AN ANALYSIS OF DISCOURSES AND POLICIES ON VIOLENCE AGAINST

WOMEN IN TURKEY

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Thesis Abstract

Öykü Tümer, "An Analysis of Discourses and Policies on Violence against Women

in Turkey"

This thesis aims to analyze discourses and policies on violence against women. Violence against women has become a significant issue in Turkey's agenda after 1980s with the struggles of feminist women. Although the "women question" had always been an important matter of debate in accordance with the modernization process, violence against women had never been part of it. This thesis aims to analyze violence against women as constitutive of women's place in the family as well in the society through focusing on different state policies and feminist theory and activism.

In the thesis, the dialogical relation between the state and the feminist movement that determined the context in discussions on violence against women is analyzed. The role of different discourses in determining the way violence against women is analyzed. In this respect, the legal and medical discourse in constituting the framework of discourses and policies on violence against women are discussed. In addition, seeing violence against women as the "other's" problem and the implication of such an understanding is analyzed.

Tez Özeti

Öykü Tümer, "Söylemler ve Eylemler: Türkiye'de Kadına Yönelik Şiddet Üzerine

Bir İnceleme"

Bu tez, özellikle 1980'lerden sonra feminist kadınların çabalarıyla Türkiye

gündeminde önemli bir yer edinen kadına yönelik şiddet konusunda feministlerin,

devletin ve değişen hükümetlerin ürettikleri ve sürdürdükleri söylemlerine ve

politikalarına dair bir analiz yapmayı hedefliyor. Türkiye'nin modernleşme süreciyle

eşzamanlı olarak varlığını sürdüren ancak şiddet tartışmalarını içermeyen "kadın

sorunu" özellikle 1980'lerden sonra hem kadın hareketi ve feminist hareket hem de

devlet tarafından "şiddet" kavramı temel alınarak tartışılmıştır. Bu tez de kadınların

sadece aile hayatında değil, sosyal hayatlarında da bu denli belirleyici olan şiddetin

izlerini üretilen devlet politikalarında ve feminist hareketteki tartışmalarda sürmeye

çalışıyor.

Tezde, farklı dönemlerde feministlerin şiddeti farklı biçimlerde analiz etme

biçimleri ve yine farklı zamanlarda devlet kurumlarının kadına yönelik şiddeti

önlemek için ürettiği politikalar konu edilmiş ve tartışılmıştır. Bunun yanında kadına

yönelik şiddet tek başına bir kavram olarak tartışılmamış, kavramın başka pek çok

politika ve düşünceyle ilişkisi de konu edilmiştir. Kadına yönelik şiddetin yasal

çerçevede yer alma ve tartışılma biçimlerine ve tıbbi söylem üzerinden tartışılarak

anlam haritalarında edindiği şekle de çeşitli eleştiriler getirilmiştir. Son olarak kadına

yönelik şiddetin "öteki"nin sorunu haline getirilmesine ve töre cinayetleri ile namus

cinayetleri üzerine üretilen söylem ve politikalara bakılmıştır.

ACKNOWLEDGEMENTS

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CHAPTER I

INTRODUCTION

The focus of this thesis is to examine different discourses and policies on violence against women in Turkey. Violence against women became an important issue in Turkey after the 1980s, through the demands and the activism of women who defined themselves as feminists. The march against domestic violence "Solidarity against Beating" (*Dayağa Karşı Dayanışma*) organized by feminists in May 1987 was a turning point: thousands of women came together in order to protest against domestic violence. This march was the first public meeting after the 1980 military coup that suppressed all political activism. It can also be named as the first public mass demonstration of feminists in Turkey.

Violence against women in general and domestic violence in particular was not a matter of debate until then. It is meaningful that the first public demonstration was organized in order to protest domestic violence: the silence on the issue did not mean that it was non-existent but rather showed that there was not a vocabulary and a political space to articulate it. As a matter of fact, the "woman question" has a long history in Turkey in parallel with the modernization process that can be dated back to the nineteenth century. However, domestic violence had never been part of the "woman question" in the way it was understood before 1980s. 1987 was not only a turning point because wife battering is rendered visible and became a political question. It is a turning point because the borders and the terminology of politics were challenged as well. That is why; discourses and policies on violence against women cause a tension, especially between feminist women and the state politics. The aim of this thesis is not to offer solutions or recommendations to end violence

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against women. Rather, it is an attempt to speak about tensions, anxieties and contradictions in theory and politics.

The idea of writing this thesis stemmed from a simple question: why feminist women in Turkey started their activism with the issue of violence, why did they organize a march under oppressive circumstances to protest against wife beating? The basic argument of this thesis is that violence determines the place of women within the family and the society; for women, it is literally a matter of life and death. Therefore, violence had always been the most central focus of feminist politics.

In this thesis, the term feminist movement or feminist women are used to refer to the collectivity of different groups self-identified as feminist. The feminist movement is also understood as being different from the women's movement. From an ideological point of view, women make a distinction between the feminist movement and the women's movement on the basis of their organization, ways of activism and agendas. The Women's movement refers to an amorphous entity that consists of women's groups and organizations who identify as feminist or not, party's women's branches, women's groups in worker unions and non-governmental institutions that conduct women's or gender studies. It also consists of women with different ideological background and affiliation. For instance Kurdish women's movement as well as women's groups with an Islamic background and women who identify themselves as laic and Kemalist should be cited as constituents of this entity. Nevertheless, in practice it is not always possible to distinguish between the two not only because there are activists who belong to both but also because on various occasions, these different groups work and act together. So, different feminist groups will be referred to in this thesis that will include different coalitions or encounters of

women between feminist women and women's groups who do not identify themselves as feminists.

The way feminist women theorize violence and their political struggle against it have changed through time. They started from the wife battering, the most visible form of violence and then moved to other less visible forms of violence within the family. Later on, they constructed various links in the way violence is used and legitimated between the family and the society and the role of different state institutions play. However, these analyses and ways of bringing violence into the political practice had always been in relation to different politics and discourses. Feminist theory and politics on violence touches different institutions like the family and the state, discourses like modernization and nationalism, the representation of women and the role and place of woman within the social imaginary. So, violence against women is understood in relation to different questions and problems, which led on the one hand to having a broader and a multidimensional conceptualization of violence and on the other hand, brought various difficulties both in theory and in practice. As a matter of fact, the feminist movement is not homogenous and unified. Violence against women is an issue that has created a common ground among feminist women. However, since violence is a problem with different dimensions, it is hardly possible to talk about a consensus on how it should be defined, how activism should be conducted and what are its.

To understand the way violence against women has been conceptualized and struggled against, it is necessary to look at the social and discursive context within which the issue has been framed. One of the important tensions feminists have had to deal with is between feminist politics and the way the "the woman question" had been understood in Turkey. The "woman question" has a long history intertwined

with modernization projects. With the establishment of the Turkish Republic it became one of the central issues upon which Republican reforms were based. The way the "woman question" was posed by republican elites provided a legitimate ground for feminist women to talk about violence and develop policies in order to struggle against violence. However, it also defined the limits of the struggle. Feminists in Turkey had to transgress the confines within which it was legitimate to talk about the "woman question", confines that can be called briefly, confines of a modernist discourse. Feminists contextualized violence against women within patriarchal power relations and criticized not only traditional norms and values but also challenged presumptions that women could be empowered within the modern nuclear family; or that educated men would not oppress women as their wives and daughters. This led to a break in the way the "woman question" was posed.

The aim of this thesis is twofold: on the one hand, it will try to analyze how the discourses and policies developed by governmental institutions and by feminists on violence against women are grounded within modernist discourses and assumptions; on the other, following feminist theory and politics on violence against women, I will try to show the kinds of power hierarchies that are rendered invisible by these discourses and policies.

An analysis of governmental discourses and policies shows at first glance that violence against women is understood as a psychological or pathological problem if not an educational or traditional one. It is seen as an anomaly or an exception. However, recent reports and research in Turkey and in different European countries show that, rather than an exception, violence against women is widely prevalent *even* in modern and developed European countries. The emphasis is put on "even" since it is assumed that violence against women occurs because of backwardness, ignorance

and traditional values, symbolically the opposite of what the idea of Europe stands for. Although these reports and research are outside the limit of this study, they are important in the context of Turkey in order to reconsider how violence against women is conceptualized and what kinds of policies are developed in order to end it.

Recent Reports and the Prevalence of Violence against Women

Violence against women is in the agenda of different national and international institutions and organizations since 1990s. In 2000s, there is an abundance of reports and studies on the issue of violence. Violence against women became an important field study arena with its different aspects for academia and non-governmental organizations. As a matter of fact, these reports show that despite legal arrangements and national or international policies to stop violence against women; there is not a reduction if not an increase in cases of violence.

According to the *Stocktaking Study on the Measures and Actions Taken in Council of Europe Member States to Combat Violence against Women* conducted in 2006 by the Council of Europe, one over four women living in Council of Europe member states had experienced violence at least once in their life.[1]

Another study entitled *Captured Queen: Men's Violence against Women in "Equal" Sweden – a Prevalence Study* conducted in Sweden in the beginning of 2000s shows a darker picture: According to this study, out of 7000 women who answered the questionnaire one woman in four, that is 25 percent, has experienced physical violence coming from men since her fifteenth birthday; one woman in three,

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[1] European Council, *Stocktaking Study on the Measures and Actions Taken in Council of Europe Member States to Combat Violence against Women,* (2006), p.8, quoted in Human Rights Watch. 2011.*"He Loves You, He Beats You" Family Violence in Turkey and Access to Protection*, p. 10. Available [online]: "http://www.hrw.org" [20 July 2011].

that is 34 percent, has been subjected to sexual violence by a man at least once since turning fifteen; nearly one woman in five, that is 18 percent, has experience of being threatened by a man since her fifteenth birthday; in sum, almost every second woman, that is 46 percent, has been subjected to violence by a man since her fifteenth birthday and 56 percent of all women have been sexually harassed.[2] In total, 67 percent of women aged 18-24 in Sweden have been subjected to violence by a man and/or have been sexually harassed since their fifteenth birthday.[3] These are significantly high percentages that make one to reconsider equality, freedom, justice and emancipation that the modern western forms of state and institutions promised for women.

These figures are important for this thesis because firstly, they show that violence against women is a serious problem all around the world. Secondly, and more crucially, since the "woman question" in Turkey is understood within the modernization and westernization discourses, looking from Turkey to Europe and seeing that a similar problem exists there as well, leads to have a critical position vis-à-vis discourses and policies developed in Turkey. The Swedish example is critical in these terms. As it will be discussed in Chapter IV, *Captured Queen* challenged the Swedish self-representation and national identity as "the established image of the world's most woman-friendly land"[4]. This study caused a public debate; even one of the scholars who conducted this study, Eva Lundgren, was investigated for "fabricating data". Although all charges against her was dropped at the end, the fact

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[2] Eva Lundgren, Gun Heimer, Jenny Westerstrand, and Anne-Marie Kallioski, *Captured Queen: Men's violence against women in "equal" Sweden- a prevalence study*, trans. Julia Mikaelsson, and Geoffrey French (Åströms Tryckeri AB, Sweden, Umeå: n.p., 2002), p.8.

[3] Ibid., p.10.

[4] Maria Wendt, "Recreating Ignorance? The Politization of Feminist Research into Men's Violence Against Women", *Australian Feminist Studies*, no.1, (Forthcoming 2012), p.2.

that these kinds of studies are widely conducted, their "shocking" results and debates afterwards show that speaking about violence against women creates an anxiety. This is an anxiety because studies on violence against women that challenge and reveal discrepancies in modernist discourses and policies should be both included and contained by governments. The place of legal and medical discourses that explain causes and develop policies against violence that will be discussed in Chapter III should be understood within such a framework.

The prevalence of violence against women in Turkey is not different from Europe according to the recent studies. There are two important nationwide research conducted on violence against women[5]. The first one is the nationwide survey on domestic violence conducted by Altınay and Arat *Violence Against Women in Turkey A Nationwide Survey* in the spring 2007 based on face-to-face interviews with 1800 ever-married women shows a similar result. 34 percent of women interviewed said that they had been subjected to physical violence at least once in their life.[6] 14 percent of the women interviewed had been forced into sexual relations against their will at least once.[7]

The other nationwide research on domestic violence against women in

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[5] It should be noted that these studies focuses exclusively on domestic violence. In Turkey, violence against women is generally associated with domestic violence. As a mater of fact, domestic violence is the most widely experienced form of violence in Turkey in accordance with other parts of the world. However, the immediate association of violence against women with domestic violence should not be taken for granted. In Turkey, on the one hand streets and work places are sites of violence for women, on the other hand state officers and especially armed forces are also involved in cases of physical or sexual violence under custody or in prisons as well as during the on going war in the Kurdish region. Although feminist women in Turkey started with wife battering, in time, they tried to construct links between these different forms of violence. The association of violence against women with domestic violence, in this sense, can be understood as a strategy to contain feminist analysis and to marginalize feminist activism. For further discussion, see Chapter II.

[6] Ayşegül Altınay, and Yeşim Arat, *Violence Against Women in Turkey A Nationwide Survey,* trans. Amy Spangler (İstanbul: Punto, 2009), p.39. Available [online]: "http://www.kadinayoneliksiddet.org/KYS_ENG.pdf" [21 June 2011].

[7] Ibid., p.47.

