

MODERN GREEK STUDIES  
(AUSTRALIA & NEW ZEALAND)

Volume 14, 2010

A Journal for Greek Letters

*Pages on the Crisis of Representation:  
Nostalgia for Being Otherwise*

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## WOMEN AND THE ‘TURKISH PARADOX’: WHAT THE HEADSCARF IS COVERING UP

In September 2007, Michael M. Gunter and M. Hakan Yavuz published their article titled ‘Turkish paradox: Progressive Islamists versus Reactionary Secularists.’ The article was quickly disseminated within Islamic circles, including on the Muslim Brotherhood Official English website.<sup>1</sup> This article was published shortly after the landslide re-election, in July 2007, of the *Adalet ve Kalkinma Partisi* (AKP), better known in the West as the Justice and Development Party (no direct relation to the Moroccan party of the same name, although the two bear similarities in positioning themselves as centrist, moderate and primary instruments of democratisation, and in obtaining popular support against a state seen as corrupt and repressive [Ciftci and Tekin 2009]). The core argument of the article was that the AKP, in power since 2002, had become an instrument of democratisation in Turkey for both economic and political reasons. The program of economic liberalism embraced by the AKP (albeit already begun by previous governments), resulting in unprecedented economic growth, and a widespread political appeal achieved by professing to temper religious adherence with respect for secularism and democracy, along with an expression of willingness to address the Kurdish question, combined with voter disillusionment with the bureaucratic and militarised Kemalist state, thus turning upside down historical political understandings of the ideas of the ‘progressive’ and the ‘reactionary’.

Gunter’s and Yavuz’s argument reflects accepted wisdom among many of those who are interested in Turkish politics, in particular in relation to women, and in relation to Turkey’s bid to join the EU – this last being a key driver of the AKP’s political and economic liberalisation agenda, according to many observers (see for example Tepe 2005). Both of these aspects also call up images of France, framed alternately as like-minded, as concerns secularism and the political debate over the hijab (modern Islamic headscarf: the *fichu fichu* or ‘darned headscarf’ of this article’s title), or as an opponent: French president Nicolas Sarkozy is trenchantly opposed

to Turkey's accession to the EU, an opposition that was foregrounded during his electoral campaign in 2007 and has been reinforced ever since: in April 2009, for example, after having initially wanted France to move closer to Bush's US, he told new US President Obama to butt out of European affairs after Obama had expressed support for Turkey's accession to the EU (*The Times*, 6 April 2009).<sup>2</sup> With Angela Merkel's re-election as German Chancellor on 27 September 2009, press commentators are suggesting that Turkey's hopes of accession anytime soon may be dashed, with the EU's two most powerful members both opposed, advocating instead a 'privileged partnership' agreement.

This article will attempt to unpack the supposed 'Turkish paradox' as concerns women, religion, secularism and the state, and as concerns similarities or otherwise between Turkey and France. I will argue that the 'paradox' is not necessarily articulated in the terms that one might expect and may even be less paradoxical than might be assumed. I write, not from the point of view of a 'Turkey specialist' as this would be altogether too grandiose a claim, but rather from that of a feminist scholar who has worked for over two decades on women and the politics of religion, ethnicity and the state, in particular in relation to the Muslim world and diaspora, and who has a particularly extensive knowledge of French politics in relation to these and related issues, including the protracted debate over the hijab. In my explorations of these questions in relation to France in particular and Europe and the West more generally, Turkey has continually come to the foreground in recent years.

First, Turkish immigrants are now the fastest-growing immigrant population in France and as a percentage of immigrants are the fourth largest national group and the third largest group from a Muslim country, having recently overtaken former French colony of Tunisia in the statistics at roughly 4.5 percent of the total immigrant population (Winter 2008, 92).

Second, the children of Turkish immigrants have been highly visible in hijab 'incidents' in France between 1989 and 2003, that is, those cases that ended in expulsions and often in subsequent appeals to the Council of State. This apparent Islamic revivalism among Turkish immigrants has been fuelled by some extremist agitators as well as by organisations such as the youth group Cojep (Conseil de la Jeunesse Pluriculturelle de France), of which the headquarters are in Strasbourg. Cojep was previously close to Turkish Islamist group Millî Görüş, although it has distanced itself in recent years. (Millî Görüş, 'National Vision' or 'National Outlook', was named for the title of a manifesto by its leader Necmettin Erbakan, and is a

previous avatar of AKP's more hardline and now banned predecessors the Welfare Party [*Refah*] and the Virtue Party [*Fazilet*]: moderate and democratic dissidents from these parties formed the nucleus of the AKP.) Yet, Turkish immigrants to France, notwithstanding a certain insularity (in part due to having no 'postcolonial' relationship to France so no French language skills or cultural connections), have in the past been more secular in orientation and many remain so, represented through such well-established organisations as ELELE: Migrations et cultures de Turquie (founded 1984) and ACORT (Assemblée Citoyenne des Originaires de Turquie, also founded in the early 1980s), both of which have active women's sections, and through individuals who play high-profile consultative roles within various government agencies.<sup>3</sup> So the shift to the religious right in the Turkish immigrant population is on one level somewhat surprising, although on another level it reflects both a global islamisation of politics in the Muslim world and diaspora and the growing presence of such Islamic politics within Turkey itself, via the AKP and its predecessors. 'Turkey in France' is thus not so far removed from Turkey in Turkey – including as concerns the hijab issue.

