing lawmakers claimed that equal property sharing would change the structures of the Turkish family “from a matrimonial union to a corporation” (Anıl et al 2002: 7). As a result of the strong campaigning of women's CSOs, the opposing MPs eventually accepted the new property regime.<sup>66</sup> The new Civil Code was approved on 22 November 2001, and became effective on 1 January 2002. The new Civil Code (2002) abolished the supremacy of men in marriage and established equality of rights and obligations between spouses (Article 21). Thus, the law stipulated:

- The husband is no longer the head of the family.
- Spouses have equal rights over the family abode.
- Spouses have equal rights over property acquired during marriage.
- Spouses have equal representative powers. (Anıl et al. 2002: 7f)

Furthermore, the new Civil Code has corrected the previous discriminatory provision that stipulated different minimum age for women and men and increased the minimum age for legal marriage to eighteen for both women and men (Article 124). It also provides the same

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<sup>66</sup> The role of each group of women's CSOs in policy-making processes, which led to legal changes in the Civil Code will be closely explored in the coming four chapters. Here, I only present changes in laws.

inheritance rights to children born out of wedlock as those born within marriage (Article 498). This clause recognizes *de facto* couples who are not legally married as a family, which is a remarkable achievement considering the conservative structures of Turkish society and culture. Adopted children also acquired equal rights of inheritance (Article 500). Although the new Civil Code recognizes the equal division of property in case of divorce (Article 202), it applies only to marriages that took place after the renewal of the Civil Code; i.e., after January 2002 (Arat 2008: 404). In sum, the new Civil Code guarantees equality between men and women in the family and, thereby, improved women's legal status.<sup>67</sup> In October 2001, during the amendment process, the clause on 'equality in the family' was also enshrined in Article 41 of the Turkish Constitution (1982): "The family is the foundation of the Turkish society, and is based on equality between spouses" (Amend. 3.10.2001-4709/clause 17).

Drawing upon their success in reforming the Civil Code, women's CSOs shifted their focus to reforming the Penal Code. Meanwhile, the incumbent government lost in the parliamentary election in 2002, and the Islamist AKP came to power in the midst of the reform process (cf. Chapter 4). Despite initial suspicion from both international and domestic actors, the newly established AKP government continued the institutional reform process to adopt the EU's *acquis communautaire*, and began to work with women's CSOs to eliminate the discriminatory provisions in laws.

### ***5.3 Gender Rights Regime in the AKP Era***

A thorough analysis of the impact of women's CSOs on the process of democratic consolidation under AKP rule is possible by looking at: 1) the legal framework and codes, and 2) positive gender outcomes in policies. In Turkey, the provisions for women's rights are regulated primarily in the 1982 Constitution, but they are also regulated in the Civil Code, Penal Code, the Law on the Protection of the Family, the Labor Law, the Law for Provincial Administration, and the Municipality Law (Acar and Arner 2009: 41).

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<sup>67</sup> For a comprehensive overview of all articles in the Civil Code, see: Anıl et al. (2002).

## The Legal Framework

### The Labor Law

While women's rights organizations had demanded a continuation of the reforms with the Penal Code, the AKP government first paid attention to reforming the Labor Law. The draft proposal was prepared in the absence of women's CSOs (Marshall 2013: 94). In May 2003, the new Labor Law (No. 4857) was implemented. Article 5 Clause 1 of this Law stipulates that: "Discrimination based on language, race, sex, political opinion, philosophical belief, religion and sect, or similar reasons is prohibited in the work environment".<sup>68</sup> This means that no one can be discriminated against because of gender, pregnancy, or marital status. It set the legal basis for equal pay for equal work, and grants six weeks of maternity leave before delivery, six weeks of paid and six months of unpaid leave after delivery (Kardam 2006; Müftüler-Baç 2012; WWHR 2005). After the implementation of the Labor Law, the next step was the elimination of discriminatory provisions in the Penal Code as advocated by women's CSOs.

### The Penal Code

The Turkish Penal Code (1926) was adapted from the Italian Penal Code and included discriminatory provisions on women's bodily rights and integrity. However, Islamic laws, customs, and norms about women's sexuality were maintained in the Penal Code (Kandiyoti 1987; Ilkcaracan 2007). The Code defined, for instance, sexual crimes such as rape or sexual assault as a 'crime against the public morality and order', rather than as a 'violation of the rights of the individual'. Article 462 of the Penal Code stipulated that perpetrators who commit murder in the name of 'honor', 'custom' or 'tradition' were granted a reduction in their sentences. There were no specific references to *honor killings* and *customary killings*.<sup>69</sup> Although 'honor killings' have been internationally defined as 'premeditated murders', Article 462 was wrongly applied to such killings (WWHR 2005). Article 51 Paragraph 2 of the Code regulated all the reductions in sentences for crimes committed under mitigating circumstances, such as severe provocation (Anil et al. 2002: 29). One striking article cancelled all punishment for a rapist if he married his

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<sup>68</sup> <http://www.tbmm.gov.tr/kanunlar/k4857.html> (rev. 15.02.2014)

<sup>69</sup> In the international law terminology and in all related U.N. decisions, 'honor killings' are defined as acts of murder of a woman suspected of having transgressed the limits of sexual behavior as imposed by traditions. The term 'customary killings' is primarily associated with local practices in the Kurdish populated eastern regions of Turkey and entails the 'family's consent' for murdering the female member of the family who through her 'inappropriate conduct' dishonored the family.

victim (Article 434). This article was predicated on the notion that a woman who had been raped, and therefore ‘dishonored’, could restore her ‘honor’ by marrying her rapist, and thus, the perpetrator’s offence could be considered ‘undone’ (Arat 2008; Ilkcaracan 2007). Moreover, there was no regulation specifically addressing marital rape and sexual abuse in the family in the Penal Code.

In 2002, twenty-six organizations from different women’s groups formed the ‘Women’s Platform on the Turkish Penal Code’ to discuss the existing Penal Code from a gender perspective and propose progressive laws on women’s sexual rights and bodily integrity (Eslenziya 2012; Ilkcaracan 2007). The Platform activists intensively advocated and lobbied for substantial changes in the Penal Code. Meanwhile, they complained about the lack of support by the State Ministry for Women and Family Policies under Nimet Çubukçu, who had several problems with some members of the Women’s Platform.<sup>70</sup> Moreover, Recep Tayyip Erdoğan, then Prime Minister, intervened in the policy-making process and attempted to reinstitute adultery as a crime (Arat 2008; Ertürk 2006; Kardam 2006). Thanks to the vehement protests of women’s rights organizations and the pressure from the EU, the AKP government withdrew its proposal. The Women’s Platform drove a hard bargain with the Turkish decision-makers, which finally resulted in gender-sensitive amendments that aimed to strengthen women’s rights to bodily integrity and protect women and children from violence. On 26 September 2004, the Turkish Parliament ratified the amendments to the Turkish Penal Code, which took effect on 1 June 2005.

The amended Turkish Penal Code contains clearer and more progressive definitions of ‘rape’, ‘sexual assault’, ‘sexual abuse’, and ‘sexual harassment’. It defines sex crimes as ‘crimes against individual integrity’, rather than ‘crimes against society’. The Penal Code also involves increased sentences for sexual offences against children and for crimes committed in the name of ‘honor’. All vague concepts such as ‘chastity’, ‘public morality’, ‘shame’, ‘purity’, or ‘decency’ relating to sex crimes are removed. Another crucial legal change is the recognition of ‘marital rape’. The most important development is the removal of the aforementioned controversial article canceling punishment in cases where a rapist married his victim. The Table 5.1 shows

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<sup>70</sup> <http://www.turkhukuk sitesi.com/showthread.php?t=4562> (rev. 23.10.2014)

some of the important legal changes in the Turkish Penal Code by comparing it with the old code. Reforming the Penal Code was a major step in the criminalization of violence against women and the protection of women’s bodily rights.

*Table (5.1): CHANGES IN THE PENAL CODE (2005)*

The old Penal Code (1926)	The new Penal Code (2005)
<b>Crimes against sexual integrity are classified as ‘crimes against society’/ ‘crimes against public morality and decency’</b>	<ul style="list-style-type: none"> <li>- Sexual offences are classified as ‘crimes against bodily integrity of individuals’ or crimes against inviolability of sexual integrity’</li> <li>- Sentences for sex crimes are increased</li> </ul>
<b>Reductions in the sentences for murder in the name of ‘honor’</b>	New measures to prevent sentence reductions granted to perpetrators of honor killings and murder in the name of ‘customary law’ are regulated as ‘aggravated homicide’
<b>The Penal Code assumed that rape, sexual assault, or sexual abuse of children can occur with the ‘consent of the victim’ (Article 103)</b>	<ul style="list-style-type: none"> <li>- Removal of the notion of ‘consent of the child’ in sexual abuse</li> <li>- Increased sentences for sexual offences against children</li> </ul>
<b>The Penal Code entailed articles foreseeing reduction or suspension of sentences in case perpetrators of rape or abduction married their victims (Article 434)</b>	This Article has been abolished
<b>No regulation for marital rape</b>	Marital rape is criminalized (Article 102)
<b>References to vague patriarchal constructs such as ‘chastity’, ‘honor’, ‘public morality’, ‘public customs’, ‘shame’ or ‘decency’</b>	All such references are eliminated
<b>If the mother kills a newborn baby born out of wedlock, she was given a reduced sentence for murdering her child, as this crime was considered to be committed to cleanse the woman’s honor</b>	The article is removed

Rape and sexual assault were defined as forced or consensual seizure/attack on 'chastity' (Article 102/1)	- Progressive definitions of sexual offences are adopted - Sexual harassment in the workplace is criminalized
Differentiation between virgin, non-virgin, married, and unmarried women	No discrimination between virgin, non-virgin, married and unmarried women
Criminalization of so-called 'indecent behaviors', 'acts that offend others' 'feelings of chastity and decency'	The article regulating 'indecent behaviors' has been restricted to sexual intercourse in public and exhibitionism

Sources: (Arat 2008; Ilkkaracan 2007; WWHR 2005)

During amendments to the Penal Code, some female MPs from the CHP, with the support of women's rights organizations, initiated a campaign calling for the inclusion of a clause on the state's responsibility for gender equality in the Constitution. Subsequently, in May 2004, a clause was introduced into **Article 10 of the Constitution** that stipulates: "Women and men have equal rights. The State is responsible for taking all measures to realize gender equality" (Amend: 7.5.2004-5170/Clause 1). In the same year, **Article 90 of the Constitution** concerning the ratified international agreements was also amended. It ensures that international agreements such as the CEDAW treaty take precedence in cases of conflict with national laws (Kardam 2006: 16). With these and other reforms, Turkey made a great stride in the protection of women's human rights and the criminalization of violence against women.

In 2005, the CEDAW Committee evaluated these legal changes as significant achievements that would ensure gender equality in Turkey (Acar and Ariner 2009: 42). Women's rights organizations welcomed these legal changes, but they also addressed several shortcomings in the amended Penal Code, which will be discussed in the coming chapters. In the constitutional referendum 2010, Article 10 of the Turkish Constitution was amended once again, and it now stipulates: "applying positive discrimination favoring women, children, the elderly, the disabled, widows and orphans of martyrs, and veterans does not violate the principle of equality". This enshrined positive discrimination in favor of women in the Turkish Constitution.

The next important gender-sensitive change in the legal framework was the revision of the aforementioned Law of Protection of the Family (No. 4320). The law did not provide protection to all women. For instance, non-married women, women with religious marriages, and women who live in partnership were not protected by law. As a result of intensive advocacy and the lobbying efforts of women’s CSOs, the AKP government was push to revise Law 4320.

### **The Law of Protection and Prevention Violence against Women**

The Ministry for Family and Social Policies led by Fatma Şahin, which was restructured in 2011, began to work on the improvement of the Law on Protection of the Family (4320) and invited the representatives from women’s CSOs in the policy-making process. After a long period of bargaining with women’s CSOs, the Ministry revised the law and submitted the amendment to the Turkish Parliament. On 8 March 2012, the Turkish Parliament voted and passed the new ‘Law to Protect Family and Prevent Violence against Women’ (No. 6284). As the Table 5.2 demonstrates, the new law institutionalized the protection of all women, irrespective of their marital status, and provided harsh sentences for spouses guilty of violence. The Law 6284 Clause 14 rules that the Ministry for Family and Social Policies would form a new mechanism to monitor and prevent violence against women, which will operate on a 24/7 basis: the ‘Centers for Preventing and Monitoring Violence’ (*Şiddet Önleme ve İzleme Merkezleri*, ŞÖNİM). ŞÖNİMs provide three different services: 1) monitoring injunctions preventing domestic violence, 2) providing services to the victims of violence, and 3) offering services to persons prone to violence.<sup>71</sup> The government thereby aimed to create general guidelines for all women’s shelters run by the Ministry, municipalites, and women’s CSOs.

*Table (5.2): LAW 4320 vs. 6284*

Law No. 4320	Law No. 6284
<b>Divorced women and women without legal marriage were not protected</b>	It protects all women, regardless of their marital status
<b>Not all courts were authorized to issue protection orders</b>	Women can apply directly to family courts for a protection order

<sup>71</sup> <http://www.kadininstatusu.gov.tr/tr/22931/Siddet-Onleme-ve-Izleme-Merkezleri> (rev. 25.11. 2013)

<b>A prison sentence was imposed for violation of a protection order, but imprisonment of the offender was a lengthy process</b>	Offenders who violate a protection order will immediately be subjected to 3-10 days' imprisonment
<b>Provision of protection order from the court hindered immediate action</b>	Police officers are authorized to issue a protection order, if the victim needs immediate protection
<b>Offenders faced a three-month suspension from the home</b>	Offenders face a prison term of up to six months for breaching restraining orders
<b>No provision concerning identity changes for women</b>	The law also provides for changing the woman's identity card if the life of a protected woman is in danger.
<b>There was no mechanism to control the implementation of the protection laws</b>	A new mechanism was introduced in the form of 'Centers for Prevention and Monitoring Violence' ( <i>ŞÖNİM</i> )

Sources: Müftüler-Baç (2012); Tahaoğlu (2012)

Thanks to these constitutional changes, the legal framework became more women-friendly compared to the pre-AKP period. However, the actual implementation of these reforms depends on several factors. Additional laws and decrees are needed to make these reforms more effective in practice; women need to be able to take advantage of their new rights. Therefore, in the following sections, I look at three different issue areas of gender rights in which the AKP government introduced new policy measures: violence against women, women's rights and gender equality, and discrimination against women.

## **Positive Gender Outcomes in Gender Policies**

### **Violence against Women**

Violence against women comprises range of acts from physical and sexual abuse to verbal harassment. Until the 1980s, domestic violence was not recognized as a societal problem, but thanks to the feminist activism, it became a subject in public debates (see Chapter 6).

As activists, academics, and members of bar associations emphasized, the most influential strategy in combating domestic violence is the establishment of women's shelters. After the reform of the Penal Code, the AKP government paid particular attention to this issue.

In July 2005, the Turkish Parliament amended **Article 14 of the Municipality Law** (No. 5393), forcing large municipalities - those with more than 50,000 inhabitants - to establish women's shelters (Erbaydar 2012; Kardam 2006). According to this law, there should be around 300 shelters run by the municipalities; however, more than 80 percent of the municipalities have no shelters (Erbaydar 2012: 3). In densely populated Istanbul, for instance, there are only eight shelters run by district municipalities (Karabağlı 2011). Between 2008 and 2010, the General Directorate of Local Governments, affiliated with the Ministry of Interior, opened several women's shelters and educated social workers with the financial aid from the EU and technical support from the UN's Population Fund (UNFPA).<sup>72</sup> By the end of June 2013, the total number of women's shelters in Turkey reached 120; 32 run by the municipalities, 87 by SHÇEK, and 1 by an independent women's organization (Mor Çatı Activity Report 2013: 22).

While amending the Penal Code, the AKP government restructured the state institution KSSGM and granted a legal basis for the institution. In November 2004, KSSGM was renamed the 'General Directorate on the Status of Women' (*Kadının Statüsü Genel Müdürlüğü*, KSGM) and acquired a permanent status within the government.<sup>73</sup> In November 2006, KSGM launched a two-year project called 'Combating Domestic Violence', funded by the EU and offered technical support by the UNFPA (Uçar 2009: 12). Orientating itself around the UN's gender policies, the KSGM prepared the first 'National Action Plan to Fight Domestic Violence against Women' (2007-2010), which presented a roadmap for the prevention of violence against women.<sup>74</sup> In the second National Action Plan (2012-2015), the KSGM addresses five fields of action: "legal arrangements, raising public awareness of women's rights and transforming public opinion, empowerment of women, rendering protective and health services, and cooperation between different state sectors" (KSGM 2012: 4f.). This plan describes the guiding principles and steps to be undertaken in each field and identifies the responsible state institutions and the possible cooperation

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<sup>72</sup> The UNFPA "focuses on improving the lives of youths and women by advocating for human rights and gender equality and by promoting the understanding of population dynamics", see: <http://www.unfpa.org>. (rev. 20.10.2014).

<sup>73</sup> KSGM had no legal basis within the government apparatus until 2004.

<sup>74</sup> The National Action Plans are essential for providing comprehensive, multi-sectoral, and sustainable plan for ending violence against women, see: UN Women's Handbook for National Action Plans on Violence against Women (2012).

partners from among state institutions, CSOs, bar associations, local governments, universities, and the media, and specifies the timelines for implementation.

In addition to the KSGM's National Action Plans, in May 2005, the AKP government established the 'Parliamentary Research Commission', including representatives from the political parties represented in the Turkish Parliament, to investigate the causes of violence against women and children and to identify measures to overcome domestic violence. In July 2006, the Commission's report 'Violent Acts against Women and Children and the Measures to Prevent Customary and Honor Killings' was published as the Prime Ministerial Circular (No. 2006/17) (KSGM 2012: 12). This decree specified all state's institutions responsible for taking measures to prevent customary and honor killings and protecting women and children from violence. It identified KSGM as the main coordinator.

Accordingly, the KSGM began to sign 'training protocols' with a range of ministries responsible in cases of violence against women. In 2006, the Ministry of Interior and the Ministry for Women and Family Affairs together signed a protocol in which the KSGM and the Directorate of Security were to implement a project aimed at training police officers on violence against women (KSGM 2012: 13). This project was funded by the UNFPA and trained 45,000 police officers in 2008 alone (Ibid.). In the same year, another protocol was signed with the Ministry of Health on the 'Role of Health Personnel in the Prevention of Violence against Women and Applicable Procedures', and within this project 65,000 health personnel and professionals were trained (Ibid.). Likewise, in April 2009, the KSGM, in collaboration with the Ministry of Justice, initiated a project in which 326 Family Court judges and state prosecutors were trained on the role of justice personnel in preventing violence against women (Ibid.). The government also established a 24-hour hotline for gender-based violence (Hotline 183) in all eighty-one Turkish provinces (KSGM 2012: 16).

In May 2011, the Council of Europe (CoE), following the recommendations of the Committee of Ministers, signed the 'Convention on Preventing and Combating Violence against Women and Domestic Violence' in Istanbul. The convention "is based on the understanding that violence against women is a form of gender-based violence, and that is committed against women because they are women. It is the obligation of the state to fully address it in all its forms and to take measures to prevent violence against women, protect its victims, and prosecute the

perpetrators”.<sup>75</sup> During Turkey’s term of the Committee of Ministers, the AKP government actively worked in the CoE for the adoption of the convention (Müftüler-Baç 2012: 11). The Turkish state thereby increased its international obligations regarding the prevention of violence against women. The ‘Istanbul Convention’, as it is known, entered into force on 1 August 2014.

In sum, the AKP government integrated the issue of violence against women into its social and gender policy agenda and developed strategies to combat violence against women. Despite many positive outcomes however, violence against women continues to be a major problem. Regarding the enforcement of the laws of the Penal Code, some judges still use ‘provocation’ as the basis for reduced sentences in honor crimes, and police officers frequently attempt to send women experiencing violence back to their homes. Gender-sensitive laws are in place but their actual implementation is limited. The state needs therefore to develop effective control mechanisms to enforce laws to protect women, simplify women’s access to judicial processes, and work on raising awareness among governmental personnel by training them on women’s rights and gender equality.

### **Women’s Rights and Gender Equality**

The reforms in the Civil and Penal Codes as well as in the Labor Law (No. 4857) were important steps for achieving gender equality in Turkey. But as mentioned above, additional laws are needed to ensure these reforms are properly implemented. In January 2003, Family Courts were established in all cities with a population of more than 100,000 to enforce the Civil Code and to ensure gender equality (Müftüler-Baç 2012: 8). These courts are also responsible for issuing decrees to protect women and children from domestic violence.

To ensure gender equality in employment, in January 2004, Prime Ministry issued a decree aimed at protecting the gender equality principle in the employment of state personnel (Müftüler-Baç 2012: 13). The decree ordered that: ‘State institutions should act in line with the Constitution and the international agreements to which Turkey is a signatory’. In May 2006, the new ‘Law on Social Security and General Health Insurance’ (No. 5510) was adopted, which merged the different security systems into one structure. This law regulates maternity and

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<sup>75</sup> [http://www.coe.int/t/dghl/standardsetting/convention-violence/about\\_en.asp](http://www.coe.int/t/dghl/standardsetting/convention-violence/about_en.asp) (rev. 20.10.2014)

breastfeeding leave, pension plans, and wage of women in line with the Labor Law (No. 4857) (Ibid.).

As mentioned above, in 2004, the institutional and legal basis of the KSGM was implemented in government structures. This increased the state's responsibility in strengthening women's rights and achieving gender equality. In 2005, an Advisory Board on the Status of Women was established with the participation of representatives from the ministries, academic institutions, and NGOs (KSMG 2012: 14). In aforementioned 2006 and 2007 Prime Minister Decrees, the AKP government stressed the importance of the role of women's CSOs and underlined the responsibilities of state agencies rendering service to women. In order to improve collaboration and coordination between governmental institutions to improve women's status, meetings were organized with representatives of the Ministries of Health, Interior, and Justice.

In 2007, the KSGM prepared a five year 'National Action Plan for Gender Equality' (2008-2013), which focused on the elimination of gender-based inequalities in the following areas: education, health care, poverty, violence, political participation, and the media (Kardam 2006: 21). This Action Plan was prepared in line with the EU's project called 'Promoting Gender Equality, Strengthening Institutional Capacity' and funded by both the Turkish government and the EU.<sup>76</sup> In a similar vein, in 2010, the KSGM initiated a project with the Directorate of Religious Affairs (*Diyanet İşleri Başkanlığı*)<sup>77</sup> and provided training for Diyanet's personnel on gender equality and domestic violence in order to overcome traditional attitudes hindering gender equality (KSGM 2012: 14). Both of these projects were financed by the UNFPA. Since 2009, the KSGM has educated 2,400 public officials on gender equality and women's rights (Ibid.). Moreover, the Ministry of Health, in collaboration with the Turkish Armed Forces Health Commando and the UNFPA, initiated a nationwide education project, which informs soldiers on reproduction, sexual health, sexual diseases, gender, and domestic violence (Ibid.: 16).

Another important institutional development for gender equality in Turkey was the establishment of the 'Commission for Equal Opportunities for Women and Men' (*Kadın Erkek Fırsat Eşitliği Komisyonu*, KEFEK) in March 2009. According to the Law for the Equal Opportunities

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<sup>76</sup> <http://www.undp.org.tr/publicationsDocuments/National%20Action%20Plan%20on%20Gender%20Equality.pdf>. (rev. 25.12.2013)

<sup>77</sup> The Directorate of Religious Affairs will be mentioned as '*Diyanet*' throughout the study.

for Women and Men (Law No. 5840), KEFEK, composed of parliamentarians from different political parties, is ordered to analyze legal proposals and drafts prepared by the government and parliamentary commissions from a gender equality perspective. It works for the adaptation of measures that would eliminate gender-based discrimination at all levels of public life. KEFEK regularly publishes a series of reports on forced marriages, violence against women, and bullying and harassment in the workplace. It aims to ensure the compatibility of Turkish legislation with Turkey's international commitments regarding gender equality.<sup>78</sup>

In sum, the KSGM's Action Plans and its cooperation with range of governmental bodies, and the KEFEK reports increased public awareness of women's rights and gender equality. However, after the constitutional referendum in September 2010, the AKP government began increasingly to emphasize its conservative approach built on traditional, religious, and family values (Coşar and Yeğenoglu 2011: 561). This tendency manifested itself most clearly in the restructuring and renaming the Ministry for Women and Family Affairs as the 'Ministry for Family and Social Policies' in May 2011. Under this restructuring, the KSGM has been grouped together with other directorates that work on family and social services, children policies, disabled, and elderly services. Since 2011, it acts under the auspices of the Prime Ministry. The omission of the word 'women' from the name of the ministry and the removal of gender equality mechanisms were negative developments in Turkey's gender rights regime. Even though a legal basis for gender equality has been set up in Turkey, the implementation of this legislations is limited, on the one hand by the unwillingness of the state personnel to apply it and, on the other hand, by prevalent social norms and practices.

### **Discrimination against Women**

Article 1 of the CEDAW treaty defines discrimination against women as follows:

“[...] any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

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<sup>78</sup> <http://www.tbmm.gov.tr/komisyon/kefe/hakkinda.htm> (rev. 25.12.2013)

According to the CEDAW treaty, Turkey as a 'State Party' should condemn all forms of gender-based discrimination and take all necessary legislative measures to eliminate discrimination against women. Thanks to the changes in the Civil Code, women are not discriminated against in matters relating to marriage and family relations, except for the fact that the aforementioned Article 202 regarding the equal sharing of all acquired property during marriage applies only to marriages that took place after the renewal of the Civil Code in 2002. This discriminates women married before 2002, the majority of whom have been homemakers and have had no independent source of income.

In 2002, Turkey took an important step and signed the 'Optional Protocol' of the CEDAW agreement that allowed individuals to complain about violation of their rights to the CEDAW Committee directly (Müftüler-Baç 2012: 4). It provides that disputes concerning the interpretation or application of the treaty to be resolved in the first instance by negotiation or, if necessary, by arbitration. In a similar vein, aforementioned parliamentary commission KEFEK accepts individual applications and complaints related to gender-based discrimination. Although Article 122 of the Penal Code criminalizes gender-based discrimination, women in Turkey face discrimination in political, economic, cultural and social life.

According to comprehensive international survey data on the Turkish economy, women's participation in work force in Turkey is abysmal compared to the EU or the Organization for Economic Co-operation and Development (OECD) countries.<sup>79</sup> Despite gender-sensitive clauses in the Labor Law, women's economic participation rates have been declining in the last decade. Both international and domestic actors frequently address the absence of women in the Turkish economy. One of the major hindrances to women's access to the labor force is the traditional view which regards women as homemakers and pushes them to stay home. But in order to increase women's employment, in 2010, the Prime Ministerial Circular 2010/14, 'Increasing Women's Employment and Achieving Equality of Opportunity' was adopted, specifying the measures to be taken to increase women's employment (Müftüler-Baç 2012: 14). Accordingly, the AKP government adopted a measure that would discriminate positively in favor of female workers over the age of 18 by granting employers who hire them

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<sup>79</sup> See all Global Gender Gap Reports issued by World Economic Forum (WEF).

exceptions in social security payments (Ibid.). But further measures such as increasing childcare opportunities and educational programs promoting men-women co-existence in the workforce are needed.

Another important measure to increase women's economic participation is to improve access to education. The AKP government has initiated several projects encouraging girls to attend to primary and secondary schools ("Girls, let's go to school") and expanded educational opportunities and access to higher education, especially by building universities in almost every Turkish province. Moreover, lifting the ban on headscarves in 2013 has eliminated a serious discrimination against women in higher education (see Chapter 7). In recent years however, the AKP government has introduced controversial educational reforms that have been heavily criticized for their religious leanings, including a trend towards gender segregation in schools. The head of the 'Education Reform Initiative' Batuhan Aydagül states: "Turkey's government is engaged in positive discrimination toward religious vocational schools known as *imam-hatips*" (Yınanç 2014). Moreover, the AKP government has begun increasingly to emphasize the traditional role to women as dedicated housewives and mothers. This tendency has been regarded as a hindrance to girls' access to education.

As in the economic sphere, women are also underrepresented in the political sphere. Although Article 5 of the Political Parties and Elections Act guarantees women political freedoms and the absence of discrimination in establishing or joining political parties, the representation of women in politics remains low in Turkey. Therefore, as we will discuss in the coming chapter on feminist CSOs, women's rights organizations argue that women are discriminated in politics due to social and cultural values and demand introduction of gender quotas. The AKP government is fiercely opposing this proposal.

Put together, under AKP rule, positive gender policy outcomes have been witnessed in the struggle to prevent violence against women, in the strengthening of women's rights, and reducing of discrimination against women. Some policy outcomes were easier to achieve than others. Understanding how these changes took place and which alliances on the national and international level brought about the gendered outcomes will be the task of the subsequent chapters.

# Chapter 6

## The Pioneers: Feminist CSOs

### *6.1 The Emergence of Feminist Activism*

Turkey witnessed the rise of feminist activism in the 1980s. But as many scholars argue, the roots of feminist activism go back to the first wave of women's movement that emerged in the late 19<sup>th</sup> and the beginning of the 20<sup>th</sup> century (Arat 2008; Kandiyoti 1991; Tekeli 1995; Zihnioğlu 2003). Like the first wave women's movements in the West, a group of women activists under the Ottoman rule demanded equality with men before the law and participation in public life (Kandiyoti, 1995; Zihnioğlu 2003). They in particular demanded women's right to vote and claimed their right to education and employment. These women continued their activism, despite the end of the Ottoman rule, and succeeded to put the 'woman question' on the political agenda of the newly forming Turkish Republic. Although the state elite at the time made women's emancipation a part of their modernization project and granted women equal rights in public life (cf. Chapter 5), they gradually marginalized women's activism.<sup>80</sup> The first wave of women's movement accordingly ended in the mid-1930s, and women's political silence continued until the 1980s (Diner and Toktaş 2010: 44).

After the military intervention in 1980, all kinds of political activism and activity, especially the political left and right, were prohibited (cf. Chapter 4). This political vacuum had the unintended consequence of mobilizing women. Urban, middle-class, and well-educated professional women, most of whom were politicized in the leftist organizations in the 1970s, gathered to read and translate feminist texts produced in the West. These women were inspired from the second wave feminism<sup>81</sup> of the West and formed consciousness-raising groups to develop a feminist identity and to create new forms of interaction among women (Arat 2008;

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<sup>80</sup> For a thorough analysis of the women's movement in the early years of the Turkish Republic, see: Bodur (2005) and Zihnioğlu (2003).

<sup>81</sup> The second wave feminism broadened the scope of the first wave feminist movement and politicized issues such as violence against women, women's bodily rights, right to abortion, and combat against gender inequalities.

Tekeli 1995). Like second wave feminist activists in the Western world, feminists in Turkey focused on issues such as patriarchy, gendered (in)equalities in economic, political, and social life, violence against women, sexual harassment, women's sexuality, and women's reproductive rights (Arat 1994; Diner and Toktaş 2010; Tekeli 1995; Timisi and Ağduk Gevrek 2007). In the first half of the 1980s, feminist women began to organize in groups and discussed women's issues from a gender perspective.

In their gatherings, feminist activists addressed the secondary role of women in Turkish society. They stated that women in Turkey had equal rights with men before law, which were granted by the Kemalist reforms, but patriarchal norms and values were continued to be practiced (Arat 2005: 18). Feminists thus argued that Kemalist state feminism has been merely concerned with the symbolic equality of women and men in the public realm, but failed to improve women's status in general. They discussed how to empower women and how to transform the patriarchal structures in Turkish society and culture (Timisi and Ağduk Gevrek 2007: 15). They also underlined the need for substantial changes in laws pertaining to women's lives.

During the 1980s, feminist activists managed to put their demands on the political agenda. As noted in Chapter 5, Turkey had ratified the CEDAW agreement with some reservations. Accordingly, in 1986, feminists launched a petition for the full implementation of the CEDAW (Arat 2008: 397). In 1987, feminist activists in Istanbul organized the "Women's Solidarity March against Violence", involving around 3,000 women (Diner and Toktaş 2010: 45). The reason behind this protest was that a judge in Çankırı<sup>82</sup> ruled against an abused woman's request for divorce on the grounds that women can be beaten (Arat 1994; Diner and Toktaş 2010). This demonstration was the first public gathering for feminist activists as well as the first political protest after the military coup in 1980. Thanks to this demonstration, domestic violence against women became publicly visible and began to be considered as a serious social problem. Feminist activists also addressed sexual harassment in women's daily life and ran the "Purple Needle" campaigns to combat harassment by handing out needles on the streets in Istanbul's Beyoğlu district. In 1989, feminists gathered in a conference in Ankara and publicly stated that

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<sup>82</sup> Çankaya is a province north of Ankara.

the feminist movement is an independent movement, and that it cannot be reduced to any other political movement.<sup>83</sup> As demonstrated in the Table 6.1, throughout the 1980s, feminist activists organized meetings, conferences, and exhibitions, formed study and action groups, and could establish a self-confident and autonomous feminist movement. They discussed and publicized women’s problems in various forms of publications. Between 1980 and 1990, feminists published 44 periodicals (Diner and Toktaş 2010: 46). Meanwhile, as a response to Turkey’s CEDAW obligations, the state’s women’s machinery KSSGM was established to improve women’s status in Turkey.

*Table (6.1): MILESTONES OF THE FEMINIST MOVEMENT IN TURKEY (1980-1990)*

Years	Events and Actions of Feminist Women
1980-1981	Formation of the first consciousness-raising groups in Istanbul
1982	Symposium held in Istanbul in which ‘feminism’ was discussed for the first time
1983	Feminists began to write a regular column in the literary magazine <i>Somut</i>
1984	Establishment of the “Women’s Circle” in Istanbul that translated and published feminist texts produced in the West
1986	A petition campaign for the implementation of the CEDAW agreement
1987	. A protest demonstration against domestic violence in Istanbul . Publishing the magazines <i>Feminist</i> and <i>Kaktüs</i>
1988	An exhibition on women’s subordination in daily life in Istanbul
1989	. “Purple Needle Campaign” (feminists handed out needles for women to protest against sexual harassment) . The first “Feminist Congress” held in Ankara, which summarized ten years of feminism in Turkey . The Feminist Congress organized by radical and socialist feminists in Istanbul concluded: “ <i>feminist activism needs to be independent, and will not be integrated into any other kind of collective activism</i> ”
1990	. Formation of first feminist CSOs . Establishment of the KSSGM with the stated aim of achieving gender equality in all ranks of life

Sources: Arat (2008: 397-399); Işık (2007: 44-46); Tekeli (1995: 13-16)

<sup>83</sup>In this conference, feminists decided to carry out their activism independent of the leftist movement that was claimed to have an ‘anti-feminist’ perspective on women’s question (Tekeli 1995: 13). Feminists who pursued an independent political activism came to be known as ‘radical feminists’, whereas other feminists preferred to keep their link to the leftist movement and identified themselves as ‘socialist feminists’. For a comprehensive analysis of different discourses within the feminist movement, see: Bodur (2005), Bora (2007).

## 6.2 *The Institutionalization of Feminist Activism: Feminist CSOs*

In the beginning of the 1990s, feminists began to organize in associations, foundations, cooperatives, and in women's commissions of the bar associations. Until the 1980s, the number of women's CSOs was ten, but between 1983 and 1992, it reached up to sixty-four (Diner and Toktaş 2010: 47). The newly built women's CSOs focused on gender-specific issues such as violence against women, discrimination against women, women's human rights, women's solidarity, and women's shelters. Furthermore, several universities in Istanbul and Ankara launched women's studies programs. These research units offered not only study programs for students, but also educated women from political parties, trade unions, and women's CSOs on women's rights (Arat 2008: 400).

Arguably, the most publicly visible feminist CSO is the 'Purple Roof Women's Shelter Foundation' (*Mor Çatı Kadın Sığınağı Vakfı*). In 1990, fourteen feminist women in Istanbul, after having studied several women's shelters and counseling centers in Western Europe, formed the Purple Roof Women's Shelter Foundation to consult women subjected to domestic violence. In its early years, Purple Roof<sup>84</sup> activists - predominantly socialist and radical feminists - initiated a 24/7 hours hotline for battered women to call for support and provided legal advice and psychological support through its counselling center.<sup>85</sup> Purple Roof opened its first independent women's shelter in 1995, which lasted until 1998 due to financial difficulties. Within these three years, this shelter provided a secure accommodation for 350 women and 250 children, and the counseling center helped women to overcome their experience of violence and to start a new life.<sup>86</sup>

Purple Roof has no hierarchy in its organizational structure and makes all decisions collectively, also in its women's shelter.<sup>87</sup> Purple Roof helps women in its shelter to realize that they are equals with women working in the solidarity center, and this gives them a confidence to deal with their own problems (Mor Çatı Bulletin 2010: 3). Because of its long years of

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<sup>84</sup> From here on, I use 'Purple Roof' for the Purple Roof Women's Shelter Foundation.

<sup>85</sup> This counselling center was the first one in Turkey, see: Işık (2007).

<sup>86</sup> <http://www.morcati.org.tr/en/what-are-we-doing/shelters> (rev. 15.10.2013)

<sup>87</sup> Personal interview with Deniz Bayram, a supporting committee member of Purple Roof and a lawyer specialized on women's rights, February 2012, Istanbul. Personal interview with Özgür Sunata, a volunteer in the Purple Roof's solidarity center and a member of another women's group called "Socialist Feminist Collective", October 2010, Istanbul.

experience in fighting against domestic violence, Purple Roof became an internationally recognized CSO. It cooperates with the UN institutions working on women's rights as well as with the European feminist organizations. Purple Roof activities are partly financed by membership donations, and partly through projects that are funded by EU institutions and foreign consulates in Istanbul.<sup>88</sup>

Another important feminist organization is 'Women for Women's Human Rights – New Ways' (*Kadının İnsan Hakları Yeni Çözümler Derneği*, WWHR), which is formed in 1993. In its initial years, the Istanbul-based WWHR conducted nationwide researches on women's rights and on the extent of violence against women. These studies stated that women in Turkey were unaware of their legal rights. In 1995, WWHR developed a nationwide program, with the support of the 'General Directorate of Social Services' (*Sosyal Hizmetler Genel Müdürlüğü*), called the 'Human Rights Education Program for Women' (HREPW), to enable women to become aware of their legal rights and to empower them.<sup>89</sup> Another focus of this project is also to encourage women's groups to establish their own grassroots organizations for their needs.