Turkey conducted by Hacettepe University Institute of Population Studies and implemented by Republic of Turkey Prime Ministry Directorate General on the Status of Women (KSGM) states that 39 percent of women have been exposed to physical violence by their husbands or partners at least once in their life.[8] In addition, among women interviewed, 15 percent of the ever-married women reported that they have experienced sexual violence despite "the apprehension of being judged by society more harshly for talking about sexual violence that it is more difficult to talk about sexual violence"[9] implying that the 'real' number may be higher than the reported. In sum, the proportion of women who have experienced either sexual of physical violence or both is 42 percent.[10] According to the same research, 44 percent of women reported emotional abuse in any period of their lives by their husbands. 23 percent of married women reported acts of economic abuse (mostly in the form of preventing them from working or causing them to quit their job).[11] 18 percent of women reported to have been exposed to physical violence, 3 out of 100 to sexual violence by someone other than their intimate partner since age 15.[12]

In the two research, there are other important findings about domestic violence in Turkey. In Altınay and Arat's research, nine out of every ten women say

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[8] Turkish Republic Prime Ministry Directorate General on the Status of Women, Hacettepe University Institute of Population Studies, ICON-Institute Public Sector GmbH, and BNB Consulting, "National Research on Domestic Violence against Women in Turkey 2008," January 2009, p.9 in the summary report. Available [online]: "http://www.ksgm.gov.tr//tdvaw/doc/Main_report.pdf" [26 July 2011].

[9] Turkish Republic Prime Ministry Directorate General on the Status of Women, Hacettepe University Institute of Population Studies, ICON-Institute Public Sector GmbH, and BNB Consulting, *National Research on Domestic Violence against Women in Turkey*, (2009), p.62. Available [online]: "http://www.ksgm.gov.tr//tdvaw/doc/Main_report.pdf" [26 July 2011].

[10] Ibid., p.9.

[11] Ibid., p.13.

[12] Ibid., p.14.

"there is never a valid justification for beating".[13] In the KSGM research, 86 out of 100 women think that physical violence is unacceptable.[14] According to the KSGM findings, 49 percent of women who have experienced physical or sexual violence by their husbands or partners, reported that they had not told anybody about the violence they experienced[15] and 92 percent of the women who have experienced physical or sexual violence, have never applied to any institutions like the police, the gendarme, hospital or health institution, public prosecutor, lawyer, women's organization, municipality, the Social Services and Child Protection Agency (SHÇEK).[16] In Altınay and Arat study, 49 percent of the women (in the Turkey example, 63 percent in East sample) who said that they had experienced physical violence at least once in their lives said that they had never before spoken to anyone about it.[17] For Altınay and Arat, "although the overwhelming majority of women interviewed said, 'there is no justification for beating,' this does not necessarily indicate that they are equipped to deal with real-life present or future domestic violence."[18] In response to the question, "if your spouse were to beat you today, what would you do, how would you react?", 24 percent of women (46 percent for East sample) said that they would do or could do nothing. The percentage of women who said that they would or could do nothing if their neighbors were to be beaten by their spouses was 45 percent (for

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[13] Altınay, and Arat, *Violence Against Women in Turkey A Nationwide Survey,* p.64.

[14] Turkish Republic Prime Ministry Directorate General on the Status of Women, Hacettepe University Institute of Population Studies, ICON-Institute Public Sector GmbH, and BNB Consulting, *National Research on Domestic Violence against Women in Turkey 2008*, (January 2009), p.59.

[15] Turkish Republic Prime Ministry Directorate General on the Status of Women, Hacettepe University Institute of Population Studies, ICON-Institute Public Sector GmbH, and BNB Consulting, *National Research on Domestic Violence against Women in Turkey 2008*, (January 2009), p.22 in the summary report.

[16] Ibid., p. 23.

[17] Altınay, and Arat, *Violence Against Women in Turkey A Nationwide Survey,* p.15.

[18] Ibid., p.54.

the East, 51 percent). 5 percent of women said that they would go to the police if they were to be beaten themselves; 13 percent of women said that they would call the police if their neighbor were to be beaten.

The results of the two research above mentioned show that domestic violence is prevalent in Turkey. They also show that a considerable percentage of women interviewed in the surveys have a critical stance against domestic violence. Whether there is an increase in the prevalence of violence against women or not is an important matter of debate. Is there a rise in the use of violence or women can talk about their experience of violence more easily? Are surveys conducted use better methodologies to reveal violence than surveys conducted before? Are women more oppressed than before or do they resist oppressive norms and practices and does this lead to the rise in cases of domestic violence? These questions are important yet cannot be discussed within the limits of this study. What can be said within the scope of this thesis is that violence against women is a significant issue not only in terms of revealing causes and the prevalence of violence. Since it is on the agenda of different institutions, how violence against women is understood and conceptualized, and what different discourses are in circulation around policies developed and implemented is worth of analysis. Therefore, violence against women although problematized as a field to produce knowledge and politics by feminist women, it is now an issue that different institutions and organizations are involved. Feminism shaped these different ways of involvement and in time, different ways of approaching violence set the context within which feminist discourse and politics had to operate. So, feminist theory and practice cannot be understood in itself but rather in relation to other discourses and policies produced especially by governmental or non-governmental institutions and academia. So, feminist women

not only modify their strategies regarding their experience in their struggle against violence but also the changing context within which they work. There is not a single and right position; rather various strategies and techniques are developed in theory and politics. This will allow tracing the relations between the state and non-state political actors and the way their actions can be seen as part of a process of interaction. What this thesis funds interesting, however, is to see how feminist analyses are rendered null and void by state policy and how feminist responses to state policy might restrict their own analysis.

Research Questions and Methodology

Human Rights Watch's May 2011 report entitled *He Loves You, He Beats You Family Violence in Turkey and Access to Protection* depicts the current situation about family violence, its prevalence, legislative steps taken by the Turkish government in the 2000s and the way laws are implemented. The focus of the report is, starting from the current landscape of violence against women, to develop civil remedies available in Turkey for women subjected to violence. Their recommendations are developed on the basis of gaps in the law and lacks in its implementation that they detected in their research that is based both on interviews with 21 women who had experienced violence and had experienced violence and had sought protection from the state, and analysis of 19 domestic violence case files that lawyers and a family court judge had given to Human Rights Watch. In addition, interviews were conducted with a representative of the Directorate General on the Status of Women in Ankara, local social service officials in several municipalities, family judges, chief prosecutors, police officers, mayors, and municipality staff.

In this report the way problems at different levels of the legal system and the way different actors at different levels of the system perceive violence against women is critically engaged with and recommendations corresponding to problems within this area are developed. The addressees of these recommendations portray different institutions, bodies or organizations as actors of the field that speak about, fight against, prevent or make policy on the problem of family violence. In this respect, the main actors can be listed as the Grand National Assembly, the Ministry of the Interior (which directly makes the police an actor), the Ministry of Justice (courts, judges and prosecutors), the Prime Ministry Social Services and Child Protection Agency, the Greater City Municipalities and Municipalities with 50,000 or more residents (these municipalities have the responsibility to open shelters), the Directorate General on the Status of Women and the European Commission (since family violence and Turkey's steps to end this problem is also part of the progress reports on Turkey and it is the funding institution especially for the Directorate General on the Status of Women's research and campaigns on the issue). So, the legislative, executive and juridical bodies as well as the police, the prosecution, the courts, and political parties and academicians working on these reports are all part of this field. If one looks at the report of the Directorate General on the Status of Women's that focuses on different aspects of domestic violence against women, the list broadens to comprehend health services, NGOs, women's organizations and the media. Besides, worker unions, research companies, journalists… All talk or write about violence against women, conduct research and create public opinion in one way or another.

Violence against women is also in the agenda of different groups within women's movement and feminist movement. In Turkey, as it is the case in different

parts of the world, it is hardly possible to talk about a unified and homogenous women's movement or a feminist movement. As it is stated at the beginning, feminist women in Turkey, through organizing protests or campaigns, opening independent shelters, creating pressure groups or lobbying for legal and administrative measures and arrangements to be taken insisted on bringing violence into the political agenda as well as making it visible and hearable in society.

As it is depicted above, violence is an issue that various institutions and actors speak about and develop policies. These different discourses and policies are not produced in isolation from each other. Rather there is a dialogue between different actors. This dialogue has a history. The modernization process that can be dated back to late Ottoman period, but especially with the establishment of the Turkish Republic and the subsequent reform period the role and place of women within the society had to be reconstructed. This reconstruction of woman representation and identity was led under the control of the ruling elites. Women or women's organization that were not under the direct control of the ruling party, Republican People's Party (CHP), were either marginalized or contained women who were engaged with the ''woman question'' joined the cadres of the party. This involvement or monopoly over the "woman question" created a certain kind of state feminism. The legal reforms enacted by the ruling party granted women equal citizenship, equal rights with men. The dispersion of independent women and women's organizations and the reforms led by the state created also women of the state who engaged with the "woman question" within the modernist discourse and the confines determined by the state. [19] This cooperation was broken with the involvement of feminist women in the political arena. Although in particular contexts

[19] The term "state feminism" and the Kemalist ideology's approach to the ''woman question'' will be discussed in Chapter II.

there has been cooperation between the state and feminists, the rejection of being contained within certain discourses created a confrontation.

Violence against women is one of the issues that cause confrontation as well. The confrontation arises when feminist women also challenged the state policies in their critique of activism against its patriarchal character as well as the constitution of the national identity as providing the ground for legitimizing violence against women. This confrontation creates a dialogical relation between different discourses and policies developed with respect to violence against women.

This confrontation is not only between feminists and the republican elites but can be traced in the tense relation of feminist women with the ruling Justice and Development Party (AKP) since 2002. Looking at this tense relation allows seeing how violence against women is conceptualized differently and the effects of differences of approaches in the policies and politics developed. In fact, in recent years, there is a kind of polemic on the part of the ruling party and some of the state institutions on "woman question" and feminist movement's activism and demands that transgress its boundaries.

The Prime Minister Erdoğan's speech on 8 March 2011 said: "some people have to admit that woman's rights struggle is not anymore their monopoly. Some people have to see from now on that they do not hold the monopoly of concepts, techniques and discourses about the woman's rights movement. "[20] The "some people" here may refer to the main opposition party, the Republican People's Party (CHP) that embraces a kind of state feminism that is supposed to solve the "woman question" through its modernist and progressive politics.

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[20] *Sabah,* 9 March 2011. Available [online]:
"http://www.sabah.com.tr/Gundem/2011/03/09/daga_cikan_yavrunuza_sahip_cikin" [5 July 2011].

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This someone also refers to feminist women. This stance of the ruling party towards feminists has a history. In 2008, the vice president of the AKP at that time, Dengir Mir Mehmet Fırat, in the congress of party's women's branch, stated, "the women of AKP had never been and will never be enslaved to feminist ideology"[21]. The same year, the Directorate of Religious Affairs declared in their website that "feminism is immorality."[22] The family, considered as the core or basis of the society, is a major focus for the AKP government. Prime Minister Erdoğan, on 8 March 2008, advised mothers to have at least three children. Later, in 2010, he stated that men and women are not equal[23], and then he "corrected" his statement, as "men and women are equal before the law"[24].

Feminist women protested against the Prime Minster in an international woman meeting, Woman-Ist. They carried banners declaring that "men's love kills 3 woman per day" and "the more you say unequal, the more we are killed." In this protest, feminist women stated that the murder of women increased by 1400 percent under AKP rule and that the government or other legal and administrative bodies do not consider this to be their problem.[25]

However, the AKP period, meaning the 2000s, were the years when violence against women became a hot matter of debate. The Civil Code and the Criminal Law were changed, the Prime Ministry Directorate General on the Status of Women

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[21] *Ntvmsnbc,* 5 May 2008. Available [online]: "http://arsiv.ntvmsnbc.com/news/445128.asp" [5 July 2011].

[22] *Hürriyet*, 13 March 2008. Available [online]: "http://www.hurriyet.com.tr/gundem/8434696.asp?gid=229&sz=79246" [19 August 2011].

[23] *Habertürk,* 31 July 2010. Available [online]: "http://www.haberturk.com/polemik/haber/537849-kadin-ve-erkegin-esit-olmasi-mumkun-degil" [25 July 2011].

[24] *Sabah,* 9 March 2011. Available [online]: "http://www.sabah.com.tr/Gundem/2011/03/09/daga_cikan_yavrunuza_sahip_cikin" [5 July 2011].

[25] *Bianet,* 5 November 2010, Available [online]: "http://bianet.org/biamag/bianet/125915-kadinlardan-basbakan-erdogana-protesto" [5 November 2010].

conducted surveys and campaigns about violence against women, and media campaigns to make the issue visible were organized. These legal changes as well changes in the attitude toward violence against women occurred as a result of feminists' struggles since the late 1980s.

The aim of this research is not to analyze the AKP politics on women. These polemics are mentioned in order to show the tension between the feminist movement and the government's policies. One of the basic arguments of this project is that these polemics are instances where the above-mentioned confrontation is the most visible. As a mater of fact, violence against women is a contested issue because it is intrinsic to everyday relations as well as to macro political processes. So, rather than focusing on the AKP period, what will be analyzed are the breaks and continuities of governments policies from the 1990s to the 2000s in defining the focus and limits in discussing violence against women will be analyzed. In this respect the discourses and recommendations and policies in governmental reports, especially produced by the KSGM and the General Directorate on Family and Social Researches (*Başbakanlık Aile ve Sosyal Araştırmalar Genel Müldürlüğü*) will be analyzed. In addition legal arrangements will be brought into discussion. In order to show the dialogue of the governmental discourses with the feminist movement, various researches conducted by feminist academicians and activists will be analyzed as well. Since the tension cannot solely be traced through texts and researches, in order to provide a background for this thesis, interviews were conducted with different feminist organizations. I participated in one Women's Shelter Assembly and in conferences organized by different feminist organizations and worker's unions. I also attended conferences organized by *Hürriyet* newspaper as part of the *Stop Domestic Violence* campaign that the newspaper initiated. The aim in attending different

conferences or meetings was to see different ways of understanding violence against women and be familiar with different policies developed by various actors in this field. In addition, I participated in public demonstrations and press conferences organized by feminist women in order to understand how different discourses and policies are articulated in the street activism.