Third, the Third Republic France and Kemalist Turkey have frequently been compared (including by myself), as presenting similarities in making secularism a cornerstone of the Republic and in harnessing the emancipation of women to the cause of nation-building. Indeed, French *laïcité* is widely acknowledged as the inspiration for Turkish *laiklik*, and Tepe has called the Turkish state's ideology a 'top-down, Jacobin-cum-Kemalist brand of secularism' (Tepe 2005, 76). Yet, the expressions of secularism in both countries are markedly different and so the comparison perhaps has less validity in terms of secularising the Republican nation than in terms of gendering it, in that both Republics harnessed the emancipation of women to the nationalist cause (Winter 2008).

Fourth, the French hijab debate and controversial 2004 law banning 'conspicuous' religious insignia from schools has been compared to the Turkish outlawing of the hijab. Yet once again, these comparisons are misleading: Turkey's hijab ban is far more comprehensive than France's, and in some ways far more hypocritical. (That said, hypocrisy is also part of the story in France, where the same government that championed secularism in 2004 fell all over itself the following year to orchestrate national mourning for the passing of the Pope [Winter 2008, 78-9], and more recently, France's President Sarkozy argued that Europe's 'Christian heritage' should be mentioned in the Lisbon treaty: in the final treaty this was downscaled to 'religious heritage'.)

Finally, as mentioned above, Sarkozy has been one of the most outspoken opponents of Turkey's accession to the EU, among the reasons being Turkey's Muslim rather than Christian heritage; Sarkozy has also famously said that at school, he had learned that Turkey was part of Asia.<sup>4</sup> The French National Statistics Institute (INSEE), responsible, among other things, for all Census data, agrees with him: Turkey is grouped among Asian countries in French immigration statistics, along with the rest of the Middle East. This is, of course, presuming Turkey is indeed part of the 'Middle East.' In fact, the country seems at times to be part of everywhere: European for some (and perhaps most especially for the Turkish government), Asian for others (perhaps most especially for the French president), and Middle Eastern for yet others (perhaps most especially for nostalgics of the Ottoman Empire)... and thus ultimately part of nowhere at all. The Bosphorus divides Istanbul between its so-called 'European' and 'Asian' sides, and the past Christian and Muslim grandeurs of this most paradoxical of cities in the paradoxical Turkey are in evidence throughout the Old City; the 'East' of the country is frequently imagined as a dark and dangerous Kurdish place of poverty and unrest – almost another country entirely; and so on. Nobody in Europe quite seems to know what to 'do' about Turkey – except, perhaps (again paradoxically), for Greece, which has entered into serious albeit often fraught negotiations with Turkey over a referendum-driven reunification of Cyprus. On the eve of the 2009 Greek parliamentary election, however, Greek Prime Minister Costas Karamanlis declared that Turkey needed to lift its game if it wanted EU membership, Ankara's record in terms of, among other things, the Cyprus talks, was 'not particularly promising' (cited by Reuters, 29 September).<sup>5</sup> Roughly a week earlier, Prime Minister-elect (at the time of this writing) George Papandreou had pledged to try to improve Greco-Turkish relations if re-elected, claiming that Karamanlis had not done enough in this area, but nonetheless echoed some of the latter's concerns about Ankara's stance over Cyprus and other territorial issues (Reuters/*Today's Zaman*, 23 September).<sup>6</sup> It remains to be seen what impact, if any, the change of regime in Greece will have on these negotiations.

Discussion of these many European and French connections with the 'Turkish paradox' is imbricated with current transnational feminist debate, within and outside Turkey, on feminist engagement or otherwise with Islamic parties within democratisation movements, on the possibility or definition of 'Muslim feminism' or 'Islamic feminism' and over the related hijab issue. This debate feeds directly into a transnational feminist (and indeed more general) debate about the resurgence of

religion in politics more generally and the new interrogations (or new expressions of old interrogations) to which it gives rise, around women, democracy and the state.

The politics of religion, however, may not be the main driver of the debate on women and the state in the Turkish case, notwithstanding the focused attention given in both popular media and scholarly circles to the ongoing controversy over hijab-wearing in public institutions. First, the process of democratisation in Turkey would appear to be driven less by opposition to an autocratic secularist state than by the political and economic crisis engendered by the peculiar combination of political authoritarianism and economic liberalism under the so-called September 12 regime (named after the date of the 1980 military coup). Ahmet Insel argues that the September 12 regime's policies and economic management in the 1980s contributed significantly to reconfiguring the middle class in Turkey. On one hand, it economically disadvantaged an old middle class (or what Ahmet describes as the 'traditional republican bourgeoisie') of petite bourgeoisie (artisans, traders) along with employees of public and large private firms that had benefited from protectionist policies. On the other hand, it politically disadvantaged a new middle class of entrepreneurs and urban professionals and technicians with their eyes on Europe, who were prevented from benefiting fully from the new economic liberalism because of the regime's incapacity to adapt its institutions. Insel describes this new middle class, with which some members of the old middle class were starting to realign themselves, as 'culturally conservative, politically nationalist and moderately authoritarian, economically liberal, or rather, on the side of free enterprise' (Insel 2003, 298). The natural allies of this class, according to Insel, were not the ultra-religious right but nationalist pro-capitalist parties such as ANAP (*Anavatan Partisi*: Motherland Party) and the DYP (*Dogru Yol Partisi* or True Path Party), both of which participated in various short-lived and unstable governing coalitions during the 1990s.

At the same time, this 'culturally conservative' and economically powerful new middle class was developing networks in which religion and business started to form alliances, providing a fertile terrain for the emergence of the AKP, which combined religious and cultural identity politics with a pro-capitalist, pro-Europe and pro-social welfare agenda. Carefully walking the middle of the road, the AKP appeared to appeal to everyone – including feminists, for whom the state had long been the enemy yet now started to look like their best friend, or at least a strategic ally, even as many remained wary of its religious bases.