WWHR regularly publishes reports on women's status in Turkey, promotes women's human rights, and lobbies for legislative changes to strengthen women's rights and to achieve gender equality. It focuses on different issues such as economic and legal rights of women and girls, women's sexuality, and reproductive rights. WWHR has a highly organized structure. There is an executive committee of the organization, who initiates and runs the projects, and the administrative team who manages the finances and public relations.<sup>90</sup> Similar to Purple Roof, WWHR also operates in non-hierarchical form and pays attention to equality principle within its organizational structure.<sup>91</sup> Moreover, WWHR has strong international ties and networks. It frequently attends the international CEDAW meetings in New York and informs the CEDAW Committee on women's rights in Turkey. Since 2005, WWHR has hold a consultative status within the 'Economic & Social Council' of the UN. WWHR has also close ties with women's CSOs

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<sup>88</sup> Sunata from Purple Roof stated that the organization is selective in accepting donations. For instance, in 2003, Purple Roof rejected the donation from the British consulate in Istanbul because the British government was involved in American invasion of Iraq.

<sup>89</sup> For more information about the program, see: <http://www.wwhr.org/human-rights-education-programme-for-women-hrep/> (all WWHR websites accessed on 21.10.2014)

<sup>90</sup> <http://www.wwhr.org/office-team/>

<sup>91</sup> <http://www.wwhr.org/our-values-and-priorities/>

from the Muslim world. In 2007, WWHR's founder and executive director Pinar Ilkcaracan received "the Women's Rights Award" issued by the Peter and Patricia Gruber Foundation.<sup>92</sup> WWHR's projects and activities are, to a great extent, financed by grants offered by international and national donors.

The third CSO considered here is the 'Amargi Women's Solidarity Cooperative' (*Amargi Kadın Dayanışma Kooperatifi*, Amargi) in Istanbul. Amargi, which means 'freedom' and 'return to mother' in the ancient Sumerian language, was founded in 2001 by a group of radical and social feminists to promote feminism and to pursue feminist politics in Turkey. The founder of Amargi is an internationally-known feminist author Pinar Selek, who has published several books on Kurds, sexual minorities, the poor, and the homeless children in Turkey.<sup>93</sup> Amargi points to all forms of violence and discrimination prevalent in Turkey and advocates the rights of discriminated groups, especially women, homeless children, ethnic minorities, and homosexuals. The organization emphasizes its anti-militaristic and anti-nationalist character, and believes that the issue of violence can be best resolved by building peace in Turkey.<sup>94</sup> Amargi activists work closely with homosexual rights groups and criticize heterosexism, defined as an attitude and a values system that discriminates against homosexuals.

Amargi operates as a feminist academy, and organizes seminars and roundtables on women's issues. Such activities are partly financed through its bookstore and café. The organization receives funds for its publications from different EU institutions.<sup>95</sup> Like Purple Roof and WWHR, Amargi operates on non-hierarchical grounds and takes decisions collectively. In addition to Istanbul, Amargi is organized almost in ten different provinces in Turkey (Çaha 2008: 41). In December 2012, Amargi-Istanbul was shut down by its own activists by stating: "The decision to close down Amargi is a kind of a self-criticism. We could not reinvent ourselves, take

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<sup>92</sup> <http://www.wwhr.org/category/about-us>

<sup>93</sup> Between 1998 and 2000, Pinar Selek has been imprisoned with the claim of being a member of the PKK and participating in terrorist attacks in the historical Spice Bazaar in Istanbul. Although Selek was acquitted of the charges several times, she was consistently harassed by the Turkish judicial authorities. In 2013, while doing her doctoral research in France, she has been sentenced to life imprisonment. See further: <http://www.pinarselek.com/public/page.aspx?id=239>. (rev. 10.10.2013)

<sup>94</sup> Personal interview with Yasemin Öz, a member of Amargi and is an influential activist in the LGBT movement, Istanbul, October 2011.

<sup>95</sup> Ibid.

new actions or develop new perspectives for the feminist struggle.”<sup>96</sup> Since their active period corresponds with the time frame of the study, I do not exclude them from the analysis.

The three feminist CSOs - Purple Roof, WWHR, and Amargi - have transparent structures and are accountable towards women they help. Their activists are, to a great extent, well-educated, middle-class women in their early twenties or thirties. But the founders of these CSOs, who are still active in these organizations, are in their forties and fifties. Some activists describe themselves as ‘radical’ feminist, whereas others as ‘socialist’ or ‘liberal’ feminist. Table 6.2 gives information about their legal status and the year of establishment, the organizational structure, main fields of activity, and financial resources of these three feminist CSOs.

*Table (6.2): FEMINIST CSOs*

<b>Feminist CSOs</b>	<b>Legal Status /year of establishment</b>	<b>Organizational structure, number of members</b>	<b>Main fields of activity</b>	<b>Funding</b>
<b>Purple Roof Women Shelter’s Foundation (Mor Çatı Kadın Sığınağı Vakfı) (Istanbul)</b>	Foundation (1991)	Non-hierarchical; around 150 members, only one professional (the secretary), volunteers about 400	Violence against women, discrimination against women, women’s rights	Individual or institutional donations, projects funded by the EU institutions, ‘Global Fund’, ‘Global Dialogue’, and the foreign consulates in Istanbul
<b>Women for Women’s Human Rights- New Ways (Kadının İnsan Hakları Yeni Çözümler Derneği, WWHR)</b>	Association (1993)	Non-hierarchical; eight professional workers	Women’s rights and gender equality	Membership dues and donations; projects funded by international donors

<sup>96</sup> <http://amargigroupistanbul.wordpress.com/about-amargi/amargi-closure/>. (rev. 20.10.2014)

(Istanbul)

<b>AMARGI Women's Cooperation (<i>Amargi Kadın Dayanışma Kooperatifi</i>)</b>	Cooperation (2001- 2012)	Non-hierarchical; about30 volunteers	Women's rights and discrimination against women,	Own sources from the bookstore and café, donations
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(Istanbul)

### ***6.3 The Achievements of Feminist CSOs before AKP Rule***

The institutionalization of feminist activism in Turkey enabled feminist women to put pressure on the governments to formulate new policies to protect women's rights and reduce discrimination against women. As stated above, in the late 1980s, feminist activists organized protest demonstrations and nationwide campaigns to attract public attention to domestic violence and discrimination against women. Their first notable achievement was the annulment of aforementioned Article 438 of the Penal Code that reduced sentence for rapists if the victim of rape was a sex worker (cf. Chapter 5). In 1989, the Constitutional Court, as a response to an appeal of a local judge, ruled that Article 438 was not violating the equality clause of the Constitution because this Article aimed to protect "respectable women" (Arat 1994; Ertürk 2006). Accordingly, feminist activists embarked upon a campaign for the annulment of this article, which attracted the media's attention and caused a broad public outcry. In 1990, the Turkish Parliament had to abolish Article 438 due to the push of the public debate (Anıl et al. 2002; Arat 1994; Ertürk 2006). Likewise, feminist activists lobbied for the annulment of Article 159 of the Civil Code, which stipulated that women had to obtain their husbands' permission to work (cf. Chapter 5). In 1992, the Constitutional Court annulled Article 159 (Anıl et al. 2002; Arat 2008; Marshall 2009).

Meanwhile, feminist organizations preferred to distance themselves from the Turkish state because they considered the state to be perpetuating the patriarchal division of labor within society and family (Arat 1994: 244). However, in the second half of the 1990s, feminists gradually increased their dialogue and cooperation with the state through the newly formed state's women's machinery, KSSGM (Altınay and Arat 2009; Marshall 2009). First, it was because

feminist bureaucrats filled the ranks of KSSGM and began to act more responsive to women's needs, and this eased the tension between feminists and the state apparatus (Arat 2008: 399). Second, influential Turkish feminist scholars emphasized the importance of the institutionalization of gender policies under a state's agency that would help legitimize the demands of women's movement (Acuner 2007; Ertürk 2006). Feminist activists acknowledged that they can influence state policies relating to women's lives through KSSGM. Thanks to KSSGM, feminist CSOs could also strengthen their national and international networks and push the state to take responsibility for providing equality between women and men (Kardam and Ertürk 1999).

Clearly, the institutionalization of feminist activism contributed to strengthening the fight against domestic violence. Feminist organizations began to establish women's shelters and to convince municipalities to open counseling centers and women's shelters. Purple Roof, for instance, attempted to establish women's shelters in cooperation with two different district municipalities in Istanbul (Bakirköy and Şişli). In September 1990, both municipalities opened women's shelters, but Purple Roof was not included in the management (Işık 2007: 63).<sup>97</sup> In 1993, the first independent women's shelter was opened by the 'Women's Solidarity Foundation' (*Kadın Dayanışma Vakfı*) in Ankara, and in 1995 by Purple Roof in Istanbul. But feminists continuously underlined the state's responsibility in providing secure protection for women and children who have been exposed to violence. As mentioned in Chapter 5, from the mid-1990s on, the Turkish state began to establish 'guest houses' for women and children.

Furthermore, feminist CSOs, along with Kemalist women's CSOs, stressed the importance of eliminating the discriminatory laws in the Civil Code and the Turkish Penal Code. The 'Association of Turkish Jurist Women' (*Türk Hukukçu Kadınlar Derneği*), proposed a draft named the 'Amendment and Annulment of some Articles in the Civil Code'. In 1992, the 'Centre for Research and Implementation of Women's Issues' at the Istanbul University initiated a petition campaign to support this draft proposal (Arat 2010a: 240). Purple Roof, together with the feminist 'Women's Library and Information Centre', supported this campaign and gathered 120,000 signatures (Arat 2008: 402). In 1994, WWHR joined this campaign and mobilized an

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<sup>97</sup> These women's shelters were the first women's shelters in Turkey. However, when the governing municipality lost elections in 1994, these two shelters were shut down, see further: Işık (2007).

international support for the implementation of full equality in the Civil Code.<sup>98</sup> Although the state has not reacted to this campaign, Purple Roof and WWHR kept the issue of amending the Civil Code on public debates. By drawing the media's attention to this campaign, feminist CSOs could maintain the pressure on the Turkish state (Marshall 2009: 363).

During the 1990s, the international gender agenda positively influenced the struggle of feminist CSOs for the empowerment of women. Feminist CSOs often referred to Turkey's CEDAW obligations in negotiating with the state and pointed out the shortcomings in the legal framework (Arat 2008; Marshall 2009). Signatory states like Turkey, which have ratified or acceded to the CEDAW treaty, are committed, at least every four years, to submit national reports on measures they have taken to comply with the treaty obligations.<sup>99</sup> For instance, the second and third CEDAW periodic report of Turkey (1997) stated that twenty-nine articles in the Penal Code did not comply with the CEDAW requirements. The CEDAW agreement clearly played an important role in pushing the Turkish state to eliminate discrimination against women. Moreover, after the 1995 UN 'World Conference on Women' in Beijing, the UN began to emphasize its determination to promote "women's rights as human rights" and to combat violence against women worldwide (Beijing Declaration and Platform for Action, 1995, Art. 14). The UN's Beijing Declaration positively affected organized women's efforts to strengthen women's rights worldwide. Through the UN's conferences, feminist CSOs in Turkey, and also other women's groups, have found the opportunity to exchange information and experiences with women activists from different parts of the world and began to frame their demands as globally accepted norms in women's rights.

The most important institutional development in the 1990s was the enactment of the law regarding women's protection from domestic violence. As a result of the intensive lobbying activities of feminist and Kemalist CSOs and the pressure from the KSSGM, the government enacted the 'Law on the Protection of the Family' (No. 4320) in January 1998, and institutionalized thereby state's responsibility in protecting women from domestic violence (cf. Chapter 5). However, feminist CSOs highlighted the problems in the implementation of Law 4320 and pointed to the ignorance of judicial personnel. They continued their lobbying activities for

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<sup>98</sup> <http://www.wwhr.org/category/the-campaign-for-full-gender-equality-in-the-civil-code> (rev. 21.11.2014)

<sup>99</sup> <http://www.un.org/womenwatch/daw/cedaw/reports.htm> (rev. 20.01.2014)

revision of several provisions regarding discrimination against women. In 1999, Turkey lifted its reservations to Articles 15 and 16 of the CEDAW treaty that oblige signatory parties of the CEDAW agreement to ensure women's equality with men before the law (CEDAW 2003: 45).

In sum, the institutionalization of feminist activism in the 1990s helped feminist women establish counseling centers and women's shelters, and thus strengthen the struggle against domestic violence against women (Işık 2007: 52). Feminist CSOs defied patriarchal traditions, publicly criticized the male-domination within Turkish society and culture, and brought about new perspectives on women's rights in Turkey. Their persistence in the struggle against women's subordinate status, coupled with the international pressure exerted by the UN institutions working on women's empowerment, forced the Turkish state to take effective measures to improve women's status in Turkey.

By the end of the 1990s, feminist women gained an important opportunity for advancing women's rights. As discussed in Chapter 4, Turkey's prospect of EU membership stimulated an extensive political reform process in Turkey. During the political reform process, organized women in general profited from the liberalized political arena, which included not only themselves and the state, but also actors such as EU institutions and European CSOs in policy-making processes (Kancı et al. 2010: 8). They were encouraged to form stronger links with groups such as the European's Women Lobby (EWL)<sup>100</sup> and the European Women Lawyer's Association (Uçar 2009: 5). This European linkage increased the bargaining capacity of women's CSOs in decision-making processes regarding gender policies. Accordingly, feminist CSOs intensified their sustained efforts to amend the Civil Code.

### **Reforming the Civil Code**

Since the mid-1980s, feminist activists have advocated reforming the Civil Code. They supported the draft proposals prepared by legal experts from Kemalist women's CSOs (Arat 2008, 2010a). For instance, in 1994, WWHR initiated a campaign supporting the new draft of the Civil Code prepared by a parliamentary commission and demanded full equality for women in the Code (Anıl et al. 2002: 6). However, none of the drafts could become law until Turkey began to

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<sup>100</sup> The EWL is the largest umbrella organization of women's associations in the EU, which includes more than 2,500 organizations and works to promote women's rights and gender equality.

implement political reforms to become an EU member. In April 2000, the Turkish Parliament began discussing a new draft for the Civil Code (Arat 2010a: 240). Subsequently, WWHR, together with a group of feminist organizations, created a mailing list (*Kadın Kurultayı*) to discuss the draft proposal among each other and to monitor the process of amending the Civil Code. Feminists sought to attract public's attention to this process through the printed and broadcast media. Meanwhile, the Justice Commission of the Parliament, which was responsible for amending the Civil Code, invited legal experts from several women's rights organizations to its working committee.

During amending the Civil Code, the most contentious issue between women's CSOs and the lawmakers from the Justice Commission was the property sharing in case of divorce. Feminist and Kemalist women's CSOs demanded that all property acquired during marriage shall be shared equally, which would also recognize the unpaid contributions of women to the household (Ertürk 2006: 100). As mentioned in Chapter 5, this proposal met a strong resistance from the religious-conservative and nationalist MPs of the Justice Commission, and they rejected the proposal in March 2001 (Anıl et al. 2002: 7). Subsequently, WWHR initiated a nationwide coalition in which around 120 women's CSOs from different regions came together to reverse this development (Ilkcaracan 2007: 254). WWHR and Purple Roof frequently issued press releases to push the draft proposal. Eleven women's organizations, including WWHR, visited the Turkish Parliament and lobbied the key MPs in the Justice Commission to keep the draft law on 'property sharing after divorce' in the proposal (Arat 2010a: 241). Some other feminist activists opted for unconventional forms of protests, such as trekking and climbing, to have the law on property sharing amended (Ibid.). Finally, the Justice Commission accepted the proposal on property sharing and proposed the whole new draft bill for the Civil Code to the Parliament. The new Civil Code became effective on 1 January 2002. It abolished finally the supremacy of men in marriage and established equality of rights and obligations between spouses (cf. Chapter 5). Although women CSOs succeeded in getting the law on equal property sharing through the Turkish Parliament, it was only applicable for the marriages which took place after the renewal of the Code.

In sum, reforming the Civil Code was a major step in strengthening women's rights and eliminating discrimination against women, despite its shortcomings. Some scholars regard the

renewal of the Civil Code as the EU's successful agenda in persuading the Turkish government to meet the accession criteria (Kubicek 2005; Müftüler-Baç 2005). But other scholars and feminist activists argue that during the reform process the EU might have acted as a catalyst, but women CSOs, in particular feminist and Kemalist CSOs, played an essential role in pressuring the state for making amendments to the Civil Code (Anil et. al 2002; Arat 2008, 2010a; Çoşar and Onbaşı 2008; Ertürk 2006; Marshall 2009). Certainly, many women's rights organizations saw the EU accession process as an impetus for pressuring the Turkish state to implement necessary laws for achieving gender equality (Ergun 2010: 517). However, they stressed that their "sustained" (Marshall 2009) advocacy efforts and their commitment to bargain pushed the Turkish government to amend the Civil Code.

#### ***6.4 The Participation and Inclusion of Feminist CSOs in the AKP Era***

As elaborated in Chapter 4, the AKP came to power in November 2002. The first AKP government furthered the political reform process for the prospective EU membership and made significant changes in the Constitution that helped lift some restrictions on political rights and civil liberties (cf. Chapter 4). Accordingly, civil society actors found more opportunities to influence public opinion and affect government policies (Ergun 2010: 509). During the reform process, the AKP engaged in dialogue with women's CSOs, including feminist organizations, and incorporated them in policy-making processes, which will be discussed in this chapter.

Feminist CSOs have stressed that they strive not only for enactment of laws in strengthening women's rights, but also for their implementation and enforcement. To this end, they constantly called for substantial changes and lobbied lawmakers, heavily negotiated with the ministry responsible for gender policies, and closely monitored the responsible governmental bodies whether they implemented laws correctly. Feminist CSOs are highly active in all three issue areas under consideration: violence against women, women's rights and gender equality in the legal framework, and discrimination against women. The most important and challenging task for feminist CSOs is combating violence against women in Turkey.

#### **Violence against Women**

Thanks to the internationalization of the issue of 'violence against women' through the UN Declaration on the Elimination of Violence against Women in 1994 and the Beijing Platform for Action (1995), and the increased public awareness of this issue in Turkey, organized feminists

have been able to put the issue ‘gender-based violence’ on the national political agenda. As indicated above, the first legal improvement with respect to violence against women was the enactment of the Protection Law 4320 (1998). However, Law 4320 was not very effective, and violence against women continued to be a serious problem in Turkey.

Recent researches on violence against women in Turkey show that almost 40 percent of women experience violence (Altınay and Arat 2009). Most women experience violence by their family members – particularly by their intimate partners. In combating domestic violence against women, feminist CSOs have emphasized four important measures: 1) establishing women’s shelters, 2) revision of the provisions in the Penal Code relating to violent acts towards women, 3) increasing the sentences in the Law on the Protection of the Family, and 4) establishing mechanisms that monitor the implementation and enactment of protection laws.

### ***Women’s Shelters***

As mentioned above, in the 1990s, the first women’s shelters and counseling centers, either state-run or run by feminist CSOs, were established in Istanbul and Ankara. In order to increase the numbers of women’s shelters and strengthen the fight against domestic violence against women, in 1998, Purple Roof embarked upon a nationwide network called the ‘Assembly of Women’s Shelters and Counseling/Solidarity Centers’ (*Kadın Sığınakları Danışma/Dayanışma Merkezleri Kurultayı*). The Assembly of Women’s Shelters gathers annually and focuses on developing effective strategies to reduce domestic violence against women and children. During three days of the Assembly, the representatives of women’s CSOs, the state-run SHÇEK guesthouses, and municipalities’ counseling centers address the extent and forms of violence against women in Turkey, discuss the shortcomings in laws and regulations, and seek to develop new strategies for eliminating violence against women and children.

The Assembly is the broadest civil society platform in combating violence against women and children, and in recent years, the number of the participants has reached 200 from 80 women’s CSOs with different political leanings (16<sup>th</sup> Final Declaration of the Assembly of Women’s Shelters, 2013). Purple Roof is a permanent member of the Assembly’s coordination committee, advises women’s groups aiming at establishing women’s shelters, and issues

pamphlets on how to manage and provide service for women and children.<sup>101</sup> Amargi and WWHR participate every year in discussion groups and organize workshops presenting their activities regarding violence against women. The coordination committee of the Assembly, consisting of twenty women's CSOs from different provinces, annually publicizes a final declaration, presenting the final decisions of participant women's CSOs and pointing out the shortcomings in state's policies in combating violence against women.<sup>102</sup> As Purple Roof activist Deniz Bayram claimed in our interview, state institutions benefit from these final declarations in policy-making, despite the fact that the Turkish state dislikes the feminist values and methods of these organized women.

Feminist CSOs have often pointed out the inadequacy of women's shelters in Turkey. Despite the enactment of Article 14 of the Municipality Law (No. 5393), which obligates municipalities with more than 50,000 inhabitants to establish women's shelters, the number of women's shelters in Turkey remains low compare to Turkey's large population.<sup>103</sup> Feminist CSOs, together with other women's groups, have criticized the municipalities that have more than 50,000 inhabitants, but no shelters, and reminded them of their obligation to establish women's shelters. By June 2012, there were 91 women's shelters, and in June 2013, the number reached 120 (cf. Chapter 5). But Purple Roof, WWHR and Amargi have been highly critical of the state-run women's shelters. WWHR, already before the enactment of the Municipality Law (No.5393), claimed that municipalities lack the financial resources, and that they are completely inexperienced in managing a women's shelter (WWHR 2005: 6). Furthermore, there are no guidelines how to manage a women's shelter and a counselling center. The Purple Roof activist Deniz Bayram stated in our interview:

“Government officials do not really understand the cause and aim of a women's shelter. The personnel at the municipality- or KSSGM-run women's shelters attempt to reconcile women with their abusers, and even let them in the shelter. The personnel do not

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<sup>101</sup> Personal interview with Ö. Sunata, October 2010, Istanbul.

<sup>102</sup> <http://www.sigınaksizbirdunya.org/kurultaylar/siginaksiz-bir-dunya-tarihce> (rev. 17.11.2013)

<sup>103</sup> According to the Turkish Statistical Institution's website, by the end of January 2013 Turkey's population reached 76, 667,864, see: <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=15974> (rev. 23.10.2014)

understand to what purpose the shelter serves and how to treat and strengthen women who are exposed to violence. They rather focus on bringing husband and wife together.”

Feminist CSOs have stressed that state-run women’s shelters need to provide an effective and secure protection, and that the management should be in accordance with international standards, i.e., the shelter’s location is secret and counseling services to resident women and children are provided for by a qualified staff. Therefore, feminist activists have claimed that it would be more effective if the state-run shelters are managed according to feminist practices, i.e. protecting women effectively from their abusers, or the management is given to the more experienced feminist organizations (16<sup>th</sup> Final Declaration of the Assembly, 2013).

In combating violence against women, another important aim of feminist CSOs was to alter the Turkish Penal Code (1926), which was highly problematic in protection of women from violence and included discriminatory provisions regarding women’s rights to bodily integrity.

### ***The Amending Process of the Turkish Penal Code***

In early 2002, WWHR initiated a working group on the Penal Code, consisting of fifteen representatives from women’s organizations and lawyer’s associations (Ilkkaracan 2007: 254). Later that year, WWHR formed the aforementioned ‘Women’s Platform on the Turkish Penal Code’ (cf. Chapter 4 & 5), which included legal experts, academics, and activists from twenty-five women’s CSOs from different regions of Turkey <sup>104</sup> (WWHR 2005). While WWHR coordinated the secretariat, both Purple Roof and Amargi have been active members of the Women’s Platform on the Turkish Penal Code.<sup>105</sup> The legal experts of the Platform worked for one year to study both the Turkish Penal Code in effect and the penal codes from different countries. They pointed out that the existing Penal Code was violating women’s rights to bodily integrity (Eslenziya 2012: 130). The Platform’s activists lobbied MPs for two years and launched a nationwide

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<sup>104</sup> The Women’s Platform on the Penal Code included women’s CSOs with different political leanings: AMARGI; Amnesty International Turkey Office; Ankara Women’s Solidarity Foundation; Association for the Support and Training of Women Candidates (KADER); Association for Supporting Sincan Society Center; Association of Çanakkale Women’s Handicraft Evaluation – Women’s Counselling Center; CEDAW NGO Forum; Edirne Women’s Human Rights and Handicraft Initiative; Purple Film Women’s Cooperative; IRIS Equality Monitoring Group; Istanbul Bar Association Women’s Rights Center; Human Rights Desk of the Istanbul Governorate; Izmir Bar Association Women’s Commission; Improving Women’s Perspective Initiative; Kibele Women’s Cooperative; KAOS-GL; LAMBDA; Okmeydanı Purple Paper Women’s Atelier; Purple Roof; Republican Women’s Association; Turkish Women’s Union; Solidarizing with Women Foundation, and WWHR.

<sup>105</sup> Personal interviews with Y. Öz from Amargi and D. Bayram from Purple Roof.

campaign for the reform of the Turkish Penal Code (WWHR 2005: 2). WWHR, which was holding the secretariat of the Women's Platform, has described the lobbying methods as follows:

“WWHR-New Ways pursues these [advocacy] efforts by directly getting in contact with [individuals] and targeting decision-making mechanisms, influencing public opinion through the press, radio and television stations, creating pressure groups and organizing advocacy campaigns together with other organizations, while also supporting and disseminating its demands through publications, brochures, discussions, and research.”<sup>106</sup>

The Women's Platform on the Turkish Penal Code worked to ensure that the legal changes demanded by women activists be reflected in the new code. In doing so, the platform also addressed Turkey's obligations 'to enshrine gender equality' due to the CEDAW treaty and the EU accession criteria. The members of the Women's Platform have been in touch with European women's CSOs and informed the EU's institutions on the draft proposals (Eslen-Ziya 2012: 137). Meanwhile, several female MPs, particularly members of the oppositional CHP, regularly informed the Platform on the parliamentary meetings and discussions on the Code.<sup>107</sup> To promote their cause, feminist CSOs organized mass protests to attract media's attention to the process of amending the Penal Code. Shortly before the ratification of the new Code, the Women's Platform managed to gather activists of eighty women's CSOs around the country with banners to walk to the Turkish Parliament (Marshall 2009: 366). The media's involvement attracted the public's attention to the reform process and created an alternative channel to push the government for taking necessary measures.

During the reform process of the Penal Code, policy-makers and women's CSOs ran into several controversies. When Prime Minister Recep Tayyip Erdoğan made a last-minute interference in the policy-making process to criminalize adultery, drawing on the alleged demands of 'the Anatolian woman' (referring to women living in rural areas), feminist CSOs organized a public protest and launched a petition to counteract this proposal. They also contacted their international networks, and thereby attracted the EU's attention. Erdoğan's move met with sharp criticism from the EU officials, and the secular Turkish media supported

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<sup>106</sup> <http://www.wwhr.org/advocacy/> (rev. 23.10.2014)

<sup>107</sup> Personal interview with Ö. Sunata from Purple Roof.

the cause of feminist CSOs (Ilkkaracan 2007; Kardam 2006). In response to the domestic and international pressure, the AKP government retracted the proposal on criminalizing adultery.

Relying upon their long-term expertise and knowledge as well as the support of the domestic and international actors, feminist CSOs, in cooperation with other groups of women's organizations, achieved the passage of forty amendments out of forty-five that they lobbied for (Eslen-Ziya 2012; Ilkkaracan 2007). The amended Penal Code took effect on 1 June 2005. The revisions made in the Penal Code represented a major step in criminalization of violence against women and guaranteeing women's rights to bodily integrity.

### ***Further Efforts to Prevent Violence against Women***

In 2010, the Ministry of Justice published a research which reveals that between 2002 and 2010 the number of women killed swelled 1,400 per cent (*Bianet*, 15 September 2011). Domestic violence or so called honor killings can be seen every day in the media. According to feminist CSOs, the problem is not the lack of necessary measures to prevent violence, but the practical implementation of laws. Therefore, feminist CSOs in cooperation with other women's organizations have continue to push the ruling AKP to take further measures to protect women from violence.

Purple Roof continues to provide psychological counseling for women. In 2005, the 'Administrative District of Beyoğlu' (*kaymakamlık*, a governmental department) in Istanbul asked Purple Roof to run a women's shelter, which has been built by loan of the World Bank. This shelter survived until the Administrative District of Beyoğlu ended the project in December 2008.<sup>108</sup> Since March 2009, Purple Roof has opened another women's shelter whose building has been provided by the 'Municipality of Şişli' in Istanbul.<sup>109</sup> This women's shelter is managed by trained Purple Roof volunteers. Since its establishment in 1990, Purple Roof has supported about 30,000 women through its solidarity center and accommodated more than 1,000 women in its women's shelters (*Mor Çatı Bülleten* 2010: 16).

The Purple Roof's women's shelter is partly financed by the European Commission Delegation of Turkey and also by donations of private individuals and institutions. In order to

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<sup>108</sup> <http://www.morcati.org.tr/en/what-are-we-doing/shelters> (rev. 01.11.2013)

<sup>109</sup> Personal interview with D. Bayram, February 2012, Istanbul.

maintain its women's shelter, Purple Roof keeps searching for funds. For instance, in 2010, popular Turkish artists, musicians, and journalists contributed to a promotional activity by wearing t-shirts designed for Purple Roof.<sup>110</sup> The pictures of these celebrities were on billboards in Istanbul to raise public awareness of domestic violence. Purple Roof also uses its networks in the visual and printed media and visits public or private schools (The Purple Roof Activity Report 2013). Also, Purple Roof regularly organizes workshops, seminars, and marches in the week of 8<sup>th</sup> of March (International Women's Day) and 25<sup>th</sup> of November (International Day for the Elimination of Violence against Women), and publishes bulletins and leaflets on domestic violence (Ibid.).

Likewise, Amargi also regularly organized meetings and seminars to discuss the causes, forms, and the impact of domestic violence against women and the possible measures to end it.<sup>111</sup> In September 2005, Amargi published two pamphlets named 'Violence against Women' and 'Solidarity Centers and Women's Shelters', which were distributed to promote legal changes in the Civil and Penal Code and inform women on their rights in case of violence (Durukan 2005). An important issue Amargi raised is violence against transsexual women in Turkey. With the help of LGBTI organizations, Amargi organized diverse activities to make violence against LGBTI individuals visible. The organization succeeded to put sexual orientation-based violence on the agenda of feminist groups and demanded protection of LGBTI individuals.

To counteract violence against women, WWHR underlines the importance of protecting and improving women's rights in a legal framework.<sup>112</sup> To this end, WWHR pays special attention to lobbying activities, forming pressure groups, and to monitoring state institutions that are responsible for preventing violence against women. WWHR states on its webpage: "International documents, conventions and agreements Turkey has signed, and achievements in other countries are among significant reference points for our work in this program area [advocacy]. ... WWHR is committed to monitoring and following up on these obligations and their implementation."<sup>113</sup> Thus, WWHR regularly prepares evaluation reports whether the laws and policies have been implemented. Since the reform of the Penal Code in 2004, WWHR has

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<sup>110</sup> Ibid.

<sup>111</sup> Personal interview with Y. Öz, October 2011, Istanbul.

<sup>112</sup> <http://www.wwhr.org/our-values-and-priorities/> (rev. 23.10. 2014)

<sup>113</sup> <http://www.wwhr.org/advocacy/> (rev. 23. 10.2014)

insisted that Article 82 of the Turkish Penal Code regarding murder committed as ‘blood feud’ (vendetta killings) should include honor killings as an aggravated crime (WWHR 2005: 3). On WWHR’s website, women can find necessary information about protection laws and a list of state institutions in every province that are responsible for protecting women.<sup>114</sup>

Feminist CSOs have used their contacts in the mass media to deliver latest information about their activities and the magnitude of domestic violence in Turkey. In recent years, prominent journalists have regularly brought the issue in their columns to raise public awareness and to urge politicians to take necessary measures in combating domestic violence. In their public statements and lobbying activities, feminist CSOs have referred to the ‘Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence’ that was actively promoted by the AKP government.

In combating violence against women, feminist CSOs have often stressed the need to revise the existing Law on the Protection of the Family (No. 4320). In 2007, the law was extended to include all members of the family subjected to violence (Müftüler-Baç 2012: 9). The amended law provided measures to contain the risk of domestic violence and also waived the fees for court processes.<sup>115</sup> However, the law did not grant protection for non-married women who live in a partnership (Ibid.).

### ***Reform Process of the Protection of the Family Law***

In 2011, 241 women’s rights organizations, including feminist, Islamist, Kurdish, and Kemalist women’s CSOs, formed a platform called ‘Stop Violence Platform’ (*Şiddete Son Platformu*) to increase the pressure on the ruling AKP government to amend the Law on the Protection of the Family (No 4320). Accordingly, the Ministry for Family and Social Policies began to work on the improvement of this law and included the representatives of the Stop Violence Platform in the policy-making process. In the beginning of 2012, the parliamentary commission KEFEK prepared a draft proposal. However, women’s rights organizations were disappointed about this proposal and stated that the draft did not reflect their demands, and that it was even worse than the

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<sup>114</sup> <http://www.kadinininsanhaklari.org/destek-almak-icin/siddete-karsi/> (rev. 23.10.2014)

<sup>115</sup> See for further information on the website of the ‘Legal Support Center for Women’ (*Kadınlara Hukuki Destek Merkezi, KAHDEM*): [www.kahdem.org.tr](http://www.kahdem.org.tr)

existing law (No. 4320).<sup>116</sup> To hinder the ministry's proposal, the Platform members voiced their doubts about the draft proposal through demonstrations, press statements, and social media. Meanwhile, feminist activists from diverse organizations found themselves in a dispute with the decision-makers from KSGM. Purple Roof activist Deniz Bayram, as a lawyer, was active in the bargaining process and stated:

“During the process of amending Law 4320, we have been screening the draft proposal and addressing the problematic formulations such as excluding ‘non-married women’ from the protection law. The Minister [for Family and Social Policies] Fatma Şahin and her officials were mostly responsive to our demands, but they were feeling the pressure of the conservative basis of the party [AKP]. But we insisted on our demands and strived for the passage of the law for all women, without any discriminatory definitions. Since we could not reach a consensus, the Minister said: “We do not go anywhere until we finish our job!” Neither the Minister and her officials, nor we, as representatives of women’s CSOs, had slept for three days, and worked for the renewal of Law 4320.”

During the reform process, feminist CSOs formed nationwide networks and established web-based blogs to inform the Turkish public on the reform process of the Protection Law 4320. Thanks to the persistency of feminist groups in their advocacy and the support of the other women’s CSOs from the Stop Violence Platform, the Ministry for Family and Social Policies decided to revise the draft law. The ministry submitted the revised draft proposal to the Turkish Parliament in February and Law 6284 was amended on 8 March 2012, for honoring the International Women’s Day. The new law increased the sentences for violence against women and developed a central mechanism - the ‘Centers for Preventing and Monitoring Violence (*Şiddet Önizleme Merkezleri*, ŞÖNİMs) - to prevent violence against women (cf. Chapter 5). But feminist CSOs pointed to the danger that a centralized guideline for women’s shelters would constrain the independence of women’s CSOs and self-governance of municipalities (the 16<sup>th</sup> Declaration of the Assembly of Women’s Shelters, 2013). Furthermore, women’s CSOs, particularly feminist and Kurdish women’s organizations, criticized the AKP government that the new law was not named as the ‘Law to Protect Women and Individual Family Members from Violence’, even it was agreed upon between women’s CSOs and the Ministry, but rather it

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<sup>116</sup> <http://kadincinayetlerinidurduracagiz.net/forenglish> (rev. 01.12.2013)

became the ‘Law to Protect Family and Prevent Violence against Women’. All feminist activists pointed out in our interviews that the AKP did, once again, not consider women to be ‘individuals’, but only to be members of their family.

### ***Monitoring the State: Building Broader Platforms***

In the combat against domestic violence, feminist CSOs have stressed that the main obstacle is the actual implementation of laws. In court trials, judges do not base their decisions on women’s statements on sexual violence, but they rather take into account the defense lawyers’ claim of ‘provocative behavior of women’ or ‘remorse of the offender’; and reduce sentences of sex offenders. In their public appearances or interaction with state institutions, feminist CSOs have often underlined that women who are exposed to violence are not protected effectively, and they live with the threat of ‘being killed’. In order to monitor the implementation of laws, feminist CSOs have formed joint groups and platforms. These platforms are successful in attracting public’s attention to trials pertaining to violence against women and in pushing the judicial authorities to implement the existing laws.<sup>117</sup>

In the aftermath of the aforementioned declaration of the Ministry of Justice in summer 2010 – that killings of women increased 1,400 percent between 2003 and 2010 – representatives of feminist CSOs, smaller political parties, labor unions, and NGOs from different regions formed the ‘We Will Stop Women Homicides Platform’ (*Kadın Cinayetlerini Durduracağız Platformu*) (Platform’s Booklet 2013: 1). Activists from Purple Roof, WWHR, and Amargi have regularly participated in the activities of this platform. The Stop Women Homicides Platform followed the court trials in different provinces in Turkey regarding murders of women (Şen 2013). The platform has pointed out that majority of the murder cases are committed by the intimate partners and involve ongoing abuse in home, threats or intimidation, sexual violence or situations where women have less power than their partners. The Platform successfully included the families of murdered women in its lobbying activities. In cases where the platform publicized a trial on sexual violence against women and was present at the courthouse, the lawyers of the (male) defendants have accused feminist activists of “trying to interfere with the

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<sup>117</sup> Istanbul Feminist Collective (*Istanbul Feminist Kolektif*) is a well-known feminist platform comprising around ten feminist organizations. They organize 8<sup>th</sup> of March (International Women’s Day) and 25<sup>th</sup> of November (International Day for the Elimination of Violence against Women) demonstrations and make public statements on important issues pertaining to women’s lives in Taksim Square, Istanbul.

due process” or “manipulating the court” because feminist activists supported claimants who are mostly women.<sup>118</sup>

The Platform has also been active in the reform process of Law 6284 by lobbying the MPs and proposing a draft law. Although the Platform is a new establishment, they have exerted considerable influence on the public agenda regarding the issue of gender-based murder. As they state on their website, the notable achievements are as follows:

- The Turkish state as well as the media acknowledge that women are killed because of their gender.
- In the Turkish media, murder of women is not labeled as ‘love, jealousy, or insanity’ murder anymore, rather the term ‘women homicide’ is being used.
- The representatives of individual women’s CSOs have not the right to participate in court trials relating to murder of a woman, but the Women Killings Platform gained in several cases the right to take part in trials. The lawyers from the platform try to participate in the judicial process in order that the court gives severe punishment to the perpetrators.
- The Ministry for Family and Social Policies sends also an expert to the court trials to monitor the due processes.<sup>119</sup>

At the moment, the Stop Women Homicides Platform struggles for the introduction of the term ‘women homicide’ explicitly in the Turkish Penal Code. Drawing upon the newspaper reports, the Platform regularly updates the number of murdered women on its website. It receives help from different segments of Turkish society, in forms of voluntary work for its public relations, and became an essential civil society actor on the issue of violence against women (Şen 2013).