Particular ways of framing and developing policies are constituted by different discourses. Discourse, for Foucault, "refers to all utterances and statements which have been made which have meaning and which have some effect."[26] Thus, discourse analysis is a way to see how power operates. An analysis on how violence against women is understood and how different policies are implemented in order to end it can only be done through analyzing how the role and place of woman within the society is imagined and constituted. In addition, how discourses on violence against women are articulated within different modernist discourses, how different representations are constructed, and how through legal, medical and economic strategies from the individual bodies to the economy different spheres are intervened can be traced. The attempt to show how discourses operate should not be considered only as a description but rather as an attempt to challenge the hierarchical power relations that ultimately oppress women. As Foucault writes: "Discourse transmits and produces power; it reinforces it, but also undermines it and exposes it, renders it fragile and makes it possible to thwart it."[27]

In the first part of the thesis, the ideological and discursive background of the feminist movement struggling against violence and the theory and activism they developed will be discussed. How the "woman question" is defined by the

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[26] Sara Mills, *Michel Foucault* (London: Routledge, 2003), p.53.

[27] Michel Foucault, *The History of Sexuality*, trans. Robert Hurley, vol.3 (Harmondsworth: Penguin, 1978), 1:100-101, quoted in Sara Mills, *Michel Foucault* (London: Routledge, 2003), p.54.

Republican elites and the woman representation within this definition? How feminist women in Turkey emerged after 1980s and how the cooperation with the state became a confrontation? What different strategies and techniques feminist women developed in order to deal with violence against women without being contained by modernist discourses and governmental policies? How feminist analysis and activism in Turkey deal with the restrictions and difficulties stemming from the way they approaches violence against women? These questions will be addressed throughout Chapter II.

In Chapter III, developments in the Turkish law in parallel with international law will be discussed. Then, the legal discourse in framing violence against women in governmental policies will be the main matter of debate. Without discarding the importance of legal rights, the effects of legal discourse in concealing hierarchical power relations and the ordinariness of violence by constructing categories like crime or disease will be debated. In the second part of this chapter, the medical discourse will be discussed and how violence against women became a matter for medical interventions will be elaborated.

In Chapter IV, how the tradition and modernity dichotomy is constructed within the discussions of violence; more precisely, how violence against women is labeled as the other's problem through different discourses in Turkey will be examined. Violence against women is understood for a long time as a problem of modernization and westernization. It was believed that non-educated men were violent whereas non-educated, unconscious women were submissive. The other dichotomy was based on urban-rural difference. Tradition, extended families and migration were understood as causes of violence against women. In 2000s, "the other" is altered, with the discovery of custom killings (a concept that was not

mentioned during 1990s). This "discovery" led to the shift in the construction of the dichotomy: from rural-urban, it became to be based on the eastern-western distinction. In the context of Turkey, east is a reference to the Kurdish population. Tradition in this context not only refers to being rural, uneducated or lack of modernization but also to a particular culture, a culture that is stigmatized in Turkish politics in general. In this part, how the implication of the word "tradition" changed within the discussions about violence and how the blame of violence against women is put on the other as well as the results in policies of such a conceptualization or as Koğacıoğlu had put it, "the tradition effect"[28] in framing violence against women in the discursive construction of institutional policies will be elaborated.

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[28] Dicle Koğacıoğlu, "Tradition Effect: Framing Honor Crimes in Turkey," *Differences: A Journal of Feminist Cultural Studies* 15, no.2 (Summer 2004).

CHAPTER II

FROM COOPERATION TO CONFRONTATION: FEMINIST POLITICS ON

VIOLENCE AGAINST WOMEN

In this chapter, the ideological and discursive background of the feminist movement struggling against violence as well as achievements of feminists in challenging the "woman question" and bringing violence against woman into the political arena will be discussed.

Violence against women in Turkey, especially in governmental policies and politics, is defined as a natural part and parcel of the "woman question." Such an understanding, on the one hand opens a space for bringing the violence to which women are subjected into the politics, yet on the other hand, it limits the discourses and politics to the language and vision of the modernization paradigm. The demands and activism of the feminist movement emerging after the 1980s[29] should be contextualized in this respect within the gendered modernization discourses of the Kemalist ideology and nation-state building processes and the representation of woman it constituted.

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[29] Although it is generally argued that feminist movement emerged after the 1980s, Şirin Tekeli defines it as the second wave feminism. For her, the first wave feminism in Turkey corresponds to the late Ottoman and early republican period. This period, in parallel with the first wave of feminism in the world, is the suffragette movement demanding especially equality before law. For a comparative analysis of the two waves of feminism in Turkey see Şirin Tekeli "Birinci ve İkinci Dalga Feminist Hareketlerin Karşılaştırmalı İncelemesi Üzerine Bir Deneme," *75 Yılda Kadın ve Erkekler*, comp. Ayşe Berktay Hacımirzaoğlu (İstanbul: Tarih Vakfı Yurt Yayınları, 1998), p.337-346.

The "Woman Question"

Ayşe Durakbaşa argues that, the ''woman question'' is the term used in political discourses framed by men in order to refer to the unequal position of women with respect to men in all spheres of social life. This term constructs relations with social problems and the lower status of women. Within this framework, women are responsible for the backwardness of the population as a whole.[30] The singular use of the word "woman" in the Turkish terminology "woman question" marks a representation. The "woman" in the "woman question" does not refer to historical and concrete subjects but rather a representation of woman situated in a gender hierarchy. In addition, the term "woman" by differentiating a virgin girl from a non-virgin woman points to sexuality and morality.[31]

In its very foundation, the new Republic had to create a Turkish identity as opposed to the Ottoman identity. This new identity was fostered by reference to a pre-Islamic past that also includes the image of an equal and powerful woman.[32] The activities and endeavors of women during the independence war both in the countryside and in the cities had also important role in the making of the identity of the new woman identity. Equality between man and woman before the law is

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[30] Ayşe Durakbaşa, *Halide Edib: Türk Modernleşmesi ve Feminizm* (İstanbul: İletişim Yayınları, 2000), p.15.

[31] Paker argues that the everyday usage of the word 'Woman' has a pejorative meaning that connotes a lack of (sexual) morality. Saliha Paker, "Unmuffed Voices in the Shade and Beyond: Women's Writing in Turkish," *Textual liberation: European Feminist Writing in the Twentieth Century*, comp. Helena Forsas-Soctt (London: Routledge, 1991) quoted in Ayşe Durakbaşa, *Halide Edib: Türk Modernleşmesi ve Feminizm* (İstanbul: İletişim Yayınları, 2000), p.15.

[32] Nükhet Sirman, "Feminism in Turkey: A Short History," *New Perspectives on Turkey* 3, no.1 (Fall 1989), p.10.

developed within the Kemalist and nationalist paradigm as the equality of man and woman sharing the same ideals and responsibilities for the newborn Turkish nation.[33]

Ideas of modernization and progress were also part of the new Turkish identity. Modernization was an ideological agenda since the late Ottoman period, more precisely starting with Tanzimat Reforms and the Young Turks. The modernization process was mostly undertaken through legal reforms concerning civil and political rights of women, which are constitutive of the laic republican identity.[34]

These transformations created an identity crisis and the ground upon which the masculine identity was established was sliding. For Fatmagül Berktay this identity crisis was projected on the construction of a "new woman" identity under the total control of ruling men and in order to show that the transition and the new conditions could not create a total change from the past, the old patriarchal ideology was reproduced within the new circumstances of the Turkish Republic. Hence, this new woman identity was constructed at the intersection of the east and the west: women should be modern in their outlook and education however, simultaneously, a docile woman model was promoted.[35] As Deniz Kandiyoti suggests "[m]odernity was invested with different meanings for men, who were relatively free to adopt new styles of conduct, and women, who, in Najmabadi's terms, had to be 'modern-yet-

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[33] Durakbaşa, *Halide Edib: Türk Modernleşmesi ve Feminizm*, p.25.

[34] Ayşe Saktanber, "Kemalist Kadın Hakları Söylemi," *Modern Türkiye'de Siyasi Düşünce II- Kemalizm* (İstanbul: İletişim Yayınları, 2002), p.323-333. The Woman representation is not only constructed on a discursive level. As Nilüfer Göle argues, it is also about the visibility. How women could be present in the public is closely related with their outlook. The ''turban question'' that will be an important matter of debate in Turkey as well as within feminist circles can also be approached from how these modernization reforms are embodied and thus infiltrated to the daily practices and habits. For a more detailed discussion, see Nilüfer Göle, *Modern Mahrem,* (İstanbul: Metis Yayınları, 1991).

[35] Fatmagül Berktay "Doğu ile Batı'nın Birleştiği Yer: Kadın imgesinin Kurgulanışı," *Modern Türkiye'de Siyasi Düşünce III- Modernleşme ve Batıcılık* (İstanbul: İletişim Yayınları, 2002), p. 275, 284.

modest'"[36]. So, women's position in the public sphere could be the mimic of the West, while their morality remained intact; they could participate in the public sphere while not forgetting that their primary role and duty as citizen of the modern republic is within their domestic roles.

Hence, the "woman question" is rooted in the discursive construction of the Kemalist ideology and nation-state building project. For Durakbaşa, in the Kemalist ideology, the "woman question" was dealt "within an eclectic formula of a modernizing ideology combined with an extremely conservative, puritan sexual morality. "[37] They could become modern and equal citizens as long as they did not cover their heads but "veil their sexuality to protect their traditional identity as mothers and as wives."[38] Through these reforms, and the modernization project in general, Durakbaşa argues, a process of both de-gendering and re-gendering occurred: certain traditional gender notions were labeled as "backward" while others are promoted as the new modern Turkish woman and man identities. In this process, women became symbols of a new Turkish nation.[39]

Ayşe Saktanber argues that another discourse emerging during the reform period is "woman as half of the population." This discourse is based on the representation of woman not only as having the right to join modern life and benefit from its blessings, but also having as their role models men who have power.[40] Such a discourse produces, for Saktanber, a maternalist woman type: she is in the public

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[36] Deniz Kandiyoti, 2004, "Identity and Its Discontents," Available [online]: "http://www.wluml.org/node/482" [5 June 2011].

[37] Ayşe Durakbaşa, "Kemalism as Identity Politics in Turkey," *Deconstructing Images of "The Turkish Woman,"* ed. Zehra Arat (New York: St. Martin's Press, 1998), p.149.

[38] Durakbaşa, *Halide Edib: Türk Modernleşmesi ve Feminizm*, p.27-28.

[39] Ibid., p.24.

[40] Saktanber, "Kemalist Kadın Hakları Söylemi," p. 328.

sphere yet she does not leave aside her duties like motherhood and good wife. In this respect, these women instead of questioning male domination claimed their share within the power structure.[41] This created a division between the representation of modern and the traditional woman. Failing to look at the hierarchical power relations between man and woman, this approach aimed instead at changing the "other" woman through education.

As Tekeli puts it, "the Republican regime honored and respected the exemplary, distinguished women who were educated and who had a profession and practiced it without ignoring their traditional duties as supportive wives and good mothers."[42] These few women of urban bourgeois or petit bourgeois (civil servant) origins considered themselves to be representatives of the period's state feminism[43] and thus, feminism and Kemalism became synonymous. This understanding of feminism led educated republican women to establish a passive attitude vis-à-vis the gendered power relations within the society.[44]

This passive attitude was encored with the assumption that legal rights were granted to women in a top-down process. Different studies on the Ottoman women's movement and early Turkish Republic period point to the struggle of women for their rights and the resistance of the ruling elites and intellectuals to accept their demands.[45] The dispersion of women's organizations during the single party regime,

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[41] Ibid., p.328-329.

[42] Şirin Tekeli "The Meaning and Limits of Feminist Ideology in Turkey," *Women, Family and Social Change in Turkey*, ed. Ferhunde Özbay (Bangkok: Unesco, 1990), p. 145.

[43] With state feminism, Tekeli refers to changes in the status of women promoted by the state between 1920 and 1935. Later on, feminists in Turkey used the term 'state feminism' to refer Kemalist feminism and their understanding of feminism in general. Tekeli "The Meaning and Limits of Feminist Ideology in Turkey," p.152.

[44] Ibid., p.152-153.

women engaged with the "woman question" joined the cadres of the party and in a sense lost their independence from the state, in other words, became women of the state.

However, the idea that women were handed their rights in a top-down process became one of the major assumptions[46] of the Kemalist woman's rights discourse and caused, as Saktanber argues, to constrain woman's social position within a modernist development discourse, restricting the emancipation of women to legal reforms and preventing women from looking at the hierarchical and oppressive gender relations they lived under.[47] Zehra Arat argues that, Kemalist reforms aimed at integrating Turkish women into the republican patriarchal order by means of education and trainings, as better wives and mothers rather than emancipating them or granting them rights or raising their consciousness so that they could use these rights in their everyday lives.[48] Thus, although women were granted equality through law, the same law and legal arrangements, especially the Civil Code in 1926, conserved the traditional patriarchal power relations by regulating and controlling the constituent unit of the Turkish society, in other words the family. As Sirman argues, the conjugal family replaced the house of the old regime and became the unit that sustained the political and the gender regime. The Civil Code designated the husband

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[45] For studies on the late Ottoman period see Serpil Çakır, *Osmanlı Kadın Hareketi* (İstanbul: Metis Yayınları,1994), and early Republican period see Yaprak Zihnioğlu, *Kadınsız İnkılap/ Nezihe Muhiddin* (İstanbul: Metis, 2003). A later study on the Armenian women writers in the late Ottoman and early Republican period see Bilal, Melisa, and Lerna Ekmekçioğlu, comp. *Bir Adalet Feryadı Osmanlı'dan Türkiye'ye Beş Ermeni Feminist Yazar* (İstanbul: Aras, 2006).