Yet, in July 2008, when I asked well-known Turkish feminist political scientist Fatmagül Berktaş what she considered to be the biggest problem facing Turkey, and Turkish women, today, her answer was not 'Islamic politics' or even 'Kemalist politics', or even economic issues, or the headscarf issue, but 'democracy.'<sup>7</sup> This may seem an odd comment in the light of the accepted wisdom on the new 'Muslim democracy' in Turkey. It may especially seem odd when one considers the extent of reforms favouring democratic voice in general and women in particular that have been brought in under the AKP since 2002, in its moves to adhere to the so-called Copenhagen criteria for accession to the EU. In its first years in office the AKP pushed through a huge reform agenda, including not only laws governing freedom of speech and information and the lifting of a ban of linguistic pluralism in the press and education (with the Kurdish minority clearly in mind), but also significant changes to the penal code. A range of reforms to the civil code granting significantly greater equality to women in marriage – and divorce – had already been adopted by the previous coalition government, with strong AKP support. In 2005 the AKP reformed the penal code, providing stronger protections against rape and recognising marital rape and sexual harassment as crimes; in particular, it redefined acts of sexual violence as 'acts committed against the integrity of individuals rather than against 'general morality and family order', and increase[d] the terms of punishment for crimes committed in the name of 'honor' [sic]' (Altınay and Arat 2009). It also strengthened Article 10 of the Constitution providing for equality before the law. Finally, it acted to address violence against women, via the July, 2006 Prime Ministerial Circular N° 26218 on the Prevention of Violence toward women (yet to be enforced), that according to feminist political scientist Yesim Arat, 'is like a feminist manifesto':

The decree is important because it articulates the responsibility of the state for prevention of any type of violence towards women and provides a detailed plan of cooperation between different state and civil society institutions to realize this goal. The measures prescribed by the Decree reflect the proposals of women's NGOs at large and the statements issued by the Women's Shelters Assemblies that had been meeting since 1998 every year (Arat 2009, 10).

On the face of it, then, democracy would appear to be alive and kicking hard in Turkey, and the Muslimness of its governing party to be of the progressive kind. But a closer look reveals a different reality – especially albeit not solely for women.

There are many facets to this reality. Some of them are discussed at length elsewhere and I do not intend to reproduce the detail of that discussion here, but will mention them briefly as they provide a context for the ensuing discussion of the current situation for women in Turkey. In particular, there has been a noted stagnation in the AKP's reform program since 2005, which is (again) paradoxical, as this was the year EU accession talks officially began in earnest. This has produced what Tepe terms a 'democratization deficit': the government's failure, despite its popular appeal, to engage its citizens with the existing reform program or even properly inform them. There is similarly a move towards a less democratic structure within the party itself (Tepe 2005). This anti-democratic stance extends to punitive measures against the AKP's opponents, such as financial attacks, via taxation, on liberal media group Dogan, or the 2008 arrest of 86 secularist writers, members of civil society groups and former military officers supposedly associated with a plot by outlawed ultra-nationalist group Ergenekon to overthrow the government (Cagaptay 2009a, 2009b). Ongoing concerns are also expressed over the troublesome Article 301 of the Penal Code outlawing anti-Turkish statements, which the AKP government softened in 2008 but did not abrogate, notwithstanding strong outcry within both national and international communities (including Amnesty International and the EU). Other issues foregrounded are the AKP government's inability to put forward workable proposals to address the Kurdish question (Yavuz 2009) and its ongoing intransigence over Cyprus (Usul 2008).

Freedom of religion also continues to be an issue, less because of the continued highly controversial headscarf ban (that the AKP had in fact sought to overturn – more on this presently) than because of a frequently overlooked fact: among the many Turkish paradoxes discussed here, 'state secularism' is undoubtedly the first. In fact, discursive construction of an authoritarian Kemalist regime of which the secularism is similar to that of France, contested by a democratic and even progressive Islamist party, is, quite simply, inaccurate. It is inaccurate not only because the AKP, as a moderate phoenix born from the ashes of the more hardline Welfare and Virtue Parties, has openly claimed to embrace the principle of secularism (insofar as it is respected within Turkish law and institutional practice), but also, and more importantly, because the supposedly secularist Kemalist regime has not, in fact, been secularist.

Although the Turkish Constitution, like the French one, guarantees freedom of religion, in practice this is not the case. Contrary to France, the Turkish state outlaws

private religious education of whatever denomination and, once again contrary to France, controls the operation of mosques and the form of Islam practised there through the *Diyanet İşleri Başkanlığı* (Diyanet for short: Presidency or Directorate of Religious Affairs), which has an impressively large budget and reports directly to the Prime Minister's department. Even Islamic women recognise that this is not true secularism: lawyer Fatma Benli, vice-president of the association Ak-der, which campaigns for the removal of hijab bans as well as for information about, and application of, laws relating to women's rights and violence against women, commented to me in 2008 that 'a truly secular country would not impose certain religious practices.'<sup>8</sup> The Diyanet also pays the salaries of imams, which effectively makes them public servants; public remuneration of clergy in France is not only unthinkable, it is prohibited by law. The only concession the French state makes to religion is subsidies for upkeep of churches, which are technically state property and many are heritage-listed buildings as well. It also, more controversially, provides subsidies to private schools for maintenance and upkeep of premises and delivery of state education curricula under the Falloux law of 1850 and the Debré law of 1959, laws that have been the object of regular, and lively, public debate (Winter 2008, chapter 2). What the French state does *not* do, however, is impose religious education in schools: in fact, it explicitly outlaws it, notwithstanding a now twenty-year-old debate on the advisability of teaching, as a secular subject, the history and sociology of religion in schools, in a country that is, historically and now, Europe's most significant meeting ground (and indeed, conflict zone) among the various branches of the three monotheistic religions and those who identify ethnically or politically with their cultures. In Turkey, the opposite is true: Article 24 of the same Constitution that ostensibly guarantees freedom of religion not only allows but imposes religious culture and ethics as a compulsory subject in public primary and secondary schools. Indeed, as I prepare this article, a second national rally is being planned for November, 2009 by Alevi groups to protest against this imposition and against the requirement that all religious observance be conducted in mosques, outlawing *cemevis*, or meeting houses, where Alevis worship (*Hurriyet Daily News*, 24 September).<sup>9</sup> The Alevis are a liberal Shi'a sect, with Sufi influences, and numbers are estimated at anywhere between twelve and twenty million in Turkey out of an estimated total population of roughly seventy-two million. Some Alevis took their case to the European Court of Human Rights, which on October 7, 2007, ruled that compulsory religious instruction in Turkey violated the rights of religious minorities.