In sum, feminist CSOs in Turkey, as their counterparts in other countries, have played an essential role both in raising public awareness of the problems caused by domestic violence and

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<sup>118</sup> The most prominent trial is known as Fethiye Trial (*Fethiye davası*). A defendant’s lawyer was protested by feminist organizations, and he denounced these organizations with manipulating the case, see *Bianet*: <http://www.bianet.org/bianet/toplumsal-cinsiyet/137886-tecavuz-sanigini-baro-baskani-neden-savunamaz> (rev. 21.01.2014)

<sup>119</sup> <http://kadincinayetlerinidurduracagiz.net/forenglish> (rev. 23.10.2014)

developing strategies for eliminating violence against women. They also became influential actors participating in decision-making processes.

### **Women's Rights and Gender Equality**

While combating violence against women, organized feminists have emphasized the importance of strengthening women's legal rights. As noted above, the new Civil Code and the amendments to the Turkish Penal Code were major steps in strengthening women's human rights. But women in Turkey are not aware of their rights, and that cultural norms hinder women to exercise their rights (Altınay and Arat 2009).

In order to raise women's awareness of their legal rights, Purple Roof and WWHR have published booklets on the amended Civil Code and Turkish Penal Code, and put necessary information about the legal procedures on their websites. Purple Roof activists also participated in national and international conferences and stressed the importance of empowering women for human development and democracy in Turkey. Likewise, in 2005, Amargi Magazine published several articles to inform women of the new property regime in the Civil Code and the revised Penal Code.<sup>120</sup> Moreover, Amargi has organized workshops and participated in panels to raise women's awareness of their rights.

Since 1995, WWHR, in collaboration with SHÇEK, has conducted the 'Human Rights Education Program for Women' (HREPW), which was endorsed by Article 5 of the CEDAW treaty. The program emphasizes the importance of independent women's organizing to reduce discrimination against women, and to this end it trains women activists. Since 2002, participants of HREP trainings have formed twenty different women's organizations or initiatives in thirteen provinces around Turkey.<sup>121</sup> In its nationwide activities, WWHR underlines the importance of working with the state agencies to raise awareness of gender equality among state officials. Within the framework of the 'Coalition for Sexual and Bodily Rights Project' (CSBR), WWHR annually brings together forty NGOs and many academics from the Muslim world and promotes women's reproductive rights as human rights in Muslim societies.<sup>122</sup> It has played an important role in breaking the taboos around 'lesbian, gay, bisexual, transgender, and queer (LGBTQ)

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<sup>120</sup> <http://amargigroupistanbul.wordpress.com/about-amargi/information/> (rev. 21.11.2013)

<sup>121</sup> <http://www.wwhr.org/human-rights-education-programme-for-women-hrep/> (rev. 23.10.2014)

<sup>122</sup> <http://www.wwhr.org/category/the-coalition-for-sexual-and-bodily-rights-in-muslim-societies-csbr> (last accessed 23.10.2014)

rights' in many Muslim countries and strengthened its membership base by building networks among different regions and developing common frameworks in advocating women's rights.

During the amending process of the Penal Code, feminist CSOs have lobbied key female parliamentarians to have gender equality enshrined in the Constitution. In May 2004, the AKP government revised Article 10 of the Constitution and introduced: "Women and men have equal rights. The State is responsible for taking all measures to realize gender equality" (cf. Chapter 5). While lobbying policy-makers, feminist CSOs have often reminded the AKP that developments in women's rights and gender equality are the key to gain entry into the EU (Marshall 2009: 368). Since 2005, the European Commission has annually prepared a Turkey Progress Report by integrating the viewpoints of influential CSOs, including women's CSOs. These Progress Reports monitor the implementation of the EU accession criteria in candidate countries, in which gender equality has an important place. In 2005, the European Commission, relying upon the collected data provided by feminist organizations in Turkey, welcomed the amendments to the Civil and Penal Code, but pointed out problems in the practical implementation of existing laws (Turkey Progress Report 2005: 32). According to the report, the main concerns for women in Turkey were the problems in the areas of violence against women, honor killings, a high illiteracy rate, and women's participation in politics and labor market, all of which hinders the progress towards achieving true gender equality in Turkey (Ibid.). In order to emphasize the importance of the prospect of EU membership for achieving gender equality, women's groups in Ankara and Istanbul held meetings in Turkey and invited the European women's organizations. After one such meeting, Yıldız Ecevit, a prominent feminist activist and scholar from Ankara, asserted: "We should [see] the EU accession process as a chance to strengthen our relationships with the global women's movement [,] and especially with European women's movement" (quoted in Marshall 2009: 369).

Meanwhile, feminist CSOs, together with other women's groups, joined the discussion on reforming the 1982 Constitution. When a group of law professors began to prepare a draft proposal for the new Constitution in 2007, more than 200 women's CSOs formed the 'Women's Platform for the Constitution' (*Anayasa Kadın Platformu*) to monitor the reform process. This Platform criticized the draft that allegedly ignored women's rights and gender equality, and it stressed the importance of taking gender perspective into account in reforming the Constitution (*Bianet*, 4 December 2007). WWHR and Purple Roof engaged in diverse working groups to lobby

for introducing gender equality perspective in the draft of the new Constitution and proposed gender-sensitive changes. They also publicized their views in press releases to influence public debates. In 2013, the Women's Platform for the Constitution joined the aforementioned Checks-and Balances Network (see Chapter 4) to strengthen the civil society struggle for a more democratic constitution.

Another controversial topic in achieving gender equality is the issue of affirmative action regarding women's political participation. Feminist CSOs reiterate the low number of women in representational politics and regard this issue as a serious problem for the consolidation of democracy in Turkey.

### ***Quota Debate***

As discussed in Chapter 2, gender scholars argue that women's substantive representation, i.e. the expression of women's interests in policies, depends also on women's numerical representation in formal politics. In their efforts for strengthening women's rights, feminist CSOs in Turkey often pointed out the barriers to political participation of women. It is clear that women are almost absent from political institutions. Until the 2000s, the percentage of women in the Turkish Parliament has only increased by 5 percent. The numbers are even lower in local governments and municipalities.

In order to increase the number of women representatives in politics, a group of professional women from Istanbul formed the 'Association for the Support and Training of Women Candidates' (*Kadın Adayları Destekleme ve Eğitim Derneği*, KADER) in 1997. Among its founding members were feminist and Kemalist women from different organizations. KADER works for improving economic, social, and political conditions of women to reach genuine gender equality in political participation.<sup>123</sup> To this end, it campaigns for quotas for women candidates in the parliamentary and local elections. An important characteristic of KADER is its 'equal distance' approach towards women candidates from different political parties in Turkey. But embracing women from different political movements causes internal strains among KADER members (Arat 2008: 409). Especially, the tension between Islamist and Kemalist women

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<sup>123</sup> <http://www.ka-der.org.tr/tr-TR/Page/Show/285/kader-hakkinda.html> (rev. 25.01.2014)

activists, have often undermined KADER’s effectiveness in its activities. Despite these conflicts, KADER became one of the most influential and broadly-organized women’s CSOs in Turkey.<sup>124</sup>

KADER specifically focus on women’s political representation, and to this end train women who aim to run for elections. Çiğdem Aydın, the head of KADER, stated: “We attach high importance to have women in political and public institutions. We believe that women can represent women better in gender issues because they can be sensitive to women’s issues.”<sup>125</sup> Aydın emphasized that gender quotas would ensure the inclusion of women into politics and thereby strengthen democracy in Turkey. She added that KADER’s networks with different political parties and the Turkish Parliament helped to establish a healthy relation between organized women and female representatives.

Aydın stated that KADER demands introduction of a minimum 30 percent gender quota in the Political Parties and Elections Acts. In 2005, the ‘Committee on Women’s Rights and Gender Equality’ of the European Parliament also pointed out the absence of women in politics and supported KADER’s claim. This report suggested that Turkey needs “to adopt a mandatory quota system combined with a zipper placement on the election lists as the best possible way to improve women’s participation in Turkish politics in the short term” (Report No. 2004/2215 (INI)). Moreover, many public figures such as prominent businesswomen, journalists, actors and actresses contributed to KADER’s campaigns to encourage women to participate in local governments and municipalities. According to KADER’s 2012 statistics, since Turkish women have acquired the right to vote and to run for elections in 1934, 1,159 mayors have been elected to office, and only 6 of them were women. Table 6.3 demonstrates the percentages of men and women elected to local governments between 1930 and 2011.

*Table (6.3): WOMEN IN LOCAL GOVERNMENTS*

	Men	Women	Total	Percentage
Elected Mayors (provinces, cities, city districts and villages)	2,924	26	2,950	% 0.8

<sup>124</sup> KADER has branches in seven large provinces, eight representative offices, and two initiative groups in different provinces around Turkey.

<sup>125</sup> Personal interview with Çiğdem Aydın, the head of KADER 2010–2014, November 2010, Istanbul.

Municipal Council Members	30,450	1,340	31,790	% 4.2
Provincial Assembly Members	3,269	110	3,379	% 3.2

Source: KADER 2012-2013 Women Statistics based on the data from the Ministry of Interior, February 2012

Çiğdem Aydın mentioned in our interview that between April 2008 and January 2009 KADER worked with feminist activists and academics on education programs and trained women candidates in different provinces in the project called “Political Schools for Women”, which is financed by the Swedish Embassy in Istanbul. These schools enabled communication and cooperation among women from different political parties and raised their awareness of gender issues. About 250 women took part in these trainings and many of them succeeded in running as candidates and being elected.

However, the AKP hesitates to include gender quotas in the Political Parties and Elections Act. For instance, Erdoğan often expressed his critical stance of gender quotas in his public speeches. The Turkish daily newspaper *Radikal* reported that in the opening reception of the Turkish Parliament in 2007, influential feminist activist Hülya Gülbahar, the head of KADER at the time, conveyed women’s demands for quotas to the prime minister. Erdoğan’s response was unexpected and negative:

“For me, gender quota is unjust. Everyone is equal. I do not think quota provides equality. At the moment, equal opportunities for participation exist for women and men. You can enter and win the elections. If there is a quota, it means women are being protected by men. Is there a quota in the USA? Or what is the quota in France? You want to be Rwanda, go and be Rwanda”<sup>126</sup>

The former Women and Family Minister Nimet Çubukçu has not endorsed the demand for political quotas. In AKP’s view, quotas can be used by political parties, but should not be enforced through a national legislation (Arat 2008: 409). Since then, the AKP has not changed its attitude towards gender quotas in politics and turned a blind eye to the demands of organized women. The party, within its own institutional structure, put women in some positions, but did not

<sup>126</sup> <http://www.radikal.com.tr/haber.php?haberno=234565> (rev. 01.02.2014)

introduce a quota system. Ayata and Tütüncü (2008) interviewed some female members of the AKP who remarked that the party organization is highly male dominated. Both scholars contend that women who are active in the local organizations of the AKP claimed that the party allows women to have “the responsibility, but not the authority” (2008: 376).

Despite the negative attitude of the AKP’s leadership, KADER’s successive campaigns to raise women’s participation in politics have been successful. Since 2002, the numbers of women in the Turkish Parliament has increased after every parliamentary election. The head of WWHR Pınar Ilkkaracan contended that this increase is due to the Kurdish BDP’s efforts in introducing quotas for women candidates on its election lists (Şenerdem 2010). For instance, the number of women in the parliament increased from 50 to 79 after the 2011 elections. Thus, the female ratio of the 550-seats Turkish Parliament has increased from 9.1 percent to 14.4 percent (KADER Women Statistics 2012-2013: 1).

In order to raise women activists’ awareness of their political rights, KADER launched a project called ‘Strengthening Women Citizens’, which was funded by UN Democracy Fund (UNDEF). Between 2008 and 2011, 358 women representatives of women’s organizations as well as of other CSOs from seven different regions of Turkey have been trained and obtained certificates on women’s human rights within the framework of the project.<sup>127</sup> These trained women activists informed 2,496 women citizens on their legal rights guaranteed in the Constitution, Penal and Civil Code and in the Labor Law. In a similar vein, at the beginning of 2013, KADER launched another two-year project called ‘Strengthening Women Citizens and Activists as Voters and Active Citizens’ with the financial aid of the ‘European Instrument for Democracy and Human Rights’.<sup>128</sup> This project aimed at encouraging women to become politically active citizens before the elections in 2014 and 2015. Using a snowball effect, KADER trains women activists on their rights as citizens and on gender equality, and these women will create their own training programs where they will inform other women about their political and civil rights. With the help of this project, KADER plans to reach 8,000 citizens and raise

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<sup>127</sup><http://www.ka-der.org.tr/tr-TR/Page/News/27/kadin-yurttaslarin-guclendirilmesi-projesi-20082011.html?bid=395> (rev. 01.02.2014)

<sup>128</sup> EIDHR was launched in 2006 and replaces and builds upon the European Initiative (2000-2006). Its aim is to provide support for the promotion of democracy and human rights in non-EU countries, see: [http://ec.europa.eu/europeaid/how/finance/eidhr\\_en.htm](http://ec.europa.eu/europeaid/how/finance/eidhr_en.htm) (rev. 01.02.2014)

women's awareness of their rights as citizens, to strengthen their networks and enable them to exchange their experiences among each other.<sup>129</sup>

Although the efforts of feminist CSOs to strengthen women's rights and achieve gender equality have brought about remarkable women-friendly outcomes in laws, discrimination against women continues to be a serious problem in Turkey.

### **Discrimination against Women**

As mentioned earlier, Turkey, as a 'State party' of the CEDAW treaty, must periodically report on the progress it has made in implementing the CEDAW obligations. Therefore, the state's women's machinery KSGM cooperates with different governmental institutions, academics, and representatives of women's CSOs to prepare the report that has to specifically deal with each article of the CEDAW agreement. The last report, presenting the achievements between 1997 and 2003, was submitted in 2003 and stated that: "For Turkey, the period since 1997 has been marked by milestone legal reforms that eliminated fundamental discriminatory provisions against women as well as other initiatives that contributed towards expanding the boundaries of equality and human rights of women." (CEDAW 4<sup>th</sup>-5<sup>th</sup> Periodic Report 2003: 2).

In its aftermath, WWHR, in the name of the Women's Platform for the Turkish Penal Code (including Purple Roof and Amargi) prepared a 'shadow report'<sup>130</sup> to the CEDAW Committee. The shadow report welcomed the changes both in the Turkish Civil and Penal Code, but listed the following provisions in the new Turkish Penal Code that needed to be amended:

- Article 82 (Aggravated Homicide), defining aggravated circumstances for homicides, needs to be revised to include killings in the name of 'honor' as an aggravating circumstance. This would make honor killings subject to harsher sentences such as life-time imprisonment.

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<sup>129</sup> <http://www.ka-der.org.tr/tr-TR/Page/News/2419/kadin-yurttaslarin-ve-aktivistlerin-secmenler-ve-aktif-yurttaslar-olarak-guclendirilmesi-projesi-20132015.html?bid=395> (rev. 30.11.2014)

<sup>130</sup> Shadow reports are produced by the CSOs from the countries that signed the CEDAW. These CSOs provide inputs and information on legislative changes in their countries and highlight shortcomings in gender policies from their own perspective. The first Shadow Report on Turkey was prepared by WWHR in 1997. Since then, the preparation of Shadow Reports has been institutionalized and submitted by different women's CSOs.

- Article 104, penalizing sexual relations of minors (15-18 years) upon complaint, needs to be revised. It leaves room for complaints from third parties, such as parents, families, or school administrators, and provides a ground to penalize consensual sexual relations between young people. Therefore, it would be better to abolish Article 104, and add a provision to Article 103 overseeing ‘Sexual Abuse of Children’ that penalizes only in cases of use of coercion, violence, and threats, and in the lack of the involved parties’ consent.
- Article 122 criminalizes discrimination based on language, race, color, sex, political opinion in public services, and economic activities. But there is no regulation on the discrimination based on sexual orientation. This article needs to be amended to include the sexual orientation-based discrimination.
- Article 287 should explicitly ban and criminalize the practice of virginity testing and women’s consent should be a necessary condition for all tests authorized by judges or prosecutors (WWHR 2005: 2f.).

The Women’s Platform insisted that the Penal Code needs to recognize “women’s rights to full autonomy over their bodies and sexuality, independent of their age, marital status, socio-economic background, or sexual orientation” for the full implementation of the CEDAW treaty (Ilkkaracan 2007: 255). The same report also stated that Article 10 of the Civil Code regarding the ownership of acquired property during marriage is only applicable to marriages that took effect after the adoption of the new Civil Code in January 2002. Therefore, the law discriminates women who have been married before the amendment to the Code. The Women’s Platform underscored the mere fact that “the change of the property regime has been most crucial for women of older age, a majority of whom have been forced to take on the role of full-time homemakers and as a result lacked an independent source of income.” (WWHR 2005: 12).

WWHR, Purple Roof, and Amargi continue to call for further reforms in the Penal Code to fully eliminate discrimination against women. For instance, Purple Roof points out that immigrant and refugee women, who work as housekeepers or caretakers for Turkish families, experience violence in their workplace and have no access to legal information how to deal with it (Mor Çatı Activity Report 2013). Accordingly, Purple Roof refers to the aforementioned Article 122 and demands that immigrant women in Turkey be protected by Turkish laws. In a similar

vein, all three CSOs point out the discrimination against LGBTI individuals in their public statements and reports. They state that transsexual women are subject to hate crimes, killings, lynching attempts, and mass assaults (Shadow NGO Report 2010: 24). Thus, they demand the recognition of sexual identity of LGBTI individual in the legal framework. Some Amargi activists continued to discuss diverse forms of discrimination in women's lives in the magazines of LGBTI organizations and pointed to discriminatory social norms and practices.

Moreover, Purple Roof works on 'gender justice' and 'gender equality' in collaboration with other feminist organizations that run consultation centers for women. Its latest project 'Women's Cooperation for Gender Justice', which began in January 2012 and was financed by the EU's Turkey Delegation, included two other feminist CSOs (Van Women's Association and Antalya Women Counseling Center and Solidarity Association) as well as Istanbul Bilgi University 'Center for Research and Practice of Human Rights Law'.<sup>131</sup> The project highlighted the obstacles in the access to judicial processes and the shortcomings in the implementation of laws relating to women's rights. These issues were discussed with legal experts in panels and workshops, and all the information gathered were publicized in reports and pamphlets.

Both Purple Roof and Amargi activists argued in our interview that the AKP does not implement policies effectively and completely. Likewise, WWHR claimed in its public statements that the AKP-dominated-parliament does not take initiatives or introduce necessary public and administrative reforms to fully eliminate discrimination against women.<sup>132</sup>

### ***Current Efforts of Feminist CSOs***

Although there have been remarkable changes in the legal framework and the AKP developed diverse strategies to eliminate discrimination against women (cf. Chapter 5), women in Turkey continue to be discriminated in political, economic, and social life. According to feminist CSOs, Turkey makes a strikingly slow progress in shrinking its gender gap due to the conservative, 'non-women-friendly' approach and policies of the ruling AKP (Şenerdem 2010).

Women in Turkey face hidden discrimination in political life. Due to cultural and political hindrances, women are not equally represented in politics. As mentioned above, KADER

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<sup>131</sup><http://www.morcati.org.tr/tr/neler-yapiyoruz/basin-aciklamalari/236-toplumsal-cinsiyet-adaleti-icin-kadinlarin-isbirligi-projesi-tamamlandi-basin-acaiklamasi-15-ocak-2014> (rev. 25.01.2014)

<sup>132</sup> <http://www.wwhr.org/press-releases/> (rev. 9.12.2014)

advocates quotas to increase the percentage of women in political life. Although Purple Roof and WWHR do not specifically work on political empowerment of women, but they support the campaigns organized by KADER. Moreover, Purple Roof organizes, in cooperation with KADER, seminars to inform women about their political rights and how to become politically active. Deniz Bayram from Purple Roof mentioned in our interview that a woman who lived in the Purple Roof's women's shelter, after participating KADER's seminars, was elected in the 2009 local elections as the head of a neighborhood in the Beyoğlu District of Istanbul.

Feminist CSOs underline the discriminatory practices that hinder girls from obtaining education. Although the Turkish educational system mandates both females and males to attend primary and secondary school, families still hesitate to send their girls to secondary school. Purple Roof, WWHR, and Amargi mostly support the campaigns for girls' enrolment in schools, but do not explicitly focus on this issue or develop projects related to it. They suggest that the state must develop sustainable strategies to overcome the traditional values of the families and encourage girls to attend school. In the last decade, the AKP passed several educational bills to overcome the low levels of girls' enrolment in secondary education. A great number of women's CSOs, in particular Kemalist women's CSOs, as well as governmental bodies organized campaigns to enroll girls to school.

Feminist CSOs have often pointed out that women are also discriminated in economic life. Turkish women are greatly underrepresented in the work force, making up only about 30 percent of it. As regards economic participation of women, there are several women's CSOs that specifically highlight the obstacles to gender equality in work environment, and that develop projects to encourage women to participate in labor market. These women's CSOs argue that social norms and practices in Turkey certainly hinder women from participation in economic activities. But they also state that the Labor Law has to be amended and push the AKP to change laws. In this regard, feminist CSOs have underlined four measures that would encourage women to participate in the labor market: 1) the importance of providing childcare and elderly care services to working women, 2) guaranteeing equal opportunities in hiring processes, 3) promoting programs targeting eradication of cultural hindrances on women's employment, and 4) the state must develop sustainable strategies and measures for women's economic participation (Shadow NGO Reports Turkey 2005 and 2010). But feminist claim that the AKP

obviously ascribes a traditional role to women as dedicated housewives and mothers. For instance, Tayyip Erdoğan and other AKP leaders often called women to have three children in their speeches. The AKP has thereby aimed to encourage population growth to make its domestic market broader, and thereby slide in the top ten economies of the world, without really including women into the labor market (Çağlar 2011).

To this end, the AKP also attempted to restrict the right to an abortion. Since 1983, abortion has not been an issue in Turkey, and women have legally been able to have abortions, albeit up to the tenth week of pregnancy. But in the summer 2012, Erdoğan started a public debate by equating abortion with murder. Like the conservative ‘pro-life’ groups in the US and Europe, he stressed that abortion is not an issue of women’s bodily rights, but rather it is the right of the embryo to be born. The majority of feminist, Kurdish, and Kemalist women’s CSOs, members of the Turkish Doctors Union, and journalists harshly criticized the AKP and its political discourse on women’s bodily rights. Feminist activists immediately initiated a campaign called “Abortion is a Right”, which reached an international audience, and organized demonstrations and sit-ins in different cities, and they opposed the newly planned policies on birth control and abortion (Letsch 2013). The AKP government had to withdraw its draft proposal due to the domestic and international reactions. But feminist women argue that currently public hospitals try to intimidate women who request abortions and encourage them to give birth without considering their opinions, choices, and financial status.<sup>133</sup>

When the AKP-government omitted the name ‘women’ from the Ministry for Women and Family, and renamed it to the Ministry for Family and Social Policies, feminist CSOs initiated a petition campaign and collected more than 3,000 signatures to keep ‘women’ in the name of the ministry (Belge 2011). Many feminist, Kurdish, and Kemalist women activists stressed that removing gender equality mechanism, i.e. Ministry for Women, implies that women are not regarded as individuals, but only within the context of the family (Cinmen 2011). In June 2011, they sent their concern to the Prime Minister’s Office, but Erdoğan rejected their proposal by saying that: “We are a conservative party. For us, what is important is the family.” (Belge 2011).

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<sup>133</sup> See daily newspapers such as *Radikal*, *Hürriyet* or the internet-based *Bianet*.

Although there has been many positive developments on the issue of women's rights during AKP rule, the restructuring of KSGM and the Ministry have alarmed feminist CSOs.

In the last decade, feminist CSOs began to work with some Islamist women's CSOs who frequently pointed out the discrimination against headscarf-wearing women. In their activities, WWHR, Purple Roof, and Amargi stressed that religious women have been prevented from receiving a university education or from participating in professional or political life due to the headscarf ban.<sup>134</sup> Feminist CSOs have in general supported the petitions organized by Islamist women, but they never prioritized the issue on their agenda. WWHR has, for instance, not mentioned the headscarf ban as a discriminatory provision in its shadow reports to the CEDAW committee.

### **Conclusion**

Overall, organized feminist women in Turkey have accomplished a lot in improving women's rights. As Marshall claims: "their strategy, which I call *sustained-pressure*, has helped feminist groups to influence changes in gender policies in Turkey, especially since the late 1990s [italics added]" (2009: 359). As indicated in this chapter, feminist CSOs have pursued their activities on two levels to have an impact on gender policies. First, on the national level, their advocacy efforts shaped public debates regarding women's issues that in turn pushed the ruling AKP. Second, on the international level, feminist CSOs contacted the international organizations that regularly report on Turkey on different platforms, such as the CEDAW Committee, the European Parliament and the European Commission, to exert influence on the AKP governments. Feminist CSOs have participated almost in all the phases of policy-making processes: in the agenda setting, in decision-making, implementation, monitoring, and finally in the policy evaluation.

As the length of the section on violence against women demonstrates, feminist CSOs have played an essential role in the struggle against violence against women and promoted sustainable legal changes for the prevention of violence. Clearly, Purple Roof has proved to be *the* address in protecting women from domestic violence. Thanks to its long years of experience in preventing women from violence, Purple Roof has become a cooperation partner for the state-run guesthouses for women (SHÇEK's) and violence monitoring centers (ŞÖNİMs). While

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<sup>134</sup> The discrimination against women because of the headscarf ban will be discussed in great depth in the next chapter.

Amargi has played an important role in raising women's awareness of the issue of domestic violence through its journal and public seminars, and participated in groups working on policy changes, WWHR, drawing on its strong international ties, was an influential actor in lobbying policy-makers and in negotiating with state institutions in political decision-making processes. As demonstrated above, these three feminist CSOs have been, to a great extent, successful in translating their claims into concrete policies protecting women from violence. But all feminist interviewees claimed in our interview that the struggle against violence can only succeed when the state also becomes committed to end gender-based violence, and to this end, implements effective policies and disincentives.

The issue of violence against women is also closely related with women's rights and gender equality. In this regard, feminist CSOs made great strides in raising women's awareness of their legal rights and in achieving gender-sensitive policies. They participated in the processes to amend the Civil Code and Penal Code, and the Constitution. In lobbying, and monitoring the government, WWHR and Purple Roof have been very effective, despite the differences between how they framed gender equality and what the AKP understood under that term. Amargi has participated in women's platforms working on improving women's rights, especially during the amendment process of the Civil and Penal Codes. Feminist CSOs however failed to convince the AKP to introduce quotas in the election laws. But thanks to the KADER's efforts, the number of women in the parliament increased over the years.

WWHR, Purple Roof, and Amargi have played a considerable role in the elimination of discrimination against women in laws, especially regarding women's bodily integrity, marital and reproductive rights, and women's sexuality. They prepared shadow reports to the CEDAW Committee in which they highlighted discriminatory provisions in the legal framework and called for immediate actions. This created an external pressure for AKP governments. WWHR and Purple Roof had diverse activities such as seminars and special training programs developing strategies to tackle with discrimination in daily life. Amargi has organized seminars discussing discriminatory practices and values prevalent in Turkish society and culture, and how to empower women.

Despite the rising conservative rhetoric of the AKP leadership and hostility towards feminist demands, feminist CSOs have managed to coalesce the broader women's movement on

common platforms and activated their international networks to stop the government in reversing women-friendly laws, as was the case in abortion debate. But as all interviewees from examined feminist CSOs remarked, all Turkish governments were conservative when it comes to women's issues, and none of them were enthusiastic over feminist ideals.

## Chapter 7

# Entangled between Islamism, Secularism, and Feminism: Islamist Women's CSO

### *7.1 The Emergence of Islamist Women's Activism*

The rise of Islamist women's activism in the 1990s can be traced back to two factors: 1) feminist activism helped lay the foundation for new paradigms of women's political participation and quest for citizenship rights, and 2) the Islamist movement increased its influence in Turkish politics and attracted many women to its political struggle. Women began to join Islamist parties, or CSOs, and worked effectively to strengthen Islamist politics in Turkey.<sup>135</sup> Islamist women activists demanded participation in the public sphere with their headscarves, especially in universities (Arat 1998, 2005; Göle 1996b; Marshall 2005; Ozcetin 2009). But the state elites considered the visibility of headscarves in public institutions as a challenge, if not a threat, to the secularist principle of the Turkish state (Arat 1998; Göle 1997; Saktanber and Çorbacıoğlu 2008). Since Kemalist elites believed that Islamic traditions and values hindered the modernization of Turkish society, they discouraged all religious symbols in public institutions. Nevertheless, the number of women wearing headscarves has increased remarkably, especially in university campuses.

In 1982, 'the Higher Education Council' (*Yüksek Öğretim Kurumu*, YÖK), which controls the higher education system in the country, banned the headscarf in universities for the first time. Later in 1984, YÖK issued a decree that allowed a modern form of the headscarf on campuses (Kurban 2010). In January 1987, because of President Kenan Evren's pressure on the government, YÖK added a decree (7/h) to the Student Disciplinary Regulations stating that: "Headscarf is not an 'article of clothing', but symbolizes certain ideological orientations, and that university

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<sup>135</sup> Arat (2005) argues that mobilization of women for the Islamist *Refah Partisi* (RP) was an unprecedented phenomenon. No other political party in the 1990s could obtain such a high membership of women. According to a report prepared by the RP's Istanbul organization, between 1995 and 1997 the women member increased from 158,287 to 377,888. See further: Eligür (2010).

administrations should decide whether or not to ban headscarves on their campuses”. In 1989, the Constitutional Court decided that the YÖK’s decree contradicts the secularity principle (Article 2) of the Constitution.<sup>136</sup> Accordingly, university administrations in Istanbul and Ankara became stricter and began to exclude students with headscarves from entering their campuses. In response to the prohibition, banned female students organized demonstrations and sit-in protests in front of the universities and demanded to pursue their higher education by wearing headscarves. From the 1990s on, headscarves came to symbolize the Islamist women’s movement (Arat 1998; Marshall 2005; Saktanber and Çorbacioğlu 2008).

### ***7.2 The Institutionalization of Islamist Women’s Activism: Islamist Women’s CSOs***

In the 1990s, the Islamist RP under the lead of Necmettin Erbakan largely benefited from women’s involvement in its mobilization nationwide. Islamist women activists were organized at the grassroots level, mostly in the shantytowns of the big cities, and worked for the election campaigns of the RP (Ayata and Tütüncü 2008: 369). According to RP leaders, women activists could reach potential female voters in their neighborhoods more easily than men. The campaign manager and the head of the Women’s Commission of the RP Sibel Eraslan worked with 18,000 women on the March 1994 local elections (Arat 1998; Ayata and Tütüncü 2008). The RP won the local elections in major cities including Istanbul and Ankara, but Eraslan was not given any political position within the party organization afterwards (Arat 1998: 124). Accordingly, a group of Islamist women activists began questioning and criticizing male dominance in the Islamist political movement.

In order to voice their demand for participation and inclusion in the public sphere, without being pushed back by Islamist men, Islamist women activists began to form their own CSOs with different purposes and develop a political agenda from women’s perspective. Like early feminist activists, the initiators of independent Islamist women’s activism were mostly well-educated, middle-class women from urban centers, who were either university students or

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<sup>136</sup> Article 2 of the Turkish Constitution stipulates that: “The Republic of Turkey is a democratic, secular, and social state governed by the rule of law; bearing in mind the concepts of public peace, national solidarity, and justice; respecting human rights; loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the Preamble.”, see: [http://www.hri.org/docs/turkey/part\\_i.html#article\\_2](http://www.hri.org/docs/turkey/part_i.html#article_2) (rev.19.11.2014)

professionals. They aimed to find common solutions for religious women's problems in voluntary organizations.

The oldest Islamist women's organization in Turkey is the 'Rainbow Istanbul Women's Organizations Platform' (*Gökkuşluğu İstanbul Kadın Kuruluşları Platformu*, GIKAP). At the National Women's Congress (1993), the state's body KSSGM called women activists to establish civil society groups.<sup>137</sup> In 1995, Islamist women from different organizations and groups in Istanbul established GIKAP. It was comprised of forty-six women's groups from the Islamist movement and primarily focused on improving the everyday lives of women and the family (Erarslan 2007: 253). Its participants decided to keep their distance from all Islamic groups or parties. The majority of the founding members were educated women from Istanbul, who were professionals, university students or housewives.

GIKAP has attached great importance to educational activities that target women's self-development, and to encouraging women to participate in social and cultural life. It also emphasizes the need to strengthen civil rights in Turkey to overcome the problems of Islamist women.<sup>138</sup> To this end, it encourages its member organizations to take an active role in social projects and to participate in political decision-making processes. According to its website, its political influence has grown since it became a member of the consultative committee of the 'General Directorate of Family and Social Research', which acts under the auspices of the Prime Ministry. GIKAP's representatives participate in regional meetings on women's status and problems in the Muslim world and exchange their experiences in empowering women and family.

GIKAP's member groups reached fifty-four by 2011.<sup>139</sup> It has a semi-hierarchical organizational structure that allows selecting an executive committee by democratic voting. It publicizes its activities through press releases as well as on its website. The organization has close ties with the women's organizations from the Muslim world, especially from the Turkic states in Central Asia. GIKAP's projects are financed through individual and state donations.

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<sup>137</sup> <http://gikap.org/Tarihce.html> (rev. 15.02.2014)

<sup>138</sup> <http://gikap.org/VizyonMisyon.html> (rev. 15.02.2014)

<sup>139</sup> <http://gikap.org/Tarihce.html> (rev. 15.02.2014)

In 1995, another group of well-educated Islamist women in Ankara formed the ‘Capital City Women’s Platform’ (*Başkent Kadın Platformu*, BKP) to focus on women’s rights and problems arising from discriminatory practices in Turkish society and culture. These middle- and upper-middle-class Islamist women discussed the subordinate status of women in Turkish society and family, and underscored the importance of women’s perspectives in dealing with women’s problems. BKP, as the first religious women’s CSO in Ankara, aimed to form a platform for religious women. In 2002, BKP transformed into the Association of Capital City Women’s Platform (*Başkent Kadın Platformu Derneği*) to act in a more structured and organized way (Güler 2009). The aim of BKP is: “[d]etermining women’s problems and producing alternative perspectives, and theoretical and practical solutions, to improve women’s intellectual, psychological, social, and economic situation; providing dialogue, communication, and solidarity between women; and conducting activities by gathering different women around common benefits”.<sup>140</sup> The former president of BKP Hidayet Şefkatli Tuksal, who was banned from teaching at the theology faculty of University of Ankara because of her headscarf, argued that BKP was critical of the Turkish state’s assumption that women can only participate in the public sphere by suppressing their religious identity.<sup>141</sup> Furthermore, BKP also criticized the approach of Islamist traditionalists towards women’s role in society.

BKP has a participative and non-hierarchical organizational structure. The delegates of all member organizations are represented in its plenary council. Its executive committee is elected by the plenary assembly and serves for a two-year term.<sup>142</sup> BKP has 180 members, and the number reaches 500, if volunteers are included (Güler 2009). It is financed through donations, dues, and income from its courses. As Tuksal stated in our communication, women reach BKP through telephone, mail, its website, or friends. Over the years, it has expanded its international and national networks through its participation in different platforms such as the UN’s World Conferences on Women, ‘the Executive Committee for NGO Forum on CEDAW’, and Amnesty International.

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<sup>140</sup> <http://www.baskentkadin.org/tr/?cat=6> (rev.16.02.2014)

<sup>141</sup> Personal communication with Hidayet Şefkatli Tuksal, the founding member of BKP, October 2010, Ankara. She is a famous activists and academic working on women and Islam and writes regularly for Turkish dailies.

<sup>142</sup> <http://www.baskentkadin.org/tr/?p=358> (rev. 16.02.2014)

In the aftermath of the 28 February 1997 military intervention, stricter enforcement of the headscarf ban excluded more women from public institutions (cf. Chapter 4). In 1999, the ‘Women’s Rights Association against Discrimination’ (*Ayrımcılığa Karşı Kadın Hakları Derneği*, AKDER), the third CSO analyzed here, was formed by students and professionals in Istanbul, after they were expelled from their universities or jobs because of the headscarf ban. Thus, the initial aim of AKDER was to provide financial support and legal advice to students and professionals with headscarves. Neslihan Akbulut, the general secretary of AKDER, stated: “Dozens of veiled students who could not pursue their education in Turkish universities were sent to universities abroad through the donations AKDER collected”.<sup>143</sup> Since its establishment, AKDER has organized meetings, seminars, and symposiums on the problems arising from the headscarf ban and demanded the inclusion of religious identity in public space.

AKDER also tries to attract public attention to discrimination against women in a broader sense. To this end, it regularly publishes reports and articles on women’s legal rights with regard to family, work, political participation, and education. In these reports, it highlights discriminatory laws and social norms that restrain women from exercising their basic rights and discusses how to overcome these hindrances.<sup>144</sup> AKDER publicizes its activities on its website, or through mailing lists and social media. Like BKP, it is also a well-organized but semi-hierarchical association. Its plenary council votes to determine the tasks of its working groups. The executive committee implements projects, takes decisions, and communicates with state institutions, and is controlled by the advisory board.<sup>145</sup> AKDER’s expenses are mainly financed by membership dues, but its scholarships are funded through donations.

The three organizations - GIKAP, BKP, and AKDER – are the most prominent and visible independent Islamist women’s CSOs in Turkey. Table (7.1) below lists some information about these three Islamist women’s CSOs. They define themselves as women’s rights organizations, differentiating themselves from other Islamist women’s organizations engaged in charity and religious activities, and they are not under the influence of any Islamist political party. As

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<sup>143</sup> Personal interview with Neslihan Akbulut (Arikan), October 2011, Istanbul. Akbulut has been the general secretary of AKDER between June 2007 and April 2012, now she is working as an academic. She was also banned from her university in Istanbul and completed her sociology study in Sweden.

<sup>144</sup> Personal interview with Fatma Benli, the member of the advisory board and the former general secretary of AKDER (1999-2006) and a prominent human and women’s rights lawyer, November 2010, Istanbul.

<sup>145</sup> <http://www.ak-der.org/tuzuk.gbt> (rev. 17.02.2014)

mentioned above, the founders of these CSOs are mostly educated women, but the members are from middle or lower-middle class women mostly with headscarves. Most do not call themselves as feminists, but some do, and they have come to be known as ‘Islamist feminists’ in the Turkish media (Akman 2008; Arat 2008; Marshall 2005).