[46] According to Zihnioğlu, this assumption is not the result of a natural process of forgetting. The closing down of the Turkish Women Association (*Türk Kadınlar Birliği*) and the marginalization of Nezihe Muhiddin had important effects in the way the reforms were undertaken as well as the official history of the period is written. So, this assumption is created by the ruling elites of the time. see Yaprak Zihnioğlu, *Kadınsız İnkılap/ Nezihe Muhiddin* (İstanbul: Metis, 2003).

[47] Saktanber, "Kemalist Kadın Hakları Söylemi," p.325.

[48] Zehra Arat, "Kemalizm ve Türk Kadını," *75 Yılda Kadın ve Erkekler*, comp. Ayşe Berktay Hacımirzaoğlu (İstanbul: Tarih Vakfı Yurt Yayınları, 1998), p. 52.

as the head of family; thus equality among married men was constructed.[49] Hence, as Durakbaşa writes: "the main normative categories of traditional patriarchy such as *şeref* (family reputation) and *namus* (honor) were preserved without much individual reformulation of morality for these men [Kemalist men], while women were required to internalize strict self-discipline and adaptive strategies to cope with modernity and tradition at the same time."[50]

From the "Woman Question" to "We Women"

The feminist movement after 1980 constitutes a significant break. As Aksu Bora argued, feminists did not name their focus of interest as the "woman question" but rather as "patriarchy". The feminist motto "the personal is political" is critical in this respect. This phrase opens a space for theory and practice: on the one hand, the gendered character of what is traditionally considered as political is analyzed and on the other, what is assumed to be private, outside of the political is politicized within the framework of gendered power relations.[51] So, the term "woman question" is rejected because, it conceals the structural causes that lead to inequality and discrimination by taking for granted the lower status of women in education or the economy and the fact that they are subjected to violence.[52]

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[49] Nükhet Sirman, "Kinship, Politics and Love: Honour in Post-colonial Contexts – The Case of Turkey," *Violence in The Name of Honour: Theoretical and Political Challenges*, ed. Shahrzad Mojab and Nahla Abdo (İstanbul: İstanbul Bilgi University Press, 2004).

[50] Durakbaşa, "Kemalism as Identity Politics in Turkey," pp.149-150.

[51] Aksu Bora, "Kadın Sorunu mu Erkek Egemeliği mi?," *Modern Türkiye'de Siyasi Düşünce VIIII-Dönemler ve Zihniyetler* (İstanbul: İletişim Yayınları, 2009), p.818.

[52] Ibid., p.820.

Another important break from the modernist discourse is, as Tekeli writes, the emphasis of the solidarity of feminists: "the liberation of women means the liberation of the gender, not only their own individual emancipation. Hence, they give primary importance to the idea of solidarity."[53] So, individual achievements in education or in professional lives were not considered as liberation since, for feminists, the oppression of women is not independent from the patriarchal power relations to which all women are subject. In this respect, since all the laws and regulations as well as institutions supposed to protect or to liberate women are part of these relations, women should weave solidarity networks in order to change their lives and become "empowered".

The Declaration for the Emancipation of Women (*Kadınların Kurtuluşu Bildirgesi*)[54] set forth in February 1989 by feminist women in Ankara starts with the sentence "we women are oppressed and exploited as a sex". The plural of this "women", in contrast to the singular use in "the woman question" marks another break from the earlier period: the reference to differences among women. The modern backward, and educated ignorant dichotomies are challenged. Despite their class, ethnicity and social status, all women, though in different ways, are oppressed by the system. The rejection of this dichotomy, together with the emphasis of being in solidarity, is also crucial in challenging the hierarchy among women. Helping, educating or teaching other women by constructing a hierarchical relation between the modernized and the "backward" or "ignorant" women is therefore rejected. However, these challenges were not without its problems. As it will be discussed

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[53] Tekeli, "The Meaning and Limits of Feminist Ideology in Turkey," p.155.

[54] Full text of the Declaration for the Emancipation of Women in Turkish, Available [online]: "http://www.yurtsuz.net/News.aspx?tt=kadinlarin-kurtulusu-bildirgesi-&newsid=620&fileid=613" [12 August 2011].

later on, it is not possible to determine an absolute and true position in challenging the development discourse; with changing circumstances and the expansion and the spread of the feminist movement, the way differences are defined created difficulty in dealing with different forms of violence.

The modern paradigm of the "woman question" defined within the framework of Kemalist feminist discourse provided legitimacy for feminists in making domestic violence a public and a political matter. However this legitimacy had its limits. As long as feminists remained within the limits of a modernist and progressive discourse, demanding legal rights or challenging the backwardness or ignorance of people, feminist women could act hand in hand with Kemalist feminists. However, transgression of certain limits like challenging Turkish nationalism or Kemalist revolutions led to serious disagreements. Whether the Turkish national anthem should be sung at the beginning of meetings or whether the Turkish flag should be put in conference rooms became the stuff of acrimonious disputes. [55] So, the context within which feminist women developed strategies was not only constituted by the state policies on violence; tensions and conflicts within feminists themselves had been operative in adopting different political positions.

"We Women" Organize against Wife Battering

As it is argued above, the historical and intellectual past of the feminist movement can be traced back as far as the mid nineteenth century. For Şirin Tekeli, the feminist movement in Turkey is divided into two periods, the period between 1910 and 1920

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[55] Aksu Bora, "Kadın Sorunu mu Erkek Egemeliği mi?," *Modern Türkiye'de Siyasi Düşünce VIIII-Dönemler ve Zihniyetler* (İstanbul: İletişim Yayınları, 2009), p.821.

and the period after 1980.[56] The first feminist wave consisted of urban, upper class women who were well educated. Their main concerns were on issues like education, employment and the status of women within the family, being a good wife at the intersection of tradition and westernization, the issue of marriage and divorce and how these were perceived within religious practices. After the establishment of the Turkish Republic, women's participation accompanied those discussions, the most important of them being universal suffrage. Women organized around this issue and formed Turkish Women Association (*Türk Kadınlar Birliği*). After the right for suffrage was granted to women legally, the association was closed down.

Tekeli calls the subsequent period until the 1980s the "deserted years". The reason for the withdrawal of feminist women from public debate is twofold: one is the modernist belief in Kemalist reforms (and that there was nothing more to do) and the other is the repressive single party regime of the early republican period.[57]

In these "deserted years" women in Turkey nevertheless conducted studies on women and got involved in politics so that the "woman question" was not totally ignored. Women scholars and intellectuals conducted studies[58] especially on economic participation, the condition of women in rural areas, education of women and literacy level and women's health problems.[59]

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[56] Şirin Tekeli, "Birinci ve İkinci Dalga Feminist Hareketlerin Karşılaştırmalı İncelemesi Üzerine Bir Deneme," *75 Yılda Kadın ve Erkekler*, comp. Ayşe Berktay Hacımirzaoğlu, (İstanbul: Tarih Vakfı Yurt Yayınları, 1998) p. 337.

[57] Ibid., p.338.

[58] See *Women in Turkish Society*, ed. Nermin Abadan-Unat in collaboration with Deniz Kandiyoti and Mübeccel B. Kıray, (Leiden: Brill, 1981), and Deniz Kandiyoti, "Major Issues on the Status of Women in Turkey: Approaches and Priorities" (Ankara: Turkish Social Science Association, 1980).

[59] It should be also mentioned that, in the 1970s Progressive Women's Organization (*İlerici Kadınlar Derneği*) was established. The organization had more than 14 thousand members. Yet this organization was criticized later as not being an independent women's organization but rather it was attached to the leftist party and its decision-making bodies. Saadet Özkal, one of the members of executive board of İKD says that their struggle in the 1970s was restricted to the public sphere; they

The early 1980s is defined as a period of translations and publications: feminist women in small circles gathered together and discussed feminism and their daily experiences as well as translating feminist literature into Turkish. The second half of the 1980s is marked by street activism, especially campaigns against sexual harassment and battering.

Questions were raised as to why women began to organize after the 1980 military coup, a period in which freedom of expression, freedom of organizing were abolished, is a matter of debate. There were various discussions addressing this issue. The emergence of feminism as a movement during the military regime which suspended democratic rights is seen as a "paradox"[60] by Tekeli; in that sense complex dynamics in relation to the social and political circumstances created by the coup and their effects on feminist movement is an important question to address. In addition, these years were marked by debates between feminist women and women and men from the socialist movement. Some of the members of various socialist movements in Turkey criticized feminists severely during this period as being bourgeois feminists, "eylulists" (meaning supporter of the 12 September coup) and even fascists[61]; this created a constant tension between feminists and socialists.[62] This tension was important because most of the women who identified themselves as feminist were part of the leftist movements before 1980s.

did not focus on domestic violence although they knew that some of their friends were facing violence in the family. Saadet Özkal, "İlerici Kadınlar Derneği," *Özgürlüğü Ararken: Kadın Hareketinde Mücadele Deneyimleri*, ed.Devrim Çakır (İstanbul: Amargi, 2005), p.25.
For a more detailed discussion on *İlerici Kadınlar Derneği*, see Emel Akal, *Kızıl Feministler: Bir Sözlü Tarih Çalışması* (İstanbul: İletişim Yayınları, 2011).

[60] Şirin Tekeli, "Women in Changing Political Association of the 1980s", *Turkish State, Turkish Society*, ed. Andrew Finkel and Nükhet Sirman (London: Routledge, 1990), p.263.

[61] Filmmor, *İsyan-ı Nisvan*, 2008.

[62] Stella Ovadia tells in the documentary *İsyan-ı Nisvan* how these efforts to explain themselves and their ideas to others, especially socialists, exhausted them.

Feminist women formed small groups for translating the feminist literature in

Turkish. At the same time they wrote articles from a feminist perspective in different

journals. They founded the Women's Circle (*Kadın Çevresi*) as a publishing house.[63]

The Women's Petition can be seen as a petition campaign that prepared the

ground for women's street activism. Feminist women in Turkey, in order to force the

state to ratify fully the CEDAW (Convention on the Elimination of All Forms of

Discrimination against Women) managed to obtain four thousand signatures in their

campaigns. In the post-coup era, this success showed the potential power of

feminists.

In 1987, feminists initiated the Campaign for Solidarity against Beating

(*Dayağa Karşı Dayanışma Kampanyası*) as a response and reaction to a judge's

decision in a wife battering case. The judge had delivered his ruling by quoting a

Turkish proverb: "one [man] should not neglect the stick from the back, the foal from

the womb of a woman" (*Kadının sırtından sopayı, karnından sıpayı eksik*

etmeyeceksin). This decision became a motor force for women to start the campaign.

For Arat, "violence was an issue in which women felt themselves potential victims,

and they saw violence against any woman as violence against themselves. It was this

spirit that feminists initiated the Campaign against Beating."[64] So, feminist women

did not categorize themselves as well educated and emancipated by otherizing the

women subjected to violence as backward. Although one woman did not suffer

violence herself, she could protest against the violence used against another woman

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[63] For more information about the early years and experience of *Kadın Çevresi* see Filmmor, *İsyan-ı Nisvan*, 2008 and Stella Ovedia, "Feminist Hareketin İlk Günleri," *Özgürlüğü Ararken,* ed. Devrim Çakır (İstanbul: Amargi, 2005).

[64] Yeşim Arat, "Feminist Institutions and Democratic Aspirations: The Case of the Purple Roof Women's Shelter Foundation," *Deconstructing Images of the 'Turkish Woman'*, ed. Zehra Arat (London: Palgrave, 1999), p.301.

without constructing a hierarchical relation between them because for them, violence was not an individual but rather a collective problem. In the context of the campaign, beating was not depicted as an individual problem but as one of the means to control women that has effects over all women in the society. This was the first time since the beginning of the Republic that women brought into public sphere their own problems with a feminist vocabulary. It was for the first time that women organized a protest for women.[65]

For Şirin Tekeli, "the campaign was directed not at the state, rather against society and in particular one of its basic cells, the family, where, hidden from view women are most subject to men's control."[66] Tekeli's separation of state and society can be misleading, because feminists in Turkey on the one hand criticized the family as a site of power relations that oppresses women, on the other hand the family is located within the society and the state and its legal, political or economic apparatuses. Her statement should be considered rather as the feminists attempt to challenge not only the state and its politics but also its citizens, their everyday practices at home, in the street, in the work place and the dynamics that are not independent yet separate from the state.[67]

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[65] Gülnur Savran, "80'li Yılların Kampanyaları ve Özel Alanın Politikası (Sorunlar ve Sorular)," *Özgürlüğü Ararken,* ed. Devrim Çakır (İstanbul: Amargi, 2005), p.83.

[66] Tekeli, "Women in Changing Political Association of the 1980s", p.285.

[67] It is hard to talk about a unified and homogenous feminism and feminist movement in Turkey, as it is for other parts of the world. In fact, as described above, feminist women who came together after the 1980s distance themselves from state feminism and Kemalist women. With the 1990s, especially after the First Woman Assembly (*Birinci Kadın Kurultayı*) gathered in 1989, differences in feminist approaches as well as in politics among feminist women appeared. So, how to relate with the state institutions, how men from socialist movements can participate in the feminist politics and how to organize without constructing hierarchical relations were and still are important matter of debates. For more detailed information on the First Woman Assembly see Banu Peker, "1989 Kadın Kurultayı," *Özgürlüğü Ararken,* ed. Devrim Çakır (İstanbul: Amargi, 2005), Şirin Tekeli, "1. Kadın Kurultayı'nın Ardından," *Birikim* 2, (Haziran 1989), p.67-68, and A. Cankoçak, "1. Kadın Kurultayı ve Kadın Tarafı Olmak," *Birikim* 2, (Haziran 1989), p.68-70.