This is yet another ‘European problem’ that ‘paradoxical’ Turkey has refused to address.

Finally, the AKP’s supposed hegemonic hubris and inability to manage the impact of the global financial crisis have been foregrounded in discussions of the drop in support for the party in the March 29, 2009 local elections, with a shift towards the left-wing Kurdish party *Demokratik Toplum Partisi* (Democratic Society Party: DTP) on the one hand, and the EU-hostile right-wing *Milliyetçi Hareket Partisi* (Nationalist Action Party: MHP) on the other. In a 2007 interview with French review *Mouvements*, Seyla Benhabib had commented that

the most dangerous development of the 22 July [2007] elections is the return to Turkish parliament of the MHP, an ultra-nationalist organisation closely linked to the fascistic ‘Grey Wolves’ of the 1970s and 1980s ... If the legitimacy of [the AKP] has been reinforced, this is also the case for polarisation between the islamists and the secular nationalists (Benhabib 2007, my translation).

The 2009 local elections appear to confirm Benhabib’s fears, because not only did the MHP perform very well but the Kemalist *Cumhuriyet Halk Partisi* (Republican People’s Party: CHP) also regained some of the vote. While the AKP remains the majority party, the current economic uncertainty following a period of rapid growth (unemployment had risen to a record 13.6 percent by December 2008 with a commensurate decline in GDP), and the continuation, even exacerbation, of the divide between the rich metropolitan areas of the north-west and the impoverished rural (and Kurdish) south-east, have led to a lacklustre political outcome for the AKP and indicate a marked repolarisation of Turkish politics (Çarkoğlu 2009).

Within this context of ‘democratic deficit’, to use Tepe’s term, women are, unsurprisingly, the main losers (*plus ça change*) (Tepe 2005). Even the encouragingly progressive tenor of the 2005 Penal Code reforms and the July, 2006 Prime Ministerial Circular are deceptive. First, the AKP did not make these decisions because of its own feminist consciousness: a combination of EU accession criteria and pressure from women’s organisations over many years, as well as pressure from women within the AKP itself (as well as other parties including the CHP) pushed it towards these reforms (ESI 2007; Arat 2009, 9). A 1996 CEDAW report had indicated that twenty-nine articles in the Turkish penal code breached the

Convention on the Elimination of all forms of Discrimination Against Women, to which Turkey was a signatory, yet the AKP had initially been reluctant to move beyond cosmetic changes proposed for the previous government by prominent – and male – academic Sulhi Donmezer. Even when it did move towards adopting the feminist agenda, it was still not without interference by Prime Minister Erdogan, who tried to include criminalisation of adultery but in the end also bowed to feminist pressure (including from the European Women's Lobby) and withdrew his proposal (Arat 2009, 9-10). Most worrying, however, is the significant lack of progress concerning application of these reforms, which indicates a lack of political will on the part of the AKP to seriously come to grips with the issue of women's status and women's safety in Turkish society.

In a country where women's education and especially political participation levels are significantly lower than men's and where violence against women is a 'harmful traditional practice' (to use the UN vernacular) that is difficult to eradicate, the rise of the AKP to power has thus not made as big an impact as its program of reforms might have indicated (UN 1995). In 2005, during the AKP's first term, the UNDP ranked Turkey 84th out of 117 countries on the Human Development Index (with a HDI of 0.775). When this figure was disaggregated by gender, Turkey slipped to 112th position (UNDP 2008).

The most immediately apparent indicator of this poor performance on women's rights and equality between the sexes is the continued low rate of women's political participation, despite recent public pledges made by Erdogan to include more women within the AKP's executive structures (*Hurriyet Daily News*, 27 September 2009).<sup>10</sup> At the end of August, 2009, Turkey ranked 108th out of 187 countries in terms of numbers of women in parliament, with fifty women out of a total of 549 seats, or 9.1 percent. This is way behind the worst performers in the EU, namely Ireland and Slovenia, tied at 89th position, with 13.3 percent women, following the next-worst performers, Greece and Cyprus, in 82nd and 83rd position respectively, with 14.7 and 14.3 percent.<sup>11</sup> Turkey did, however, double the number of women in cabinet in 2007 – from one to two! Just prior to the AKP coming to power in 2002, Turkey's performance was both better, with a higher rank of 82nd out of 162 countries (roughly halfway down), and worse, with women parliamentarians comprising only 4.2 percent of the total (UNDP 2001, 215). This means that while Turkey has made some progress over the last decade in terms of women's representation in parliament, other countries have made more, so comparatively speaking, Turkey is lagging farther

behind than before. Things did not improve in the 2009 local elections, following which women made up only fifteen of approximately nine hundred district mayors and two of the eighty-one provincial and metropolitan mayors.