*Table (7.1): ISLAMIST WOMEN’S CSOs*

<b>Islamist women’s CSOs</b>	<b>Legal Status /year of establishment</b>	<b>Organizational structure/ number of members</b>	<b>Main fields of activity</b>	<b>Funding</b>
<b>Rainbow Istanbul Women’s Organizations Platform (<i>Gökkuşsağı İstanbul Kadın Kuruluşları Platformu, GİKAP</i>) (Istanbul)</b>	Platform (1995)	Semi-Hierarchical; 54 member CSOs	Empowerment of women and family; discrimination against women	Individual or institutional donations; some projects funded by ministries
<b>Capital City Women’s Platform Association (<i>Başkent Kadın Platformu Derneği, BKP</i>) (Ankara)</b>	Platform (1995), became an association in 2002	Non-hierarchical; around 180 registered members, with volunteers around 500	Women’s rights and gender equality, discrimination against women, violence against women	Dues, donations, and earnings from their courses; some projects funded by national and international donors
<b>Women’s Rights Association against Discrimination (<i>Ayrımcılığa Karşı Kadın Hakları Derneği, AKDER</i>) (Istanbul)</b>	Association (1997)	Semi-hierarchical; 150 registered members, including volunteers around 400, (1 professional worker, the	Discrimination against women, empowerment of women	Mainly donations, projects funded by national donors

### ***7.3 The Achievements of Islamist Women's CSOs before AKP Rule***

In the 1990s, these three Islamist women's CSOs pursued their struggle on two fronts. First, they contested the Kemalist state's understanding of secularism and rejected its control over religion. The Kemalist secularism required Turkish citizens "to leave their religious beliefs behind in the private sphere" (Cindoglu and Zencirci 2008: 798). Therefore, the Kemalist state discouraged all religious symbols and practices in the public sphere (Marshall 2005; Ozcetin 2009). Second, these organized Islamist women contested the patriarchal structures of the Islamist movement. They realized that Islamist male politicians instrumentalized the visibility and the dynamism of organized Islamist women only for their political purposes, but in reality, they believed that women should primarily fulfill their domestic duties. Organized Islamist women thus criticized the gender roles ascribed to them as 'housewives and mothers' and argued that women can reconcile their family and everyday life (work or university) with Islamic duties (Marshall 2005; Saktanber 2002). BK, for instance, publicly criticized the patriarchal perspectives and policies of the *Diyanet* and organized seminars on feminist readings of Islamic texts (Akman 2008: 85).

As mentioned previously, in the aftermath of the 28 February 1997 military intervention, the headscarf ban was strictly applied in public institutions. More than a hundred thousand students and ten thousand public servants were deprived of their status (AKDER 2010: 16). All three Islamist women's CSOs – GIKAP, BKP, and AKDER - argued that the headscarf ban is a violation of the basic rights of women, as it hinders women's participation in the educational, professional, and political life. Therefore, the struggle against headscarf-related discrimination against women was the most important issue on their agenda. In addition to organizing public protests calling for lifting the headscarf-ban, members of BKP, GIKAP, and AKDER held public events to discuss and publicize their right to wear headscarves in public institutions as a matter of 'right to education and work' and 'freedom of religion' (Marshall 2005; Saktanber and Çorbacioğlu 2008). In other words, they based their arguments on a universal human rights discourse (Cindoglu and Zencirci 2008: 792). BKP emphasized that the participation of women, veiled or not, in educational and professional life will strengthen women's status within Turkish

society.<sup>146</sup> These Islamist women had nothing in common with the traditional image of Muslim women as uneducated, passive, and devoted to the family; on the contrary, they were publicly visible, politically active and educated women (Arat 2005; Göle 1996b).

Islamist women's demand to be recognized as equal citizens, free to claim entitlement to education, work and political participation, was a fully democratic claim (Seckinelgin 2006: 751). However, Turkish public opinion in the 1990s did not consider these Islamist women with headscarves as democratic agents. The secularist state elite, the media, and the Kemalist segments in society made headscarves into "the object of fear of Islamization" (Ozcetin 2009: 113). They have not tolerated the presence of Islamist women activists in the public sphere. Turam rightly argues that Islamist women became the "scapegoat" of the tension between Islamist politics and the Kemalist state (2008: 479).

While the headscarf issue was a priority for organized Islamist women, they have also paid attention to the issue of women's rights. Before forming their organizations, a group of women from BKP and GIKAP participated in international meetings such as the Beijing UN Conference on Women (1995) and Istanbul Habitat II Conference on Human Settlements (1996). As they discussed women's problems with other women activists from different parts of the world, they acknowledged that women, independent of their social, cultural, religious, or ethnic identity, experience discrimination because of their gender. Accordingly, both GIKAP and BKP began to develop their arguments from a woman's perspective. They began to criticize the headscarf ban not only as the state's interference in the religiosity of its citizens, but also as a violation of women's rights to education and work.

In the 1990s, Islamist women's CSOs were not very active in the issue of violence against women. They emphasized improving women's status in their families, but without focusing on domestic violence. In the second half of the 1990s, they addressed the state's violent acts towards women with headscarves, but only few Islamist women activists referred to the issue of domestic violence. The reasons for Islamist women's groups' lack of interest in this issue can be explained as follows: First, they were primarily occupied with asserting themselves as citizens in the strictly secularist public space and as individual actors within the Islamist movement. Hence,

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<sup>146</sup> Personal communication with H. Tuksal, October 2010, Ankara.

they rather focused on the question of social and political inclusion. Second, Islamist women's CSOs were newcomers within the broader women's movement; thus, they were inexperienced in framing women's problems and finding solutions. Third, they neglected the issue of violence because *the* experts in the area were feminist CSOs, with whom Islamist women were not in a dialogue.

Islamist women's CSOs in the 1990s brought about a variety of political and cultural debates in Turkey. Most importantly, they led to a reconsideration of the Kemalist understanding of secularism and the secular public sphere. Interestingly, the efforts of Islamist women activists led organized feminists to realize that religious women were prevented from participating in public life because of their gender identity, while Islamist men could enjoy public life without facing any kind of discrimination. Feminists in Turkey normally criticized the Islamist doctrines regarding the covering women's bodies, on the ground that these doctrines suppress women's sexuality. In contrast, Islamist women activists claimed that wearing a headscarf "frees them from being sexual objects" and enables them to participate in public life (Marshall 2005: 110). Accordingly, some feminists began to understand and defend Islamist women's claims. These feminists argued that women might be able to participate in public life regardless of their style of dress (Arat 2008: 412). Conversely, secularist Kemalist women disliked the visibility of Islamist women in the public sphere and considered them a 'threat' to Turkish secularism.<sup>147</sup>

At the end of the 1990s, there were more than 300 Islamist women's CSOs including associations, foundations, cultural clubs, and other groups. Islamist women activists were divided among themselves with regard to their approaches to women's issues (Marshall 2005: 107). The "orthodox" groups interpreted women's role and gender relations in society in traditional Islamic terms, whereas "non-orthodox", or "reformist", groups supported women's participation in public and political life (Akman 2008: 75; Marshall 2005: 107). But both sides have agreed that Islam requires veiling and expressed a commitment to Islamic duties.

Organized Islamist women have managed to establish themselves as an important group within the broader scope of organized women in Turkey, but they have not always found a

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<sup>147</sup> Chapter 9 discusses in detail how Kemalist women activists approach the headscarf issue and Islamist women's activism.

common ground on which to work on women's issues together with other women's groups (Arat 2008; Marshall 2005). However, the democratized political realm in the aftermath of Turkey's acceptance for EU membership candidacy (1999) provided Islamist women's organizations with opportunities to interact with the broader women's rights movement in Turkey. During the political reform process for the EU candidacy, the most important topic on women's rights movement was reforming the Civil Code.

### **The Process of Amending the Civil Code**

The working and lobbying groups dealing with the revision of the Civil Code were dominated by feminist and secularist Kemalist women, who had been working on the Civil Code since the 1980s. The Islamist women's CSOs considered here were not included in these groups. But during the nationwide campaign launched by WWHR in 2001 (cf. Chapter 6), activists of BKP and AKDER supported the draft proposal on equal property sharing in case of divorce. After the new Civil Code was enacted in January 2002, organized Islamist women were involved in promoting the new Code. To this end, they organized meetings and seminars that informed women on their rights in marriage. Fatma Benli, a member of the advisory board of AKDER, emphasized in our interview: "The important thing is to inform society about changes in the laws pertaining to women's lives. If society acknowledges that women have equal rights, then we can have real change".

During the amending process of the Civil Code, the cooperation among different women's CSOs displayed that a women's coalition can overcome barriers among organized women. Hidayet Şefkatli Tuksal from BKP was well known in feminist circles, and she worked with women activists from diverse groups on different platforms. In December 2001, after the USA invaded Afghanistan, BKP joined the anti-war platform called the 'Permanent Women's Platform for Peace' with women from feminist, leftist, and Kurdish CSOs and parties in Ankara.<sup>148</sup> This platform stressed that since women and children suffer most in wars, it aims to challenge militaristic violence and the oppression of women and to struggle against rising nationalism and racism (Işık 2004). This experience helped BKP develop closer relations with secular feminists, leftist and Kurdish groups. In the midst of the political reform process for EU candidacy, the

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<sup>148</sup> <http://www.baskentkadin.org/tr/?p=137> (rev. 21.02.2014)

parliamentary elections took place in November 2002 and the newly formed Islamist AKP came to power.

#### ***7.4 The Participation and Inclusion of Islamist Women's CSOs in the AKP Era***

Some members of BKP were founders of the AKP.<sup>149</sup> The party came to power with the promise of removing constraints on civil rights and freedoms, including the headscarf ban, and offered a golden opportunity for Islamist segments of CS to integrate in the political system. Not surprisingly, Islamist women's CSOs hoped to solve the problems arising from the headscarf ban. They believed that it would be easier to interact and cooperate with the Islamist AKP than with previous Turkish governments.

In the decade since the AKP came to power, organized Islamist women have widened their scope in the struggle for women's empowerment. Although the primary focus of Islamist women's CSOs has been discrimination against religious women because of the headscarf ban, they have also engaged in strengthening women's equal rights and combating violence against women.

#### **Violence against Women**

Organized Islamist women first joined the struggle against violence against women in the 2000s, especially during the process of amending the Turkish Penal Code. They began to engage in campaigns against domestic violence and developed their own ways of preventing violence against women. Like other women's group, they used a human rights framework and declared that domestic violence is a violation of human rights. In combating violence against women, Islamist women organizations have emphasized three important points: 1) improving existing laws regarding violence against women, 2) increasing the cooperation between local state institutions, such as municipalities and governorates, and CSOs in establishing women's shelters, and 3) raising women's awareness of their legal rights. The amendment to the Penal Code was an important step in the struggle against violence against women.

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<sup>149</sup> Fatma Bostan Ünsal from the executive committee of the BKP is a founding member of the AKP.

### *The Reform Process of the Turkish Penal Code*

When the Women's Platform on the Turkish Penal Code prepared legal proposals to make gender-sensitive amendments to the Penal Code, Fatma Benli from AKDER participated in this working group and drew attention to the discrepancy between the existing laws in the Penal Code and the requirements of the CEDAW treaty. Likewise, Fatma Bostan Ünsal from BKP was also active in the Women's Platform (Alemdar 2013: 144). It was the first time that Islamist women CSOs worked together with secularist Kemalist women's CSOs.

During the reform process, some legal proposals encountered strong resistance from religiously conservative MPs. Both Benli and Akbulut from AKDER underlined in our interview that it was important to lobby AKP politicians by conveying the views of politically active Islamist women, who were seen by Islamist politicians as their own clientele. GIKAP was indirectly included in the reform process since AKDER is one of its member organizations. As a result of the intensive advocacy and lobbying activities of all women's groups and the pressure rising from the EU accession process, the majority of the proposals of the Women's Platform were accepted (cf. Chapter 5).

After the ratification of the revised Penal Code in September 2004, BKP also joined the 'Ankara Women's Platform on the Penal Code', which was coordinated by the influential feminist CSO 'Flying Broom' (*Uçan Süpürge*). The BKP was invited to the meeting of the Ankara Platform that was formed to promote the amended Penal Code. Safiye Özdemir from BKP contributed to the preparation of the public statement and presented the views of BKP: "We have worked a lot, struggled a lot, and the achievements are our success. But women of this country deserve more. For more freedom, for more democratic Turkey we must continue our struggle!"<sup>150</sup> Like other women's CSOs, BKP also published brochures, posters, and CDs presenting the changes in the Penal Code and sent them to different regions in Turkey.

All three CSOs have promoted the new laws in the Penal Code. Fatma Benli from AKDER, for instance, prepared reports explaining the new regulations and laws protecting women and children from violence. She also prepared a detailed brochure on the Penal Code. Similarly, BKP listed the new laws in the Penal Code on its website and worked to inform women about their

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<sup>150</sup> <http://www.baskentkadin.org/tr/?p=145#more-145> (rev. 17.03.2014)

rights in cases of domestic violence.<sup>151</sup> GIKAP welcomed the new regulations such as the removal of the notion of ‘consent of the child’ in sexual abuse, harsher sentences for ‘honor killings’, and the clarification of the definition of sex crimes. Islamist women’s CSOs have also organized meetings to discuss the new laws and their benefits for the family. Some traditionalist Islamist women from GIKAP were not necessarily advocates of new provisions such as ‘decriminalizing adultery’. They rather stressed the regulations that deal with sexual offences against women and children.<sup>152</sup>

After the revision of the Penal Code, Islamist women’s CSOs began to engage in the struggle against domestic violence and underlined the importance of women’s shelters for protection of women and children from violence.

### ***Women’s Shelters***

None of the Islamist women’s CSOs analyzed here run a women’s shelter. However, they participate in the annual meetings of the aforementioned Assembly of Women’s Shelters and Counseling/Solidarity Centers (cf. Chapter 6). There they participate in workshops, acquire the latest information about the extent of violence against women in Turkey, and exchange ideas with other women’s rights organizations and state officials on how to better protect women and children from violence. Özgür Sunata from the feminist group Purple Roof claimed in our interview that there were minor disputes between Islamist and Kemalist women activists in the working groups at the Assembly. This was mainly because Kemalist women were showing their disapproval of headscarves, which did not fit the image of a ‘modern’ Turkish woman. Organized Islamist women, especially the AKDER and BKP, have avoided these kinds of confrontations.

Islamist women’s CSOs are pleased with the new regulations aimed at protecting women and children from violence, but they argue that the AKP government needs to be stricter in the enforcement of the laws. Both BKP and AKDER underline on their websites the need to establish more women’s shelters in Turkey. In this regard, they welcomed the enactment of Article 14 of the Municipality Law (No 5393) that requires municipalities with more than 50,000 inhabitants to establish women’s shelters. Neslihan Akbulut from AKDER pointed out in our interview:

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<sup>151</sup> Ibid.

<sup>152</sup> <http://gikap.org/t2.html> (rev. 19.11.2014)

“The most effective action against domestic violence is to enable women to move away from the violent environment, in other words, to provide women with shelters. Although municipalities with more than 50,000 inhabitants are required to establish women’s shelters, the number of women’s shelters in Turkey is low, and municipalities that fail to implement the law face no sanctions. If the political parties in the Turkish Parliament are sincere in this policy, they need to push the local authorities and impose sanctions. Most of the time, women experiencing violence, including the ones who apply to AKDER, think that they cannot live alone because they are dependent on their husbands’ income. Therefore, state institutions should offer women guarantees enabling them to live on their own. This is why AKDER sees women’s shelters as vital in rehabilitating women and enabling them to get on with their lives in a healthy way.”

One of the member organizations of GIKAP, the ‘Association of Compassion’ (*Şefkat Derneği*, ŞEFKAT-DER) has a women’s shelter in Konya, a major province in Central Anatolia. It has helped approximately 6,000 women and children who were poor, homeless, victims of violence and prostitution, homeless children, or orphans.<sup>153</sup> ŞEFKAT-DER collects donations through a variety of activities, offers educational courses for women, helps children in the shelter in their homework, and informs schools about the sensitive situation of these children. It has also directed many needy women to other women’s organizations.

### ***Further Efforts for the Prevention of Domestic Violence***

Despite the positive legal changes in the Penal Code, violence against women, especially domestic violence, continues to be a major problem in Turkey. Organized women have thus pointed to the need to revise the aforementioned Law on the Protection of the Family (No. 4320). The law was amended in 2007, but did not provide protection for non-married women. This implied that women with religious marriages (*imam nikahı*) could not benefit from this law. Islamist women’s CSOs argued that women, married (religiously or legally) or not, can be victims of violence, and that they have to be protected under any circumstances. Therefore, they joined the aforementioned ‘Stop Violence Platform’, where they worked together with feminist, Kurdish, and secularist Kemalist women’s CSOs (cf. Chapter 6).

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<sup>153</sup> <http://www.sefkatder.org/hakkimizda.html> (rev. 25.03.2014)

During the process of amending Law 4320, Fatma Benli from AKDER, for instance, worked on several legal proposals pertaining to violence against women. She defined different forms of violence and prepared highly detailed reports on laws and regulations relating to domestic violence. Similarly, legal experts from BKP were also active in the process and participated in the working group on Law 4320. These Islamist women activists tried to balance between women's CSOs and officials of KSGM. After long disputes between women activists and officials, on 8 March 2011, the new Law to Protect Family and Prevent Violence against Women (6284) was enacted. Fatma Benli from AKDER argued in our interview that the new law provides extensive protection and assistance to victims of violence, but she agrees with feminist organizations that the law emphasized 'the protection of the family', rather than 'the protection of women as individuals'.

On the issue of violence against women, BKP is the most engaged Islamist women's CSO. It emphasizes two important points in combating domestic violence against women: the importance of the state's responsibility and raising men's awareness of violence against women. In July 2007, BKP participated in the workshop of KSGM's first National Action Plan to Fight Domestic Violence against Women (2007-2010) (cf. Chapter 5). Initially, participants from various state institutions, CSOs, and universities defined different forms of violence. As Nurşen Orakçı from BKP explained, the participants then discussed short and long-term plans to reduce domestic violence against women with the representatives of KSGM.<sup>154</sup> They pointed to several problems in the implementation of the project and worked on developing alternatives and solutions for combating domestic violence. BKP actively participated in drafting the first National Action Plan against Domestic Violence.<sup>155</sup> One of its main tasks was to train state officials in gender equality and the issue of violence against women. In this regard, BKP assisted in the trainings given by KSGM to the personnel of *Diyanet*. Moreover, in 2014, BKP embarked on a new project called "Its Subject is Man" in cooperation with the Maraş branch of the Union of Personnel of *Diyanet*, which is supported by the influential Turkish CSO *Sabancı* Foundation and the UNDP.<sup>156</sup>

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<sup>154</sup> <http://www.baskentkadin.org/tr/?p=8#more-8> (rev. 26.03.2014)

<sup>155</sup> *Ibid.*

<sup>156</sup> *Sabancı* Foundation is endowed by one of the wealthiest families in Turkey. For further information about the mentioned project, see: <http://www.baskentkadin.org/tr/?p=689> (rev. 26.03.2014)

Fatma Benli from AKDER stated in our interview that she, as a lawyer, supported three projects dealing with the violence against women in 2011, two of which were in Ankara. She said that: “To combat violence against women, both CSOs and state institutions have to develop concrete solutions. In particular, state institutions talk about the urgency of the problem, but do not act accordingly. For instance, they do not implement laws correctly”. Benli argued that the Supreme Court (*Yargıtay*) and the Council of State (*Danıştay*) of the Turkish Republic have not changed their sexist views on women’s bodily rights, and that judicial personnel still see women as a symbol of the family’s honor. For instance, both the Supreme Court and the Council of State still want evidence of the family’s intent in cases of ‘murder following customary law’ to understand the background of the murder. However, the decision to kill a female member of the family is usually taken in a family gathering, and this collective decision is not easy to prove. Fatma Benli thus argues that murder in the name of customary law needs to be classified as an ‘aggravated homicide’ in the Penal Code, and that the sentence of the perpetrator may not be reduced in any circumstances.

In sum, Islamist women CSOs joined the struggle to eliminate violence against women and children. But a prominent women’s rights lawyer from the ‘Izmir Women’s Solidarity Association’ (*Izmir Kadın Dayanışma Derneği*) claimed that Islamist women’s CSOs in general are not well organized in dealing with the issue of violence against women.<sup>157</sup> As discussed above, Islamist women’s organizations are not as persistent as feminist or Kemalist women CSOs are, but they work for the recognition of the domestic violence as an ‘unacceptable practice’ among religious segments of society. Encounters with legal experts from Islamist women’s CSOs equip more traditionalist religious women with up-to-date information about their legal rights and improve their ability to be vocal or to act against domestic violence. As mentioned in Chapter 6, Altınay and Arat (2009) underline the efforts of women’s organizations in raising public awareness of domestic violence, and Islamist women’s CSOs have arguably contributed to this effect.

### **Women’s Rights and Gender Equality**

In the last decade, Islamist women activists have paid a great deal of attention to strengthening women’s rights and gender equality. As mentioned above, they actively participated in the

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<sup>157</sup> Personal interview with Sevgi Binbir, September 2011, Izmir.

reform process of the Penal Code and lobbied the AKP politicians to push for changes. However, they assert that the most important step in strengthening women's rights is to inform women of their existing rights both in the Civil and Penal Code. To this end, AKDER launched a national project in 2011, which aimed to supervise women's groups in different regions of Turkey in their struggle for women's empowerment.<sup>158</sup> AKDER thereby aimed to equip these women's CSOs with necessary information about the existing laws and regulations on women's rights. Likewise, BKP worked with the aforementioned *Sabancı* Foundation on empowering women in accordance with the UNDP's gender equality strategy, which aims to empower women and girls to fully realize their rights in all spheres of life.<sup>159</sup>

As mentioned above, the Civil Code provision regarding equal share of property in case of divorce applies only to marriages that took place after the renewal of the Civil Code in 2002. Like feminist CSOs, Islamist women's CSOs have criticized this regulation and advocated the application of this law to all marriages. In this regard, AKDER provides legal counseling for women and helps them with issues such as property sharing and custody after divorce. Fatma Benli from AKDER is also a prominent advocate of amending the law on property sharing. At the time of our interview, she was working on a case in which her female client could not acquire half of the property because she was married before 2002. She stated that if her client's claim was not accepted in the Turkish courts, she would apply to the CEDAW committee. If the CEDAW committee decides that her client is discriminated against, then Turkey as a signatory state has to reconsider and revise the law concerning property sharing. Fatma Benli also provides free legal services to women applying to the Istanbul Bar Association. Other than AKDER, both GIKAP and BKP also direct women to legal experts in case of divorce, or inform them by individual correspondence about their rights according to the Civil Code.

In order to raise awareness of gender equality, both BKP and AKDER were supportive of the KSGM's project on training the personnel of *Diyanet* on gender equality and domestic violence and emphasized the need to overcome traditional customs inhibiting gender equality (KSGM 2012: 14). Since 2009, KSGM in cooperation with BKP and AKDER has educated 2,400 public servants of *Diyanet* on gender equality and women's rights (Ibid.). Moreover, both AKDER

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<sup>158</sup> Personal interview with Neslihan Arıkan, October 2011, Istanbul.

<sup>159</sup> <http://www.undp.org/content/undp/en/home/librarypage/womens-empowerment/gender-equality-strategy-2014-2017/> (rev. 28.03.2014)

and GIKAP are members of the KSGM commissions dealing with women's education and health and have thereby direct influence in policy-making and implementation processes.

Furthermore, Islamist women's CSOs pay special attention to women's education. They see women's education as crucial in enabling women to acquire economic and social independence (Ozcetin 2009: 113). To this end, they provide financial support to female students and girls from poor families. As the interviewees stated, BKP and AKDER also offer educational courses and programs for women, such as English course, computer usage, music or handicrafts, to strengthen women's personal development. Likewise, GIKAP organizes workshops on youth and consumption, education, social media and social responsibilities.<sup>160</sup> Some organizations under the umbrella of GIKAP have also organized seminars on Western and Islamic sciences and created working groups on women's and human rights.<sup>161</sup>

As discussed in the previous chapter, KADER has demanded introduction of a minimum 30 percent gender quota system in political parties and elections laws. In different occasions, BKP and AKDER have supported the introduction of political quotas and approved of KADER's efforts to support and train female candidates with headscarves in local and parliamentary elections. Nevertheless, none of the Islamist women's CSOs considered here have been directly engaged in encouraging women to participate in politics.

Islamist women's CSOs also stress that health facilities are essential for the well-being of women and children. They have drawn attention to the poor condition in health facilities, which increases infant mortality rates and endangers women's health. GIKAP and AKDER, for instance, organize educational seminars on family and health and offer information about sexual health and reproductive rights with the aim of strengthening families.<sup>162</sup> These activities have been conducted with the help of women from other CSOs that work on physical and mental health in Turkish society. With regard to women's reproductive rights, the most contentious issue is access to abortion. Unlike feminist women, who see the right to abortion as a fundamental part of woman's right to control her own body, Islamist women in general are against abortion,

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<sup>160</sup> <http://gikap.org/3g.html> (rev. 29.03.2014)

<sup>161</sup> One of the well-known organizations under GIKAP is the 'Hazar Education, Culture, and Solidarity Association' (*Hazar Eđitim Kùltür ve Dayanıřma Derneđi*) that organizes educational seminars and invites publicly acknowledged academics, authors, and journalists to panel discussions on human rights, see: aha (2008).

<sup>162</sup> Personal interview with N. Arıkan, see also: <http://gikap.org/evtem.html> (rev. 29.03.2013)

except under certain circumstances such as rape, or if the mother's life is endangered. However, in the summer of 2012, when there were intense public debates about abortion in Turkey, they supported the claims of feminist CSOs.

### ***Islamist Women and the Abortion Debate***

As mentioned in the previous chapter, abortion was not a public debate since the military legalized it in 1983. But, on 26 May 2012, Prime Minister Erdoğan gave a speech at the third congress of the AKP's women's branch, in which he equated abortion with murder. He stated that "every abortion is Uludere", referring to the Kurdish village close to the Turkey-Iraq border where thirty-four civilians, mostly children, were killed by the Turkish military forces on 30 December 2011 (Radikal 26 May 2012).<sup>163</sup> This speech provoked a furious public response. Through his speech, Erdoğan exposed not only his religious-conservative opinion on the bodily rights of women, but also his exclusionary political discourse towards Kurdish citizens. In February 2013, the AKP government drafted a bill to make legal abortion almost impossible. Later, the government appeared to retreat from its initial position when challenged by women's CSOs, the national and international press as well as the international organizations such as the UN. However, despite the right to have abortion until the tenth week of pregnancy, many doctors in state hospitals reject to perform abortions by saying that it is prohibited (Yüncüler 2014).

Meanwhile, some Islamist women have criticized the AKP's discourse on abortion. Meryem İlayda Atlas, an Islamist activist and journalist, criticized Erdoğan in her column in a Turkish daily newspaper, saying that "he is trying to impose specific beliefs and views on citizens and uses an exclusionist discourse" (Atlas 2012). Similarly, Hidayet Tuksal from BKP criticized Erdoğan in an interview with Turkish daily newspaper *Akşam*: "The government failed to manage the abortion debate. It has been raised without discussing it with NGOs, experts or medical doctors. It is absurd that rather than building a participative and pluralist democracy, we move towards a one-man presidency system where only the prime minister will decide" (Çelik 2012). Likewise, Neslihan Akbulut from AKDER stressed in an interview: "We [Islamist

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<sup>163</sup> Public opinion was outraged by the attack, and Erdoğan has not given a clarifying answer to the question of who had given the order to kill innocent Kurdish villagers in Uludere.

women] are from our perspective against abortion, if it is used as birth control. But women do not undergo abortions on a whim. One has to look first at the reasons behind the abortion; it can be the result of rape or incest. Hence, government representatives should avoid making such harsh statements” (Kara 2012). Both Tuksal and Akbulut underscored women’s bodily rights, which also include wearing a headscarf, and argued that the state may not interfere in women’s bodily rights. They were disturbed by the patronizing language of the AKP government and believed that the AKP was using the abortion issue as a political maneuver to conceal the truth behind the bombing incident that took place in Uludere (Aksoy 2015). In contrast, GIKAP was silent on this issue. One of GIKAP activities is family planning, and it rather encourages women to have children. But surprisingly, in 2004, GIKAP was involved in meetings in east of Turkey that aimed to inform women in the region about ‘women and legal developments’, ‘right to life-abortion’, and ‘women’s reproductive health’ by women’s organizations from Istanbul. This partly shows that they are open to the issue, but abstain from publicly discussing abortion.

In general, organized Islamist women see abortion as an issue concerning the female body and suggest that it needs to be discussed in relation to women’s experiences. Since they suffered under the secularist state’s intervention into their physical appearance in the headscarf issue, they did not hesitate to criticize the state’s interference with women’s bodily rights. Non-orthodox Islamist women activists from BKP took part in the petition (Abortion is a Right) initiated by feminist women and supported their cause in their public statements or in their interviews in Turkish newspapers. As discussed, some Islamist women activists publicly blamed the AKP leadership for using the issue politically, rather than thinking reasonably about women’s health or birth control.

The efforts of Islamist women’s CSOs and their cooperation with other women’s organizations in strengthening women’s rights brought remarkable changes in the legal framework (in the Penal Code and in Law 6284) and women-friendly outcomes in gender policies. According to Neslihan Akbulut, the general secretary of AKDER, their lobbying activities for improving women’s rights have been fruitful in general, except for the attempt to lift the headscarf ban. Discrimination against women with headscarves has continued to be a problem.

## Discrimination against Women

Once or twice a year since 2003, Islamist women have organized a meeting called 'Women's Meetings' (*Kadın Buluşmaları*) to discuss women's rights and discrimination against women. This event brings more than seventy-five Islamist women's CSOs together with state officials, journalists, academics, and politicians. The participants discuss traditions, customs, and laws that discriminate women in economic, social, cultural, and political life.<sup>164</sup> They also delve into issues such as family, children, abortion, sexual problems, women's labor and productivity, and the effects of war on women. These meetings provide religious women with a form of platform in which to exchange their experiences, to develop solutions to their problems, and to support each other. Both Hidayet Tuksal from BKP and Neslihan Akbulut from AKDER stressed the importance of Women's Meetings that provide organized Islamist women a common platform to discuss about women's status in Turkey.

The Islamist women's CSOs considered here have also attended international events focusing on women's rights and gender equality. There they have discussed the deficiencies of the Turkish legal framework, especially regarding the headscarf ban. BKP was the first Islamist women's CSO involved in the 'CEDAW Civil Society Platform' in 2005 and participated in the pre-session working group drafting the aforementioned shadow reports that are submitted to the CEDAW Committee. BKP and AKDER members also disseminated information to the CEDAW Committee about the headscarf ban in Turkey. They realized that the Committee members had no information about the ban. As a result of their lobbying efforts, in 2006, the CEDAW Committee asked the Turkish state about the headscarf ban (Turkey's Interim Report to the CEDAW Committee 2012). This was a major breakthrough because they thereby pushed the Turkish state to explain the headscarf ban and its consequences on women's lives in its next report.

Similarly, AKDER participated in the meetings of the CEDAW Committee in New York and presented reports about women's human rights in Turkey. In 2007, AKDER and twenty other women's CSOs prepared a shadow report, explaining how women experience discrimination because of the headscarf ban, and criticized the deficiencies in Turkish laws. As Fatma Benli

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<sup>164</sup> <http://www.baskentkadin.org/tr/?p=513#more-513> (rev. 30.03.2014)

explained in our interview: “A woman journalist, who was a member of an NGO, supported our shadow report and talked about our meeting in her article. Afterwards, we were asked by the local government to submit our written documents and reports, otherwise we would be punished. We were then put under state’s investigation”. According to Benli, this investigation was motivated by the discomfort of secularists within the judiciary with the report. However, the Islamist AKP government, despite its promises to lift the headscarf ban, has not supported AKDER. In 2010, the CEDAW Committee asked Turkey to undertake studies to evaluate the impact of the ban on wearing headscarves in the fields of education, employment, health services, political and public life (Turkey’s Interim Report to the CEDAW Committee 2012).

Both interviewees from AKDER and BKP argued that in order to combat discriminatory practices towards women, it is very important to strengthen and extend fundamental rights and freedoms. They stated that the struggle against gender-based discrimination cannot be undertaken without the struggle for human rights and democracy. To this end, BKP regularly cooperates with other segments of CS (especially with Kurdish CSOs) on campaigns regarding human rights and torture, and use their websites, or the printed media, to voice their opinions about human rights and democracy.<sup>165</sup> For instance, in 2012, both AKDER and BKP criticized the approach of the AKP government towards aforementioned Uludere incident, in which 34 Kurdish citizens died when they were attacked by Turkish military forces. They participated in a petition calling for an investigation and demanding that the perpetrators should face trial.<sup>166</sup>

As mentioned earlier, Islamist women’s CSOs have framed their opposition to the headscarf ban in the context of discrimination against women. The Kemalist state and Kemalist civil society groups have seen women wearing headscarves in public institutions as opponents of secularism, rather than considering their demands in terms of citizenship rights (Seckinelgin 2006: 763). As both interviewees remarked, AKDER and BKP have been involved in the EU accession process by informing European officials about the problems of veiled women in public institutions and by cooperating with women’s CSOs in Europe. In 2004, the European Court of Human Rights (ECtHR) decided in a lawsuit, filed by a headscarf-wearing university student (Leyla Şahin) against the Turkish state, that the headscarf ban is indeed violation of the right to

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<sup>165</sup> <http://www.baskentkadin.org/tr/?p=664>, and <http://www.ak-der.org/vizyon.gbt> (rev. 20.11.2014)

<sup>166</sup> <http://roboskiicinadalet.wordpress.com/> (rev. 9.12.2014)

education and freedom of religion, but that the ban was justified considering the Turkish political context (Kancı et al. 2010: 25). Islamist women's CSOs saw this decision as guided by the EU's political agenda and inconsistent with European ideals of freedom (ibid.: 26). After the ECtHR decision, Islamist women's CSOs remained silent until the headscarf once again became the object of conflict between the AKP and the secularist military in 2007.

### *Headscarf Debate*

As discussed in Chapter 4, under the AKP government, the first political contention relating to the headscarf debate was during the April 2007 presidential elections. The AKP's candidate was the former foreign minister Abdullah Gül. The military objected to Mr. Gül's candidacy on the grounds that he had an Islamist background and that his wife wore a headscarf. Kemalist civil society groups, especially Kemalist women, organized mass demonstrations to show that they were not comfortable with the idea of having a headscarf-wearing first lady, which in their view would ruin Turkey's modern and secular image (Aksoy 2015). Also, they wanted to prevent the AKP from consolidating its power by controlling the presidency. On their websites and in their newspaper interviews, BKP, AKDER, and GIKAP denounced the military's discriminatory attitude towards Gül's wife because of her headscarf.

The main confrontation between secularist elites and the AKP took place in January 2008, when the AKP government proposed a law to lift the ban on headscarves in public universities. The AKP avoided using religious references and aimed to amend Article 10 on "equality and equal treatment before law" and Article 42 on "right to education" in the Constitution (Arat 2010b: 872). With the help of the nationalist MPs from the MHP, the Turkish Parliament passed the proposal for the constitutional change that allowed headscarves at universities (Akboğa 2013; Saktanber and Çorbacıoğlu 2008; Turam 2008). Secularist segments of CS were in an uproar over this law and demonstrated to demand the resignation of the AKP government. However, public universities continued to enforce the total ban on headscarves. As mentioned in Chapter 4, the AKP faced closure in March 2008 because of "undermining the constitutional principle of secularism", but the Constitutional Court decided not to ban the party. On 5 June 2008, however, the Constitutional Court annulled the new law and reinstated the headscarf ban in universities. GIKAP, BKP, and AKDER condemned the decision of the Constitutional Court and remarked that all citizens must be treated equally, independent of their religious identity. During the drafting

of the law, the AKP has not consulted with Islamist women's CSOs, who are considered to be the main experts on the issue. Neslihan Akbulut from AKDER argued that: "All political parties, including the incumbent AKP, use the headscarf issue as a part of their political games". She believes that it would have been much easier if the AKP government had cooperated with Islamist women's CSOs that work on the headscarf ban ever since they were founded. These CSOs have vast amounts of information on the impact of the headscarf ban on religious women's lives, which would have better supported the draft proposal on lifting the headscarf ban.

While Kemalist women organized mass demonstrations to protest the attempt to legalize headscarves in public institutions, organized Islamist women were not mobilized. As Hidayet Tuksal from BKP stated in our interview, the reason for the silence and invisibility of Islamist women activists is that "veiled women strongly believe that the AKP would at some point solve the headscarf problem". Islamist women's CSOs employed other strategies to deal with the headscarf issue. At the beginning of 2010, AKDER launched a petition called "28 February will not continue 100 years" (*28 Şubat 100 yıl sürmez*) on an Internet blog, calling for the headscarf ban to be lifted.<sup>167</sup> In this campaign, AKDER criticized the strict secularism of the Turkish state and claimed that the headscarf ban is an offence against their religious identity and individual freedom as well as against their personal choices. Both GIKAP and BKP supported this claim and argued that the Turkish state restricts women's bodily rights by defining how they should appear in public life. This campaign was also supported by several feminist organizations, academics, writers, and journalists. In fact, Islamist women were successful in keeping the topic alive in public debates, but they did not manage to influence the AKP government.

In February 2013, BKP, in a public statement, presented its suggestions for the improvement of laws relating to the rights of state officials, especially for veiled state officials banned from their jobs. Neslihan Akbulut from AKDER and Hidayet Tuksal from BKP argued in our interviews that the AKP and its predecessors have instrumentalized the headscarf issue to gain electoral support from their conservative, traditionalist base, who in reality would not want to see women participate in the public realm. Saktanber rightly states that Islamists men tend to interpret women's presence in the public sphere not as a matter of empowering women's

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<sup>167</sup> <http://28subat100yilsuremez.blogspot.com/> (rev. 1.09.2012)

individual autonomy or freedom, but as a way of increasing the symbolic presence of Islam in society (2006: 27). Thus, the AKP leadership did not take the gender-based needs and interests of Islamist women into account in dealing with the headscarf issue. Moreover, both organized Islamist and feminist women argued that the AKP and Erdoğan have used the headscarf debate to divide the women's movement into conflicting camps and weaken their solidarity.