In solidarity with this campaign, a group of feminists in Ankara staged a protest of Mother's Day in one of the main squares of the city, "drawing attention to the fact that women, revered as mothers, were, as wives, very often confronted with domestic violence."[68] Their slogan was: "Do you love your mother and beat your wife?" The campaign's aim was, according to Sirman, to "expose the legitimacy that the battering of women in the home enjoys in Turkish society."[69] The booklet of the Campaign for Solidarity against Beating *Shout, be Heard* (*Bağır Herkes Duysun*) was published in 1988. For Savran, a couple of feminist principles were realized in this booklet. First of all, it was based on women's testimonies. Feminists deemed the experience of women as crucial for constructing feminist theory and politics; that is why basing the booklet on the life experience of women, producing knowledge from lived experience was considered as the basis of feminist praxis. Another principle was that male beating was made into a target in its own.[70] However, this did not come to mean that beating was considered as an individual issue. Feminists in Turkey always pointed to the patriarchal system and the state apparatuses and ideologies as the producer and legitimizer of male violence. For Sirman, "above all, the pamphlet tries to isolate the family as the major site of violence against women and argues that such violence is a product of the widespread view that women within the family are the property of men who are its legal heads."[71] It is through the activism and the knowledge produced with the relation to the everyday life narratives

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[68] Sirman, "Feminism in Turkey: A Short History," p.17.

[69] Ibid., p.19.

[70] Savran, "80'li Yılların Kampanyaları ve Özel Alanın Politikası (Sorunlar ve Sorular)," p.82.

[71] Sirman, "Feminism in Turkey: A Short History," p.19.

of women that feminists challenged the assumptions about the family, and showed power relations within it as well as in the society and tried to link the two.

In 1989, the campaign against sexual harassment was initiated. This campaign was framed in three stages: sexual harassment in the street, in the work place and within the family. The "Purple Needle" is still the symbol of the struggle against sexual harassment. Feminist women sold needles tied with a purple ribbon to women in the streets thus pointing to the fact that nothing protects women from being harassed in public. This also meant to show that women's place in Turkish society was still in the home. The campaign was dispersed after the first stage. In fact, at this time, in January 1990, another campaign was started against the Article 438 of the Turkish Penal Code, which was decreased the punishment in cases of rapes against prostitutes. On 15 Januray1990, in Adana, İzmir, Ankara and Istanbul, women organized protests against the Constitutional Court's decision on the Article 438 of for contradicting the principle of equality of the Turkish constitution. On 23 January 1990, women organized a protest in Zürafa Street known for its brothels, and distributed the "certificate of chaste woman". The next week, women protested the distinction between chaste and unchaste women in the "All Women March Against the Article 438". As a result of these protests and campaigns, in 21 November of the same year, the Article 438 of the Penal Code was abolished. This was the first legal victory of feminist movement after 1980s.

With this campaign of feminists the dichotomy between women who are supposed to be chaste or not was challenged because well educated and urban women who were supposed to be benefiting from the promises of Turkish modernization were acting together with those who were not assumed to be proper women. For Sirman, in this campaign, feminists showed the organic link between the

'inside' and 'outside' of the family and the hierarchy within the family in close relation with the hierarchy in the public sphere, in laws and so on.[72] Supporting prostitutes was an act, which unsettles male sovereignty within the society. The so-called chaste women were imprisoned in their home, controlled, surveilled and threatened in order to protect their chastity. Hereby, the chastity of these so-called chaste women that simultaneously produces its opposite as unchaste became a trouble the moment they are outside their home. This was understood as the basic legitimization for violence that each and every woman is subjected to.[73]

The campaign against Article 438 shows that feminists recognized differences among women. They challenged the assumed separation of women as chaste and unchaste women in particular and the connections between different representations of women in general. In this respect, gender as a category cross cutting women with different experiences opened a way through which the Turkish state and society and its oppressive mechanisms can be analyzed. In addition, the fact that the promises of the Kemalist revolutions and its modernization projects did not realize the promises given to women is revealed. This is an important break between the "state feminism" and the feminist movement that criticizes the state, its apparatuses and its very being. Those "emancipated women" who thought had achieved equality with men through education, political representation, joining the work force were not at all emancipated since they also faced violence. Constructing the links between the violence that women represented as not-yet-emancipated face and that of those represented as emancipated is crucial. Thus feminists do not see violence as an issue of education –since educated men also exercise it- from the

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[72] Nükhet Sirman, "Türkiye'de Feministlerin Şiddetle İlişkisi", *Amargi,* no.4 (Spring 2007), p.16.

[73] Savran, "80'li Yılların Kampanyaları ve Özel Alanın Politikası (Sorunlar ve Sorular)", p. 88.

beginning of the movement. This approach allowed feminists to transgress the limits of modernization paradigm and its claim to solve the "woman question" by criticizing the patriarchal power relations as a whole. This also opened an important path for later analysis of violence in its relation to militarism, nationalism and heterosexism.

In the late 1980s, women organized a festival in front of the Kariye Museum, Istanbul and set up a "Temporary Modern Woman's Museum" where they showed, through materials and tools women use in their everyday lives, especially domestic lives, the oppression they live under. The booklet *Shout, be Heard* was published with the money rose in this festival.

Another important document in order to understand the feminism of late 1980s and its claims is the Declaration for the Emancipation of Women written in February 1989 by feminist women during a congress in Ankara. The declaration starts with "we women are oppressed and exploited as a sex" and ends "we call all women to be aware of our oppression, to have a stance against this oppression, to solidarity and to organize to struggle for our interests." The discursive structure of the declaration is based on the feminist slogan "our body, labor and identity is ours": The oppression of women, the exploitation of their labor within the family and at work, restrictions upon their sexuality as well as the submission of their bodies to men have their roots in the patriarchal organization of the society and enforced by institutions such as the family, the law, health, education, science and security and as women with different concerns and problems stemming from women's position in society. Thus, as feminists, they declared that they are ready to fight against these structures that oppress women just because they are women, as a whole.

The experience of feminist activism, the knowledge produced through encounters with the feminist literature and with different women throughout the 1980s will be the basis for feminist movement in Turkey. Feminist women in 1980s learnt to construct ties of solidarity among women rejecting hierarchical relations. They learnt as well that the struggle against violence has different dimensions varying from changing laws and establishing institutions for providing psychological support to street activism. This experience of the 1980s will shape feminist politics in its struggle against violence both in the street activism and in institutions they built in 1990s like shelters and counseling centers for women subjected to violence.

The feminist movement's most important achievement may be the fact that women as women became political subjects. They detached themselves both from the Kemalists and socialists and opened a new space for politics. It is not a coincidence that one of the first feminist studies were on women in the late Ottoman and early Republican period: it can be argued that these studies aimed at showing the fact that women are not "indebted" to men but rather they struggled for their own rights. Or, the "feminist song" that had always been sang since 1987 was entitled "Women Exist" (*Kadınlar Vardır*). Or, as stated earlier, the Declaration for Emancipation of Women started with "we women". When all these different examples are juxtaposed, it is obvious that the main concern of feminist women in 1980s was to open a space for themselves, for being recognized as political subjects. The subsequent period would be based on this ground that feminists struggled for. However, as it will be argued later on, this new space for theory and practice has its own limitations and with the changes in the context they will have different confrontations and problems in constructing new grounds for feminism.

The Institutionalization and the Feminist Practice Against Violence

In the struggle against violence, the 1990s characterized by the drive towards institutionalization and finding other means to make feminism a lasting movement.[74] For Altınay and Arat, women refused to collaborate with state institutions during the 1980s due to their discourse based against the state, whereas in the 1990s, working in conjunction with state institutions and mechanisms, they succeeded in developing a popular discourse against violence against woman.[75] While the woman's movement was establishing its own institutions, it was also transforming the state and trying to make sure these transformations were permanent.[76] Feminist activists founded the Purple Roof (*Mor Çatı*) in Istanbul and Women's Solidarity Foundation (*Kadın Dayanışma Vakfı*) in Ankara as the result of the Campaign for Solidarity against Beating. Their aim was to open shelters that would be administered by feminists and give counseling services to women who faced violence. The politics around shelters is one of the most crucial directions of the struggle against violence against women. As *Mor Çatı* activists put it, feminists never saw shelters as the aim but rather as a means in their political struggle against violence.[77] Opening shelters, their budget and how they will be run is an important aspect of the discussion about violence against women. Feminist women since then developed several principles about the

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[74] S. Nazik Işık, "1990'larda Kadına Yönelik Aile İçi Şiddetle Mücadele Hareketi İçinde Oluşmuş Bazı Gözlem ve Düşünceler," *90'larda Türkiye'de Feminizm*, comp. Aksu Bora, and Asena Günal (İstanbul: İletişim, 2009), p.42.

[75] Altınay, and Arat, *Türkiye'de Kadına Yönelik Şiddet*, p.17.

[76] Ibid., p.20.

[77] Mor Çatı Kadın Sığınağı Vakfı, interview by Meltem Ahıska, ''Kadına Yönelik Şiddetle Uğraşmak Kadınlık Hallerine Nasıl Bir Ayna Tutuyor?'' *Şiddete Karşı Anlatılar: Ayakta Kalma ve Dayanışma Deneyimleri* (İstanbul: Mor Çatı Kadın Sığınağı Vakfı, 2008), p.180.

way to deal with women who came to shelters or applied to receive advisory services. Instead of judging women who survived violence or dictating what they should do, feminists claimed that a shelter should be a place where a woman can have a distance from her violent experiences and decide what she wants to do. The role of shelter workers should be to encourage women and provide the necessary information (about their legal rights, divorce or different training course they may attend to have a job) for those women to accomplish what they want to do. In addition, shelters are not charity organizations but rather spaces where solidarity among women should be built. This solidarity between a woman who faced violence and the shelter worker can be built, for feminists, as long as workers do not alienate themselves from their own subjective experience as a woman. Otherwise, the worker deals with the violence happened to "the other", whereas, for feminists (who work in shelters) all women face violence, although in different ways.[78]

In 1993, *Kadın Dayanşma Vakfı* opened the first independent woman shelter in Ankara with the economic support of Altındağ Municipality. With the change of municipal staff after the local elections of 1995, the support was taken back; the foundation ran the shelter until 1999 on its own when it finally closed down. *Mor Çatı* also raised money to run a shelter in 1995, but, by 1998, ran out of funds. Later on, in 2006, they opened a new shelter with the support of district governorship of Beyoğlu, Istanbul. In December 2008, the Governorship of Beyoğlu told them that they would no longer be funded by the state. This decision had come after the two-year funding provided by the World Bank had expired. Yet shelter run by *Mor Çatı* closed down, due to the fact that local municipalities could not take the risk of losing their authority over shelters because feminist women were much more sophisticated

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[78] Ibid., p.185-186.

about how to establish a shelter and what principles should be followed.[79] Yet, besides external reasons like problems with municipalities, tensions among women working in the shelters are also important in the closing down of the two shelters.[80]In March 2009, with the support of Şişli Municipality, the European Commission Delegation of Turkey and with the help of supporters and volunteers, *Mor Çatı* continues to run its independent shelter. In 1998, Women's Shelters Assembly (*Kadın Sığınakları Kurultayı*) was initiated by *Mor Çatı*, to discuss and share experiences with women organizations that provide assistance to battered women around the country.

So, the knowledge produced through theory and activism about domestic violence was practiced through shelters and counseling centers. The spread of feminist movement brought about the need for new spaces in order to share experiences with women groups from different cities and to develop politics Shelter Assemblies organized each year in different cities since its first gathering in 1998, should be considered as an outcome of this need. In fact, Shelter Assemblies can be understood as a technology[81] of women's organization on the one hand to share their experiences and knowledge and construct networks of solidarity, on the other. These assemblies became deliberation spaces for women with different backgrounds where they got to know each other. These gatherings were not only for deliberation but in time became an important space for developing a collective politics. The Shelter Assemblies have a significant role in the achievements in legal changes as regards to

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[79] Mor Çatı Kadın Sığınağı Vakfı, *Şiddete Karşı Anlatılar: Ayakta Kalma ve Dayanışma Deneyimleri* (İstanbul: Mor Çatı Kadın Sığınağı Vakfı, 2008), p.3.

[80] Işık, "1990'larda Kadına Yönelik Aile İçi Şiddetle Mücadele Hareketi İçinde Oluşmuş Bazı Gözlem ve Düşünceler," p.53.

[81] The term technology is used in the way Foucault understood it. Shelter Assembly is not a technology through which sovereign power operates in a repressive way; on the contrary, Shelter Assembly is a way to resist it.

adopting measures in the prevention of violence on behalf of women and children. These assemblies were also crucial in spreading the feminist challenge to the "woman question". As a matter of fact, the struggle against violence is related to other spheres of struggles like the women representation in decision-making bodies or the socio-economic status of women. So, the Shelter Assemblies had also a role in opening new discussions and changing the vocabulary and the politics within the women's movement as well.