Even higher education levels and high levels of party membership are not a guarantee of women's political success: in fact, the research throws up even more 'Turkish paradoxes' here. Aydin and Damis (2008) cite a 2005 survey by Turkish research company Pollmark, indicating that members of the AKP had slightly higher than average education levels but a low level of female participation. Women are in fact less likely to gravitate towards the AKP or other Islamist or right-wing groupings than towards the left-wing Kurdish DTP (Citci and Tekin 2009; the authors note a similar trend in Morocco, where the Justice and Development party attracts fewer women than left-wing parties aligned with the labour movement, for example). The DTP is also the best performer in actively promoting women's participation, being the only party with a quota system for women candidates and having the highest percentage of women deputies in the current parliament with slightly under 30 percent of all DTP deputies, which reflects the level of participation in the party's internal decision-making structures (Üsür 2008). Eleven out of the fifteen women district mayors elected in 2009 are also from the DTP. As Nigar Göksel, senior analyst at the European Stability Initiative and editor-in-chief of *Turkish Policy Quarterly*, notes, 'if women can participate actively in local politics in these regions' characterised by high female illiteracy, 'quasi-feudal' family structures, early marriage and the continued presence of 'honour'-based customs, then 'there are clearly reasons beyond the nature of constituents or the qualifications of female candidates that cause other parties to have so few women representatives in the rest of the country' (Göksel 2009, 1). Clearly, first among these reasons is a lack of political will. Göksel also stresses that 'in terms of concrete benefits to women across Turkey, the local level is critical. That is where the implementation or violation of laws occurs and where strong female role models will have the greatest impact on community life' (Göksel 2009, 1).

While the AKP slightly lifted its game in 2007, with over half of the total number of women deputies, and performs better than the Kemalist CHP in terms of both its internal structure and parliamentary representation, it has rejected quotas for women and has fallen short of its commitment to 17 percent made in its UN 2005 Millennium Development Goals (Üsür 2008). This record provides a different picture to that painted by some international feminist observers, of women's outspoken

participation in both the AKP and some of its harder-line predecessors, notably the Welfare Party, of which half the members were women (White 2002; Turam 2008). Interesting paradox: the hardline Islamist right was apparently *more*, not less, successful in recruiting women than its more moderate successor. But this is perhaps another example of the hardline right's political understanding that conservative women are among its most useful vote-winners, as feminist commentators have observed in relation to other contexts (e.g. Sawer and Simms 1993; Bacchetta and Power eds 2002). These conflicting images nonetheless indicate that vocal participation does not in itself translate into improved representation, if participation is conditional on fitting in with traditionalist male-supremacist thinking on women's appropriate social role.

Turkey is similarly lagging in terms of women's education levels: only 83 percent of adult women are literate and for every four boys enrolled in high school, there are only three girls (UNDP 2008, Arat 2009, 7). It lags most of all, however, in terms of workforce participation. Women's average income is roughly half that of men, although women fare better in urban areas with up to four-fifths of male income (UNDP 2001, 215; KEIG 2009, 7-8). Moreover, women's underemployment and the significant amount of unpaid work done by women in agricultural areas have been noted as areas of concern (KEIG 2009). In 2008, the EU Progress Report showed women's workforce participation to be 24.8% on average, but in many areas it is lower and Göksel, citing a 2006 World Bank report, observes that women engaged in unpaid agricultural labour are also counted in these statistics, so the participation rate is even lower if assessed in terms of actual income (Göksel 2009, 2). Göksel further notes that Turkey ranks 123rd out of 130 countries in the World Economic Forum's Gender Gap Index, and what drags Turkey down the most in this Index is its poor rate of women's workforce participation (Göksel 2009, 1). The Turkish Women's Labour and Employment Initiative Platform, KEIG, representing twenty-seven women's organisations working on women's labour and employment, has further noted that women are disadvantaged in terms of lack of promotion opportunities, underrepresentation by and within trade unions, overrepresentation in informal employment sectors and exclusion from social security. Social Security and General Health Insurance Law N° 5510 of 2008 not only continues to exclude non-wage earners from pensions, health insurance and other benefits, but also has made it more difficult even for some categories of waged workers to meet contribution fees or qualify for benefits. These measures disproportionately impact on women due

to their low workforce participation rates and overrepresentation in low paid, domestic service and informal work (KEIG 2009, 8-9).

A recently released large nationwide survey on violence against women in Turkey found that while there appeared to be a growing consciousness among women that male violence was unacceptable (92 percent of women surveyed), with a corresponding attribution of responsibility to the state and its institutions to deal with the problem, roughly one third of Turkish women continue to suffer spousal violence and almost half of these women did not speak out about cases of violence inflicted upon them by their husbands (Altınay and Arat 2009). This study, only the second of its kind (the first being in 1993), was conducted with 1800 individual women who were married, widowed or divorced, and 50 women's organisations in 2006 and 2007. Its authors found a roughly even geographical distribution in the incidence of violence between the urbanised West and the rural East, which, like women's participation in the DTP, counters stereotypical assumptions in Turkey about the 'backwardness' of the largely Kurdish East (Altınay and Arat 2009: 66-8). It also found that women with higher levels of education reported a lower incidence of violence but the authors suggested that this may be due to greater reticence on the part of highly-educated women to speaking out (Altınay and Arat 2009: 65). The authors do not suggest why this may be the case, but one could infer that women of urbanised and highly educated elites possibly feel a greater level of shame in reporting violence, given class- and ethnicity-based assumptions about who is more 'backward' and who more 'evolved' in Turkish society. Yet the study also found that upward mobility could increase a woman's risk of being subjected to spousal violence: the risk factor increased from the average of 35 percent to a staggering 63 percent for women who contributed more to household income than their husbands; for households with relative equity in income, it decreased to 20 percent. These findings suggest that economic equality between women and men can be a stabilising factor in other areas but that men continue to resent and resist women's upward mobility in the workforce.