Surprisingly, on 12 July 2013, the Turkish Parliament accepted an amnesty law that allows veiled women banned from their works at state institutions between 28 February 1997 and 14 February 2005 to return to their jobs, and veiled students to return to their educational institutions.<sup>168</sup> This law came into effect in a 'law package No. 6495' (*torba yasa*) and lifted the long-standing restriction on wearing headscarves. On 30 September 2013, as part of a greater reform package for further democratization, the AKP government lifted the headscarf ban in state institutions, except for judges, prosecutors, police officers and members of the armed forces.<sup>169</sup> In October 2013, four AKP MPs entered the Turkish Parliament wearing headscarves for the first time in the history of Turkish Republic. Although the ban on headscarves is still effective in the judiciary and in security forces, Islamist women activists welcomed this groundbreaking development. They immediately began to inform veiled women on how they can return to their jobs at the state institutions and obtain compensation for health insurance premiums and pension contributions.<sup>170</sup> In principle, Islamist women finally succeeded in being accepted as equal citizens and can now participate in the public sphere without any hindrances. But as the prominent female Islamist activist Yıldız Ramazanoğlu emphasized in an interview, "lifting the ban does not lift the boundaries in people's mind" (Tahaoğlu 2013).

## **Conclusion**

From the 1980s to the end of the 1990s, the struggle of organized Islamist women concentrated on expanding public space for women with headscarves. Islamist women's CSOs thus demanded to be treated equally; i.e., without impediments to their participation in economic, political, and social life. In the 2000s, their political rhetoric evolved from being 'victims' towards being 'agents of change'. As discussed in the present chapter, they aimed at women's participation and

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<sup>168</sup> <http://www.baskentkadin.org/tr/?m=201308> (rev. 01.04.2014)

<sup>169</sup> <http://www.bianet.org/bianet/siyaset/150276-demokratiklesme-paketinde-neler-var> (rev. 01.04.2014)

<sup>170</sup> <http://www.ak-der.org/haberoku.aspx?hid=279> (rev. 20.11.2014)

inclusion in the newly forming public space during the AKP government. Besides discrimination against women, Islamist women, especially BKP and AKDER, began to engage in combating violence against women and in improving women's rights and gender equality in Turkey. Contrary to the claims of several scholars (Coşar and Onbaşı 2008; Kadioğlu 2005; Marshall 2005), Islamist women CSOs under consideration do not refuse to cooperate with other women's CSOs or exclude non-Islamist political identities. It became especially clear when AKDER, GIKAP, and BKP collaborated with other women's groups during policy-making processes for the laws concerning prevention of violence against women and women's rights. As recent literature on Islamist women has also shown, Islamist women's CSOs fight not only for the freedom to wear headscarves in public life, though this has been their priority, but also for the improvement of women's status in society (Ozcetin 2009; Seckinelgin 2006).

The examination of the activities of AKDER, BKP, and GIKAP and their participation in decision-making processes shows that they have been active agents in the democratic consolidation process in Turkey. Their autonomy from the AKP has enabled them to act independently and to critically monitor the government. GIKAP, for instance, has closely worked with the state's women's machinery KSGM to translate its demands into concrete policies. Since GIKAP's aims in women and family policies extensively matched the government's framework, the organization could exert influence on state's gender policies. On the other hand, both AKDER and BKP have worked with other women's CSOs to push or monitor the AKP government to continue reform gender policies. For instance, Hidayet Tuksal from BKP has openly criticized the government's authoritarian mentality not only in women's issues, but also in social policies. Thus, she became the target of the AKP leadership.<sup>171</sup> However, the Islamist women's CSOs considered here represent *only* one part of organized Islamist women. Within that broader field, there are orthodox groups that may cooperate with different segments of CS on the headscarf issue, but not on abortion or any other issue that contradicts their views.

However, as Islamist women activists stated, the AKP from 2007 onwards slowed down the reform process and instrumentalized reforms for its political interests. Hidayet Tuksal from

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<sup>171</sup> <http://t24.com.tr/haber/erdogan-kizdi-karaalioglu-haklisiniz-dedi-hidayet-tuksal-stardan-gitti,253648> (rev. 20.11.2014)

BKP contended in our interview that Erdoğan does not agree with women's CSOs in general, and she added: "The only way to transmit the information on women's demands is to influence the female deputies of the AKP, who in turn can convince Prime Minister Erdoğan". It was mostly Fatma Şahin, the former Minister for Family and Social Policies, who tried to convince Erdoğan to reform gender policies. Although the AKP nominated approximately sixty women before the parliamentary elections in 2011, most of these women have represented Erdoğan's political orientation rather than the perspectives of the Islamist women's CSOs described in this chapter. Meanwhile, the AKP strives to build a conservative society acting according to its interpretation of Islamic tradition, and encourages diverse Islamist CSOs. As Neslihan Akbulut from AKDER claimed in our interview:

"The AKP began to build its own Islamist NGOs, mostly run by the female relatives of the AKP leadership. These organizations conduct charity work to reach women, the poor and needy people, elderly or youngsters. They try to dominate the civil society sphere with their gender-blind political discourse and inhibit other CSOs or groups like us, which work on civil rights and freedoms".

# Chapter 8

## Fighting against Double Discrimination: Kurdish Women's CSOs

### *8.1 The Emergence of Kurdish Women's Activism*

The emergence of Kurdish women's activism in the 1990s can be seen as an amalgam of the two social movements: 1) the Kurdish national movement, and 2) the feminist movement. When the conflict between the PKK and the Turkish military peaked in the 1990s, it had severe social costs to Kurdish women living in the south-east of Turkey: destruction of their homes or villages, forced migration into cities, death of their husbands and sons, which meant that women were left behind without any income, and abuses by the Turkish security forces. These experiences and the propinquity to the Kurdish political movement through the PKK-dominated ethnic propaganda and mobilization resulted in increased political awareness among Kurdish women (Gökalp 2010: 562). They began to sympathize with the Kurdish national struggle and take a more active role in daily and political affairs.

Furthermore, some Kurdish women have become active in feminist groups in Istanbul and Ankara, and have developed feminist consciousness. They stated that women were subordinated in the patriarchal tribal system dominant in Kurdish society and culture (Diner and Toktaş 2010; Pope 2013). Domestic violence, arranged or forced marriages, and honor killings were widespread phenomena in Kurdish society, and Kurdish women were accustomed to living without legal protection (Akkoç 2007; Arat 2008). While some young Kurdish women were joining the armed struggle of the PKK<sup>172</sup>, others were questioning the prevalent sexism in Kurdish society and the gender roles imposed upon them by Kurdish men. This process of questioning eventually gave way to an organized political activism of Kurdish women. Since

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<sup>172</sup> The PKK embraced a Marxist ideology that targeted the region's feudal system. Many Kurdish women saw in the PKK's struggle not only a national cause, but also a way to their own liberation.

Turkish feminists have disregarded or failed to see the distinct set of experiences of Kurdish women, women's rights activists across the Kurdish region began to form their own organizations (Arat 2008; Diner and Toktaş 2010; Yüksel 2003). The 'Kurdishness' became the defining element of the independent Kurdish women's activism, but the main focus was to struggle against the patriarchal rule in Kurdish and Turkish society and to put an end to gender-based violence.

## ***8.2 The Institutionalization of Kurdish Women's Activism: Kurdish Women's CSOs***

In contrast to the members of the early feminist and Islamist women's activism, the forerunners of Kurdish women's activism were not only middle class, educated women from urban centers, but also lower class women from rural areas. While some were employed, most were trying to find livelihood in the cities they recently moved in. The main argument of the Kurdish women activists was that Kurdish women face double-discrimination: they are discriminated first because of their ethnic identity, and second because of their gender identity. Although not all Kurdish women activists have been politicized within the Kurdish national movement, their political leanings were mainly formed in a pro-Kurdish political atmosphere. Three Kurdish women's organizations stand out as the most prominent and publicly visible Kurdish women's CSOs in Turkey, and they will be taken in close consideration in this chapter.

Arguably the most publicly known and recognized Kurdish women's CSO in Turkey is the 'Women's Center Foundation' (*Kadın Merkezi Vakfı*, KAMER). A group of politically active educated Kurdish women in Diyarbakır<sup>173</sup> began to question the reasons behind violence against women in the Kurdish region and decided to form a women's organization to deal with the violence issue from a women's perspective.<sup>174</sup> But in the 1990s, it was difficult to establish an association working on social problems due to the restrictive political circumstances in the Kurdish region (cf. Chapter 4). Given these circumstances, in 1997, KAMER activists formed a small private firm and agency (Akkoç 2007: 208). The founder Nebahat Akkoç stated in our

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<sup>173</sup> Diyarbakır is the second largest Kurdish populated province in Turkey.

<sup>174</sup> Personal interview with the head of KAMER Nebahat Akkoç, November 2010, Diyarbakır. Akkoç worked as an elementary school teacher in Diyarbakır and was a member of the leftist teacher's union (*Eğitim-Sen*) in the 1970s and 1980s. Her husband, also a Kurdish leftist, was killed in 1993 and he was one of the thousands of victims of death squads linked to the state. Akkoç said: "I was occasionally detained by security forces and severely tortured. The state violence, especially against women, brought me to the idea of establishing a civil society organization."

interview that KAMER set two goals: 1) combating all forms of violence against women, and 2) raising women's awareness of their legal rights.

In 2004, KAMER became an association, and since 2005 it has served as a foundation. KAMER regularly conducts surveys to identify cultural and traditional practices that are detrimental to women and children. To this end, KAMER volunteers make face-to-face interviews with women in their homes. Based on the findings, the organization initiates projects to fight discrimination and violence against women in the Kurdish region. KAMER disseminates gathered data and information about its activities through its website<sup>175</sup>, both in Turkish and Kurdish, and through the local media. It also encourages women's entrepreneurship and counsels them to find access to know-how and financial resources for their start-ups (Akkoç 2007: 210). Over the years, KAMER spread around in the Kurdish populated east and south-east of Turkey, opening twenty-three branches. These branches have similar aims and encourage women who want to actively participate in public life. Nebahat Akkoç stated in our interview that KAMER, as a feminist organization, has a non-hierarchical structure and takes decisions on the basis of voting by unanimity.<sup>176</sup> It has working groups focusing on specific issues, but it has no commissions or committees.

Moreover, KAMER's work for women's empowerment is recognized internationally. Nebahat Akkoç has been awarded as an influential women's rights activist on several international platforms. She has been listed in Time Magazine's "Heroes of the Middle East and Europe" (2003) and received the "Ginetta Sagan Award" (2004) by Amnesty International and the "*Legion d' Honneur Medal*" by France (2006). KAMER's projects are to a great extent funded through international institutions such as the European Commission, the Open Society Institute, German political foundations (*Friedrich Ebert* and *Heinrich Böll* Foundations), and foreign consulates in Turkey. KAMER has also acquired grants from national donors such as the aforementioned *Sabancı* Foundation (cf. Chapter 7) and the 'Central Finance and Contract Units'

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<sup>175</sup> See: <http://www.kamer.org.tr/> (rev. 07.04.2014)

<sup>176</sup> During the interview, I asked Nebahat Akkoç how long she acted as the head of the organization. She replied that she has always been the head of KAMER since she was the founder of the organization. Although she claims that the organization rejects hierarchy, and everyone has equal voice, it is clear that she is highly influential in the organization and has the final word in decision-making.

affiliated with the Prime Ministry. In addition to donations and grants, KAMER has a restaurant that partly finances the regular expenses of the organization.

KAMER was initially viewed with suspicion by the Kurdish national movement. In its forming years, Nebahat Akkoç came under pressure from the PKK, which wanted to take control over Kurdish women's activities (Pope 2013). Akkoç remarked in our interview: "The [Kurdish] BDP does not like KAMER's autonomy and blames us to be 'close' to the state. Here, in the Kurdish region, you are either seen as a 'statist' or a 'PKK-supporter'. But we are independent of all political parties or groups in the region." She emphasized that KAMER believes in democratic plurality and embraces women from all ethnicities who search for help and support.

Another Diyarbakır-based Kurdish women's organization is the 'SELIS Women's Association' (*SELIS Kadın Derneği*). In 2002, a group of women, who have been active in the Kurdish national movement, established SELIS Women's Center to provide legal advice, psychological and health care counseling to displaced Kurdish women, who are fifteen years old and above.<sup>177</sup> Since 2008, SELIS has pursued its activities as an association and opened its first branch in cooperation with the municipality of Ergani, a town in the Diyarbakır province (SELIS brochure 2010). The primary aim of SELIS is to empower Kurdish women affected by the Kurdish-Turkish war, militarism, displacement, poverty, patriarchal traditions, and violence (Ibid.). Like KAMER, SELIS conducts surveys to identify the problems and needs of Kurdish women living in the Kurdish region and aims to develop solutions accordingly. It encourages women to articulate their social, economic, and political demands freely and to become active political subjects that are sensitive to women's issues (Ibid.).

SELIS pursues its activities on a voluntary basis and hosts lawyers, psychological counsellors, and sociologists under its umbrella. In particular, volunteering lawyers play a highly important role by advising women in legal issues regarding family affairs, marriage, and domestic violence. SELIS has also a non-hierarchical structure. Active members build working committees on the issues at hand, take decisions democratically, and launch the projects. It

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<sup>177</sup> Personal interview with the member of the executive committee Perihan Kaya from SELIS, November 2010, Diyarbakır. Prior to SELIS, she has worked in the umbrella organization called the 'Free Democratic Women's Movement' (*Demokratik Özgür Kadın Hareketi*, DÖKH) that is formed by women activists of the Kurdish DTP.

regularly collaborates with other active women's organizations in Diyarbakır to develop projects to empower Kurdish women in the Kurdish region.<sup>178</sup> It uses the local media to inform the public about its activities. The municipal council of Diyarbakır, run by the BDP, is one of the largest supporters of the organization, providing it with space for public events and gatherings and financial support. SELIS assists also the projects of the 'Diyarbakır Research and Implementation Center for Women's Problems' (*Diyarbakır Kadın Sorunlarını Araştırma ve Uygulama Merkezi*, DIKASUM) of the 'Diyarbakır Metropolitan Municipality'. In our interview, Perihan Kaya remarked that SELIS takes a distant stance towards KAMER and does not cooperate with it. Despite being active in the same city and working on similar issues, KAMER's distant approach towards the BDP is not approved by SELIS.

The third Kurdish women's CSO under consideration is the 'Van Women's Association' (*Van Kadın Derneği*, VAKAD). In April 2004, a small group of Kurdish professional women formed VAKAD in Van<sup>179</sup>, after attending the women's human rights training programs of the WWHR. VAKAD's primary aim is to empower women's status in every sphere of life. Since its establishment, it has conducted women's rights training programs in assistance with WWHR and recruited volunteers through these programs.<sup>180</sup> VAKAD focuses on three issues: 1) raising women's awareness of their legal rights, 2) advocacy and lobbying for strengthening women's rights, and 3) counseling victims of domestic violence. It runs a women's shelter and a counseling center for women who were subjected to domestic violence. Moreover, VAKAD helps women to find employment and directs them to CSOs and governmental institutions that offer financial support to women. The organization regularly prepares reports on its activities, submits draft law proposals to the Turkish Parliament demanding substantial changes in the legal framework, and lobbies MPs and government officials for women-friendly changes in state policies.

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<sup>178</sup> SELIS works together with the *Kardelen* Women's Association, *Ceren* Women's Association, *Umut Işığı* Women, Environment and Culture Cooperative, *Bağlar* Women's Cooperative, Stop Violence Law Office, and *Genel Gündem* Women's Council.

<sup>179</sup> Van is the largest Kurdish populated province in eastern Turkey.

<sup>180</sup> Personal communication with Zozan Özgökçe, the founder of VAKAD, November 2010. Özgökçe is an accountant and has a small firm, which operates in the same office with VAKAD. She mentioned that at the beginning it was necessary to finance the rent and additional expenses of VAKAD through her accounting firm.

Zozan Özgökçe, the founder of VAKAD, frequently attends international conferences and panels on women’s rights to present VAKAD’s activities. On the national level, VAKAD cooperates with different women’s CSOs on platforms such as the ‘Women’s Labor and Employment Initiative’ (*Kadın Emeği ve İstihdamı Girişimi, KEIG*) and the Turkish branch of the ‘International Criminal Court Coalition’. On the international level, it works with the European Women Lobby (EWL). To promote its activities and reach more women, it conducts diverse cultural activities. It hosts, for instance, every year the women’s film festival called the ‘FILMMOR Women’s Movies Festival’. VAKAD conveys information about its activities through social media (Facebook and Twitter), their own website, and mail lists. Its activities are mainly financed through funds and donations. Majority of its funding comes from international institutions like the ‘Global Fund for Women’ and the EU Commission, and from foreign embassies in Turkey. VAKAD also receives grants from national donors such as the state-led ‘Eastern Anatolia Development Program’ (*Doğu Anadolu Kalkınma Programı*) and the private *Sabancı* Foundation. Membership fees constitute only a minor part of VAKAD’s income. Different than SELIS, VAKAD cooperates with both state institutions and the BDP in its activities.

Majority of the members of these Kurdish women’s CSOs define themselves as feminists, but they underscore their Kurdish identity. While KAMER and VAKAD can be labeled Kurdish feminist, SELIS can be defined as Kurdish women’s group. Members and volunteers are mostly in their 20s and 30s, only Nebahat Akkoç and some other founding members of KAMER are in their 50s. Table (8.1) sums up some information about these three organizations.

*Table (8.1): KURDISH WOMEN’S CSOs*

<b>Kurdish women’s CSOs</b>	<b>Legal Status /year of establishment</b>	<b>Organizational structure, number of members</b>	<b>Main fields of activity</b>	<b>Funding</b>
<b>Women’s Center (<i>Kadın Merkezi, KAMER</i>) (Diyarbakır)</b>	Private company (1997-2004), since 2005 functions as a foundation	Non-hierarchical; about 200 members, with volunteers around 500	Violence and discrimination against women, women’s rights	Individual or institutional donations, projects funded by the EU and European foundations

<b>SELIS Women's Association (SELIS Kadın Derneği) (Diyarbakır)</b>	Women's center (2002-2008); since 2008- an association	Non-hierarchical; about 65-70 members, 15 active members, with volunteers about 130	Discrimination against women, violence against women	Projects funded by the Diyarbakır Municipality and international NGOs
<b>Van Women's Association (Van Kadın Derneği, VAKAD) (Van)</b>	Association (2005)	Non-hierarchical; 60 members, with volunteers about 200	Women's rights, violence against women, and discrimination ag. women	Mainly donations, projects funded by EU institutions

### ***8.3 The Achievement of Kurdish Women's Activism before AKP rule***

Many organized Kurdish women have sympathized with the PKK leader Abdullah Öcalan's ideas on women's role. Öcalan was among the first who questioned the subordination of women in Kurdish society and encouraged women to participate in the Kurdish struggle (Açık 2007; Gökalp 2010). Since Kurdish women's activism was extensively influenced by the political agenda of the PKK, it was not regarded as a form of democratic resistance by many in the Turkish political context. In the 1990s, Kurdish women's activism developed as a reaction to: 1) the nationalistic character of the Turkish state, 2) the patriarchal structures of the Kurdish tribal system, and 3) the 'ethnic-blindness' of Turkish feminism.

In the second half of the 1990s, different groups of organized Kurdish women in Istanbul published journals such as *Roza*, *Jujin*, *Jin u Jiyan*, and *Yaşamda Özgür Kadın* (Free Woman in Life), which focused on women's problems and developed a new Kurdish feminism that differentiated itself from Turkish feminism (Açık 2007: 281f.). They were highly important for voicing the concerns and demands of politically active Kurdish women. These journals were short-lived because the Turkish courts have banned them with the argument that they propagated Kurdish separatism and challenged the unity of the Turkish state.<sup>181</sup> They have strongly criticized the state's policies towards Kurdish women. One of the most controversial issues raised by these

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<sup>181</sup> For a detailed and comparative analysis of Kurdish women's journals, see: Açık (2007).

journals was the state's birth-control measures in the predominantly Kurdish region. Birth-control services were provided through the 'Multi-Purpose Community Centers' (*Çok Amaçlı Toplum Merkezleri*, ÇATOM) that were established in 1995 and located in the poor urban areas and in centrally located villages. They aimed to improve women's status in the context of the 'Southeastern Anatolia Project' (*Güneydoğu Anadolu Projesi*, GAP) (Arat 2008; Yüksel 2003).<sup>182</sup> Kurdish feminists claimed that the Turkish state aimed thereby to control the growth of Kurdish population (Açık 2007: 295). These centers have also taught Turkish to Kurdish women, an activity which was perceived as another assimilation strategy of the Turkish state (Arat 2008: 415).

A small group of Kurdish feminists writing in *Roza* and *Jujin* were also critical of their own society and culture. Kurdish feminists, for instance, addressed the instrumentalization of women within the Kurdish national movement and emphasized the importance of an independent Kurdish women's activism (Açık 2013: 115). They raised their concerns on gender issues and discussed taboo subjects such as woman's sexuality, marriage, domestic violence, incest, rape, the understanding of shame and honor within Kurdish society. These critical Kurdish women, as Nebahat Akkoç from KAMER also remarked, have felt themselves excluded from the Kurdish nationalist movement because of their feminist identity (Açık 2007: 281).

Furthermore, Kurdish feminists were vocal about the "ethnic-blindness" of Turkish feminists (Yüksel 2003). They claimed that Turkish feminists ignored the ethnicity dimension of women's subordination and failed to realize that Kurdish women suffer double-discrimination, both ethnic- and gender-based discrimination (Bodur 2005; Yüksel 2003).<sup>183</sup> Like Islamist women's efforts to criticize their exclusion from the secular public realm, Kurdish women activists have pointed to their ethnic-based exclusion and pushed Turkish feminists to question how they relate to the nationalist character of the Turkish state (Diner and Toktaş 2010: 49). Some scholars argued that Kurdish women activists showed feminists the "Turkishness" of their

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<sup>182</sup> GAP is a multi-sector regional development project based on the concept of sustainable development for the Southeastern Anatolia region of Turkey. For further information see: <http://www.gap.gov.tr/proje-ve-faaliyetler/insani-ve-sosyal-gelisme-genel-koordinatörlüğü/sosyal-projeler/uygulamalar/cok-amacli-toplum-merkezleri> (rev. 17. 10.2014)

<sup>183</sup> Both Yüksel (2003) and Bodur (2005) analyze the relationship between the Turkish and Kurdish feminist movements in the 1990s in great depth. They compare Kurdish women's reactions towards Turkish mainstream feminists with the reactions of 'black feminists' towards 'white feminists' in the US because of their 'race-blind' approach and the middle class background.

movement (Arat 2008; Bora 2007; Diner and Toktaş 2010; Yüksel 2003). At the end of the 1990s, Kurdish women's CSOs have succeeded in transforming the language of Turkish feminist activism and exposed the ethnic heterogeneity of women in Turkey (Bodur 2005: 266). Turkish feminists began to understand the distinctiveness of Kurdish women's experiences. Accordingly, some Kurdish women could voice their concerns and criticize the nationalist and militaristic character of the Turkish state in the feminist journal '*Pazartesi*' (Monday) (Arat 2008; Diner and Toktaş 2010).

The violent and insecure environment in the Kurdish region led to diverse forms of politicization among Kurdish women. A group of Kurdish women, who had not been politically active previously, emerged with an unusual form of protest in the 1990s: the silent protests of 'Saturday Mothers' (*Cumartesi Anneleri*) in Istanbul. This group of Kurdish women, whose sons, husbands, or brothers 'disappeared' under custody in the Kurdish region, instigated their first protest on 27 May 1995. Saturday Mothers consisted mainly of uneducated and lower class women from rural Kurdish populated areas. Their protests took place every Saturday in Galatasaray, a visible spot in the central neighborhood of Taksim, and continued 200 weeks until 1999.<sup>184</sup> Their aim was twofold: 1) to stop the disappearances of people under police custody, and 2) to learn the whereabouts of those who disappeared (Göker 2011: 111). Saturday Mothers were the first Kurdish women's group who could attract widespread public attention to the Kurdish question from women's perspective. Like the protesting mothers in Argentina (Mothers of the Plaza de Mayo) in 1977, Saturday Mothers politicized women's identities as mothers and contested the military's authoritarian strategies in dealing with the Kurdish question.

In the 1990s, Kurdish women primarily focused on violence against women. As mentioned earlier, KAMER is the most prominent women's CSO combating violence against women. In October 1997, Purple Roof activists came to Diyarbakır and presented their work and activities to the members of KAMER (Akkoç 2007: 211). Shortly after, KAMER activists launched an emergency call line to help and support women who were exposed to domestic violence. Through this emergency line, KAMER's volunteers have been directing victims of domestic

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<sup>184</sup> As Göker (2011) claims, the protests of Saturday Mothers were the long-lasting act of civil disobedience in modern Turkish history.

violence to women and family rights lawyers or helped them to find ways to gain economic independence from men. Moreover, Kurdish women organized within human rights organizations have also focused on the issue of violence against women. Eren Keskin, one of the most influential Kurdish human and women's rights lawyer from the IHD (Human Rights Organization) addressed the systematic use of sexual violence against Kurdish women by security forces in the region (Akgül 2013). She and some other Kurdish women activists have sharply criticized security forces' sexual violence under custody. They called for solidarity in supporting the victims and observed hearings pertaining to sexual abuse and rape of Kurdish women by members of Turkish security forces (Ibid.). However, in those years, men from Kurdish national movement have not supported their cause and interpreted security forces' sexual abuse as a form of torture against the Kurdish nation, rather than as an offence against women (Açık 2007; Akgül 2013). Eren Keskin has been accused of making 'propaganda for the terrorist organization PKK' by state institutions and was put in prison several times.

In addition to violence against women, women's rights, and discrimination against women were also on the agenda of Kurdish women activists. To raise women's awareness of their gender identity and gender issues, KAMER organized eight consciousness-raising groups per year, reaching 120 women (Akkoç 2007: 210). Likewise, KAMER formed working groups dealing with diverse subjects pertaining to women's lives. At the end of 2001, KAMER prepared fifteen handbooks that defined different forms of discrimination against women and disseminated these handbooks in the Kurdish populated south-east region in Turkey.

Despite having the common identity 'Kurdishness', Kurdish women activists were divided among themselves with regard to their diverging approaches to women's issues. Women from the Kurdish national movement and Kurdish feminists became involved in discussions on "[...] how roles for women should be played out within the movement" (Açık 2013: 114). While some Kurdish women activist have named themselves as 'feminists' or 'Kurdish feminists', others have called themselves as 'Kurdish nationalists' (Yüksel 2003: 71). Kurdish women's activism in the 1990s contributed to a variety of discursive and cultural changes in Turkey. On the one hand, it pushed the public debate to reconsider the nationalist character of Turkish citizenship created by the Kemalist ideology and demanded recognition of the Kurdish identity. On the other hand, it contested male-dominance within the Kurdish national movement and

challenged the traditional gender roles ascribed to women by the Kurdish culture. Politically active Kurdish women, whether organized as women's CSOs or operating as a part the Kurdish national movement, contested the notions of Turkish citizenship, national identity, and unity, as well as ethnic-blindness of Turkish feminism.

In February 1999, Abdullah Öcalan, the leader of the PKK, was arrested and sentenced to death, but his sentence was commuted to life imprisonment. This radically changed the course of events in the Kurdish-Turkish conflict and pushed the PKK to develop a new strategy that would pursue non-violent activism through Kurdish political parties and CSOs. As discussed in Chapter 4, in the same year, Turkey was granted an official candidate status for the EU that generated a domestic political reform process. It was within this context that an important number of women's CSOs pushed for reforming the Civil Code.

### **Amending the Civil Code**

During the amendment process of the Civil Code, Kurdish women's CSOs have not participated in any working or lobbying group. For Kurdish women, it was not easy to lobby the MPs at that time because the Turkish Parliament consisted of nationalist, religious, and Kemalist parties that perceived Kurds as 'separatists' or 'terrorists'. Furthermore, Kurdish women were preoccupied with the issue of violence in the Kurdish region. The impact of the Kurdish-Turkish conflict accelerated the magnitude of the obstacles they had to deal with.

Moreover, Kemalist women activists were first to call for the renewal of the Civil Code. Later on, these women involved many feminist activists, academics, and legal experts in the efforts to revise the Code, but Kemalist women remained the majority. Arguably, the dominance of the Kemalist leanings in the working groups and the burden of the Kurdish-Turkish conflict have led to ignoring, or excluding, Kurdish women during the amendment process of the Civil Code. But women realized that it was more influential to form a broader pressure group for lobbying decision-makers and pushing for substantial legal changes. Thus, in the aftermath of the enactment of the Civil Code in 2002, women's CSOs with different ideological convictions began to develop the capacity of cooperation on platforms addressing gender-specific issues (Coşar and Onbaşı 2008: 325).

#### ***8.4 The Participation and Inclusion of Kurdish Women's CSOs in the AKP Era***

The new Civil Code was certainly an important step in improving women's legal rights in the family union. But the laws protecting women's rights and realizing the gender equality were far from complete. As discussed in the previous chapters, in its first term in the government, the AKP engaged in dialogue with women's CSOs, including Kurdish women's CSOs, in policy-making processes. During AKP rule, Kurdish women began to collaborate with other women's groups - despite the prevailing ideological differences. Kurdish women's CSOs have also been highly active in the three issue areas under consideration - violence against women, women's rights and gender equality, and discrimination against women.

Like other feminist CSOs, the primary focus of Kurdish women's CSOs is combatting violence against women. During the last decade, violence against women became rampant across Turkey, regardless of ethnic and social divides (Bila 2013). However, in the Kurdish populated region of Turkey, violence against women becomes multi-faceted. In this region, both the traditional structures within Kurdish society and the authoritarian approach of the Turkish state towards Kurds amplify the problem of violence. According to a survey prepared by the human rights association İHD-Diyarbakır, 56 women were killed in the Kurdish populated Southeast and Eastern Anatolia in the first ten months of 2012. 12 of these women were murdered by their own families, 1 by the security forces, and 27 women committed suicide.<sup>185</sup> Moreover, 45 were wounded, 6 were raped, and 10 were sexually abused (*Bianet*, 26 November 2012).<sup>186</sup>

#### **Violence against Women**

Kurdish women's CSOs and feminist CSOs have similar methods to combat violence against women. Both groups have often cooperated in lobbying policy-makers for changes in laws. In their struggle, organized Kurdish women emphasize four important points: 1) raising public awareness of the problems caused by violence against women, 2) increasing women's awareness

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<sup>185</sup> In the Kurdish region, female suicide is a relatively new phenomenon. Instead of killing women to "cleanse the family honor", women are allegedly told to kill themselves in order to spare their murderers from a prison sentence.

<sup>186</sup> It is important to remark that high numbers of violence against women incidents are not limited to the eastern parts of Turkey or to its Kurdish population, it is a nationwide problem.

of their legal rights, 3) establishing women's shelters, and 4) lobbying for improvement in laws protecting women against violence.

KAMER, as the oldest among organized Kurdish women, is the most experienced and successful CSO in the struggle against domestic violence. Nebahat Akkoç from KAMER said in our interview that they try to find methods to deal with the intertwined problems of domestic violence, political violence, gender inequalities, and poverty that shape the lives of women in the Kurdish region. KAMER's region-wide surveys gather evidences on the extent and nature of violence against women. Since KAMER has branches in many cities in eastern Turkey, it has the capacity of interviewing more than 50,000 women in one survey.<sup>187</sup> Many Kurdish families lost their livelihood due to the state's evacuation of Kurdish villages, and these families migrated to urban areas where they barely managed to eke out a living (Akkoç 2007; Gökalp 2010). Poverty and frustration in the cities led to increased domestic violence. Akkoç remarked in our interview:

“Some women have not complained about domestic violence because their foremost concern was poverty. When we interviewed women, they said: “We are hungry, what can one or two slaps do to us?” It is, therefore, very important to organize campaigns and working groups to raise women's awareness of the prevalent gender roles, which constantly produce violence and discrimination against women. Women who became aware of their subordinate status within the traditional society began to question gender roles and joined us in creating a better world.”

Akkoç further claimed that KAMER's consciousness-raising groups bear fruit, and Kurdish women no longer keep silent when they are subjected to violence. These women began to share their stories, stand up against violence, and they do not give up. Through its emergency call line, KAMER supports women subjected to domestic violence and provides psychological counseling and legal advice. One problem KAMER addresses is that it is difficult to find Kurdish speaking psychological consultants. This difficulty stems from the fact that the general school and higher education enrollment in the Kurdish populated Southeastern and Eastern Anatolia regions is lower compared to the western regions of the country (KSGM 2008: 34). KAMER argues that the

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<sup>187</sup> [http://www.kamer.org.tr/icerik\\_detay.php?id=62](http://www.kamer.org.tr/icerik_detay.php?id=62) (rev. 15.04.2014)

use of Kurdish as a language of instruction in the region would ease the access to education and create Kurdish speaking well-educated generations.<sup>188</sup> Many Kurdish women do not speak Turkish, and consultants, most of whom do not understand Kurdish, are unable to communicate with victims who want to explain their experiences of violence, incest or rape. As Akkoç stated, the need for Kurdish speaking social workers or psychological consultants is immense and urgent.

Another focus of KAMER's activities for the prevention of domestic violence is the early childhood education. KAMER tries to develop alternative approaches for child education that challenge all forms of violence and discrimination (Akkoç 2007: 212). Through training programs, KAMER volunteers present women alternative methods of child-rearing that avoids sexist language. The aim of this project is to prevent the formation of the predominant sexist mentality starting from the early ages. Akkoç underlined in our interview that this will help to raise gender-sensitive generations.

Likewise, SELIS also organizes consciousness-raising groups about domestic violence. In 2010, SELIS organized educational seminars in twenty-five neighborhoods of Diyarbakır to discuss how to deal with violence and what women's rights are.<sup>189</sup> Although women were their main target group, SELIS also invited men to these seminars to show them long term effects of violence on families. Some male participants reacted positively and acknowledged that violence against women damage the relations within the family and the well-being of children.<sup>190</sup> In SELIS' counseling center, volunteers offer women psychological and social counseling as well as legal advice. Perihan Kaya said that SELIS labels the high numbers of murdered women a "massacre of women", because at least three women are killed every day in Turkey. Moreover, to identify the impact of displacement and war on family structures, especially on women, SELIS conducts surveys in the Kurdish region. As mentioned before, the organization works closely with the Diyarbakır Metropolitan Municipality and emphasizes the importance of the municipality's role in preventing domestic violence. Kaya stated that the Municipality opened a women's

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<sup>188</sup> Personal interview with Nebahat Akkoç, November 2010, Diyarbakır.

<sup>189</sup> Interview with Perihan Kaya, November 2010, Diyarbakır.

<sup>190</sup> Ibid.

counseling center in its women's center DIKASUM in 2008 and provides help to women subjected to domestic violence. She praised a policy implemented by the Diyarbakır Municipality:

“There is a new regulation in Diyarbakır municipality. In case male personnel of the municipality use violence against his wife, he is fined for it. The consequence is that the municipality administration does not pay the salary to the perpetrator, rather to his wife. Thereby, the man cannot force his economic power onto the woman. These kinds of punishments are very effective in preventing domestic violence.”

While praising the approach of the municipality, Kaya criticized the unwillingness of the AKP government in the issue of violence against women. Like many other women activists, she also points to the conservative approach of the AKP leadership, Recep Tayyip Erdoğan's attitude in particular. She added: “The AKP government does not regard violence as a vital problem and mainly points to the importance of keeping the family together”. Moreover, she remarked that the Turkish mainstream media and TV shows also normalize violence against women, counter-acting organized women's efforts to break the taboos and men's mentality.

VAKAD also conducts an impressive struggle against violence against women. Zozan Özgökçe stated that VAKAD offers women legal advice, and social, psychological, economic and medical counseling at its ‘Women's Solidarity Center’ (*Kadın Danışma Merkezi*). Here, VAKAD provides temporary accommodation for women and their children who are under the threat of domestic violence or the risk of honor killing. It organizes informative meetings on violence against women and violence prevention as well as informal ‘house meetings’ that allow women to gather in a home to discuss such issues.<sup>191</sup> To monitor whether women's rights laws are implemented, VAKAD actively follows the court cases pertaining to violence against women. Its members stand as witnesses for complainant in court trials and help with technical aspects (e.g. taking pictures of victims of violence).<sup>192</sup> To support victimized women, they contact psychologists to prepare reports and serve these as evidence.

Both SELIS and VAKAD are permanent members of the coordination committee of the aforementioned Assembly of Women's Shelters. There, both CSOs exchange their experiences and knowledge with the newly established women's CSOs working on violence against women.

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<sup>191</sup> [http://www.vakad.org.tr/index.php?action=icerik&sayfa\\_no=5](http://www.vakad.org.tr/index.php?action=icerik&sayfa_no=5) (rev. 20.11.2014)

<sup>192</sup> *Ibid.*

In the Assembly's meetings, they also discuss controversial subjects such as incest, rape, sexual harassment, and how to struggle against these practices. Zozan Özgökçe from VAKAD claimed that the state only appoints personnel from *Diyanet* who do not know how to support and empower women staying in the shelters. Like Purple Roof activist Deniz Bayram (cf. Chapter 6), Özgökçe emphasized in our communication that women's shelters need to secure protection for women, and therefore the shelter's location may not be publicly known, and counseling services to resident women and children have to be offered by qualified and trained staff. In her view, the state has the responsibility to establish new shelters and administer the counseling centers and women's shelters according to international standards.

Another serious problem Kurdish women face and Kurdish women's CSOs deal with is the so-called honor killings.

### **Honor Killings**

'Honor killings' are the acts of murder committed in the name of honor. In the Turkish public debate, the term 'customary killings' is primarily associated with local practices in the Kurdish populated regions of Turkey. The 'custom' entails the so-called extended 'family assembly' issuing a death warrant for the female member of the family alleged to 'dishonor' the family through some 'inappropriate' conduct such as refusing an arranged marriage, having a boyfriend, speaking to a male stranger, or not being a virgin on her wedding night (WWHR 2005: 3).

KAMER became a leading organization campaigning against honor killings. In 2003, it began working on honor killings and initially aimed to reach and secure three women under threat and to acquire more information on the extent of honor killings in the Kurdish region. Surprisingly, they managed to work with more women than they planned and reached twenty-three women. Akkoç said in our interview:

"While working with these women, who were able to escape from a possible act of honor killing, KAMER focused on what grounds women were sentenced to honor killings. We realized that the main reason was "disobedience". Every woman has to obey the moral values and rules of the feudal family structures, and if they disobey there is a cost: either violence or killing!"

In fighting honor killings, Kurdish women's CSOs stressed the need to eliminate the discriminatory provisions in the Turkish Penal Code (1926). The old Turkish Penal Code (1926) reflected the belief that women were the property of men, and sex crimes against women were defined as crimes against 'family honor', not necessarily against women as individuals (ESI 2007: 13). The old Code allowed sentence reductions to perpetrators of 'honor killings', and thereby legitimized this kind of violent practices by giving way to the prevalence of customs over law.