"We Women" and its Limits

The Shelter Assembly should be understood as a contested space as well. There had been disputes and conflicts among different women's groups and feminists. For instance, in different assemblies there had been disputes between Turkish and Kurdish women. Although matters of debate vary in each particular instance, it can be argued that they stem from the fact that women have different identities that cause different ways of experience violence. In one of the assemblies, workshops that had been an important component of assemblies were postponed due to debates among different participants: During the Assembly in 2009, the pro Kurdish party named Democratic Society Party (DTP) was closed down by the Constitutional Court. Kurdish women wanted to leave the Assembly. They said that they were not protesting the Assembly but since they were also members of DTP, they had to deal with this crisis. Kurdish women's leaving the assembly led serious discussions. Some of the Turkish women accused Kurdish women for having priorities other than violence against women. Finally, some of the feminist women who were attending the Assembly demanded a discussion on nationalism and violence among women.

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They insisted that women could not struggle against violence without solving problems among themselves.

This event shows the limits of the "we women" approach. Feminist women, as it is stated earlier, claimed a subject position in a context where they were ignored. They claimed, as well, that every woman in the society face violence, although in different ways. However what these differences within this "we" were, how different women's subjectivities were constituted and what were the effects of these differences in the ways women experienced violence were questions that emerged through these encounters in the 1990s.

Differences among women were recognized but the category of "woman" was constructed upon their shared oppression by the patriarchal system and its apparatuses. So, these differences were not taken into account in the way being a woman was constructed since these differences did not prevent them from having a common oppression. According to Aksu Bora, feminists left out ideological differences as well as differences stemming from identities and class by delineating gender as a crosscutting category[82]. It was thought that class, ethnicity, religion, sexual orientation or ideology created difference but since gender as a category crosscut all these differences, it was not problematic to claim solidarity on the basis of "we women". For Bora, it was assumed in the late 1980s that socialism would solve the class struggle whereas feminism would solve struggle against gender inequalities: once you distinguish fields of struggle, you lessen the conflict[83]. Class

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[82] Aksu Bora, "Feminizm: Sınırlar ve İhlal İmkanı," *Birikim,* no.184-185, (Ağustos, Eylül, 2004). Also available [online]:
''http://www.birikimdergisi.com/birikim/dergiyazi.aspx?did=1&dsid=167&dyid=2871&dergiyazi=Feminizm:%20S%FDn%FDrlar%20ve%20%DDhlal%20%DDmkan%FD'' [15 April 2011].

[83] Ibid.

differences were recognized but even though women had different class belongings, the (assumed) shared gender problems were providing a common ground for women. So, in the feminist analysis, the cross-cutting conception of gender did not open a space to see how class, ethnicity or race were not gender neutral categories but rather, it provided a shared substance of being women. As Mohanty writes, "what binds women together is a sociological notion of the "sameness" of their oppression. It is at this point that an elision takes place between "women" as a discursively constructed group and "women" as material subjects of their own history."[84] This elision led to the fact that the closing down of the DTP was a matter of priority for Kurdish women. Kurdish women's struggle against violence could not be understood without a consideration of their ethnic identity which is constitutive of the way they are subjected to violence. The limit of the "we women" who have a shared experience had been the fact that the category of woman was imagined independently of other categories that constitute women's subjectivities.

As a matter of fact, gender does not represent a woman but rather the complex relations within society; the category of women cannot be thought independently of other categories such as class, ethnicity or other communal or ideological belongings. So, it is hardly possible to talk about a unified category of woman as well as a single way of experiencing violence.

The representation of woman independently of other categories was possible with the construction of a ready made and fixed subject, women as sexually different from men. It was assumed that this unified subject was determined by the shared oppression from men. Black feminist writer bell hooks states that "all women are

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[84] Chandra Talpade Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses", *Third World Women and the Politics of Feminism,* ed. C. T. Mohanty, A. Ross, L. Torres, (Bloomington: Indiana University Press, 1991), p.56.

oppressed" is the assertion constructing central tenet of modern feminist thought:

"This assertion implies that women share a common lot, that factors like class, race,

religion, sexual preference, etc. do not create a diversity of experience that

determines the extent to which sexism will be an oppressive force in the lives of

women."[85] The emphasis on the oppression of women has a radical feminist

background. As French feminist Christine Delphy writes:

> The rebirth of feminism coincided with the use of the term 'oppression.' The ruling ideology, i.e. common sense, daily speech, does not speak about oppression but about a 'feminine condition.' It refers back to a naturalist explanation: to a constraint of nature, exterior reality out of reach and not modifiable by human action. The term 'oppression,' on the contrary, refers back to a choice, an explanation, a situation that is political.[86]

bell hooks states for the context of the USA that the emphasis on the common

oppression "was less a strategy for politicization than an appropriation by

conservative and liberal women of a radical political vocabulary that masked the

extent to which they shaped the movement so that it addressed and promoted their

class interests."[87] For her, the "common oppression" was used as an excuse that

privileged women needed to ignore the differences between their own social statuses

and the masses of women. bell hooks here refers mostly to upper class white

feminists, who have privileged position within society but who wants more, like their

own career, like more rights benefiting women etc. Compared to a black woman or a

woman from working class, these women have a privileged position but they conceal

it with the shared oppression.

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[85] bell hooks, *Feminist Theory from Margins to Center*, (Boston: South End Press, 1984), p.5.

[86] Christine Delphy, ''For a Materialist Feminism,'' *New French Feminism* ed. Elaine Marks and Isabelle De Courtwron (Amherst: University of Massachusetts Press, 1980) quoted in bell hooks, *Feminist Theory from Margins to Center*, (Boston: South End Press, 1984), p.5.

[87] bell hooks, *Feminist Theory from Margins to Center*, p.6.

In the context of Turkey, the construction of the collectivity "we" on the basis of the women's shared oppression prevented women from seeing differences in the experience of violence. In addition, hierarchies within women due to their ethnic and class positions and their sexual preference or political belongings remained invisible for the sake of an assumed unity.

The anonymity of "we women" that was obvious in the early days of feminism was broken with various encounters with different women who were not part of the feminist movement or within the reach of it. Through these encounters, feminists faced their own discriminatory or exclusive practices and discourses. What is the most remarkable is that especially in speeches, Kurdish women, Muslim women, lesbian and transsexual women, women workers began to be named with the 1990s. Differences and different identities were included through this naming. This recognition of differences transformed the category of woman; it was not anymore as anonymous as it was in the beginning. For instance, another important matter of activism against violence that is not taken into consideration within the limits of this thesis but that should be mentioned is murders of transsexuals and transvestites. Feminist women protested against violence against transsexual and transvestite women in solidarity with the lesbian gay bisexual transsexual and transvestite (LGBTT) movement.[88] In fact, since the 1990s and especially in the 2000s, with the strengthening of the LGBTT movement in Turkey, heterosexism together with the violence and discrimination against LGBTT persons has been on the feminist agenda.

The most important break in taking into consideration differences among women in dealing with violence occurred through encounters with Kurdish women.

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[88] For a wonderful field study on the systematic violence against transsexuals in Istanbul, see Pınar Selek, *Maskeler, Süvariler, Gacılar: Bir Altkültürün Dışlanma Mekanı* (Ankara: Ayizi, 2011).

The 1990s were years when the state and the army had an oppressive attitude towards different social movements that re-emerged after 1980 military coups. The armed conflict between the Turkish army and the Kurdish movement had serious effects on the society, especially in the Kurdish region. In this sense, 1990s were years of paramilitary activities, disappearances under custody and forced village evacuations. Kurdish women who were subjected not only to domestic violence brought into the feminist agenda the militarist violence. Under these circumstances, feminist women had to adopt a new language and strategy in developing their politics against violence.

For Nazik Işık, the 1990s were years when feminist activism declined. As she argues, one of the reasons is that feminists who struggle against violence were torn apart from other constituents of women's movement leading to a lack of unity of discourse and action.[89] During the first half of the 1990s, Turkey wide campaigns were organized to change the Civil Code, abrogation of the Article 438, against virginity controls, "peace right now" campaigns in 1994. After 1995, small-scale local campaigns were organized.[90] In addition, there were not sufficient coordination and collaboration with other democratic movements. So, according to her, feminist women could not develop new politics in parallel with the changing circumstances and in cooperation with different social movements.

So, the change in the context had effects on feminist politics. Işık's argument is significant to show the difficulties in developing a new language and politics. Although, compared to period of campaigns there it could be argued that there was a decline in activism, it should also be stated that the 1990s were years that feminism

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[89] Işık, "1990'larda Kadına Yönelik Aile İçi Şiddetle Mücadele Hareketi İçinde Oluşmuş Bazı Gözlem ve Düşünceler," p.57-58.

[90] Ibid.

spread all over Turkey. This period could also be understood as a quest in theory and politics for different strategies in order to construct links with different women and different forms of violence.

In the process, constructing new networks with different women had an important role. As stated earlier, the 1990s was also the period when the feminist movement spread all over Turkey. Different women organizations were established in different cities and universities. Especially in the Kurdish region, women gathered together in order to create their institutions to struggle against violence against women. In Van, *Van Kadın Derneği* (VAKAD), in Batman and in Diyarbakır, *Selis Kadın Danışmanlık Merkezi*, in Diyarbakır, *Diyarbakır Kadın Sorunlarını Araştırma Merkezi* (DİKASUM) were established in order to deal with women's problems from literacy to job training, and counseling in cases of violence and providing assistance. Kadın Merkezi (KA-MER), which was founded as a limited corporation in Diyarbakır in 1997 today is spread to over twenty cities and is providing counseling and legal assistance for women subjected to violence alongside with different training and education courses. They are organizing meetings in order to struggle against the patriarchal power relations within the locality and context of the Kurdish region.[91]

Feminist women constructed networks with different Kurdish women's organizations. Through these networks feminist women shared their experience of developing feminist politics and struggle against violence. They also had the need to develop different strategies and discourses in their struggle against violence. The militarist state policies, not only under the circumstances of the war and conflict but

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[91] For more information on KA-MER, see Nebahat Akkoç, "Diyarbakır Ka-Mer'in Kuruluş Hikayesi ve Yürüttüğü Çalışmalar," *90'larda Türkiye'de Feminizm,* comp. Aksu Bora, and Asena Günal (İstanbul: İletişim, 2009), and Nebahat Akkoç, "Ka-Mer'in Feminizmi," *Amargi,* no. 4 (Spring 2007).

the way they shape the ordinary everyday life and the patriarchal power relations became part of the feminists' struggle against violence.

The Discovery of Militarist Violence

During the 1990s, women within the Kurdish movement began voice feminist claims and they criticized the feminist movement in Turkey for being blind to women of non-Turkish identity.[92] Towards the end of the 1990s and the beginning of the 2000s, several women's organizations, which struggle against violence against women or provide solidarity for women who experienced violence, were established in the Kurdish region. The war conditions since the late 1980s, the particular context of the Kurdish region is significant in the emergence of women's organizations fighting against violence. In 1999, in Istanbul, in order to provide legal support for women who went through sexual harassment and rape in custody, women lawyers and human rights activist established a legal aid bureau *Gözaltında Cinsel Taciz ve Tecavüze Karşı Hukuki Yardım Bürosu*. Within ten years, they received approximately 300 applications. These 300 women were not only composed of women who faced violence in custody but also during village evacuations or in the street by security forces. There are also women whose families exclude them after having suffered sexual assault or rape.[93]

Feminists, starting from the 1990s but especially in the 2000s, began to think that this war is not only Kurdish women's problem but that the militarist policies of

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[92] Aksu Bora, and Asena Günal, "Önsöz", *90'larda Türkiye'de Feminizm,* comp. Aksu Bora, and Asena Günal (İstanbul: İletişim, 2009), p.8.

[93] Eren Keskin, "Gözaltında Cinsel Taciz ve Tecavüze Karşı Hukuki Yardım Projesi," *Hepsi Gerçek: Devlet Kaynaklı Cinsel Şiddet*, ed. Eren Keskin and Leman Yurtsever (İstanbul: Punto, 2006), p.11-23.

the state, compulsory military service of each and every men, the culture of violence propagated through media and the nationalism against Kurds were related with the male violence in the west.[94] So, on the one hand, as a political and ethical stance against war, and on the other hand, seeing the civil war also as their own problem, feminists acted against war and the institutionalization of war and violence within the Turkish army and security forces firstly, but also within the society at large.[95]

In March 1996, under the umbrella of Human Rights Association (IHD) feminist women from Istanbul and Kurdish women from Diyarbakır founded Women's Initiative for Peace (*Barış için Kadın Girişimi*) which was disbanded in January 1997. Women from Islamic organizations (such as *Mazlum-Der*) also participate in the meetings. It was one of the first attempts to speak about the war in a language other than that of terrorism and security. Kurdish women coming from the conflict zone shared their experience of war and the way this war has effects on Turkish women "living away from those lands" was discussed. The aim of organizing a conference on war and violence and their effects on women could not be realized due to the inner dynamics of the group and the state's pressure on the

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[94] Although no study has been conducted thus far, ''black protest'' can be called as the first antimilitarist protest feminist women had organized. ''Black protest'' was organized in order to protest violence that political prisoners were subjected to and to 'support' their hunger strike. This protest shows that feminists who were struggling against domestic violence, 438th article and sexual harassment, were also struggling against the state violence in prisons with a feminist perspective. They were trying to construct links between the oppression in prisons, streets, schools and homes. See: Ayşe, "Siyah Eylem," *Feminist*, no.7 (March 1990), p.16-17.

[95] To see how military is constructed as the Turkish national identity through institutional policies and especially education and their implication for gender and ethnic relations see Ayşe Gül Altınay, *The Myth of the Military Nation: Militarism, Gender, and Education in Turkey* (New York: Palgrave Macmillan, 2004). For an analysis of the interrelations of patriarchy, war and militarism in the recent history of Turkey and analysis of experiences of anti-war and antimilitarist activism see Pınar Selek, *Barışamadık* (İstanbul: İthaki Yayınları, 2004). For a discussion on experiences of men in military service see Pınar Selek, *Sürüne Sürüne Erkek Olmak* (İstanbul, İletişim Yayınları, 2010). Also see *Amargi*, no.2 (Fall 2006).

group and generally on the Turkish left.[96] This was not the only occasion that women came together for peace.