Most importantly, the study found that the range of measures provided for in Prime Ministerial Circular N° 26218 remain *lettre morte*, in the absence of either a budget for their implementation or sanctions for failure to implement – not to mention the lack of information about the changes. This has led some women's organisations, including Islamic ones such as Ak-der, to take matters into their own hands and set up information and support networks because in the words of Fatma

Benli in 2008, 'in 2002 the laws changed but no-one knows'. Moreover, Benli stressed that notwithstanding these and other law reforms, the women of her organisation still struggled to put issues such as violence against women on the agenda as a social issue rather than an individual, private, family matter. Even when men are supportive, they still will try to downplay the importance of the issue and try to frame the problem as 'normal'.<sup>12</sup> As for Kurdish women's organisation Kamer, one of the most pro-active in campaigning against violence against women, it had by 2008, under the banner of its project 'A chance for every woman', set up twenty-three centres for women fleeing violence, whether from the state, Kurdish terrorists or 'family honour'-related male violence.<sup>13</sup>

The non-enacted measures provided for in Circular No 26218 include the establishment of a Violence Against Women Watch Committee, a special fund for women to start a new life after leaving women's refuges, creating a national 24/7 hotline, subsidies for refuges run by civil society organisations, and setting up equality watchdogs at parliamentary and institutional levels. Another law, Article 14 of Municipal Code No 5293, requires all metropolitan municipalities and all other municipalities with a population of over 50,000 to set up 'homes for the protection of women and children' (Altınay and Arat 2009: 3). This measure is similarly not enforced and progress has been extremely slow. In fact, in some cases there has been regression – although it has not always come from the AKP. In December 2008, the same (non-AKP) Istanbul city government that had the previous year (unsuccessfully) attempted to ban Turkey's largest gay rights organisation, Lambda, removed funding from Mor Çati ('Purple Roof'), located almost around the corner from Lambda in the Beyoğlu area (Altınay and Arat 2009).<sup>14</sup> This is a significant blow, both materially and symbolically, to women's domestic violence services in Istanbul.

Altınay and Arat conclude:

An effective struggle against the burning issue of domestic violence will only be possible if state institutions and governments act decisively, if necessary funding is provided, and if government institutions cooperate with women's organizations that have accumulated experience in this field. Our study shows that progress above and beyond the positive steps taken in the form of legislative changes in recent years and the Prime Ministry Circular of July 2006, is demanded not only by women's organizations, but by the overwhelming majority of women in Turkey today (Altınay and Arat 2009: 70).

Altınay's and Arat's study is important, not only because the topic is underresearched in Turkey, but because it reveals the significant mismatch between government rhetoric on women's rights and safety and government inaction on same. It also clearly indicates that Turkish women demand much, much more and suggests they have become disillusioned with the AKP, whose enthusiasm for women's rights appears to have flagged as significantly in recent years as its enthusiasm for democratic voice more generally.

Yet it is women who have been the primary symbols of progressive Islamic democratisation in Turkey, through their wearing of that most overdetermined of symbolic items of clothing: the hijab or modern Islamic headscarf. Here again, the Turkish controversy has been compared with the French one, because of the debate over bans as well as the protracted and high-profile nature of the French debate, and because of the aforementioned erroneous assumption that Turkish and French secularism are basically the same. It is also, however, more recently being discussed within the context of a wider European debate on the issue, such as within the aptly named VEIL project auspiced by the European Union Social Sciences and Humanities research dissemination program Platon-Plus.<sup>15</sup> The acronym stands for 'Values, Equality and Differences in Liberal democracies' and has the explicit aim of exploring debates on the Islamic headscarf in Europe. Results of stage one of the project, a collection of studies of different national contexts, were published in 2008 in a special issue of the journal *Social Politics*. The countries featured were Austria, Great Britain, The Netherlands... and Turkey. Indeed, Turkey may not (yet) be a member of the EU, but studies such as this, by their inclusion of Turkey, are most decidedly framing Turkey as some sort of European state-in-waiting and certainly as a liberal democracy with elements in common with EU member states. Indeed, the introduction to the VEIL publication clearly and without qualification includes Turkey in a European list:

European countries have attached different meanings to the veil, and while some countries might have similar views of its meaning, this has not necessarily translated into homogenous policy measures. Countries such as France and Turkey have issued a ban on the wearing of the veil in public institutions, Austria has no prohibitive regulations and only little public debate, and in the United Kingdom the decision rest with head of schools.... So what is the meaning behind veiling in Europe? (Kilic, Saharso and Sauer 2008: 397).

These comments, in the second paragraph of the introduction, also clearly establish a connection between Turkish and French responses.