### **Reforming the Penal Code (2005)**

During the preparation of the draft proposals for the reform of the Penal Code, Kurdish women's CSOs were not included in the Women's Platform on the Turkish Penal Code. It was mainly because KAMER was preoccupied with the project on honor killings, whereas SELIS was newly formed and VAKAD did not exist. In May 2003, the Women's Platform launched a nationwide campaign promoting the reform of the Penal Code by including eighty women's organizations (Eslen- Ziya 2012: 136). All the necessary information and discussions ran through an e-mail group called 'Women's Council' (*Kadın Kurultayı*), which still exists. KAMER was a member of this e-mail group and provided input to the discussions on the definition of honor and customary killings. The organization emphasized that the crimes committed in the name of honor need to be punished with more severe sentences.

When VAKAD was formed in April 2004, women's CSOs were mainly focused on lobbying MPs, the Justice Commission of the Parliament, and the media. VAKAD joined the Women's Platform and contributed to lobbying activities. When the Justice Commission of the Parliament rejected the draft laws on honor killings and virginity testing, women's CSOs intensified their lobbying activities (Eslen Ziya 2012: 137). VAKAD as a member of the Women's Platform insisted on the inclusion of the term 'honor killings' as an aggravating circumstance, and that the sentences for murder in the name of honor need to be increased.<sup>193</sup>

In September 2004, the revised provisions of the Penal Code were ratified. Article 29 of the Penal Code pertaining to 'unjust provocation' has been amended to include in its justification that the article shall not apply to honor killings. It increased the terms of sentences for crimes committed in the name of 'honor' and 'custom' (cf. Chapter 5). It also removed the possibility of

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<sup>193</sup> Personal communication with Z. Özgökçe, November 2010.

reduced sentences in cases where perceived ‘stains to honor’ could be claimed to have provoked the crime in question. The legal changes were welcomed by women’s CSOs in general, Kurdish women’s CSOs in particular. All three Kurdish women’s CSOs began immediately to promote the reformed Penal Code in the Kurdish region. Both KAMER and VAKAD prepared pamphlets in which they explained the new regulations and laws protecting women and children from violence, both in Kurdish and Turkish. SELIS together with the Diyarbakır Municipality organized informatory seminars on the revised laws in the Penal Code.

However, there are still problems in the revised Penal Code. Article 82, for instance, does not include killings in the name of ‘honor’ as an aggravating circumstance (WWHR 2005: 3). Despite the calls of the Women’s Platform upon the Turkish Parliament, the Code still contains the expression ‘customary killings’ as an aggravating circumstance, rather than ‘honor killings’. In July 2006, as mentioned in Chapter 5 on gender policy outcomes, the AKP government issued the Prime Ministry’s Circular (no. 2006/17) that described the responsibilities of state institutions and the measures that need to be taken in case of domestic violence and honor killings. Kurdish women’s CSOs welcomed this development and reminded the responsible state institutions that women’s CSOs and the state need to work together in preventing honor killings. However, according to Kurdish women’s CSOs, there is still a gap between laws and the actual implementation of the Penal Code in the Kurdish region. Kurdish women’s CSOs have claimed that if forced and religious marriages continue to be common practice, and the state fails to protect women against these customs, violence against women will continue to be a major problem.<sup>194</sup>

### **Further Efforts and Claims**

In 2008, SELIS became active in a campaign called “We are women and nobody’s honor; our freedom is our honor!” organized by the ‘Democratic Free Women Initiative’ (*Demokratik Özgür Kadın Hareketi*, DÖKH).<sup>195</sup> With this campaign, SELIS and other DÖKH members questioned the concept of ‘honor’ and rejected its identification with women’s body alone. Instead, they claimed that honor needs to be understood to encapsulate the identity, culture, language, land and freedom of Kurdish society, and the struggle given for these values (DÖKH brochure 2010). This

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<sup>194</sup> [http://www.kamer.org.tr/icerik\\_detay.php?id=127](http://www.kamer.org.tr/icerik_detay.php?id=127) (rev. 10.12.2014)

<sup>195</sup> DÖKH was formed in 2003 as an umbrella organization of women organized in the Kurdish national movement, who were also members of, or closely affiliated with, the BDP.

political rhetoric is, to a great extent, promoted by the municipalities run by the BDP and reflects the antagonism between the Turkish state and Kurdish citizens.

Like KAMER and SELIS, VAKAD also works on honor killings. During its initial years, VAKAD has often been harassed by men searching for their wives or female relatives. Zozan Özgökçe from VAKAD stated:

“Sometimes women coming to us are really in danger. After carefully evaluating their situation, we decide to send them out of the city and direct them to other women’s organizations that offer a secure protection in a women’s shelter. In such cases, we need the help of the gendarmerie to protect us from the family members who aim to kill these women”.

In 2009, VAKAD followed a trial on honor killing, in cooperation with the London-based ‘Kurdish Human Rights Project’.<sup>196</sup> Both organizations together prepared a trial observation report in which they discussed the background of the case and the trial process. Based on their observation, they addressed the causes of violence against women and deficiencies of the Turkish judiciary system, and made some recommendations to state institutions. In addition to these activities, VAKAD has regularly conveyed information to European women’s CSOs and to the ‘Gender and Equality Commission’ of the European Parliament and the European Commission that monitor the legal developments in gender policies in the candidate countries.

KAMER, VAKAD, and SELIS as members of the ‘Stop Violence Platform’ have also participated in the reform process of the Law on the Protection of the Family (4320) (cf. Chapter 6). They discussed the flaws in Law 4320, prepared their own suggestions and informed Kurdish women on the reform process. After the enactment of the new law (No. 6284) in 2012, KAMER and VAKAD put the newest information on the law on their website,<sup>197</sup> and SELIS presented it through seminars.

In sum, all three Kurdish women’s CSOs have been highly active in preventing violence against women and children. In particular, KAMER with its twenty-three branches, is strikingly successful in reaching women in the Kurdish region and responding to the needs of Kurdish

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<sup>196</sup> The Trial of Kerem Cakan, see: [http://www.vakad.org.tr/index.php?action=icerik&sayfa\\_no=42](http://www.vakad.org.tr/index.php?action=icerik&sayfa_no=42) (rev. 18.04.2014)

<sup>197</sup> See for VAKAD: [www.vakad.org.tr](http://www.vakad.org.tr), and for KAMER: [http://www.kamer.org.tr/icerik\\_detay.php?id=89](http://www.kamer.org.tr/icerik_detay.php?id=89) (rev. 18.04.2014)

women who are exposed to violence. The three Kurdish women's CSOs claim that in the absence of state's will to enforce laws for prevention of violence and protection of women, the number of incidents of violence against women will remain high. Organized Kurdish women emphasize that the key state policy should be the promotion of women's rights and gender equality nationwide and to raise awareness among public officials of the issue of women's rights and discrimination against women.

### **Women's Rights and Gender Equality**

Like other women's groups, Kurdish women's CSOs have also been highly active in advocating the advancement of women's rights and gender equality. Similar to feminist CSOs, Kurdish women's CSOs also emphasize that women and men need to receive equal treatment in all spheres of life. One of the leading principles of KAMER is the acceptance of women's rights as human rights.<sup>198</sup> Therefore, KAMER sees its struggle for women's empowerment as intertwined with the struggle for improving human rights. To promote the new Civil Code for instance, KAMER established working groups and organized seminars and house visits to raise women's awareness of their legal rights in marriage and divorce. By contacting individuals directly, KAMER was able to detect women's needs and problems, to create awareness of patriarchal division of labor among men and women, to share information on the institutions and organizations providing support to women. As mentioned above, Nebahat Akkoç argued that women who attended the consciousness-raising meetings have certainly changed their lives or become more determined to struggle against discrimination and violence against women. She said:

“Since KAMER's establishment, we have worked with almost 300,000 women through our consciousness-raising activities. Knowing that each woman can affect ten women around her and each woman is responsible of five children increases the importance of the efforts and the results achieved. We can, thus, claim that an incredible number of women question the prevalent gender roles, domestic violence, and discrimination against women, and became aware of their legal rights.” (Akkoç 2007: 209f.)

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<sup>198</sup> [http://www.kamer.org.tr/icerik\\_detay.php?id=60](http://www.kamer.org.tr/icerik_detay.php?id=60) (rev. 15. 04.2014)

Furthermore, KAMER encourages women to participate in economic life. It promotes women's entrepreneurship and support women in starting, formalizing, and growing their enterprises. For instance, KAMER activists opened a restaurant where only women work, and these women share their experiences with women contacting KAMER. Akkoç argued in our interview that such initiatives help women gain financial independence from their husbands or fathers and increase their self-esteem. In addition to the restaurant, KAMER has a nursery where women can leave their children to trained staff and participate in consciousness-raising groups or work in the restaurant. In strengthening women's rights, KAMER also uses its networks on the international level. As a member of the EWL, it regularly communicates with European women's CSOs and exchange ideas and strategies to empower women's rights on a national and global level.

In order to promote women's rights, SELIS organizes educational seminars on subjects that vary from women's health, child-rearing, women's legal rights, discrimination and violence against women. In 2010, SELIS organized educational seminars on equality between men and women in four neighborhoods in Diyarbakır. Men who participated in these seminars admitted that they were thinking differently before participating to these seminars. Perihan Kaya said: "We believe that fundamental changes can be achieved by talking to men. If we can change their [men's] mentality, we can overcome women's problems more easily". Moreover, SELIS worked with the 'Women Entrepreneurs Association of Turkey' (*Türkiye Kadın Girişimciler Derneği*, KAGIDER) in a project for strengthening women's status economically. With this project, KAGIDER aimed at reaching 300 women in the region and offered mentorship and training programs for potential women entrepreneurs. Perihan Kaya claimed that SELIS found jobs for about 150 women and brought employers and unemployed women together to convey information about how to develop business proposals. The organization promoted this project through distributing brochures and flyers.

In a similar vein, VAKAD informs women about their legal rights concerning divorce, children's custody, property sharing, and alimony through its seminars and website.<sup>199</sup> The organization releases press statements on women's problems monthly through the local and

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<sup>199</sup> [http://www.vakad.org.tr/index.php?action=icerikliste&kat\\_id=32](http://www.vakad.org.tr/index.php?action=icerikliste&kat_id=32) (rev. 20.04.2014)

social media (Twitter, Facebook), and regularly participates in TV programs to communicate their work to a wider public. As mentioned in Chapter 6 on feminist CSOs, in January 2012, VAKAD, in cooperation with Purple Roof, began to work in a project called ‘Women’s Cooperation for Gender Justice’. The project aimed to reveal the shortcomings in the laws and regulations pertaining to gender equality and to discuss with experts and activists about how to take practical steps to accelerate women-friendly changes in the legal framework. VAKAD publicized the results of this working group through booklets and reports, and conveyed the information to women in Van.

VAKAD stresses that it is important to support women’s education in efforts to empower women. To this end, the association, in cooperation with the Municipality of Van, encourages girls to attend high school and pursue their education further. Furthermore, VAKAD underscores the improvement of women’s economic, political, and social status. It owns a second-hand ‘solidarity shop’ in which women, who are counseled by the association, can work for a living.<sup>200</sup> The organization also helps and informs women to access hospitals that deliver planned health care services that target women. VAKAD put great effort to help people after the disastrous earthquake in the Van province in October 2011.<sup>201</sup> Its activists collected many relief supplies, contacted women in need, brought the items to families in destroyed villages, and supported women to recover after the trauma of the earthquake by offering psychological counseling.<sup>202</sup> Surprisingly, in February 2013, the chief public prosecutor of Van initiated legal proceedings to ban ten civil society groups, including VAKAD, on charges of their alleged links with the PKK (*Bianet*, 23 February 2013). VAKAD claimed that the state was uncomfortable with VAKAD’s efforts to help women in the areas “where the administrative units had the responsibility, and this exposed the inadequacy of administrative units in preventing violence against women.”<sup>203</sup> In May 2013, these charges were dropped.

In strengthening women’s rights, Kurdish women’s CSOs are also in favor of quotas for women in politics. Although the number of women in the parliament has slightly increased in the last two parliamentary elections (2007, 2011), the rate of women’s participation in

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<sup>200</sup> [http://www.vakad.org.tr/index.php?action=icerik&sayfa\\_no=4](http://www.vakad.org.tr/index.php?action=icerik&sayfa_no=4) (rev. 20.04.2014)

<sup>201</sup> In this earthquake 272 people were killed and more than 60,000 people have lost their homes.

<sup>202</sup> [http://www.vakad.org.tr/index.php?action=haber&haber\\_no=62](http://www.vakad.org.tr/index.php?action=haber&haber_no=62) (rev. 21.04.2014)

<sup>203</sup> <http://rojwomen.org/2013/04/12/helping-women-is-called-divisive-activity/> (rev. 27.10.2014)

representation and decision-making mechanisms remains low in Turkey (cf. Chapter 6). Representation of women in local governments and in municipalities is even lower. Conversely, the representation of women in the Kurdish BDP is remarkably high. The BDP has a quota of a minimum 40 percent for women candidates in the party. Özlem Özen, a senior member of the BDP, stated in an interview that gender equality is at the heart of the Kurdish political movement and said: “Our party is attractive to women, as it is the only political party that gives importance to women's empowerment and equality, and that enables women to participate in the democratic process” (Jones 2013).

Although Article 10 of the Constitution was amended in 2004 and stipulates that women and men have the equal rights, women are discriminated in political, economic, social, and cultural life. Kurdish women's CSOs argue that further reforms in laws are needed to eliminate discrimination against women.

### **Discrimination against Women**

Kurdish women's CSOs argue that to combat discriminatory practices towards women, it is of utmost importance to strengthen and extend fundamental rights and freedoms in Turkey. Kurdish women suffer from both gender discriminatory practices and ethnic discrimination. Therefore, Kurdish women's CSOs have reiterated the double-discrimination Kurdish women face. While KAMER and VAKAD mainly focus on gender-based discrimination, SELIS rather emphasizes the ethnic-based discrimination. All the interviewees firmly stated that the struggle against gender-based discrimination cannot be considered without the struggle for human rights and democracy. To this end, these three Kurdish women's CSOs make public statements on the need to strengthen civil rights and freedoms, cooperate with other segments of CS in various campaigns concerning the protection of minority rights and the improvement of human rights, and use their websites and the printed media to voice their concerns and demands.

Akkoç from KAMER claimed that women in the Kurdish region suffer from cultural, social, and political discrimination. While working on violence against women, KAMER pointed at how political violence in the Kurdish region deeply affected the lives of Kurdish women. In this regard, Gökalp claims in her research that Kurdish women in general see their problems, such as poverty, inequality, and unemployment as the consequence of being Kurds; i.e., they believe that they suffer because of being Kurdish, and the Turkish state deliberately hinders

Kurds from having jobs or being wealthy (2010: 568). Therefore, Kurdish women strongly emphasize their Kurdish identity and support the cause of the Kurdish national movement. KAMER emphasizes that to overcome the discrimination Kurdish women face, the Turkish state has to implement progressive policies providing women equal opportunities at home, in the workplace, and in the public sphere. In this regard, the organization keeps advocating and lobbying for substantial changes in laws and policies pertaining to women's lives.

SELIS directly addresses the state's systematic discrimination against Kurdish women. In our interview, Perihan Kaya claimed that governmental institutions such as the district governorate (*kaymakamlık*), the provincial governorate (*valilik*) and the security directorate in Diyarbakır often hinder SELIS' work because they regard SELIS as a 'separatist' group. These governmental bodies have obstructed, or often have not allowed, SELIS to organize street demonstrations or to make public statements. Furthermore, Kurdish women also face the language barrier in their daily lives. Many Kurdish women do not speak Turkish, and therefore, they cannot run their errands at banks, police stations, hospitals or courts.

Perihan Kaya also criticized the dismissive attitude of some organized Kemalist women towards organized Kurdish women. To exemplify this tension, one incident is important to mention. During the 12<sup>th</sup> Assembly of Women's Shelters in 2009, the Constitutional Court publicized its decision to ban the Kurdish DTP - the predecessor of the BDP - due to its activities that conflicted with "the independence of the Turkish state, its indivisible integrity with its territory and nation".<sup>204</sup> Purple Roof activist Özgür Sunata recalled in our interview:

"At the 12th Assembly, some organized Kurdish women from the Kurdish region (including from SELIS) requested to leave the assembly to go back to their cities to provide support to other activists in the Kurdish party. One socialist feminist group supported the Kurdish women's claim and openly criticized repressive policies of the Turkish state. While Kurdish women were leaving, some organized Kemalist women protested Kurdish women and used an improper language towards Kurdish women such as 'terrorists'. This has led to an extreme tension within the Assembly of Women's Shelters."

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<sup>204</sup> <http://www.ntvmsnbc.com/id/25030653/> (rev. 20.04.2014)

Accordingly, Purple Roof withdrew from the Assembly of Women's Shelters as a main coordinator and launched in 2010 a smaller meeting with another coordination committee, including VAKAD and SELIS, to discuss the conflicts among organized women. In this meeting, feminist and Kurdish women activists condemned the usage of an exclusionary and anti-democratic language, and emphasized the importance of acting together despite differences within organized women (12<sup>th</sup> Final Declaration of the Assembly, 2010). It is evident that the Kurdish-Turkish conflict remains influential and shapes the civil society space in Turkey.

Zozan Özgökçe from VAKAD argued that women are not only discriminated because of their gender identity, but also because of their sexual identity, headscarves, disability, Kurdishness, being divorced, or for being a member of a minority group. Therefore, organized women's effort to reach solidarity within the women's movement is highly important in the fight against discrimination against women. To this end, VAKAD regularly organizes panels and conferences with national and international participation during the week of 8<sup>th</sup> of March and 25<sup>th</sup> of November where the participants from different women's CSOs discuss various topics such as homosexuality, sexual health, problems of Kurdish and disabled women.

In 2005, VAKAD contributed to the 'Shadow Report' on the Turkey's fourth and fifth combined periodic report to the CEDAW Committee, prepared by WWHR. It reported that during the Kurdish-Turkish conflict in the 1990s, hundreds of thousands of Kurds were displaced from their villages into large cities, where women faced many difficulties to adapt the city life in the region because they could not speak Turkish (VAKAD Report 2005). These women, according to the report, felt isolated and alienated from this new environment. Public workers and state officials did not acknowledge that these women only speak Kurdish and often refused to provide public services to these women. The ethnic based discrimination in the Kurdish region led to poverty and the marginalization of Kurdish women and children, and generated hatred against the Turkish state. By reporting these issues, VAKAD underlined the importance of the counseling work Kurdish women's organizations are doing in dealing with Kurdish women's problems.

The struggle to eliminate discrimination against Kurdish citizens in general is a part of the ongoing peace process between the BDP, the PKK leader Abdullah Öcalan, and the AKP government. Organized Kurdish women participate in civil society meetings that bring different

actors together to discuss how to build peace together and how to eliminate discrimination against the Kurdish population in Turkey. They convey information to Kurdish politicians about women's perspective. But it remains to be seen, whether this process will lead to a peaceful solution to the Kurdish question and eliminate discrimination against Kurds.

Furthermore, VAKAD addresses the problems of refugee women from different countries in Van, who live in temporary shelters or tents, illegally work for Turkish families, experience violence, and have no access to vital information about their rights.<sup>205</sup> VAKAD claims that these women need also to be protected by Turkish laws, by referring to Article 122 of the Penal Code that criminalizes any discrimination based on language, race, color, sex, political opinion etc. in public services and economic activity. Although some women's organizations focus on the problems of refugee women, they cannot develop sustainable solutions since Turkey lacks serious refugee policies in general. For instance, Turkey opened its borders to Syrian refugees after the civil war and put 200,000 refugees in refugee camps, but the number of refugees has increased up to 1.5 million and this began to affect the social life and economic structures in Turkish cities (Idiz 2014). The AKP government remains oblivious to the situation of Syrian refugees, and Syrian women in particular.

## **Conclusion**

The three organizations - KAMER, SELIS, and VAKAD – define themselves as Kurdish feminist organizations. Clearly, their Kurdishness had influenced their relations with the Turkish state. While KAMER has worked with state institutions, SELIS has rejected to work with state institutions such as the ministries, the governorate, or the security directorate. But SELIS, as a constituent of the Kurdish national movement, acts in accordance with the Diyarbakır Metropolitan Municipality under the control of the BDP. VAKAD, on the other hand, has cooperated with both state institutions and the BDP in its activities.

As discussed in the present chapter, Kurdish women's CSOs have primarily focused on the issue of violence against women, in particular, eliminating honor killings. All interviewees firmly stated that violence against women is a violation of human rights and raised two issues with regard to its causes. First, they pointed to the repercussions of the Kurdish – Turkish

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<sup>205</sup> [http://www.vakad.org.tr/index.php?action=haber&haber\\_no=55](http://www.vakad.org.tr/index.php?action=haber&haber_no=55) (rev. 20.11.2014)

conflict on women's lives in the Kurdish populated region, claiming that prevailing state violence towards Kurds produces and legitimizes a 'culture of violence' in the daily lives of Kurds, and this, in turn, makes domestic violence common practice in Kurdish homes. Second, they blamed the patriarchal structures within Kurdish society that subordinate women under men and limit women's individual freedoms. In order to prevent domestic violence against women, Kurdish women's CSOs have emphasized the need to establish much more women's shelters and to offer psychological counseling and legal advice to women exposed to violence. The interviewees remarked that the governmental staff dealing with violence against women need to employ gender equality perspective. In this regard, they also emphasized that it is important to spread information on women's legal rights both in Kurdish and Turkish languages.

The efforts of Kurdish women's CSOs in combating violence against women are closely related with their efforts for strengthening women's rights and eliminating discrimination against women. Their valuable contribution is that they have Kurdish activists who easily convey information in Kurdish and raise the awareness among Kurdish women of their legal rights. As regards the promotion of women's rights, SELIS prefers the regional cooperation among Kurdish women's groups as well as with Kurdish CSOs and the BDP. Both VAKAD and KAMER collaborate not only in the Kurdish region but also on the national level with women's organizations having different political orientations, and also with international agencies and organizations to strengthen women's rights.

During the AKP era, KAMER and VAKAD have played important roles in negotiating with state institutions on changes in gender policies. Both organizations have shown remarkable efforts in lobbying for the classification of honor killings as an 'aggravated circumstance'. This found its way in the reform process of the Penal Code and the revision of the Law on the Protection of Women from Violence (Law 6284). Since SELIS refuses to work with the government institutions, it had no direct effect on legal changes in gender policies, but indirectly through participating in petitions initiated by broad women's platforms. Furthermore, these three CSOs cooperate with other feminist CSOs and female lawyers in different cities to follow court trials relating to sexual assaults against women. They monitor whether the laws and regulations regarding the prevention of violence and discrimination against women are implemented correctly. Nevertheless, as the interviewees from KAMER and

VAKAD stressed, the state needs to develop control mechanisms and measures to enforce laws that protect women from violence, that eliminate discrimination against women and strengthen women's rights.

Above all, Kurdish women's CSOs have argued that the most effective way to achieve substantial changes in law is to develop state policies that promote women's rights and gender equality, and support women in every sphere of life. It is also highly important that the Turkish state ends its militaristic approach toward the Kurdish question and employs a more inclusive political discourse towards its Kurdish citizens and works with Kurdish CS groups to build a peaceful and democratic environment. To this effect, Kurdish women's CSOs support and participate in grassroots initiatives for building peace in the Kurdish region.

## Chapter 9

### Advocates of State Feminism: Kemalist women's CSOs

#### *9.1 The Emergence of Kemalist Women's Activism*

Kemalist women's activism can be seen as a historical sequence evolving from the first wave in the early years of the Turkish Republic to the second wave in the 1990s. As mentioned in Chapter 5, the Turkish state elite under the leadership of Atatürk introduced a series of legal reforms, which granted women equality before law and encouraged women to participate in public life and the nation-building process (Arat 2008, 2010b; Kandiyoti 1987; White 2003). Women who have benefitted from the opportunities offered by the so-called state feminism are the first generation of "emancipated" women in Turkey (Kandiyoti 1987). These 'emancipated' women, carrying the responsibility of being the agents of Turkish modernization, put themselves to the service of the secular Turkish Republic and became involved in philanthropic organizations promoting Kemalist reforms (Ecevit 2007; Patton 2010; White 2003). This generation of Kemalist women were well-educated, upper class, professional women from urban centers who have never contested the state's discourse on women (White 2003: 146). They were the first women's group that were organized in the CS arena.

In the 1990s, the second wave of Kemalist women's activism emerged to counteract Islamist revivalism. Majority of these Kemalist women were already active in diverse CSOs that were dealing with diverse issues such as promotion of education for youth from disadvantaged families, charity work, or encouragement of women's entrepreneurship. They called themselves 'secularist' or 'republican', and based their political activism and worldview on 'laicism', a rigid form of secularism in which religion is strictly controlled by the state (Turam 2008: 477). Kemalist women activists stressed that secularism needs to be vigilantly protected because it enabled Turkish women to gain equality with men in the public realm. Their understanding of equality between men and women was based on the formal equality in the legal framework that has been introduced by 'state feminism', and that substantially differed from the understanding of other feminist activists in Turkey (cf. Chapter 6). In contrast to the feminist activists, who

were secular but anti-statist, Kemalist women believed that the Turkish state was the sole protector of women's rights and gender equality (Arat 2008; Turam 2008). In the mid-1990s, with the resurgence of the Islamist movement and the proliferation of women with headscarves in public space, Kemalist women saw themselves as the bearers of the Republican ideals and began to unite in associations to contest the 'Islamist threat' (Arat 2008; Turam 2008; White 2003). Like their forebears, this generation of Kemalist women were also educated, middle-class women from urban centers (Turam 2008: 477).

### ***9.2 The Institutionalization of Kemalist Women's Activism: Kemalist Women's CSOs***

Women's organizations in Turkey first emerged after the end of the single-party rule in 1946. As mentioned in the chapter on feminists, the number of women's organizations until the 1980s was not more than ten, and they were largely Kemalist women's organizations. These organizations were engaged in professional or in charity activities, and they have been promoting women's rights.<sup>206</sup> The oldest and arguably the most influential Kemalist women's organization is the 'Turkish Women's Union' (*Türk Kadınlar Birliği*, TKB) that has a long history with several intervals (1923-1935 and 1949-). In 1923, a group of women's rights activists led by the feminist author Nezihe Muhiddin requested from the state elites authorization to establish a women's political party (Arat 2000; Zihnioglu 2003). But the government at the time refused their request, claiming that women had no political rights, and this initiative turned into TKB on 7 February 1924 (Zihnioglu 2003: 147). TKB, as the first women's organization in the Turkish Republic, strived to obtain women's political, social and economic rights, and encouraged women to actively participate in public life.<sup>207</sup> Meanwhile, the Turkish state implemented secular laws and codes, and introduced women's suffrage (cf. Chapter 5). However, these legal gains had also a downside: the state elites argued that since the Republican regime had given women all their rights, there was no longer a need to struggle for women's emancipation (Coşar and Onbaşı 2008; White 2003). They perceived TKB as an independent voice in the public realm that could threaten the national interest of the newly established Turkish Republic (Zihnioglu

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<sup>206</sup> Kemalist women formed several associations in the 1940s and 1950s such as the 'Association of Soroptimists' (1948), the 'Association of Turkish Women University Graduates' (1949), the 'Association Investigating Women's Social Life' (1953) and the 'Association for Protecting Women', see further Ecevit (2007).

<sup>207</sup> Members of the early TKB, who were organized in the beginning of the 1900s under the Ottoman rule, were well-educated, professional women from upper class families of Istanbul. See for a detailed account of TKB's history: Zihnioglu (2003).

2003: 256). Subsequently, the members of TKB decided to dissolve their organization on the request of the state elites (Arat 1994, 2000). Some scholars regard the closure of TKB as the end of the first wave of independent women's movement in Turkey (Arat 2000; Diner and Toktaş 2010).

On 13 April 1949, a group of Kemalist women under Mevhibe İnönü, the wife of the then-President İsmet İnönü, re-opened TKB in order to protect and improve women's rights provided by the Kemalist reforms.<sup>208</sup> In 1954, TKB acquired the status of an association 'working for public interest'. The head of the TKB in Istanbul Selma Durak stated in our interview that the organization aims to improve women's access to education and health services, to strengthen women's legal rights, and to support women's participation in politics and social life.<sup>209</sup> It conducts its advocacy and lobbying activities both on national and international level to raise the public's awareness of women's equality and to influence policy-making processes.

The headquarters of TKB is in Ankara. The number of its branches reached eighty, eight out of them are active in Northern Cyprus. It cooperates with diverse groups of women's CSOs, municipalities, and state institutions to empower women's status and eliminate discriminatory laws against women. It has six commissions under its board: international relations, law, education, health and environment, cooperation with public and civil institutions, and media and public relations.<sup>210</sup> TKB Ankara is the host institution and conducts the secretariat of the 'Executive Committee for NGO Forum on CEDAW - Turkey'. It has a strong international network: it is a member of the executive commission of the 'EWL-Turkish National Coordination' and participates regularly in the UN's World Congresses on Women and the CEDAW meetings.<sup>211</sup>

The executive committee of TKB is selected by the votes of the members and serves for three years. The head of TKB-Istanbul Selma Durak explained: "There are ten branches of TKB in various districts of Istanbul. Among its members, there are psychologists, lawyers, and doctors who voluntarily give educational seminars on women's health, child education, and consumption culture in high schools". She added that the number of its members is about 100. TKB-Istanbul works closely with the 'Istanbul Directorate of National Education', which is

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<sup>208</sup> [http://www.turkkadinlartirli.org/index.php?p=genel\\_icerik&content=tarihce\\_tuzuk](http://www.turkkadinlartirli.org/index.php?p=genel_icerik&content=tarihce_tuzuk) (rev. 20.06.2014)

<sup>209</sup> Personal Interview with Selma Durak, the head of TKB Istanbul branch since 2008, October 2011, Istanbul.

<sup>210</sup> *Ibid.*

<sup>211</sup> [http://www.turkkadinlartirli.org/index.php?p=genel\\_icerik&content=tarihce\\_tuzuk](http://www.turkkadinlartirli.org/index.php?p=genel_icerik&content=tarihce_tuzuk) (rev. 20.06.2014)

responsible for the school system, to find schools for its educational seminars on women's rights. It also supports the women's shelter run by the *Küçükçekmece* Municipality of Istanbul. Its activities are financed through membership dues and donations, and it is logistically supported by the local governments ran by the CHP in Istanbul.

The second Kemalist women's CSO under consideration is the 'Istanbul Women's Associations Union' (*Istanbul Kadın Kuruluşları Birliği*, IKKB) that hosts about fifty Kemalist women's organizations, including TKB-Istanbul, and representatives from the 'Women's Rights Center of the Istanbul Bar Association' and from Kemalist political parties. It was formed in 1995 to launch a broad - based campaign for the annulment of some articles in the Civil Code (1926). The head of IKKB Nazan Moroğlu is a well-known legal expert and lecturer who publishes reports and books addressing the deficiencies of Turkish laws pertaining to women's rights.<sup>212</sup> IKKB's primary aim is to improve women's status in Turkey. To this end, it addresses gender discriminatory laws in the legal framework and uses the legal system to initiate change.

Nazan Moroğlu noted in our interview that IKKB organizes diverse activities to attract public's attention to women's rights issues: the anniversary of the Turkish women's suffrage on 5 of December, the anniversary of the introduction of the 1926 Civil Code on 17 of February, and 8 of March (International Women's Day). Legal experts from IKKB participate in international meetings on women's status and problems, especially in CEDAW and UN meetings on women, to exchange their ideas and experiences on women's rights and gender equality with organized women from other countries. The representatives of the member organizations of IKKB gather every month to exchange information on the latest debates on women's rights and distribute the tasks for initiated projects according to the candidacy of the member organizations.<sup>213</sup> Its activities are mainly financed through membership dues and donations from individuals, Turkish firms and companies.

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<sup>212</sup> Personal interview with Nazan Moroğlu, October 2011, Istanbul. She is also the head of the 'Association for Turkish Women University Graduates' (*Türk Üniversiteli Kadınlar Derneği*) and of 'the Women's Rights Commission' of the Istanbul Bar Association as well as a member of the 'Turkish Women Jurists Association' (*Türk Hukukçu Kadınlar Derneği*).

<sup>213</sup> Personal interview with N. Moroğlu, October 2011, Istanbul.

The third Kemalist women's CSO examined here is the 'Izmir Women's Association Union' (*Izmir Kadın Kuruluşları Birliği*, IKKB-Izmir), which was formed in 2000.<sup>214</sup> IKKB-Izmir brings about forty Kemalist women's organizations and women activists from Kemalist CSOs and parties in Izmir together. It provides a common platform to develop strategies to achieve women's empowerment in the workforce, politics, legal framework, and education. The head of IKKB-Izmir Emel Denizaslani stated in our interview that IKKB-Izmir mainly focuses on three issues: 1) women and politics, 2) violence against women, and 3) women's entrepreneurship.<sup>215</sup> IKKB-Izmir collaborates with the 'Center for Women's Research' of the Ege University in Izmir to organize panels on women's issues during 8 March celebrations. With the help of the CHP in Izmir, it finds many opportunities to voice its gender specific demands on different platforms.

The general assembly of IKKB-Izmir gathers once a year and evaluates the results and the impact of its activities. The executive committee is elected for two-year terms. Emel Denizaslani stated: "Our members represent different ideological positions, there are women from social democrats as well as from the nationalist parties. We try to bring women from different political identities together who would work for women's empowerment". IKKB-Izmir uses its local networks with political parties and municipalities to organize panels and meetings on women's rights issues. Since the Women's Council of the Province of Izmir is a member of IKKB-Izmir, it acquires EU funds that are designed for regional development of the EU member and candidate countries. IKKB-Izmir receives also funding from the foreign consulates and international organizations that are active in Izmir.

The members of these three CSOs are well-educated, professional or retired, middle or upper class women who embrace Kemalist ideology and secularism. They specifically focus on improving women's legal rights within the Kemalist framework. Table (9.1) below presents some basic information about these three CSOs. While some of their activists define themselves as feminist, others neglect this label. But some scholars call Kemalist women "Kemalist feminists"

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<sup>214</sup> Since the initials for the Istanbul Women's Associations Union and the Izmir Women's Associations Union are the same, I refer to the latter as IKKB-Izmir.

<sup>215</sup> Personal interview with Emel Denizaslani, September 2011, Izmir. She was a member of the CHP and a candidate in the 2007 general election, but has not been elected.

(Arat 2008; Coşar and Onbaşı 2008; Turam 2008) or “liberal feminist”<sup>216</sup> (Arat 1998; Marshall 2009).

Table (9.1): KEMALIST WOMEN’S CSOs

Kemalist women’s CSOs	Legal Status /year of establishment	Organization, number of members	Main fields of activity	Funding
<b>Turkish Women’s Association</b> <i>(Türk Kadınlar Birliği, TKB)</i> (Istanbul)	Association (1923; 1949)	Hierarchic; 100 members, volunteers	Women’s rights and gender equality	Dues and donations, projects supported by municipalities or state institutions
<b>Istanbul Women’s Association Union</b> ( <i>Istanbul Kadın Kuruluşları Birliği, IKKB</i> ) (Istanbul)	Platform (1995)	Semi-hierarchic; 50 CSOs and female representatives of Kemalist political parties	Women’s rights and gender equality; violence against women	Dues, donations from national actors
<b>Izmir Women’s Association Union</b> ( <i>Izmir Kadın Kuruluşları Birliği, IKKB-Izmir</i> ) (Izmir)	Platform (2000)	Semi-hierarchic; around 40 CSOs and female representatives of Kemalist CSOs and parties	Women’s rights	Dues and donations, projects funded by international NGOs and foreign consulates in Turkey

<sup>216</sup> Liberal feminism claims that inequality between sexes is rooted in a set of customary and legal constraints that prevent women’s access to the public life. Therefore, it claims that it is highly important to provide equality of men and women through political and legal reforms, see further: Donovan (2000).

### ***9.3 The Achievements of the Kemalist Women's CSOs before the AKP***

Until the emergence of the feminist movement in the 1980s, organized Kemalist women have focused on two issues: empowerment of women in education and in politics. To this end, they have supported girls by providing scholarships for higher education and offered lower- and higher-level literacy programs for girls and women, who were unable to attend schools due to traditional norms and values. Moreover, they supported Kemalist women to participate in politics. TKB, for instance, was influential in encouraging women's candidacy for the Turkish Parliament.<sup>217</sup> Organized Kemalist women also carried out nationwide campaigns to improve women's health. To this end, they worked with the 'Turkish Medical Association' (*Türk Tabipleri Birliği*, TTB) that provided volunteer health services for women in rural areas. Organized Kemalist women never questioned the laws on women's rights introduced by the Kemalist regime or the women's status in the private sphere, i.e. within the family (Arat 2008; Marshall 2009).

When feminist activism has criticized the Kemalist approach to women's rights and addressed the issue of domestic violence and discrimination against women, some Kemalist women began to acknowledge and voice that women were not equal to men in the existing laws, in particular in the much celebrated Civil Code from 1926. At the end of the 1980s, organized feminist women initiated a broad-based struggle in collaboration with Kemalist women's groups to have the Civil Code amended. The aforementioned Association of Turkish Jurist Women (cf. Chapter 6), formed by Kemalist women in 1968, has prepared a draft proposing annulment of discriminatory laws in the Civil Code (Arat 2010a: 240). In 1992, organized feminist and Kemalist women together initiated a campaign to support this draft proposal (Marshall 2009: 362). As Nazan Moroğlu stated in our interview, İKKB has collected 107,000 signatures for the renewal of the Civil Code and presented them to the Turkish Parliament.

In the 1990s, legal experts both from the Kemalist women's and feminist CSOs closely monitored the implementation of the CEDAW agreement that was signed by Turkey in 1985. By pointing at Turkey's obligations for the CEDAW agreement, the Kemalist women's organizations

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<sup>217</sup> In the 1960s, TKB members Zerrin Tüzün ve Übeyde Belli have been appointed as senators to the Turkish Parliament. Later on, the first female mayors Müfide İlhan, Leyla Atakan, Lale Müldür ve Çağlayan Ege were also members of TKB, see further: [http://www.turkkadinlarbirligi.org/index.php?p=genel\\_icerik&content=tarihce\\_tuzuk](http://www.turkkadinlarbirligi.org/index.php?p=genel_icerik&content=tarihce_tuzuk) (rev. 20.06.2014)

stressed the need to eliminate the discriminatory laws in the Civil and the Penal Codes. To this end, both TKB-Istanbul and IKKB conducted numerous panels and seminars with prominent legal experts and activists. Also, the Kemalist legal experts in collaboration with feminist lawyers were influential in gender mainstreaming the bar associations by forming women's commissions. In 1999, Nazan Moroğlu from IKKB, as the head of the Istanbul Bar Association's Women's Commission, called for the establishment of the 'Women's Rights Commission of the Union of Turkish Bar Associations' (*Türkiye Barolar Birliği Kadın Hukuku Komisyonu*, TÜBAKKOM). TÜBAKKOM's primary aim has been to form a pressure group to influence decision-makers to change and revise the discriminatory laws in the Civil and Penal Codes, and the Labor Law. It coordinated thirty women's commissions providing legal advice for women in various cities and has been active in monitoring the implementation of Law 4320 on the Protection of the Family (Işık 2007: 51).