In the late 1990s, Kurdish and Turkish women came together to organize 8 March meetings in Istanbul and these meetings were significant in the construction of solidarity between Kurdish and Turkish women. In June 2001, several meetings in the Kurdish cities of Diyarbakır and Batman and Istanbul were organized by women in order to know each other's problems and establish ties of solidarity. 2003 was the year of the Iraq war, and different activist groups protested against the war. Women initiated peace points in order to protest the USA and the involvement of Turkey. The devastation of war on lives and the environment, its long lasting effects on society and the relation of violence against women and the war torn everyday life experiences are articulated. The general public saw the social movements against the war in Iraq as legitimate. It cannot be denied that peace movements within Turkey against the war in Iraq provided a ground also to talk about the ongoing war in Turkey, although it is called "terrorism". When it is however Turkey's inner problem, people's and the state's stance alters. Feminists did not only stand against the war in Iraq but also against the lasting conflicts within the Turkish borders. In June 2003, women installed symbolic peace stands to call the ruling Justice and Development Party (AKP) government to take measures to establish internal peace. Their demand was for the patriarchal militarist politics against Kurds by reckoning with past atrocities and human rights violations. They wanted freedom of speech for

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[96] To see an article about this experience: Ilgıcıoğlu, Nilgün. " 'Barış İçin Kadın Girişimi'ne Kısa Bir Bakış." Available [online]: "http://feminisite.net/news.php?act=details&nid=48" [21 June 2011]. It should be noted that 1996 was the year of extensive state violence both in the Kurdish region as well as in Istanbul. It was the year of Habitat II, where the state intervened to any social movement and 'marginal' groups within the society. So, it cannot be considered as a coincidence that women from different political and/or ethnic background came together within than specific moment when the state violence was at its peak. The dissolution of social movements within that moment, as it is the case for the Women's Initiative for Peace, is the result of the state's pressure.

those who are oppressed by this war and demanded that the problems be solved through dialogue. When feminists wanted to expand this movement to Kurdish cities, one hundred and twenty-five women in Bingöl were arrested. The same year, 2003, the president of the women's branch of the Kurdish party DEHAP, was kidnapped by police officers and raped.

Women from Kurdish women's movement and feminist women founded Women's Initiative for Peace in May 2009. They defined themselves as "women gathering together for peace, struggling for peace."[97] They describe the initiative and their purpose as follows: "we are women who live in this country and exposed to the same violence although we are from different political and social background, identities, beliefs and sexual orientations. We are women who had been struggling against war and male violence, and, as women, we know what war means for women. … We want to voice our demand for peace in the whole country and try to modify our streets, homes, schools, work places into peace points in order to open the way for the constitution of peace."[98] They consider war not as an armed conflict occurring in a particular place and time but rather as a gendered process that affects and constitutes the organization of social, political and economic relations: "We think that war has been intensively and violently going on with or without arms and the army. Relations of motherhood and family, love, compassion conceals the violence women face in their everyday life. Violence against women in conflict zones can be possible due to the legitimacy of violence in peace time."[99] Their demand to end the ongoing conflict and war is not for the sake of the women living

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[97] Barış İçin Kadın Girişimi. 27 June 2010. "Kadın Barış Girişimi Nasıl Oluşturuldu?" Available [online]: "http://www.barisicinkadinlar.com/baris/haber_detay.asp?haberID=169". [21 June 2011].

[98] Ibid.

[99] Ibid.

in the Kurdish region. To put it another way, stopping the armed conflict is not their ultimate cause, because the militarist, nationalist and male dominating politics are the very reason for the everyday violence that women in Turkey face. The national budget is formed in such a way that there is no budget for women's shelters whereas a considerable portion of it is reserved for military expenses. Women face violence at home, by their intimates and have no place to go. When they are in the street demanding their rights, they face the violence of the police and these two different forms of violence, regardless of the fact that their perpetrators are different social actors, are the results of a common political patriarchal perspective. Women are constrained within roles of motherhood or wife; they can find a place within the society as long as they are compatriot and submissive. Within these confines, they cannot create solidarity with each other from their own standpoint as women.

Another important agenda of feminists since the late 1990s was Saturday Mothers. In order to ask the fate of their relatives who disappeared (mostly under custody during the 1990s), Saturday Mothers, like the mothers of the Plaza de Mayo in Argentina, gathered in İstiklal Street, Istanbul, every Saturday. For Meltem Ahıska, Saturday Mothers, by questioning the constitution of discourses on motherhood and care and by translating their meanings into political activism opened an important space for feminist politics in Turkey.[100]

So, feminist women initiated the struggle against violence from wife battering and throughout this struggle they faced different aspects of violence against women. These broadening of activism and understanding of violence against women had been a process of contestation and confrontation. On the one hand feminist

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[100] Meltem Ahıska, "Kayıp Annelerinin Şiddete Tanıklığı," *Amargi*, no.2 (Fall 2006), p.20-23. For further discussion on how motherhood is translated into antimilitarism activism and the difficulties activists went through, see Özlem Aslan, Politics of Motherhood and the Experience of the Mothers of Peace in Turkey (master's thesis, Boğaziçi University, 2007).

women had to struggle against different institutions that had active role in the production and perpetuation of violence; on the other they had to deal problems that emerged during the encounters with women having different experiences of violence other than domestic violence.

The above referred initiatives or groups that certain feminist women participated cannot be defined as feminist spaces (because they were not defined as feminist by its participants). However these spaces had been crucial for feminist women in order to transgress the limits that feminist women's own definition of "we women" created. Although these spaces cannot be labeled as "feminist", they provided the ground for different women identities as well as different ways of experiencing violence became part of the agenda of feminist women. They developed new strategies that transgress the limits of the "shared oppression" through these encounters.

With the spread of feminism and feminist movement in Turkey and through different encounters, feminist women had changed their own ways of defining violence and developing strategies against it. It is possible to trace this change in the way honor crimes were addressed.

From Honor Crimes to Murder of Women[101]

Crimes in the name of honor became an important matter of debate and activism in 2000s alongside with domestic violence. In fact, honor had always been an issue among feminists, since it is asserted to be one of the major causes for violence against women. However, with the new Penal Code, a new dichotomy was

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[101] Honor crimes will be further elaborated in Chapter IV.

introduced: honor (*namus*) and custom (*töre*). Before, in the court cases of crimes in the name of honor, judges used to apply unjust provocation clause to reduce the sentence. With the new Penal Code, "killing in the name of custom" (not honor) is defined as aggravating circumstance for homicide. So, with the new Penal Code, not only a distinction between custom and honor is introduced but also a distinction between honor and customary crimes and domestic violence is created.

As it will be discussed in Chapter IV, creating the dichotomy of honor and custom is a governmental technique to associate violence against women with Kurdish identity and culture. Feminist women challenged this frame: Firstly, they challenged the naming, honor crimes, and proposed "crime in the name of honor" in order to break the legitimacy of violence when it is related to honor. Later on, they challenged the focus on honor that works to separate a particular form of violence from other forms of violence and insisted on "murder of women" in order to put the emphasis on violence and women who are subjected to it. Instead of calling customary crimes, they initially insisted on the word honor, in order to show that violence against women is not restricted within a certain region (eastern or Kurdish region) but rather occurs everywhere in Turkey.

In May 2010, the *Istanbul Feminist Kolektif* assembled specifically for this purpose, started the campaign We Rebel Against Murders of Women (*Kadın Cinayetlerine İsyandayız*). Their motto was "the murder of women are political" and "men's love kill three women per day". The change in the naming is an attempt to emphasis the violence instead of its cause. The emphasis on the cause renders invisible the gendered character of violence and legitimizes it.[102] They are following court cases of murdered women in order to create pressure on the court to give the

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[102] "Kadın Cinayetlerine İsyandayız! Hilal Esmer ile Kampanya Üzerine Söyleşi," *Bü'de Kadın Gündemi*, no. 20 (Spring 2011). Available [online]: http://www.bukak.boun.edu.tr/?p=629.

appropriate sentence to the perpetrators and are organizing protests in order to make visible men's violence against women and the feminist approach to the violence.

So, feminist women had been trying to construct links between different forms of violence that women from different class or ethnic identities were subjected to. They wanted to put the emphasis on "violence" and "women" in their activism in order to challenge the limits in the state policies. However, with this new naming the role of honor in determining women's lives, different forms of domestic violence and its relation with violence women face in different spaces and ways are ignored. In fact, women are not murdered as women but also as wives, mothers or daughters. In other words, the place of women within family and the society and the meanings attached to these different roles are rendered invisible in the way violence against women is understood.

There is not a true feminist position in theory and practice in coping with violence against women. As Teresa de Lauretis states, there is a tension of a twofold pull in contrary directions: "the critical negativity of its theory, and the affirmative positivity of its politics."[103] This tension is both "the historical condition of existence of feminism and its theoretical condition of possibility."[104] So, what is productive for theory and praxis is constantly questioning this tension without prioritizing one over the other.

The tension in discourses and policies on violence against women is not only limited within feminist women. As it is argued before, there is a dialogical relation among different actors who produce knowledge and policies on violence. The position of feminist women had taken varied depending on the context that these

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[103] Teresa de Lauretis, *Technologies of Gender Essays on Theory, Film, and Fiction* (Bloomington: Indiana University Press, 1987), p.26.

[104] Ibid.

different actors set. In the following chapter, different techniques and discourses on

violence against women through which this context had set will be elaborated.

CHAPTER III

VIOLENCE AGAINST WOMEN AS A LEGAL AND MEDICAL PROBLEM

The focus of this chapter is to analyze the two discourses that have emerged to
contain and negate feminist positions with regard to violence against women: One is
a legal discourse that works to negate violence against women as a "normal" practice
by confining to a discourse of deviance. The other is the medical discourse that
defines violence as an illness and claims to solve it through medical treatment.

As discussed in Chapter II, the "woman question" as it was posed and dealt
with within the limits of state feminism had important effects on the way discourses
on violence against women were constructed. Hence, problematizing violence within
the modernist understanding of the "woman question" limited the policies to reforms
and institutional arrangements, without questioning the violence immanent in the
constitution of the modern structures themselves.

This does not come to mean that legal reforms are not important for women
or that government institutions as well as other state institutions should not be
involved in the struggle against violence. Foucault, in his article "What is
Enlightenment?" argues that one does not have to be for or against the
Enlightenment. This means a refusal of what he calls the "blackmail" of the
Enlightenment:

> [O]ne has to refuse everything that might present itself in the form of a
> simplistic and authoritarian alternative: you either accept the Enlightenment
> and remain within the tradition of its rationalism (this is considered a positive
> term by some and used by others, on the contrary, as a reproach); or else you
> criticize the Enlightenment and then try to escape from its principles of
> rationality (which may be seen once again as good or bad).[105]

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[105] Michel Foucault, "What is Enlightenment?" *The Foucault Reader*, ed. Paul Rabinow (London:
Penguin Books, 1984), p.43.

For him, as modern subjects, we are all determined to a certain extent by the Enlightenment; what should be done is to analyze these processes and this analysis should be, in his words, "oriented toward the "contemporary limits of the necessary", that is, toward what is not or is no longer indispensable for the constitution of ourselves as autonomous subjects."[106] However, Foucault does not propose a gesture of rejection but rather what he calls a "limit-attitude". For him, criticism must consists of analyzing and rejecting upon limits and transgressing those limits: "The point, in brief, is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible transgression."[107]

For Dean, the transgression Foucault is proposing, is "working at limits in accord with an attitude of modernity." These limits have defined ways of being, doing and thinking and "seeking the ever-present possibility of undefined work of freedom."[108]

> Transgression, then, is not a residual equivalent of the global emancipation of the subject, but a possibility arising from the work of criticism, an option emerging through trenchant historical and theoretical work. There can be no a priori that favours either transgression or the maintenance of the present *status quo*. This is a form of critique which uses the knowledge of limits to establish political options without prescribing resolutions.[109]

By suggesting that legal reforms and institutional arrangements concerning violence against women have its own restrictions, I am trying to engage critically with these limits. So, I am not underestimating the importance of the campaigns organized by feminist lawyers and activists with the participation of different women's groups in

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[106] Ibid.

[107] Ibid., p.45

[108] Mitchell Dean, *Critical and Effective Histories: Foucault's Methods and Historical Sociology* (London: Routledge, 1994), p.54.

[109] Ibid.

order to change the Civil Code, the Penal Code and the Constitution on behalf of women. Their activism on the one hand renders visible the issue of violence and on the other opens a field of struggle and survival for women as well as those who are subjected to violence. So, the point is not to argue that because violence is at the constitution of the modern legal system and all the institutional apparatuses, women should not demand equal rights or protections in cases of violence. The aim of this chapter is to try to think about "knowledge of limits" in the way Dean puts it, and question how criminal and medical discourses restrict different political options and hides power relations.