Yet the responses are not the same: the wearing of the Islamic headscarf was banned in all public institutions by the Turkish Constitutional Court in 1989, the year the first French headscarves affair broke out in a junior high school north of Paris. The French Council of State at that time explicitly ruled *against* the exclusion of the hijab *unless* it was accompanied by behaviours constituting proselytism, propaganda, provocation or disruption to school order (Winter 2008, chapter 4). There was not then, and is not now, any specific law banning the headscarf from all public institutions or from universities in France; even if the 2004 French law is widely acknowledged to target the hijab, it does not mention it explicitly but bans all 'conspicuous' religious insignia from schools (Winter 2008, chapter 6). For that matter, there is no specific law banning the Islamic headscarf in Turkey either: the Turkish Constitutional Court decision was based on its interpretation of the fourth Turkish Constitution of 1982, in particular Article 2 that states that Turkey is a secular Republic, and as Yesim Arat argues, other interpretations are possible (Arat 2009, 12).

The Turkish ban of 1989, and the French affair and ensuing debate of the same year, occurred during a period marked by Islamic revivalism, with France being a key site for its spread to Europe, for reasons I explain elsewhere (Winter 2008). Various reasons are advanced for the revivalism, one of the most common being a reaction against a combination of economic downturn and overly oppressive politics of army-backed monpartist or feudal states (such as Turkey, Algeria and, in the last case, Morocco, where revivalism has also been associated with a republican democratisation movement that opposed the autocratic rule of King Hassan II). As I have suggested elsewhere, such analyses tend to imply that revivalist and Islamist movements are purely 'bottom-up' phenomena, whereas they are generally run by educated elites: Insel's analysis of the 'new middle class' and the rise of the AKP would tend to confirm this for Turkey (Winter 2001, 2008; Insel 2009). Revivalist movements are also, even in their more progressive manifestations, often fuelled and funded by conservative religious lobbies. Such movements take advantage of times of economic downturn and resulting insecurity to preach a narrowly nationalist and/or religiously conservative agenda, even as they champion social welfare and the cause of the underdog (Winter 2001, 2008).

Such 'top-down', somewhat demagogic manipulation of a 'bottom-up' surge of resentment or protest is fairly typical of any political parties that gain a wide popular

appeal at times of political or economic instability, and the AKP and its predecessors are certainly no exception. Moreover, if the protest movement is to become a political movement capable of making a bid for institutional power, it needs to have elites not only on board but participating centrally in running the show. Indeed, the mobilisation of educated elite women in the service of Islamic parties has been discussed within feminist literature, in relation to both liberal and hardline Islamic movements in Turkey (e.g. White 2002; Turam 2008) as well as comparable movements elsewhere, for example in relation to the women of the Islamic Salvation Front in Algeria (Taarji 1990). More specifically, as concerns headscarf wearing within the framework of contemporary revivalism, many observers – from Egypt to Bangladesh – have noted the association of headscarf-wearing and even the adoption of religious pietism with upward mobility for lower middle class women (Hoffmann-Ladd 1987; Rozario 2006).

In Turkey, however, there is a twist, which makes it not like Algeria or Egypt or Bangladesh... or France. For in Turkey, the upwardly mobile associations of the hijab revival are explicitly connected with the emergence of the ‘new middle class’ discussed by Insel (2003). As Benhabib puts it:

In Turkey ... a new class of Muslim entrepreneurs, a middle class that was always put aside from having power in the state by the Kemalist secular elite, has come back since the seventies ... there’s the emergence of a new Islamic bourgeoisie and this Islamic bourgeoisie wants to assert itself (Benhabib 2009).

Some years earlier, White noted that for women in the large working-class district of Ümraniye in Istanbul, *tesettür* veiling (modern hijab) conferred a ‘city look’ which ‘gave it a cachet of upward mobility’, Islamic-style (White 2002: 213). As for elite women, headscarf-wearing has become both a fashion statement and a display of status, from the wives of the president and prime minister to the bourgeois women one can easily spot in the main streets of Istanbul’s fashionable Beyoğlu district in the ‘new’ (and Westernised) city.

Yet, even if the brandishing of the hijab as a political banner needs to be set within the dual context of revivalist manipulation and real or perceived social mobility, this does not mean that *tesettür*- or *türban*-wearing women’s cause should be dismissed or its role in progressive mobilisation entirely discounted, especially in the Turkish context. Apart from the most intransigent of Kemalist women, there is a

broad feminist consensus that the ban, upheld by the Turkish Constitutional Council in 2008, on headscarves worn by adult women in public institutions is absurd and discriminatory (Saktanber and Çorbacıoğlu 2008; Turam 2008; Arat 2009), despite the European Court of Human Rights (ECHR) 2004 and 2005 rulings in the Sahin case, which provide a contrary view. In 1998, Leyla Sahin, then a fifth-year medical student at Istanbul University, had appealed to the ECHR after not being allowed to sit an examination because of her headscarf. On 29 June 2004, the ECHR ruled that there had been no violation of Article 9 of the 1950 European Convention on Human Rights, which provides for freedom of religion (paragraph 1) but also provides for national legal limitations to the public manifestations of religious beliefs as 'are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or the protection of the rights and freedoms of others' (paragraph 2). On 10 November 2005 the Grand Chamber of the ECHR confirmed the 2004 decision, arguing that limitations on headscarf wearing were legitimate in the Turkish context where religious extremist movements could exercise undue pressure on women, contravening principles of gender equality. It also argued that it had no jurisdiction in terms of university regulations within Turkey (ECHR Grand Chamber Judgment 608 of 10 November 2005, relative to application no 44774/98). (In 1999 Sahin moved to Vienna, where she completed her medical studies and has continued to live.)