In contrast to organized feminists, organized Kemalist women were loyal supporters of the secularist state. They closely worked with the state's women's machinery KSSGM and governmental institutions (Ecevit 2007: 196). Kemalist women were not critical of the patriarchal nature of the Turkish state and have sought women's emancipation solely through legal reforms. But when political Islam began to rise in the 1990s, organized Kemalist women focused on contesting the Islamization of political and social life. They organized demonstrations and used their networks in the media and political parties to oppose the presence of Islamist women with headscarves in public institutions and to challenge the rise of Islamist politics (Marschall 2009; Turam 2008). The Kemalist women's CSOs also distanced themselves from the organized Kurdish women's groups. They considered the demands of Kurdish feminists for the recognition of their ethnic and cultural identity as a threat towards the unity and the nationalist character of the Turkish state. They stressed that the problems Kurdish women face were the consequences of the low educational level and poverty in the Kurdish region, and the traditional and Islamic lifestyles of the Kurdish clans (Arat 2008; Yüksel 2003).

The struggle against domestic violence and the process of amending the 1926 Civil Code were two salient issues that united Kemalist women with other women's rights organizations in Turkey (Arat 2010a: 239).

## **Amending the Civil Code**

During the reform process of the Civil Code, the Kemalist women's CSOs were the most active group in the working and lobbying groups along with feminists. As mentioned before, the Kemalist Association of Turkish Jurist Women were the first group that proposed a new draft for the Civil Code. Based on this draft, a commission under the Ministry of Justice drafted a new Civil Code in 1998 and presented it to the Turkish Parliament, but it has been dismissed due to the coming general election in 1999 (Arat 2010a: 240).

In 2000, feminist WWHR, in collaboration with KADER, set up a monitoring committee that worked closely with the aforementioned Justice Commission of the parliament (see Chapter 6). Nazan Moroğlu from IKKB, as a legal expert on women's rights, was the member of this committee. She stated in our interview that she has been highly active during the advocacy and lobbying, and had to travel back and forth between Istanbul and Ankara. Meanwhile, both IKKB (Istanbul) and IKKB-Izmir gathered signatures for the WWHR's campaign promoting the changes in the Civil Code. TKB-Istanbul was involved in raising public awareness of the importance of the Civil Code reform, but lobbying was the task of the TKB's general office in Ankara. The head of TKB Sema Kendirci was the member of the aforementioned monitoring committee as a women's rights lawyer. Kemalist women activists worked closely with feminist activists and created a women's coalition to push the Turkish Parliament to reform the Civil Code. In particular, during the negotiations on the division of property in cases of divorce, both organized Kemalist women and organized feminists gave an outstanding performance and convinced the Justice Commission and the Turkish Parliament to pass the law on equal property sharing. As mentioned in the earlier chapters, in November 2001, the new Civil Code was amended and became effective in January 2002.

Reform of the Civil Code was a common victory for both organized Kemalist and feminist women (Arat 2010a; Çoşar and Onbaşı 2008; Marshall 2009). Organized Kemalist women have welcomed the legal changes, but were committed to push the government for further legal reforms regarding women's rights, but in the midst of the political reform process, the AKP came to power.

#### ***9.4 The Participation and Inclusion of the Kemalist Women's CSOs in the AKP Era***

Kemalist segments of CS were uncomfortable with idea of having an Islamist party in power. In particular, organized Kemalist women were afraid that the Islamist AKP would terminate the reform process regarding women's rights and gender equality. However, the AKP initially engaged in dialogue with women's organizations, including the Kemalist women's CSOs, to advance women's rights and included them in policy-making. Under AKP rule, organized Kemalist women continued to be active in strengthening women's rights to achieve gender equality. Similar to feminist CSOs, they were highly vocal in combating violence against women.

#### **Violence against Women**

Legal experts from the Kemalist women's CSOs worked actively on drafting Law 4320, which was implemented to protect women and children from violence. As noted before, the Protection Law was not very effective, and violence against women continued to be a serious problem in Turkey. Like other women's groups, the Kemalist women's CSOs address three important points in the prevention of violence against women: 1) the improvement of the existing laws and mechanisms regarding protection of women from violence, 2) the cooperation of CSOs with the local state institutions such as municipalities and provincial governorates (*valilik*) in establishing women's shelters, and 3) raising women's awareness of their legal rights.

After the amendment to the Civil Code, Kemalist women CSOs have argued that it was necessary to amend the Penal Code in order to protect women and children from all forms of violence.

#### **Reforming the Penal Code**

Organized Kemalist women were highly active in the aforementioned Women's Platform on the Turkish Penal Code (cf. Chapter 6 and 7). TKB was a member of this platform and has actively participated in the discussions of how to revise the discriminatory laws in the Penal Code. Nazan Moroğlu from IKKB was both a member of the Women's Platform and the 'Monitoring Group' of the Justice Commission that was responsible for amending the Penal Code. She kept the Women's Platform up to date with the progress of the parliament's draft proposal. After analyzing the draft proposals, the Platform realized that the draft was neither fulfilling Turkey's obligations for the EU accession nor the CEDAW agreement (Eslen-Ziya 2012: 133). After a meticulous research, the Women's Platform proposed forty-five modifications in laws that

would eliminate the discriminatory provisions in the Penal Code and help improve women's status as individuals (Ilkcaracan 2007: 255). In 2003, when feminist WWHR organized a mass march to the Turkish Parliament to pressure the legislators to reform the Penal Code, some members of both IKKB and IKKB-Izmir participated in this march. TKB-Istanbul organized seminars and panels, and released public statements to promote the revised Penal Code.

Organized Kemalist women played a key role in coordinating lobbying efforts during the amendment process of the Penal Code. All three Kemalist women's CSOs had good relations with the CHP, whose members were helpful in conveying information to women's CSOs about the latest discussions on the proposal.<sup>218</sup> This helped the Women's Platform to prepare public statements and to organize activities to attract public's attention to the controversies with policy-makers. For instance, when Prime Minister Erdoğan attempted to re-criminalize adultery, the Kemalist women's CSOs, like the feminist CSOs, used their networks in the secular media and informed the EU institutions to reject this draft proposal. They thereby succeeded to hinder the legalization of the proposal on adultery. As mentioned in the previous chapters, the Women's Platform on the Penal Code was successful in achieving forty amendments out of forty-five it lobbied for. In September 2004, the Turkish Parliament ratified the amendments to the Penal Code, and it took effect in June 2005.

### **Women's Shelters and Common Platforms to Combat Domestic Violence**

It can be noted that there is a consensus among organized women in Turkey that the establishment of women's shelters is an important mechanism in preventing domestic violence. Like organized feminists, the Kemalist women CSOs are also involved in supporting the existing women's shelters or in forming new ones. As Selma Durak from TKB-Istanbul stated, TKB together with some members of IKKB support 'Küçükçekmece Municipality Women's Shelter' in Istanbul. In contrast to other municipality-run women's shelters in Istanbul, which were closed down when the party in power lost local elections, this shelter is the only one that continued to work without any interval until now. However, Selma Durak stated in our interview that:

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<sup>218</sup> Personal interviews with the activists from Purple Roof, AMARGI and with N. Moroğlu, October and November 2010, Istanbul.

“Women who are exposed to domestic violence do not easily consider to contact a women’s shelter. Women are subjected to violence by their fathers, husbands, father-in-laws, and brothers, and even by their sons. Thus, the coming generation thinks that beating is an acceptable practice and a right of men. This mentality among Turkish men has to be shattered. Therefore, we carry out different projects on violence against women in suburban areas of Istanbul and try to raise women’s awareness of their legal rights.”

The Kemalist women’s CSOs have also participated in the aforementioned ‘Assembly of Women’s Shelters’. At the annually gathering Assembly, TKB-Istanbul, IKKB and IKKB-Izmir activists exchange information about women’s shelters with other women’s organizations as well as with social workers from the state-run shelters. The three interviewees from the Kemalist CSOs have stressed the importance of increasing the numbers of women’s shelters. Similar to the feminist CSOs, the Kemalist women’s CSOs also remarked that the number of women’s shelters in Turkey is not sufficient considering Turkey’s population.

One important point to mention is the tense relationship between organized Kemalist women and Kurdish feminist groups at the Assembly. A feminist lawyer from Izmir, who regularly participates in the Assembly Women Shelters, claimed in our interview that organized Kemalist women have criticized feminist groups for including “terrorists”, referring to Kurdish women activists, in the Assembly.<sup>219</sup> As noted in the previous chapter, the hostile approach of organized Kemalist women towards organized Kurdish women has been harshly criticized by the Assembly’s organizing committee. Thus, the committee developed a control mechanism to balance the relations among organized women by forming working groups to discuss social values such as tolerance, respect, democratic values, and social organizing through a feminist perspective.<sup>220</sup>

In order to combat domestic violence, Kemalist women’s CSOs often joined the broad-based campaigns and platforms to become more influential in pressuring the AKP-government. For instance, TKB-Istanbul participated in a widely-acknowledged campaign for the prevention

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<sup>219</sup> Personal interview with Sevgi B., September 2011, Izmir.

<sup>220</sup> <http://www.sigınaksizbirdunya.org/kurultaylar/siginaksiz-bir-dunya-sonuc-bildirgeleri/19-onikinci-kurultay-sonuc-bildirgesi> (rev. 18.11.2014)

of domestic violence. In 2004, the major Turkish daily *Hürriyet*, which has a largely secular readership, launched a campaign called “End Domestic Violence” with the support of the television channels *CNN Türk* and *Star TV*, Kemalist women’s CSOs and the ‘Governorship of Istanbul’. The campaign aimed to raise public awareness of domestic violence, to change the perspectives of society on violence and produce solutions at the political level.<sup>221</sup> The initiators launched a hotline for abused persons, organized educational programs on domestic violence for social workers, psychologists and psychological counselors, and the members of security forces. This campaign even reached Germany, and educated volunteers and social workers who had worked with the Turkish community.<sup>222</sup> Between 2007 and 2012, this campaign informed 11,420 mistreated individuals or their relatives on what to do in case of domestic violence. The supporting teams helped 1,468 emergent cases and directed them to women’s shelters.<sup>223</sup> Both interviewees from TKB-Istanbul and IKKB have stressed the greater impact of such broad campaigns, which are supported by the media, in influencing both public debates and policy-makers.

Both IKKB and IKKB-Izmir also have organized educational seminars in rural areas to raise public awareness of the problems caused by domestic violence. As the interviewees stated, the legal experts who are active in both organizations work to inform women on their legal rights in case they are exposed to violence. Similarly, their members who are social workers and psychologists inform women about the different forms of violence and counsel them how to counteract violence. Emel Denizaslani from IKKB-Izmir’s stated in our interview:

“We [IKKB-Izmir] participate in activities during the week of 25 November (International Day for the Elimination of Violence against Women) with other women’s organizations, and on 9 November we protest the practice of ‘stoning of women’ (*recm*) in some Muslim countries that has been condemned as a violation of women’s human rights and a form of discrimination against women.”

TKB-Istanbul, IKKB, and IKKB-Izmir were also highly active in the aforementioned ‘Stop Violence Platform’, which was formed in 2011 and incorporated 241 women’s organizations (see Chapter 6). This platform pushed the AKP government to make amendments to the Law on the

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<sup>221</sup> <http://aileicisiddeteson.com/category/kampanya-hakkinda/> (rev. 18.11.2014)

<sup>222</sup> *Ibid.*

<sup>223</sup> <http://aileicisiddeteson.com/neler-yaptik33/> (rev. 18.11.2014)

Protection of the Family (No. 4320). The Kemalist women's CSOs formed broad networks, used their webpages and networks in the media to inform the Turkish public on the reform process of the Protection Law. On the international level, such as the CEDAW meetings, they participated in petitions and voiced their demands for increasing the protective measures for women.

Organized Kemalist women played an important role in the enactment of the new Law to Protect Family and Prevent Violence against Women (No. 6284). As all the interviewee remarked, the main obstacle in securing women's protection is the unwillingness, or the ignorance, of the governmental personnel in the implementation of laws. Therefore, TKB-Istanbul, IKKB, and IKKB-Izmir prefer to act in broader women's platforms to push the AKP-government more strongly. The interviewees underlined that the government should develop control mechanisms that would enforce laws to protect women from violence and simplify women's access to judicial processes. They pointed out that it is highly important to raise governmental personnel's awareness of violence, especially police and military officers, judges, and state prosecutors, through training them in preventing violence against women. To this end, IKKB organizes panels in which women's rights activists and legal experts discuss with the representatives of the Turkish military, police departments, and the judiciary on how to protect women from violence effectively. Both TKB-Istanbul and IKKB have supported the training of governmental personnel on violence against women through the campaign called 'End Domestic Violence'.

### **Women's Rights and Gender Equality**

Kemalist women activists have been mostly involved in strengthening women's rights in the legal framework. In 2003, Nazan Moroğlu from IKKB was a member of the advisory committee on gender equality of the 'Turkish Parliamentary Union' and of the 'Women's Initiative' for Turkey's membership in the EU. She mentioned in our interview that she published several books on women's legal rights in Turkey as well as commemorative books on promoting the importance of the CEDAW agreement. Likewise, legal experts from TKB and IKKB were highly active both in the process of amending the Civil Code and the Turkish Penal Code. TKB-Istanbul and both IKKB and IKKB-Izmir have launched several campaigns to promote the new Civil Code, regularly organized panels and discussed the positive outcomes as well as the shortcomings of the Code. To monitor the implementation of laws regarding women's rights, lawyers from the

three Kemalist women's CSOs, who are also involved in the Women's Commissions of the Turkish Bar Associations (TÜBAKKOMs), provide legal advice for women in thirty different provinces in Turkey. In a newspaper interview, Moroğlu stated that TÜBAKKOMs aimed to pressure for the introduction of the basic democratic principles 'equality before law and 'no-discrimination in the Turkish legal framework' (Koçali 2003). TÜBAKKOM lawyers worked, for instance, for the implementation of the clause on gender equality. In May 2004, the clause was introduced into Article 10 of the Constitution that stipulates: "Women and men have equal rights. The State is responsible for taking all measures to realize gender equality" (Amend: 7.5.2004-5170/Clause 1).

Furthermore, organized Kemalist women were the most vocal group when the AKP-government restructured the 'State Ministry for Family and Women' in June 2011 and re-named it as the 'Ministry for Family and Social Policies'. Nazan Moroğlu from IKKB made several public statements and underscored: "The omission of the word 'women' from the Ministry's name means that women are not regarded as individuals, but only as members of families. Considering women's role in the context of family only would hinder us to develop gender-sensitive strategies to solve women's problems in the labor market, social life, and politics or to combat violence against women" (June 2011 IKKB Press Release). IKKB also stated that the AKP government is ought to consider that the newly created 'Ministry for European Union Affairs' would have difficulties without a 'Ministry for Women' in implementing gender equality principle in diverse policy areas. IKKB suggested that the restructured ministry needs to be named the 'Ministry for Women, Family, and Social Policies'. TKB-Istanbul in coordination with other TKB branches in different cities issued similar press releases and criticized the AKP-government for acting against the requirements of the CEDAW and EU membership agreements. Moreover, IKKB, TKB-Istanbul, and IKKB-Izmir supported the petition campaign, which was initiated by the feminist CSOs, to re-integrate the name 'women' in the ministry's name. However, this campaign was not successful, and the ministry's name remained the 'Ministry for Family and Social Policies'.

In addition to the struggle for legal changes, the Kemalist women's CSOs also worked to improve the lives of women and girls in social and economic spheres. To this end, TKB-Istanbul, IKKB, and IKKB-Izmir participate in broad-based projects for girls' enrolment in secondary education and in higher education. A publicly known campaign was the 'Snowdrops'

(*Kardelenler*)<sup>224</sup> that was initiated in 2000 by the largest private Turkish telecommunication company *Turkcell* in cooperation with the Kemalist CSO ‘Society for Supporting Modern Life’ (*Çağdas Yaşamı Destekleme Derneği, ÇYDD*). The project’s aims were to provide equal educational opportunities to girls who were unable to continue their education due to the economic disadvantages of their families or girls who were hindered by traditional norms. Since 2000, this campaign has provided 100,000 *Turkcell* scholarships and reached 28,000 pupils and students. 17,000 ‘Kardelens’ (supported girls) finished high school, and 1,800 young women finished their higher education.<sup>225</sup> In March 2010, the UN awarded this project as an exemplary project and will support it until 2015. Since the objectives of this project were in line with the Kemalist ideal of educating modern and secular generations of women, TKB-Istanbul and some member organizations of IKKB also made donations to the project.

Kemalist women’s CSOs also point at the problem of women’s literacy rate in Turkey. According to the Turkey’s Statistical Institute’s 2012 report, 7 percent of women were illiterate.<sup>226</sup> The worst rate was in Kurdish populated province Şırnak in southeast Turkey: 18.2 percent. Selma Durak from TKB-Istanbul stated that TKB offers literacy programs for women in collaboration with public education centers in the poor suburban areas of Istanbul. Furthermore, both interviewees from IKKB and TKB-Istanbul noted that their organizations conduct seminars on gender equality to educate school counselors in primary and secondary schools. Therefore, they need to work with the ‘Directorate for National Education’ in Istanbul. These educational seminars stress that ‘women’s rights are human rights’, and they aim to raise children’s awareness of women’s rights and gender equality.

Organized Kemalist women also focus on women’s economic participation and entrepreneurship. All three CSOs have been involved in projects encouraging women to participate in economic activities. For instance, every year in the week of 8 March, IKKB-Izmir organizes, together with the ‘Center of Women’s Studies’ at the Ege University in Izmir, seminars informing women about micro-credits and discuss the factors that discourage women from

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<sup>224</sup> The name “snowdrop”, a small white flower that come out in early spring through snow, was chosen because it symbolizes the struggle of the girls that wish to further their education despite the harsh conditions, referring to both the geographical and social difficulties in the Eastern region of Turkey.

<sup>225</sup> <http://www.turkcell.com.tr/tr/hakimizda/sosyal-sorumluluk/egitim/kardelenler> (rev. 18.11.2014)

<sup>226</sup> <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=16056> (rev. 18.11.2014)

taking up the option of entrepreneurship. IKKB-Izmir also invites businesswomen to convey information about their own experiences and how to set-up a new business. Moreover, both IKKB and IKKB-Izmir organize charity sales to help women present and sell their handicrafts, art works or other products.

As will be delineated below, Kemalist women activists are also highly vocal on the low levels of women's participation in politics and demand the introduction of the political quotas.

### **Quota Debate**

TKB-Istanbul, IKKB, and IKKB-Izmir regularly celebrate the day Turkish women acquired suffrage (5 December) by organizing panels and round-tables on women's political rights. They invite well-known women's rights activists to transmit information about the latest data about women's representation in different levels of politics. All the interviewed Kemalist women emphasized that "democracy without women cannot be a true democracy". Nazan Moroğlu from IKKB emphasized in our interview:

"A progressive and democratic governance is only possible by achieving gender equality. Women's political participation is an important indicator for gender equality. Thus, the under-representation of women in politics is a problem of democracy. Although Turkish women have acquired suffrage and have been represented in the parliament long before other women in the world, Turkey unfortunately ranks 126 among 136 countries in the level of women's representation in the 2010 Global Gender Gap Report. This is an ominous fact of Turkish democracy".

The three Kemalist women's CSOs support KADER's demand for the introduction of a minimum 30 percent gender quota system in the 'Political Parties and Elections Acts'. Some members of IKKB and TKB-Istanbul have membership in KADER. Emel Denizaslanı from IKKB-Izmir has even acted as the head of KADER-Izmir between 2000 and 2002 and as a member of the executive committee from 2002 to 2004. But she was critical of KADER's work and claimed: "I find KADER's 'equal distance' approach to different political parties utopian, especially considering the fragmented political environment in Turkey. To conduct a joint struggle for women's problems is highly important, but we have to put it straight, we [women activists] have huge ideological differences." Denizaslanı added that both Kurdish and Islamist women activists are 'used' by

their respective political movements, and they do not act according to women's perspectives, but serve to their movements' political aims and agenda.<sup>227</sup>

Before the June 2011 parliamentary election, influential businesswoman Vuslat Doğan Sabancı, a chairwoman from the newspaper *Hürriyet*, formed a platform called the 'Women are Right Platform' (*Haklı Kadın Platformu*) coalescing forty-one broad-based and influential women's CSOs, prominent businesswomen, academics, lawyers, and media institutions.<sup>228</sup> Its primary aim was to enable women to be represented in the Turkish Parliament on equal terms with men. To this end, it released public statements and open letters addressed to the leaders of different political parties. The Platform represents around 100,000 women, including TKB-Istanbul, many member organizations of IKKB, and also feminist organizations such as Purple Roof. The initiators of the Platform emphasize that women's equal representation would enable female politicians to be involved directly in formulating policies to protect women from violence, to introduce affirmative action in the labor market, and to ensure that measures necessary for gender equality are implemented.<sup>229</sup>

Despite the relentless efforts of Kemalist women to strengthen women's rights and achieve gender equality in different spheres of life, discrimination against women continues to be a major problem in Turkey.

### **Discrimination against Women**

TKB, IKKB and IKKB-Izmir as the members of the Women's Platform for the Constitution have insisted on amending Article 10 of the Constitution stipulating that the state is responsible for ensuring gender equality. The aforementioned Women's Platform for the Constitution (cf. Chapter 6) demanded that the law must guarantee gender equality without discriminating on the grounds of sexual orientation, sexual identity, marital status, age, and disability. After the September 2010 referendum, the Constitution was amended (Amendment Law No. 5982), and the phrase "measures to be taken to this effect cannot be considered contrary to the principle of equality" has been added to Article 10 (KSGM Interim Report 2012). Thereby, the Turkish state took greater responsibility for preventing gender-based discrimination. Moreover, the state was

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<sup>227</sup> This is a good example that crystalizes the political cleavages (Turkish vs. Kurdish and religious vs. seculars) which divide not only women's movements but also Turkish society in general.

<sup>228</sup> <http://www.haklikadinplatformu.org/icerik/20-hayatin-her-alaninda-esit-temsil-istiyoruz> (rev. 18.11.2014)

<sup>229</sup> <http://www.haklikadinplatformu.org/icerik/46-rightful-women-platform> (rev. 18.11.2014)

assigned to formulate and implement policies, regulations, and measures providing equal rights and opportunities for women and men. Article 10 has also determined that these measures should ensure equality for children, elderly, disabled, widows and orphans of martyrs, and war veterans (cf. Chapter 5). This amendment did not include sexual orientation or identity.

Like other women's groups, Kemalist women's CSOs also address the CEDAW obligations and the EU *acquis* that require Turkey to implement political mechanisms to secure gender equality and to reduce discrimination against women. As mentioned before, the state women's machinery KSGM periodically submits a report to the CEDAW Committee in which it presents the legal developments regarding the elimination of the gender-discriminatory laws in Turkey. In the last interim report submitted in July 2012, KSGM emphasized that Turkey has taken further steps to eliminate the discriminatory laws in the legal framework.

As mentioned before, since 2005, TKB Ankara has been conducting CEDAW's Turkey Secretariat, which assists the preparation of the KSGM's CEDAW reports. TKB has, thus, been involved in advocacy, lobbying, and outreach activities to promote the CEDAW agreement nationwide. Selma Durak from TKB-Istanbul remarked that TKB works with different women's CSOs, collects the opinions on draft laws aiming at eliminating discrimination against women, and conveys information to the KSGM. Both TKB-Istanbul and IKKB issue press releases pointing out the shortcoming in the new Civil Code (2002) regarding "sharing of acquired property in case of divorce". Like all other women's groups, they claim that the law should also be applicable for marriages that took place prior to the adoption of the Civil Code in January 2002. Moreover, these two organizations voice their demand that Article 82 of the Penal Code, which defines aggravated circumstances for homicides, needs to be revised to include killings in the name of 'honor' as an aggravating circumstance. They stress that the notion of 'honor' is used to discriminate women in their bodily rights.

The Kemalist women's CSOs also address discriminatory practices in the patriarchal Turkish society that hinder women and girls in education, political or economic participation. TKB, for instance, contends that the campaigns and training activities for the public officials are important in combating discrimination against women, but the government needs to continue to persevere with the efforts to implement further laws and mechanisms (Shadow Report 2010). Also, Nazan Moroğlu from IKKB argued that TÜBAKKOMs carry out activities to find solutions

to eliminate all forms of discrimination against women. Likewise, IKKB-Izmir addresses discriminatory practices women face in political, economic, and educational spheres. All three Kemalist women's CSOs argue that the struggle against gender-based discrimination is closely related to the struggle for democracy.

However, Kemalist women CSOs have not worked on the prevention of discrimination Kurdish or Islamist women face. As mentioned before, they have not agreed with organized Islamist women on the right to wear headscarves in public institutions. Likewise, organized Kemalist women have never acknowledged the claim that Turkish security forces systematically perpetrated sexual violence against Kurdish women under custody in the 1990s.<sup>230</sup> Thus, they have not supported the demands of Kurdish feminist women for the investigation of state's violent acts against Kurdish women in those years. Only in the 2000s, when Kurdish feminist CSOs such as KAMER and VAKAD became visible and effective in the fight against domestic violence and in improving women's equal rights, some organized Kemalist women from TKB and IKKB began to work with them in various women's platforms. Although they collaborated with Kurdish feminists in drafting Law 6284 and laws regarding women's equal rights, Kemalist women have not supported the demand of Kurdish women's CSOs to use Kurdish language in public institutions.

Likewise, in the debate on the discriminatory consequences of the headscarf ban, Kemalist women activists support the ban in the public institutions and contend that headscarf wearing at universities or public institutions is a form of pushing religion into politics.

### **Headscarf Debate under AKP rule**

As mentioned in Chapter 7 on Islamist women, the first contention between secularists and Islamists was during the presidential elections in April 2007. The candidacy of Abdullah Gül from the AKP prompted a strong secularist backlash. A diverse array of Kemalist women's groups organized mass demonstrations, labeled 'Republic Rallies' (*Cumhuriyet Mitingleri*), in Ankara, Istanbul, and Izmir that gathered almost a million participants (Turam 2008: 482). Secularist

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<sup>230</sup> Feminist and Kurdish feminist activists I interviewed criticized organized Kemalist women for ignoring the fact that state officials have raped Kurdish women during Kurdish-Turkish conflict in the 1990s. For instance, Emel Denizaslani from IKKB-Izmir rejected this claim when she was talking about the common and different perspectives on the issue of violence among organized women.

segments aimed to prevent the consolidation of Islamist politics within the structures of power, and they were not comfortable with the idea of having a headscarf wearing first lady, which would, according to them, ruin Turkey's modern and secular image (Cindoglu and Zencirci 2008; Turam 2008). Nazan Moroğlu from IKKB was in the organizing committee of the Istanbul Republic Rally, and IKKB's member organizations, including TKB-Istanbul, participated in the rally in Istanbul. Emel Denizaslani from IKKB-Izmir remarked that she joined the protests in 2007 to remind the ruling AKP that there was a strong secular opposition to the Islamist politics. In their public speeches and statements, Kemalist women expressed their fear of becoming like staunchly Islamist Iran and of the suppression of women by *shari'a* laws in case Islamists take all levels of state power. Kemalist women activists stated in our interviews that they became active because they felt responsible to protect Turkish women's freedom. One important outcome of this tension was that the headscarf debate under the AKP lost its real agents, Islamist women's CSOs, and that made the wives of the political elite the actors of the debate (Cindoglu and Zencirci 2008: 804).

The second contention between secularists and Islamists took place in February 2008, when the AKP government proposed a change in Article 42 of the Turkish Constitution which would allow headscarf wearing at public universities. The Turkish Parliament passed this draft proposal, despite the objections from secular MPs (Akboğa 2013; Saktanber and Çorbacioğlu 2008; Turam 2008). In February 2008, Kemalist women again organized 'Republic Rallies' in Istanbul and Ankara, which were smaller than the previous ones, and demanded the resignation of the AKP government. In the immediate aftermath, secular MPs from CHP applied the Constitutional Court for the annulment of the proposed law lifting the headscarf ban. In June 2008, the Constitutional Court annulled the new law (Decision No. 2008/116), and reinstated the headscarf ban in universities.

Both crises showed the predicament of the headscarf issue in Turkey. While Kemalist women's activism became vitalized during the headscarf debate, organized Islamist women have not mobilized collectively to defend their 'right to education' and 'freedom of religion'. Kemalist women activists whom I interviewed emphasized at that time they have perceived the headscarf as a political symbol, and therefore, they objected to wearing headscarves in public institutions. Despite the ideological differences, Kemalist women activists stated in our interviews that they

have collaborated with Islamist women in the issue of violence against women because it is an issue in which all women activists need to unite to improve the disastrous situation in Turkey.

### ***Conclusion***

Kemalist women are the first organized women's group in Turkey, thus have long-standing institutions that have a countrywide presence and reputation in the strengthening women's rights. Drawing upon the Kemalist principles pertaining to women's rights, they have solely focused on increasing legal and political equality between genders in the public sphere, but as scholars also underline, they have not questioned the underlying mechanisms of patriarchy and women's subordination in the private sphere (Arat 2008; Marshall 2009).

Organized Kemalist women stressed that the social and cultural transformation for gender equality is only possible through substantial changes in laws and regulations. To this end, they intensely lobby policy-makers and work with governmental institutions to achieve improvement in gender policies. The Kemalist women's organizations are commonly partners in the activities of the state's women's machinery KSGM, which aims to advance women's status in the country. Their international networks with the CEDAW Committee and the EWL increase their efficiency in bargaining with governmental institutions. As this chapter demonstrated, unlike some feminist and Kurdish women's groups, the Kemalist women's CSOs do not hold an anti-state position.

Like other organized women's groups, the Kemalist women's CSOs have also mainly focused on combating violence against women in the AKP era. Since they have effective networks within the secularist media and the main oppositional party CHP, they have initiated broad-based campaigns addressing domestic violence. All interviewees argued that the laws that are necessary to protect women and children from violence are passed, but there are serious problems in the implementation of the laws. To raise public's awareness of domestic violence, they pay particular attention to educational activities in state schools that inform pupils and their parents about the issue. Interestingly, the Kemalist women's CSOs, like the Islamist women's CSOs, see women's role as mothers and wives essential for the well-being of the family, and pursue activities in this regard. They do not necessarily question the male dominance in the family structure, but blame the Islamic traditions for women's subordinate status in the family.

The Kemalist women's organizations are remarkably influential in negotiating with governmental institutions to achieve gender equality. Since a great deal of the members in Kemalist women's CSOs are legal experts, they find more opportunity to participate in decision-making processes to advance women's rights. In amending the Civil and Penal Codes, in revising the gender equality clause in the Constitution, and in many other legal reforms regarding gender-mainstreaming, activists from both TKB and IKKB could put pressure on policy-makers through their networks within the oppositional party CHP. Moreover, the Kemalist women's organizations have also links in the business world and can acquire financial or logistic support from wealthy businesswomen for the cause of empowerment of women in the education and the economy. As regards women's representation, organized Kemalist women together with feminist CSOs, often call for the introduction of gender quotas in Law on Political Parties and Elections.

Organized Kemalist women have noted that women's human rights have been integrated into national laws, but the progress is insufficient. In their activities, they remind the AKP government Turkey's obligations for the elimination of discriminatory laws required by the CEDAW agreement and the EU accession criteria. As mentioned above, lawyers and legal experts from the Kemalist women's CSOs assist the KSGM in preparing the CEDAW country reports that present the legal changes to reduce discrimination against women. The interviewed Kemalist women have also underlined the importance of having a 'Ministry of Women and Family Affairs' that integrates women's perspective into governmental policies. There is no doubt that integrating the name 'women' in the ministry's name would at least have a symbolic effect and might attract women's CSOs that keep their distance to state institutions. But a real change in state's policies towards women is more likely to occur through the vitality and strength of organized women that push and produce enduring impacts on gender policies.

Kemalist women activists have stressed that women's CSOs are regarded as important actors in fighting against discrimination against women by state authorities and public opinion. As this chapter also presented, they increased their cooperation with a diverse array of women's groups to be more effective in lobbying legislators and negotiating with the AKP-government.

## Chapter 10

### Turkish Democracy Engendered?

After extensively examining the four groups of women's CSOs, some general remarks emerge to conclude the empirical part. Yet, any general remark should remain tentative because the examination of the democratic consolidation process in Turkey, as noted in 'Introduction', is like aiming at a moving target. It was not the aim to provide all-encompassing analysis of the relationship between women and democratic consolidation in Turkey. Rather, the evidences from three different gender issue areas which I selected are relevant for both capturing the extent of reforms in gender policies and for understanding how *engendered* Turkish democracy has become under AKP rule. Accordingly, this chapter discusses if Turkish democracy is *engendered*. To this end, I compare the evidences on the role of four groups of women's CSOs in the process of democratic consolidation under AKP rule. In doing so, it also makes inferences how the consolidation process influenced women's CSOs in general.

The leading hypothesis of the present study is that the high level of women's activism in the civil society sphere is vital for the consolidation of democracy, understood also as *engendering* democracy. In other words, the greater the participation and the inclusion of organized women's groups in politics, the more *engendered* and consolidated democracy becomes. Thus, the present study claims that *engendering* democratic consolidation can be best understood as the strengthening of democracy in its two core dimensions: a) participation, b) inclusion with respect to the specific demands, needs, and interests of women, which are explicitly recognized by political decision-making in all relevant policy areas.

As discussed in Chapter 3, this entails looking at the extent of participation and inclusion of organized women in political processes linked to democratic consolidation. To this end, the preceding chapters have extensively examined the civic engagement of four groups of women's CSOs in the three issue areas – violence against women, women's rights and gender equality, and discrimination against women – and displayed how and to what extent they could participate in policy-making processes regarding those issue areas. In order to understand the

influence of women's CSOs on policy-making, the study looked at gendered outcomes in laws and policies in Chapter 5.

As the analysis has shown, there are some differences between the four groups of women's CSOs – feminist, Islamist, Kurdish, and Kemalist women's CSOs – in their level of participation and inclusion in policy-making processes regarding the three aforementioned issue areas. Despite the differences between the internal structures of women's CSOs, their relationship to the state, and their activities and strategies, they also have several similarities that allow for some generalizations. Highlighting these differences and similarities could provide a fertile ground for some generalizations, which can even be applied beyond the case study.

I will begin with presenting the common and different traits of the women's CSOs under consideration. The **common traits** of four women's groups are: the institutionalization and the democratic principles they share in their internal management. Majority of these women's rights organizations became institutionalized in the 1990s, except the two Kurdish women's organizations which were established in the 2000s (i.e. VAKAD and SELIS). The institutionalization of women's activism enabled them to formulate and articulate their demands in a more structured way and to interact more easily with state institutions. The formalization of women's activism in different forms of CSOs have also enabled them to interact with the international women's networks (such as UN Women, CEDAW Committee, or the EWL) and with foreign, regional, and international organizations that support women's empowerment (European CSOs, EU institutions, the WHO etc.). Despite the differences in their internal management (hierarchical, semi-, or non-hierarchical), they all function on the basis of some basic democratic principles, such as collective decision-making, accountability, and transparency.

But these groups also **differ** in their aims and objectives as well as in their organizational size. As the study has shown, women's groups in Turkey have different gender agendas. Organized feminists embarked upon their activism by challenging the patriarchal structures in society and making violence and discrimination against women visible. The Kemalist women's movement has been close to the liberal feminist tradition and aimed at expanding gender equality in the legal framework. While the Kurdish women have initially focused on the

elimination of ethnic discrimination against women, the organized Islamist women struggled against the ban on wearing the Islamic headscarf in public universities and offices. Despite their diverging views on women's issues, they all demand full citizenship rights for women. Also, there are variations in their organizational size. The Kemalist and Islamist women's organizations considered here are larger in size compared to the feminist and Kurdish women's CSOs.

When analyzing the circumstances in which organized women's groups put their demands on the political agenda and participated in policy-making arenas, the study looked at different factors. The first factor has been the *institutional context* that has extensively shaped the leeway of each group of women's CSOs differently. In the 1990s, while the feminist and Kemalist women's organizations had access to the civil society and political sphere without facing any threats from the state, both organized Islamist and Kurdish women had a problematic relationship with the Kemalist state due to their demands to participate in public space with their ethnic or religious identity. Both women's groups played a key role in revealing discrimination against Kurdish and Islamist women by state power. Their gendered demands were manifestation of the need to democratize state-society relations in Turkey. All women's CSOs have secured a place for gender-based concerns in public opinion and on the political agenda, but they had limited access to resources and political decision-making in the 1990s. Furthermore, the ideological fragmentation among organized women's groups was an important reason for the weak influence on policy-making regarding gender issues.

As political space became more open, the range of the actors involved in political processes has increased in the 2000s. In this changing political atmosphere, a women's working group, consisting of feminist, non-feminist, and Kemalist women activists, succeeded to push the nationalist coalition government in 2001 to renew the Civil Code (cf. Chapter 6 and 9). When the AKP came to power in 2002, the party proceeded the political reform process in cooperation with CS. Thanks to the diminished political role of the military and the removal of some constraints on political rights and civil liberties (cf. Chapter 4), both organized Islamist and Kurdish women began to enjoy more political freedom. Two of the Kurdish women's CSOs, SELIS and VAKAD, have been established in such a political atmosphere. The amending process of the Civil Code has shown that building broader women's coalitions and coordinated pressure groups

increase the chances of influencing policy-making. Thus, in 2002, different groups of women's CSOs coalesced under the Women's Platform for the Turkish Penal Code to monitor the government's proposals and to exert influence on policy-makers. Thanks to this platform, the Islamist, and Kurdish women's CSOs have participated in lobbying activities and the decision-making process. Islamist women activists in particular were influential in lobbying the conservative MPs from the AKP. The amending process of the Penal Code marked a turning point in history of women's organizing in Turkey. They acknowledged that overcoming the ideological barriers immensely helps organized women's groups to push the government to introduce women-friendly changes in the legal framework. Thanks to the democratic consolidation process, women's CSOs found more opportunities to engage in the political sphere and participate in policy-making.