What is particularly bizarre in the Turkish case is that an Islamic party is in power, and the spouses of both the President and the Prime Minister wear the hijab. So that, while the (often more conservative) husbands of these elite and professional women can move about freely in the public sphere, the women cannot: they are excluded from universities, from practising law in the law courts, from parliament. Benli also notes that it is precisely the modern *tesettür* of elite women that disturbs: the traditional headscarf of rural or poor women is tolerated – no doubt, I add here, because these women are not to date, and certainly not yet in great numbers, claiming space in as workers and social actors in Turkey's public sphere, and so are less threatening to the wordly male order.<sup>16</sup> Even women who continue to support headscarf bans in schools, such as Nazli Ökten, who teaches in Beyoğlu's French high school, because they maintain that minors should be protected from religious pressures, consider that such clothing prohibitions should not be imposed on adult women.<sup>17</sup>

At the same time, the hijab's deployment as a political symbol, when considered alongside the AKP's failure to live up to its promises concerning women's rights,

gives cause for concern, even among Turkey's supposedly liberal and relatively liberated women of the 'new middle class.' In 2002, Benhabib argued that her 'Pascalian wager' vis-à-vis movements represented in Turkey at that time by the Welfare Party and its successor the Virtue Party was that 'their democratic integration into the public sphere through electoral as well as other civic practices [would] force them to clarify the bigger political game at stake in their actions, whereas their marginalization and oppression will only create dangerous martyrs' (Benhabib 2002, 119).<sup>18</sup> One aspect of Benhabib's prophecy has not really been borne out, because rather than becoming martyrs, the liberals within the Welfare Party found a way to reinvent themselves as the voice of a moderate and modern (and ostensibly pro-secular) Islam via the AKP. The other aspect of her prophecy, however, that such movements are forced, by democratic integration, to reveal their true hand, appears to be in the process of coming true with regard to the AKP. It is coming true even in relation to the hijab issue: at the time of the Sahin ruling, Erdogan showed his hand by claiming that the ECHR had 'no right to have a say on *türban*, this right belongs to ulema' (that is, advisors on Islamic law), thus suggesting that hijab wearing is a religious prescription (it is not, as I and countless others have argued elsewhere [Winter 2008, chapter 1]) (Erdogan is cited in Saktanber and Çorbacıoğlu 2008, 530).

But more importantly, the government is showing its hand through both inaction on women's rights and measures that actively disempower women. I referred above to changes to Social Security legislation; changes are also occurring in the education system, for example, via the reinforcement of religious teaching through high school philosophy curricula, or recruitment of more conservative teachers, or the use of public funds to expand theology teaching in universities (Arat 2009, 14-16), or through publicly-salaried imams pushing patriarchal values (against women's workforce participation, for women's obedience to husbands and so on), without any censure, notwithstanding the 2002 Civil Code reforms or Prime Ministerial Circular 26128. Even if, as Arat notes, religious influence in public life may be operating more subtly in Turkey today than it has in other contexts where religious parties have come to power (the examples of Iran and Algeria immediately spring to mind), and even if 'the party in power [has] a liberal/conservative program rather than a religious one ... the religious conservative constituency of the party is emboldened to practice and propagate its religiously legitimated conservative values that discriminate against women' (Arat 2009, 16). Arat argues that it is not religion or Islam per

se that is causing the problem, but the intermingling of religion and politics: a point that has been made by feminist scholars throughout the Muslim world, time and again.

I would, however, go further, and argue two things. First, most if not all religions – especially albeit not solely the three monotheistic ones – are demonstrably male supremacist, much as the army and the state are male supremacist, in their very premises, foundations, institutions and objectives – even if feminists do continue to engage with them, for reasons of strategy, self-interest, absence of alternative or even profound personal conviction, need or desire (our lives and our selves being constructed in complex ways) (Winter 2001, 2006). Religion and the state, as two masculinist institutions, are, however, a particularly deadly combination for women. My second argument is that, like true participatory democracy, secularism is not applied anywhere in the world at this point in time, notwithstanding the existence of many nations that in their constitutions, their institutions and the professed values of their leaders, identify as both democratic and secular. Even that supposedly diehard ‘inventor’ of secularism, France, continues to have a somewhat ambiguous (at best) and cosy (at worst) relationship with the Catholic Church, to the extent that if one is to discuss the issue of reinforcing secularism in France, then one should start not with the hijab but with Catholicism (Winter 2008). Turkey, as another supposedly secular nation, is an even more problematic example: not only does the supposedly secular state maintain a cosy relationship with a certain form of Islam, it is a relationship that was built not by the AKP but by the Kemalist state, that institutionalised and bureaucratised a certain form of Islam and has imposed it on the Turkish people ever since. It has also, just like any secular democratic European state one cares to name, continued, directly or indirectly – if not through law then through its unequal application or through custom and practice – to confer a less than human status on women. Strangely, the AKP, even as it has come to the fore as the major instrument of democratic Muslim opposition to the autocratic Kemalist state, represents as much as continuation of the masculinism and religious imposition practised by that state as it does an opposition to it.

And the big losers will continue to be women.

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- 13 Information and comments communicated by Mor Çati, Istanbul, and by Hülya Adak Cihangiroglu of Sabanci University. See also Kamer website: <http://www.kamer.org>.
- 14 For more information on the attempted Lambda ban, see the website of Kaos-GL: <http://news.kaosgl.com/item/2008/11/30/request-to-ban-turkish-gay-rights-group-rejected>.
- 15 <http://www.platonplus.net>.
- 16 Fatma Benli, personal communication, 16 July 2008.
- 17 Nazlı Ökten, personal communication, 10 July 2008.
- 18 The Pascalian wager referred to by Benhabib is Pascal's call to rational beings to open their minds to God's potential existence, even though it could not be proven through the exercise of reason. A reasonable being, however, would realise that he (women not being considered subjects of the discussion at the time) stood to gain everything if God did exist, but lose nothing if God did not exist. The 'wager' was thus a fairly safe bet.