Increased cooperation between women's CSOs enriched women's repertoires of action and areas of interest. They were not only engaged in the civil society sphere, but also became active in all the phases of policy processes: in the agenda setting, in the decision-making, implementation, monitoring, and finally in the policy evaluation. For instance, all women's groups examined here have prepared evaluation reports on gender laws and policies for their own public statements and for the national and international organizations engaged in women's issues. Also, women's CSOs have broadened their areas of interests regarding women's issues. Islamist women's CSOs began to deal with violence against women and domestic violence, whereas feminist and Kurdish women's CSOs have increasingly stressed discrimination against women due to the headscarf ban. Kemalist women's CSOs have intensified their activities to eliminate domestic violence. Convergence in issue areas strengthened the overall struggle of organized women's groups in bargaining with the state on policy changes. The more the coalition of women's CSOs sustained their pressure on the AKP government, the more success they had in gender policy changes of the 2000s in Turkey.

The democratized political sphere has also improved the relationship between women CSOs and political parties. For instance, the three Kemalist women's CSOs – TKB-Istanbul, IKKB-Istanbul, and IKKB-Izmir – have several members that are also members of the main oppositional party CHP, which is known for its Kemalist identity. In the same vein, the Kurdish women's organizations SELIS and VAKAD had ties with the Kurdish BDP (since October 2013 HDP),

especially with the party's women's branch. While the feminist CSOs could lobby MPs that are open to feminist ideas or progressive gender policies, mainly from the CHP and the BDP, the Islamist women's organizations could easily communicate with the Islamist and nationalist parties due to some shared religious norms and beliefs. Clearly, the improved relations with the political parties increased the level of participation, and even inclusion, of each group of women's CSOs in policy-making processes. The key actors of political society in Turkey, i.e. the political parties, thus began to fulfill their task in intermediating between the state and CS, and the structuring of compromise between them.

The second important factor is the *external environment* that shaped the activities and opportunities of organized women's groups. The UN's women's conferences, especially from Beijing Conference in 1995 on, raised the profile of gender issues on the global level. Many states began to accept women's human rights as a part of international norms. Feminist, Kemalist, and Islamist women activists began to frame their gendered arguments with regards to internationally accepted norms. For instance, organized feminists framed their struggle against domestic violence as women's right to bodily integrity free from gender-based violence. Likewise, organized Islamist women framed their demand to lift the headscarf ban as part of the right to education and work. Organized Kurdish women pointed out discrimination against women based on gender and ethnicity.

More importantly, the CEDAW treaty, which is considered the international bill of women's right, has helped women's CSOs to put their gendered demands on the political agenda and bargain with the state. Feminist WWHR in the name of the twenty-five members of the Women's Platform for the Penal Code, the Kemalist TKB as well as the Islamist AKDER and BKP have prepared reports based on the CEDAW criteria to point out discriminatory regulations in the Turkish legal framework from their point of view. Using international gender norms and frameworks, the policy environment has become open to allow relatively cohesive alliances of actors, both women's CSOs and female legislators and bureaucrats, to achieve reforms.

In addition to international women's networks, the EU had also leverage on *engendering* democracy in Turkey. In the AKP's first term in the government (2002-2007), the possibility of EU accession has affected political and policy developments with important implications for gender norms and relations. Since the European Commission encourages the active

participation of citizens in the making of collective choices and provides financial assistance for the civil society development, the women's rights organizations in Turkey have benefited from the EU funds.<sup>231</sup> Also, the effectiveness of women's CSOs in Turkey significantly increased with the degree to which they are linked to and affiliated with the European women's CSOs. As discussed in the previous chapters, the feminist organizations WWHR and Purple Roof, the Kurdish women's CSO KAMER and the Islamist women's CSO BKP have been in the secretariat of the European Women's Lobby. The international link increased these women's CSOs capacity in bargaining with state institutions for women-friendly changes in the legal framework.

In sum, the dynamism of women's CSOs had a remarkable impact on state-CS relations in Turkey. Organized women's groups in Turkey played an important role in encouraging wider citizen participation and in checking abuses of state power manifested as gender-based discrimination. Thus, they became crucial actors within the democratic CS in Turkey. In turn, the democratic consolidation process has also positively influenced the relations between women's groups.

### ***Differences and Similarities in the Extent of Participation and Inclusion of Women's Groups***

As shown in the previous chapters, the extent of participation and inclusion of each women's group in decision-making processes varies. In the issue of violence against women, feminist and Kurdish women's CSOs are most visible and influential civil society actors. The enduring efforts of feminist, Kemalist, and Kurdish women's CSOs to push for protection laws and to monitor the implementation of those laws by following court cases have demonstrated the essential role of organized women in *engendering* democracy in Turkey. These three groups have also been influential in putting their concerns on public debate due to their networks in the mainstream media that in turn created pressure on the AKP government. Furthermore, the feminist, Kemalist, and Kurdish women's CSOs have referred to international treaties signed by Turkey that obligate states to eliminate gender-based violence (cf. the CEDAW treaty, the Istanbul

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<sup>231</sup> All the interviewees remarked that the financial aid from the EU for regional civil society development has been directed to regional development agencies in Turkey that are closely linked with the central government; thus, women's rights organizations have lost their access to these European funds. But they could find other funds coming from different EU bodies, see for more information: Kancı et al. 2010.

agreement of Council of Europe). Also, women's CSOs often stressed the need to establish state-run women's shelters that effectively protect women and children from violence by referring to the Municipality Law (No. 5393), which obligates municipalities with more than 50,000 inhabitants to establish women's shelters. These efforts of organized feminist, Kemalist, and Kurdish women could produce an enduring impact on protection laws and policies in Turkey. However, Islamist women's CSOs joined the struggle against domestic violence relatively later and support women mostly in legal issues, rather than offering protection through women's shelters. BKP, in particular, has engaged in women's broader platforms to combat violence against women, but the bargaining capacities of organized Islamist women with the religious-conservative AKP make a slow progress. Clearly, violence against women is one common issue area in which all women's groups are open to make joint efforts to eliminate violence against women and to push the AKP government for actual implementation of protection laws and policies.

In promoting women's rights and gender equality, all women's groups have developed effective working strategies and recorded significant achievements in their bargain with the AKP. The most important achievement was the new Civil Code that granted equality between women and men in the family. While Kemalist, Kurdish, and Islamist women's groups advocated and lobbied for policies that should provide women full access to the economy sector, health care and education system, the feminist CSOs lobbied for the implementation of the equality principle in all policies pertaining to women's lives. For instance, Article 10 in the Constitution that obligates the state to take all necessary measures to ensure gender equality before law, was implemented due to the efforts of the Women's Platforms for the Turkish Penal Code. All women's groups have in varying degrees participated in educating governmental officials on issues of gender equality and domestic violence.

In the struggle against discrimination against women, the four groups of women's CSOs jointly managed to push for amending the Penal Code. The Women's Platform for the Turkish Penal Code has regularly revised laws and made proposals to state institutions to lift discriminatory regulations in the legal framework. While Kurdish and Islamist women's CSOs have exclusively pointed out the regulations that inherently discriminate against Kurdish and religious women, feminist and Kemalist women's CSOs have addressed patriarchal constructs

within the Code that needs to be lifted or amended. The Constitution has criminalized gender-based discrimination, but discriminatory regulations and practices continue to exist. Interestingly, the long-standing headscarf ban has been lifted in October 2013, but Islamist women's CSOs have not been included into this decision-making process. As emphasized by Islamist women activists whom I interviewed, the AKP's leadership, especially then-Prime Minister Erdoğan, has instrumentalized the headscarf debate on several occasions to polarize the public opinion and to divide broader women's movement into conflicting camps in order to weaken their solidarity. Moreover, as one interviewee remarked, the AKP establishes its own Islamist NGOs or supports NGOs (GONGOs) that do not reject the AKP's claims on women's issues. Thus, the AKP tries to exclude the autonomous Islamist women's CSOs that criticize the party's views on women's issues.

Although it is difficult to precisely differentiate between the level of activities and inclusion of women's CSOs in decision-making processes, the table 10.1 gives an approximate idea about which women's groups have been more active in civic engagement and which have been more influential in the three issue areas considered here. The most active and influential women's group is listed in the first place.

*Table 10.1: THE ROLE of WOMEN'S CSOs IN ENGENDERING DEMOCRACY*

	<b>Activities and strategies of women CSOs</b>	<b>The level of inclusion of women's CSOs in decision-making</b>	<b>Positive gender outcomes</b>
<b>Violence against women</b>	Feminist CSOs Kurdish women's CSOs Kemalist women's CSOs Islamist women's CSOs	Feminist CSOs Kemalist women's CSOs Kurdish women's CSOs Islamist women's CSOs	Yes
<b>Women's rights and gender equality</b>	Kemalist women CSOs Feminists CSOs Kurdish women's CSOs Islamist women's CSOs	Kemalist women's CSOs Feminist CSOs	Yes
<b>Discrimination against women</b>	Kurdish and Islamist women CSOs Feminist CSOs Kemalist women's CSOs	Kemalist women's CSOs Feminist CSOs Kurdish women's CSOs	Yes

The increased participation of women's CSOs through women's coalitions and platforms enabled them to push the ruling AKP to reform gender policies or to reject government's proposals that do not accord with their demands. However, some groups of women's CSOs have not participated or had less impact on policy-making than others. *The well-organized CSOs in all women's groups had better capacity to exert influence on policy-making processes.* Feminist Amargi and the Kurdish women's organization SELIS have been visible and influential actors in promoting women's rights or in combating violence against women, but they were not as influential as the other women's CSOs in policy-making, unless they were represented on common platforms.

Also, *the experience* of women's CSOs gathered in any specific issue area increases the chances of influencing public debates and politicians, thus policy-making processes. For instance, the feminist organizations in Turkey have been the first group to make domestic violence issue visible and to develop multiple strategies to protect women. They became the most influential in combating violence against women. Altınay and Arat argue that increasing awareness of domestic violence is a result of twenty years of successful struggle of organized feminists (2009: xi). Therefore, although the Turkish governments mostly resisted feminist demands, they had to include the feminist CSOs in policy-making processes.

Moreover, *the nature of the relations with the state* also determines how effective women's organizations are in policy-making processes. Since women's CSOs increased their interaction with the state's women's machinery KSGM and ministries that have responsibilities in women's issues, their impact on policy-making has increased. In developing new strategies for empowering women, the state's women's machinery KSGM selects representatives from five different women's CSOs and they participate in four commissions: health, education, employment, and law (Kardam and Acuner 2007; Şener 2009). Activists are aware of the fact that women representatives might not be feminists, but they can be more sympathetic to women's needs and interests than their male colleagues. For instance, all interviewees, without exception, mentioned that the Minister for Family and Social Policies Fatma Şahin (2011-2013), who has been the head of the AKP's women's branch for years, had a positive attitude towards organized women's groups during her service as minister.

All interviewees underlined the importance of being financially and structurally *independent from the state and acting autonomously from political parties or movements*. This is one of the factors that explains why women's CSOs in Turkey have become key actors within CS and could pursue hard bargains with the governments. In other words, their collectivity and autonomy gave them the power to continue their struggle in the civil society arena to monitor government policies, and to influence policy-making.

The international gender norms help organized women's movement in Turkey in various ways to put their demands and interests on the political agenda. Moreover, *the degree of international links with women's networks or international organizations* strengthen women's CSOs in their struggle to put their demands on the political agenda.

The following hypotheses enable us to make general statements on the role of organized women's movement in *engendering* democracy:

- Well-organized women's CSOs have more chance to put their demands on the consolidation agenda, to participate in decision-making processes regarding women's issues, and they are more likely to achieve progressive gender outcomes.
- The more women's CSOs have dialogue and cooperation with the state, they are more likely to participate and be included in decision-making processes during democratic consolidation, and thus they can translate their demands into women-friendly changes in laws and policies.
- If women's CSOs are financially and structurally independent from the state, they can more strongly push decision-makers for positive gender outcomes.
- Likewise, if women's CSOs act autonomously from political parties or movements, they advocate their gendered concerns more easily and put them on the political agenda.
- The more women's CSOs are linked with international or regional women's networks, the higher the chances are in influencing policy-making.
- The more politically experienced women's CSOs are, the more likely they can influence public debates, and in turn push the government to change policies.

### ***Challenges and Obstacles in Engendering Democracy in Turkey***

Despite the remarkable progress in the legal framework with regards to women's rights, women in Turkey still face serious problems in their public and private lives. Women most suffer under

violence, be it domestic violence, honor killings, or sexual assault. Under AKP rule, women's CSOs often remind that killings of women increased 1400 percent between 2003 and 2010. The issue of violence against women became a highly visible topic in public debates. One of the main obstacles in the struggle against domestic violence is that the AKP government do not effectively or fully enforce the existing laws to protect victims from violence. All women's CSOs considered here claim that the effective strategy is not to increase sentences, rather actual implementation of existing laws and regulations, and comprehensive policies that target eliminating violence against women. Thus, the state is expected to show more political will in combating violence against women effectively.

Also, the prevalent social and traditional norms in Turkey hinder the implementation of laws. In recent years, the key figures of the AKP, especially former Prime Minister Erdoğan, underlined the importance of women's role as family makers, and hence, the AKP government took more and more a religious-conservative approach towards gender issues. Erdoğan has often urged Turkish women to have three children and proposing to limit abortion rights, access to the morning-after pill and caesarean sections. Hülya Gülbahar, an influential women's rights lawyer and a member of KADER, argued that the AKP has regressed in its stance towards the notion of women's equality (Alemdar 2013: 145). The AKP government's growing patriarchal rhetoric in recent years does not help much to improve gender rights regime in Turkey.

To understand the extent of gendered differences in Turkey, women activists, journalists, academics, international organizations, or politicians refer to the 'Global Gender Gap Report' released annually by the World Economic Forum (WEF). The index is designed to measure the gender-based gaps in access to resources and opportunities in 135 countries (Gender Gap Report 2013: 3). It examines the gap in four fundamental categories: the levels of economic participation and opportunity, political empowerment, educational attainment, and health and survival.<sup>232</sup> Each report manifested that Turkey is in the lowest ranks of the whole index, moving along the last twenty countries. Table 10.1 demonstrates the progress Turkey made in the Global Gender Report between 2006 and 2012.

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<sup>232</sup> The equality benchmark is 1 and the inequality is 0. See: <http://www.weforum.org/issues/global-gender-gap> (rev. 1.11.2014)

*Table 10.2: WEF's GENDER GAP REPORTS on TURKEY*

	Overall		Economic Participation		Educational Attainment		Health and Survival		Political Participation	
	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score
<b>Global Gender Gap Report 2013</b>	120	0.608	127	0.427	104	0.930	59	0.976	103	0.087
<b>Global Gender Gap Report 2012</b>	124	0.601	129	0.414	108	0.930	62	0.976	98	0.087
<b>Global Gender Gap Report 2011</b>	122	0.595	132	0.389	106	0.920	62	0.976	89	0.097
<b>Global Gender Gap Report 2010</b>	126	0.588	131	0.386	109	0.912	61	0.976	99	0.077
<b>Global Gender Gap Report 2009</b>	129	0.583	130	0.400	110	0.892	93	0.971	107	0.068
<b>Global Gender Gap Report 2008</b>	123	0.585	124	0.412	108	0.890	88	0.971	106	0.068
<b>Global Gender Gap Report 2007</b>	121	0.577	118	0.431	110	0.854	87	0.971	108	0.052
<b>Global Gender Gap Report 2006</b>	105	0.585	106	0.434	92	0.885	85	0.969	96	0.052

Source: The Global Gender Gap Report 2013

Since the AKP began to mainstream a religious-conservative discourse on women's rights, it publicly shows distaste towards feminist demands (Çoşar and Yeğenoğlu 2011: 557). The party utilizes a sexist approach to hold its conservative base among the electorate that in turn leads to marginalization of women's rights CSOs, especially the feminist CSOs. But women's CSOs have rejected the AKP's religious-conservative rhetoric to women. As the AKP leadership raised the question on abortion, feminist and Kurdish women activists have successfully organized protests, stimulated national and international reactions, and managed to stop the AKP government to implement the draft proposal limiting abortion. Likewise, in amending the Law on the Protection of the Family, women's CSOs resisted the law proposal, which did not

effectively protected women, and continued their pressure on the government to make their demands translated into concrete policies. At the time of writing in fall 2014, women's CSOs pursue their struggle for not losing acquired rights and put great efforts to stop the AKP government in its religious-conservative politics. The four groups of women's CSOs equally stress the need to democratize the country to protect individual rights in general, women's rights in particular.

Relying upon the evidences gathered from the examination of four groups of women's CSOs, I claim that organized women's groups in Turkey are the *key* actors in *engendering* democracy. This claim is consistent with the literature on women's movements in Turkey that also underlined the important role of women's rights organizations in democratization of Turkish politics (see Arat 1994, 2000, 2008; Bodur 2005; Bora and Günel 2007; Coşar and Onbaşı 2008; Marshall 2009). Different than the existing knowledge, this study not only demonstrates this claim by the latest empirical evidences by specifically focusing on the period of AKP rule, but also delineates how exactly and to what extent organized women's movement played a role in the consolidation of democracy.

## Conclusions

The democratic consolidation process under AKP rule has brought significant changes with respect to participation and inclusion of women, but the party has failed to *fully* consolidate and *engender* Turkish democracy. This study has explored what role women's CSOs played in consolidating and *engendering* Turkish democracy. Through a detailed analysis of four groups of women's CSOs, it examined how they could put their gendered objectives on the political agenda, participate in policy-making processes, and to what extent they achieved women-friendly changes in laws and policies. This concluding chapter first summarizes the approach of the present study, and then presents the key findings. These conclusions also raise issues that could inform current debates and future research agendas of both democratization and gender-and-politics literature. It ends with a brief outlook on the future of Turkish democracy and women.

### **Summary**

Women's rights organizations have played important roles in the processes of transition to and consolidation of democracy. The role of non-state actors in democratization processes needs to be assessed through a bottom-up analysis. But before delving into the question of the relationship between women's organizing and democratic consolidation, the study began with the discussion of the concept of democracy and the notion of democratic consolidation. After reviewing different approaches to democratic consolidation, the study questioned what role CS plays in democratic consolidation processes. It was then possible to examine the role of women's rights organizations. But to categorically analyze the relationship between women and democratic consolidation processes, a gendered perspective is necessary. In order to build an alternative conceptual framework, the study relied upon the assumptions of both the mainstream democratization literature and the gender-and-politics literature. It showed how gender is implicated in the structures and dynamics of CS and democratization processes that, in turn, have implications for the analysis of the role of women's CSOs in democratic consolidation. As gender scholars argue, this entails looking at women's participation and representation in political processes (Jaquette 2001; Waylen 2003, 2007). Here, women's representation is understood not only as the descriptive representation in formal politics, but

also as the substantive representation, i.e. the expression of women's interests and demands in all levels of policy-making (Waylen 2007: 3). Hence, the question is if organized women's groups can put their claims on political agenda and translate them to progressive gender policies. It is then possible to understand the relationship between democratic consolidation, CS, and women from a gendered lens.

The chapter on methods thoroughly described the research design and justified the qualitative approach. It then presented methods used, units of analysis – four groups of women's CSOs - and sources and explained how the data has been collected. The considered period is the AKP rule; i.e., since the party came to power in November 2002 until the end of 2013. Before embarking upon the empirical analysis, the study described the historical and institutional context in which women's CSOs emerged, operated, and exerted influence on policy-making processes regarding women's issues. In the empirical part, the study first presented positive gender outcomes in laws and policies to avoid repetition in the proceeding empirical chapters. Since the extent of the role of each women's groups in policy-making differ, but the *outcomes* do not vary, the study transposed the analytical chain, and presented first outcomes, then analyzed the exact role of each women's group. The empirical chapters on four groups of women's CSOs (feminist, Kurdish, Islamist, and Kemalist women) began with describing under what circumstances these women's groups emerged, how they became institutionalized, and what their activities are, and subsequently explained what they achieved before AKP rule. This historical perspective enables us to understand the development of women's CSOs into important democratic agents and to see clearly the changes in laws and policies under AKP rule. It then elaborated on how and to what extent four groups of women's CSOs influenced policy-making processes under AKP rule in three issue areas: violence against women, violence against women, women's rights and gender equality, and discrimination against women. The discussion compared, and contrasted, the roles of four groups of women's CSOs.

### ***Key findings***

The first decade of AKP rule marked undoubtedly a turning point in the gender rights regime in Turkey. Thanks to bottom-up processes shaped through advocacy efforts of women's rights organizations, and the contribution of the top-down pressure from the EU, the AKP in its first term (2002-2007) in power has implemented progressive gender policies that enhanced women's

rights remarkably. But in recent years, the AKP has taken steps, as part of its Islamist-conservative character, to undermine women's rights by categorically rejecting gender equality. The party has tried to marginalize women's rights organizations and promoted traditional roles for women as mothers that was often manifested in Recep Tayyip Erdoğan's public speeches.

The key finding of the study is that women organized as women have played a crucial role in *engendering* democratic consolidation in Turkey. At first glance, the assumption, the more organized women's groups participate, the more *engendered* and consolidated democracy becomes, is verified in the Turkish case. Since their emergence in the 1980s, women's CSOs have become influential democratic actors within the civil society arena through their dynamism and advocacy for women's participation and inclusion. Thus, they pluralized democratic politics in Turkey, which has been demonstrated in the empirical chapters. The literature on women's movements in Turkey also confirms that women's CSOs played a crucial role in social and political change reflected in the Turkish democratic consolidation process (Arat 1994, 2008; Bodur 2005; Diner and Toktaş 2010; Marshall 2009).

Under AKP rule, women's CSOs have become *central* actors in democratic CS. They effectively put their demands on the political agenda of democratic consolidation, and translated them into progressive gender outcomes - understood as measurable improvements in women's rights regime. Thus, women's organizing seems a necessary condition for substantial changes in gender policies. For instance, in the issue of violence against women, women's CSOs are the key actors in articulating women's needs and in addressing the remedies to eliminate violence against women. Their work with women experiencing violence keeps them updated on the extent and the nature of the problem, and enables them to develop manifold strategies combating violence against women such as providing women's shelters, counselling and providing legal advice services. Most recent quantitative and large-n study of Htun and Weldon (2012) also shows that the analysis of women's CSOs - and social movements - is crucial to understanding progressive policy changes with regards to violence against women.

The nature of women's organizing, especially the degree of women's CSOs' cohesion and their interaction with the state and the conventional political arena, are important (Waylen 2007: 202). Cohesion in organized women's groups to interact with the state produced positive outcomes, for instance, during the amending process of the Civil Code, Penal Code, and the Law

on the Protection of Family from Violence (Law No. 6284), and in enshrining gender equality principle into the Constitution (Article 10). However, women's organizing on its own is not enough to achieve progressive gender outcomes. It also depends on several other factors: the democraticness of the institutional context, the presence of state's women's machinery, the impact of international gender norms - such as the CEDAW treaty -, and the influence of international or regional organizations (UN, EU) that foster democratization with regard to improving women's rights. All these factors that have been examined in the empirical chapters enable women's CSOs get their demands on the agenda of consolidation, and translate them into progressive gender policies.

A closer look at the roles of different women's groups brought about some general conclusions. The more women's CSOs had dialogue and cooperation with the state, the more likely they participated, and were included in decision-making processes pertaining to women's issues. All women's groups increased their dialogue with the state during AKP rule because they acknowledged that they can exert more influence on policy-making processes if they interact with state institutions. Also, the well-organized women's CSOs, such as Kemalist women's CSOs and feminist WWHR and Purple Roof, gained more chances to participate in and influence on decision-making processes. The independence from the state yields women's CSOs more leeway to participate in political processes and in bargaining with the state. Similarly, the autonomy of women's CSOs from their political movements or groups, particularly in the case of Kurdish and Islamist women, provided them more opportunities to articulate and prioritize their gendered concerns.

Furthermore, strong international links increased the likelihood of the translation of women's demands into improvements in women's rights and gender equality. In this regard, feminist WWHR and Purple Roof, the Kurdish women's organization KAMER, the Islamist BKP and the Kemalist TKB were successful in activating their international networks each time they found it necessary to lobby policy-makers and to push the AKP government for changes, or retreat its conservative policies. The political experience in particular issue areas women's CSOs gathered through years strengthened the likelihood of their participation in policy-making in that issue area. In this regard, state institutions had to cooperate with feminists CSOs in the struggle against domestic violence, irrespective of their remote attitude to feminists' demands.

But some newcomers such as the Kurdish VAKAD proved itself quite influential by participating in broader women's platforms, and thus increasing its chance to be party of policy-making processes.

However, it is also crucial to inspect the areas in which women's CSOs failed to translate their demands into concrete policies. Interestingly, feminist women's demands for electoral quotas, which has been easily passed in many other consolidating democracies (Latin American countries and South Africa), were not legally implemented by the AKP government. Women are underrepresented in all levels of politics, especially in local governments. But the AKP leadership completely rejects the idea of introducing quotas. Moreover, gender inequalities persisted in the economic sector under AKP rule. Despite Turkey's economic successes in the last decade, Turkey ranked 123 out of 136 countries with only 30 percent of women participating in the labor force (Gender Gap Report 2013). The main reason for the low numbers of women's labor force participation is the prevailing social and cultural norms. Women's CSOs considered here have often remarked the low numbers as regards women's labor force participation, and some of them have encouraged women to participate in work life (especially Kurdish women's CSOs KAMER and SELIS, Kemalist women's CSOs), but this issue has not been their priority. Furthermore, despite the efforts of women's CSOs and positive developments in laws, violence against women continues to be a severe problem under AKP rule. Many activists underlined that the problem in Turkey is not the absence of laws and regulations regarding the issue of violence, rather the actual implementation of laws and missing comprehensive policies that target eliminating violence against women.

A remarkable finding is that despite the rising conservative agenda of the AKP and its occasional attacks on women's rights organizations, women's CSOs kept their contacts and cooperation with the state women's machinery KSGM and Ministry for Family and Social Policies to protect women's existing legal rights, to keep their access to decision-making processes, and to push back AKP's conservative policies disfavoring women. The extent of their inclusion in decision-making had slightly narrowed in recent years, however the AKP government continues to work with representatives from women's rights organizations.

One of the feminist activists I interviewed has claimed that women's movement in Turkey is strongly affected by the conflicts and the divisions prevalent in Turkish politics and

society. This situation pushes organized women's groups not only to being active in women's issues, but also "to do politics" in a wider sense. This hinders women's groups to act together. But interestingly, since the AKP increased its religious-conservative rhetoric, especially after the 2010 constitutional referendum, women's CSOs began to form broad platforms to contest conservative policies of the AKP government. For instance, the Stop Violence Platform or the Stop Women Homicide Platforms include more than 200 women's rights organizations. Hence, it is clear that different groups of women's CSOs need to form stronger coalitions for women of Turkey that can go beyond the constructed differences and achieve collaboration on main political agendas.

This study rejects the statement that progressive gender policies under AKP rule took place because of the Turkey's EU membership process (Kubicek 2005; Marshall 2013). This study agrees that the EU might have acted as a catalyst, but women CSOs played an essential role in pressuring the state for the amendments to the Civil and Penal Codes, and the Law on the Protection of the Family. Thus, the improvements in gender policies under AKP rule cannot be explained only by looking at the EU's impact or Europeanization discussions.

### ***Assets and Limits of the Analysis and Further Research***

Scholarly works on women's CSOs in Turkey agree on the differences among women's CSOs. Many of them differentiate between feminist, Kurdish, and Islamist women's groups, and counts Kemalist women under feminist activism (Arat 1994, 2000, 2008; Bodur 2005; Bora and Günel 2007; Diner and Toktaş 2010; Tekeli 1995). They elaborate on their different demands, but conclude hastily that they play a democratic role in Turkey. A small number of studies have begun to analyze organized Kemalist women with respect to their confrontational activism against Islamist women's activism (Turam 2008). Some other studies rather focus on the successes of women's activism in achieving gender policies without paying *much* attention to differences among women's groups (Coşar and Yeğenoğlu 2011; Marshall 2009). The present study combines all these approaches by carefully examining each group of women's CSOs and investigating their exact role in the consolidation of democracy in Turkey.

But is the examination of the role of women's CSOs enough to conclude about *engendering* democracy in Turkey? Relying upon both the democratization and gender-and-democratization literatures, the study has combined different perspectives in the analysis. Both the institutional

context in which women's CSOs operate and the role of women's CSOs in *engendering* democratic consolidation have been taken into account. One shortcoming is that the study marginally considered alliances of women's CSOs with key players such as political parties or female politicians. It might also yield intriguing results to look at the role of such alliances and what can they achieve in *engendering* Turkish democracy.

The present study has also shown the significance of a range of international factors that had implications for substantial changes in gender policies. In this regard, the study elaborated on the impact of international gender norms such as the CEDAW treaty that has framed the advocacy and lobbying campaigns of women's CSOs, and positively influenced the national gender rights regime in Turkey. Also, the impact of the EU accession process has been discussed, but the study has not exclusively examined the specific role the EU played in the implementation of progressive gender policies. An exact analysis of the impact of international actors could also provide a valuable insight in understanding how changes take place in gender rights regimes.

The impact of the state women's machinery KSGM on gender policies could have been analyzed more in detail to offer a broader picture of how gender policies come about. The present study described the relation between women's CSOs and female politicians and the state women's machinery (SWM) in policy-making processes, but did not examine how exactly KSGM and female politicians shaped gender policies. It might also be interesting to give state-actors' perspective on *engendering* Turkish democracy.

Overall, the proposed conceptual framework allowed a nuanced analysis of the role of women's CSOs as non-state actors in *engendering* democratic consolidation in Turkey by looking at their interaction with the state. However, further research agendas can focus on their interaction with the international actors in achieving progressive gender policies. There are already some studies that look at the impact of the Europeanization process on gender policies, but as the study also demonstrated the EU has, at the moment, lost its transformative power on Turkish politics. As Waylen also argues, external factors are not constant, and can lose their effects in the rapidly changing world (2007: 206).

Clearly, the proposed framework can be applied to other case studies to understand how women's organizing play a role in democratic consolidation processes. A comparative study would even highlight under what circumstances women's organizing are more likely to influence political outcomes regarding gender issues, and how different gender outcomes come about.

The issues raised here have some implications for both the gender-and-transition literature and the democratization research. The study reinforced that to capture women's participation in democratization processes, democratization scholars need to regard women as political subjects. While dealing with political institutions and processes, the mainstream democratization scholars mainly ignore the fact that women participate in those processes and are also key actors as much as men are. Thus, the look at women's participation and inclusion is not like taking a 'side road' in democratization research, rather it only needs to actually operationalize the analytical tools by not dismissing women as a category of the analysis. Furthermore, the analysis of the institutional context needs to be integrated in the gendered analysis of democratization processes. It helps to understand gendered nature of political institutions that shape the leeway of political, economic, and social actors. Thus, feminist scholars need to pay attention not only to the processes that include or exclude women, but also to the state and other political institutions as organizing categories for analyzing gendered relations.

### ***The Future of Turkey's Democracy: With or Without Women?***

As discussed in Chapter 4, since the constitutional referendum in September 2010, the AKP has consolidated its power in the political landscape and began to undermine the institutions of political pluralism. According to the latest Freedom House Index, political rights and civil liberties, in particular freedom of press and of assembly, experienced serious setbacks in Turkey's democracy (Freedom in the World Turkey Report 2013). The AKP and President Erdoğan not only dominate the executive and legislative branches, but also attempts to control the judiciary, the economy, the media, CS, and even the lifestyles of citizens. Public and scholarly debates on Turkey now discuss the authoritarian tendencies of the AKP government and its rising Islamist rhetoric that has been accumulated in the party's recent actions and political statements. The AKP's leadership have employed this Islamist rhetoric in social policies

concerning women's, children's, or youth's live. Some scholars and researchers argue that the AKP instrumentalizes social issues to keep its conservative-religious voters content, especially for the coming general election in 2015, whereas others fear that the recent policy changes pertaining to social life would transform the country into an authoritarian political system with strong Islamist character (Öniş 2013; Özbudun 2014). The more power the AKP gained, the less interested it has become into furthering democratic reforms. Clearly, there is much to be accomplished both to consolidate democracy, and to empower women in Turkey.

Notwithstanding the fact that Turkey has never been paradise for women, women's CSOs point out the scope of problems women face under AKP rule. Violence against women is rampant, about 7,000 women have been murdered since 2002 (Sezgin 2014). Turkey scores the lowest ranks in women's economic participation within the OECD countries (OECD Regions at a Glance 2013). Gendered inequalities in economic, political, and cultural life hinder women from full participation in public life. The rising Islamist-conservative political rhetoric of the AKP has serious repercussions on women's lives. Women's CSOs often declare that the AKP leaders aim to restrict women's choices and participation in public life, and pushes women to accept the secondary roles ascribed to them by traditional and religious norms. This approach leads to exclusion of women from political, economic, and social spheres. Therefore, women's CSOs shifted their focus on protecting their rights that have been acquired in the last decade, rather than pushing the government to implement more progressive gender policies. A strong alliance between women's groups with female politicians, businesswomen, political parties, and the broader CS can help contain the risks posed by the AKP.

Unless the solutions to the gender specific problems devised by women's organizations are put into practice as government policy measures, the situation women's rights organizations address will not be changed. Women therefore need to exercise a practical influence on politics. Clearly, this entails a strong political will, which the AKP government at the time lacks.

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## *Agencies, Websites, and Newspapers*

### **Adalet ve Kalkınma Partisi**

[www.akparti.org.tr](http://www.akparti.org.tr)

### **Aile İçi Şiddete Son Campaign:**

[www.aileicisiddeteson.com](http://www.aileicisiddeteson.com)

### **AMARGI:**

<http://amargigroupistanbul.wordpress.com/>

### **Assembly for Women's Shelters and Advisory/Solidarity Centers:**

<http://www.siginaksizbirdunya.org/kurultaylar/siginaksiz-bir-dunya-tarihce>

### **Ayrımcılığa Karşı kadın hakları Derneği (AKDER):**

<http://www.ak-der.org/default.gbt#tab=tab-1>

### **Başkent Kadın Platformu (BKP):**

<http://www.baskentkadin.org/tr/?p=137>

### **BBC Türkçe**

### **Bianet Online**

### **Biraradayız Campaign:**

[www.biraradayiz.org](http://www.biraradayiz.org)

### **Brookings Institute**

### **The Economist**

### **Convention on preventing and combating violence against women and domestic violence**

(Istanbul): [http://www.coe.int/t/dghl/standardsetting/convention-violence/about\\_en.asp](http://www.coe.int/t/dghl/standardsetting/convention-violence/about_en.asp)

### **European Women Lobby:**

<http://www.womenlobby.org>

### **Gökkuşuğu İstanbul Kadın Kuruluşları Platformu GİKAP:**

<http://gikap.org/3g.html>

### **Güneydoğu Anadolu Projesi:**

<http://www.gap.gov.tr>

### **KADER:**

<http://www.ka-der.org.tr>

### **Kadın Cinayetlerini Durdurucamız Platformu:**

<http://kadincinayetleriniidurduracagiz.net/arsiv>

### **Kadınlara Hukuki Destek Merkezi (KAHDEM):**

[www.kahdem.org.tr](http://www.kahdem.org.tr)

**Kadın Erkek Fırsat Eşitliği Komisyonu (KEFEK):**

<http://www.tbmm.gov.tr/komisyon/kefe/>

**Kadının Statüsü Genel Müdürlüğü (KSGM):**

<http://www.kadininstatusu.gov.tr>

**Kadın Merkezi (KAMER):**

<http://www.kamer.org.tr/>

**Lifting the Headscarf Ban Campaign:**

<http://28subat1000yilsuremez.blogspot.com/>

**Mor Çatı Kadın Sığınağı Vakfı (Purple Roof):**

<http://www.morcati.org.tr>

**Pınar Selek:**

<http://www.pinarselek.com/public/page.aspx?id=239>

**Radikal Online**

**Reporters Without Borders**

**Roj haber**

**The “End Domestic Violence” Campaign:**

<http://aileicisiddeteson.com/>

**Türkiye Büyük Millet Meclisi Labor Law:**

<http://www.tbmm.gov.tr/kanunlar/k4857.html>

**Türk Hukuk Sitesi:**

[turkhukuksitesi.com](http://turkhukuksitesi.com)

**Uçan Süpürge:**

<http://www.ucansupurge.org/dernekler/derneklerlist.php>

**United Nations Population Fund (UNFPA):**

<http://www.unfpa.org/turkeytr/haberler.htm.Gender%20Equality.pdf>

**Van Kadın Derneği (VAKAD):**

<http://www.vakad.org.tr/>

**WWHR:**

<http://www.wwhr.org>

# Appendix

## List of Interview Questions

### Personal questions:

How long have you been working with this organization?

What led you to join to this organization? What consequences did you have to bear (negative/positive)?

### About the NGO and its activities:

How would you define your organization? NGO/CSO/grassroots/advocacy group?

When was the organization established? What are your main goals?

- How many co-workers do you have in the organization? How many volunteers?
- How often do you have meetings?

To what extent can you articulate your demands as a civil societal actor?

Is there any change in the relationship between your organization and the state after the AKP came to power?

Could you walk me through what your organization did in response to “**violence against women**” before the amendments to the new Civil Code and the Penal Code?

- Could you put pressure on the government? Were there red lines drawn by the state? Can you give me an example?

What have you undertaken on the issue of violence against women after amendments in the Penal Code?

- Especially, what do you do against honor killings/murdering of women and domestic violence?

Can you give me examples of your activities for achieving **gender equality**?

Could you describe what you are trying to accomplish on the issue **women’s rights (discrimination against women)** and what type of action are you taking?

Do you work/cooperate with other women’s organizations?

- In what ways do you cooperate with other women’s organizations? And in which issues?

Do you work with the state institutions? Joint projects with municipalities or local institutions?

Do you cooperate with other civil society organizations other than women’s groups?

How do you spread information about your activities?

Do you get any support from abroad (foreign funds, governments, or organizations)? Do you personally think they contribute to your activities?

- To what extent does the international community influence women's organizations in Turkey since 2002?

How would you interpret/evaluate the attitude of AKP towards women's organizations in general? Towards your organization in particular?

Do you think that certain groups enjoy more direct access to decision-making processes? (For instance, other women's organizations that have another agenda)

Do you have seminars to raise the interests in the women issues?

Do you think that your message and activities are understood by women?

### ***Interview Partners***

Neslihan Akbulut Arıkan - AKDER

Nebahat Akkoç - KAMER

Çiğdem Aydın - KADER

Deniz Bayram – Purple Roof

Fatma Benli - AKDER

Sevgi Binbir – İzmir Kadın Dayanışma Vakfı

Emel Denizaslani - IKKB-Izmir

Selma Durak – TKB Istanbul

Perihan Kaya – SELIS

Nazan Moroğlu - IKKB-Istanbul

Zozan Özgökçe - VAKAD

Yasemin Öz - AMARGI

Özgür Sunata – Purple Roof

Hidayet Şefkatli Tuksal - BKP