Legal Reforms on Violence against Women

Reforms in the International Laws

The emergence of feminism in Turkey and bringing the issue of violence on the agenda of the governmental policies cannot be thought independently of international trends. Social movements and feminist movements especially in Europe and the USA during the 1960s and the 1970s had influences on international bodies. However the recognition of women's rights and adopting anti-discriminatory regulations and including gender-based violence in the politics took a long time to was achieve. As Yakın Ertürk states:

> The progression in recognition of women's human rights within the United Nations has been slow, beginning with addressing civil and political exclusions/restrictions during the early periods of the organization and moving on to women's integration into development in the 1960s, then on to addressing sex discrimination in public and private arenas - within the family, employment, development, health, education and the State - in the late 1970s,

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as embodied in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Although women did gain a comprehensive bill of rights through CEDAW, the treaty did not explicitly name violence against women (VAW) until 1992 in its General Recommendation 19 on VAW, thereby reading gender-based violence into several of the treaty's substantive provisions.[110]

The United Nations dedicated the year 1975 as International Women's Year. The same year, the First Women's World Conference in Mexico City gathered. The UN proclaimed the following ten years (1976-1985) as The Decade for the Advancement of Women.[111] According to Ertürk, the decade served on the one hand to consolidate the idea that development is not possible without the full participation of women in all phases of life and on the other, transformed the organization itself, as the intergovernmental process became more intimately linked to voices from grass-roots movements, thus enabling greater NGO participation in agenda and policy setting.[112] In 1979, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted. In 1980 in Copenhagen and 1985 in Nairobi the second and third world conferences on women is organized.

Women's problem of discrimination, equality, and participation in public and political spheres made their way into public debate. These developments also paved the way for a more unspoken issue, violence against women to be debated publicly as well. It is in 1992 that the CEDAW Committee, adopted General

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[110] Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, Addendum, 15 Years of the United Nations Special Rapporteur on Violence Against Women, its Causes and Consequences (1994-2009)- A Critical Review. p.7.

[111] The UN declared the period from 1961 to 1970 as the first decade for development. According to Ertürk, this was the result of ''third worldism'' that marked the intellectual and activist climate of 1960s and that results in a policy shift from economic growth model to welfare economy and equitable redistribution.
Yakın Ertürk, "The UN Agenda for Women's Rights and Gender Equality," *Perceptions, Journal of International Affairs – Special Issue on the United Nations* –10, no.2 (Summer 2005), p3.

[112] Ibid., p. 4.

Recommendation No. 19, defining violence against women as a form of discrimination. This was followed by the recognition of "women's rights as human rights" at the 1993 World Conference on Human Rights, in Vienna. So, violence against women was officially recognized as a human rights violation. The same year, United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women (DEVAW).

In General Recommendation no. 19 it is specified that: "[u]nder general international law and specific human rights covenants, states may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation."[113] This article restated that violence against women could not be considered as a private matter; it is a political matter and states should adopt policies and develop institutional politics in order to prevent violence and protect women who are subjected to it.

In 1997, the UN General Assembly adopted a resolution that promotes the model of protection orders: "Courts, subject to the constitution of their State, have the authority to issue protection and restraining orders in cases of violence against women, including removal of the perpetrator from the domicile, prohibiting further contact with the victim and other affected parties, inside and outside the domicile, and to impose penalties for breaches of these orders."[114]

With the 1990s, violence against women with its different aspects was

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[113] Committee on the Elimination of Discrimination against Women, *General Recommendation no. 19*, *Violence against Women 11th session*, *UN Doc. A/47/38, paragraph 9,* 1992.

[114] Crime prevention and criminal justice measures to eliminate violence against women: Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, recommended by UN General Assembly Resolution 52/86 of December 12, 1997.
Human Rights Watch. 2011.*"He Loves You, He Beats You" Family Violence in Turkey and Access to Protection*, p.13. Available [online]: "http://www.hrw.org" [20 July 2011].

included in international law and declarations. In this respect, violence in different spheres like the family, community or in the public sphere were deemed to be the responsibility of state institutions in preventing as well as in investigating and compensating acts of violence.

With the increase in civil wars in the 1990s especially in Yugoslavia and Rwanda as well as in other parts of the world, violence against women in conflict zones and sexual assault became part of the UN agenda. In 1995, at the Fourth World Conference on Women in Beijing, the international community adopted the Platform for Action containing 12 critical areas of concern, one of which was violence against women. The Platform for Action also included women and armed conflict and the human rights of women among its critical areas of concern. As the result of demands, The Rome Statute of the International Criminal Court (ICC) includes rape, sexual slavery, enforced prostitution, forced pregnancy in the definition of crimes against humanity and war crimes. Another important achievement is the Resolution 1325 adopted by Security Council on women, peace and security, emphasizing the importance of involving women at all stages of peace negotiations and reconstruction, as well as the obligation to protect women from sexual and gender based violence during conflict.

<u>Legal Changes in Turkey</u>

The feminist activism both in the streets through campaigns, and the knowledge produced through the experience of shelters and academic studies shaped state policies as well developments in the international law.[115]

In 25 October 1990, The General Directorate for the Status of Women was established under the Ministry of Labor and Social Security. The Directorate focused on violence against women and conducted projects with the help of the UNDP against violence against women. In 1991, the Ministry of Woman and Family was established.[116] In 1994, Information Inquiry Bank, 3B (*Bilgi Başvuru Bankası*), was instituted under the Directorate and allowed women from all over Turkey to reach the Directorate through a telephone line. Through this line, legal and psychological counseling was provided to women and women in need of shelters were directed to shelters.

In the late 1990s, there were two important legal arrangements with respect to the state's attitude towards violence against women.[117] One of them was the legislation of the Law 4320 on the Protection of the Family promulgated on 14 January 1998. The law, amended in 2007, established a protection order system.

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[115] It should also be noted that Turkey's European Union accession process also had serious impacts in changes in state policies and laws, especially after 2000s.

[116] Feminists and woman's organizations for several reasons criticized the establishment of the ministry. Firstly, the fact that the name of the ministry includes the word ''family'' was a matter of debate. Secondly, lack of cooperation with woman's organizations during the establishment and thirdly the inclusion of social services in its responsibility areas were matter of debates. In fact, they argued that constructing the ministry in this way, problems faced by women was separated from other problems in the society and that women were categorized as a ''social'' issue. Serpil Çakır, and Hülya Gülbahar, "Türkiye'de Kadın Hareketinin Yüz Yılı Kronolojisi," *2000 Ajandası* (İstanbul: Kadın Eserleri Kütüphanesi ve Bilgi Merkezi Vakfı, 2000), p.256.

[117] Işık, "1990'larda Kadına Yönelik Aile İçi Şiddetle Mücadele Hareketi İçinde Oluşmuş Bazı Gözlem ve Düşünceler," p.60.

With this protection order, the person subjected to violence by a family member who lives under the same roof can apply to a family court and get protection. The other important legal arrangement is about shelters: women's shelters became a social service institution with a law amendment and the Social Services and Child Protection Agency (SHÇEK) women's guesthouse regulation.

In November 2001, the Turkish Grand National Assembly accepted the new Civil Code, which formally ends the identification of men as "heads of households." In July 2006, The Prime Ministry's Circular No. 26218, which delineates measures for the prevention of violence against woman was adopted as state policy, a permanent Commission for the Equality of Men and Women[118] at the Turkish Grand National Assembly was instituted and this commission established a Violence Against Women Watch Committee under the leadership of the General Directorate for the Status of Women. Furthermore, financial support for independent shelters established by civil society organizations was provided. The implementation of these measures is another matter of debate and one of the important fields of struggle for the women's movement is in the realization of these measures. For instance, article 14 of the Municipal Code No. 5293 obliges all metropolitan municipalities and all municipalities with a population exceeding 50,000 to open "homes for the protection of women and children;" however, no progress has been achieved on this front.[119]

Another important debate in Turkey about violence against women has to do with crimes committed in the name of honor (*namus*) or custom (*töre*), a debate that became an important issue among feminists. Since 2005, the new Penal Code defines acts of sexual violence as acts committed against the integrity of individuals, rather

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[118] In February 2009, the commission's name changed and it became The Commission for Equal Oppurtunity of Women and Men.

[119] Altınay, and Arat, *Violence against Women in Turkey A Nationwide Survey,* p.3.

than against "general morality and the family order," and increases the terms of punishment for crimes committed in the name of "honor" which before, was considered legally also constitute an extenuating circumstance. This development is in line with the Beijing+5 special session of the United Nations General Assembly that identified as violence against women culturally legitimate violent practices that were not specifically mentioned in previous declarations. In addition, European Union pre-accession processes were effective in the way the Turkish government took steps in developing state policies to combat violence against women. The Directorate General on the Status of Women in relation with European Union, conducted nationwide research on violence against women and developed a ''National Action Plan'' to combat domestic violence, in 2007.

Apart from legal arrangements and reforms, governmental bodies like Directorates for the Family Research[120] and the Status of Women conducted several studies on violence against women since the 1990s. In those researches, the feminist movement's perspectives and demands on violence are included. However, the Directorate's projects and researches on domestic violence should be considered as part of a policy that tries to contain feminist movement within its own ideological and political perspective.

In fact, feminists who challenged the family, the constituent unit of the Turkish nation, were never 'welcomed' by the ruling elites. For instance the minister of state responsible for the family, Cemil Çiçek, in 1990, stated that "flirting is prostitution" (which can be read as a challenge to feminists demanding free love and

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[120] In fact, feminist women protested the Directorate on Family Research established in November 1990. Thirty women went to court to divorce, in order to protest the state policies to enforce Islamic-Turkish family structure and values. Serpil Çakır, and Hülya Gülbahar, "Türkiye'de Kadın Hareketinin Yüz Yılı Kronolojisi," *2000 Ajandası* (İstanbul: Kadın Eserleri Kütüphanesi ve Bilgi Merkezi Vakfı, 2000), p.254.

sexuality by problematizing the oppression on women's sexuality) and "feminism is perversion" (*feminizm sapkınlıktır*). However, it also shows the power of the feminist movement and the difficulty in ignoring it while studying the regulation of violence against women.

In addition, there are red lines: although the Turkish state recognized domestic violence and was taken significant steps in order to prevent it in the 1990s, gender based violence in public and especially in conflict zones and in prisons and under custody remained unaddressed. For instance, one of the ministers in 1995 commented about three women members of the European Parliament who were visiting Turkey to observe human rights violations with the following statement "Can three European whores put pressure on us?"[121] On the one hand, domestic violence became a political issue and state institutions had to adopt legal arrangements or make structural changes in order to respond to the demands on behalf of women. On the other hand, violence against women, especially in the cases where the state is responsible for severe human rights violations, is understood as a private issue, an "internal problem" that should be solved "inside" (solution here does not necessarily be on behalf of the victim). The idea of the family as a private realm with secrecy and honor is extended to the nation. This symbolic construction of the nation on a representation of the family, makes it possible to associate European parliament women and "whores": since women are supposed to stay within the borders of the home headed by the husband or father, the only possibility for a woman to leave her home and interfere in someone else (some other men's) home can only be possible if that woman is a whore.

In this respect, there is a strong resistance to accept changes that opens ways

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[121] Çakır, and Gülbahar, "Türkiye'de Kadın Hareketinin Yüz Yılı Kronolojisi," p.264.

for empowerment of women. The recent report of Human Rights Watch on domestic violence in Turkey has similar findings. It shows that some women deserve violence in the eyes of state officers who are supposed to act on behalf of women subjected to violence:

> Some lawyers use international conventions, such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), to argue there should be no discrimination against women in terms of their eligibility for protection orders. However, some judges have dismissed this argument, in one case saying, "National law is our law, don't come to us with this," and in another, "International law does not apply to our traditions." This is despite article 90 of the Turkish Constitution, which states that national law cannot override international agreements that pass into law.[122]

In this respect, the problem is not "lack" in implementing laws but rather how violence against women is understood and justified within everyday lives, and remembering feminist motto "the personal is political", personal stances and views on violence against women cannot be analyzed independently of the social and cultural context. This social and cultural context, as argued throughout the thesis, is formed at the intersection of modernity and tradition, nationalism and the family, and honor; all being gendered and gendering categories and concepts.

Legal reforms had been an important field of struggle for feminist women. As a matter of fact, it can be argued that there is a dialogical relationship: on the one hand, feminist women in cooperation with different women groups initiated campaigns for legal reforms and tried to participate in the way these reforms were done. On the other hand, the laws and reform processes set the context within which feminist women struggled against violence. Therefore, it is significant to look at the limits of the legal discourse as well.

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[122] Human Rights Watch. 2011. *"He Loves You, He Beats You" Family Violence in Turkey and Access to Protection*, p. 19. Available [online]: "http://www.hrw.org" [20 July 2011].

The "Fetishism of Law"

According to Comaroff and Comaroff, one of the dimensions of the neoliberal system or millennial capitalism is the "fetishism of law": "like all fetishes, the chimerical quality of this one lies in an enchanted displacement, in the notion that legal instruments have the capacity to orchestrate social harmony."[123] There is an assumption (a belief in) that constitutions, laws, rights, legal remedies will accomplish justice and empowerment. For Comaroff and Comaroff:

> In situations in which the world is constructed out of apparently irreducible difference, the language of the law affords an ostensibly neutral medium for people of difference –different cultural worlds, different social endowments, different material circumstances, differently constructed identities- to make claims on each other and the polity, to enter into contractual relations, to transact unlike values, and to deal with their conflicts (…) If law underpins the *langue* of neoliberalism, constitutionalism has become the *parole* of universal human rights, a global argot that individuates the citizen and, by making cultural identity a private asset rather than a collective claim, transmutes differences into likeness. It is an open question whether or not these constitutions yield any empowerment at all.[124]

Legal reforms had been seen as the remedy for the "woman question" in Turkey. For instance, Turkish Women Association (*Türk Kadınlar Birliği*) in 1935 declared self-dissolution because "Turkish women are granted equal rights with Turkish men"[125]. For Zihnioğlu, this was not the real reason: the association was dissolved because of the power relations within the ruling party and its pressure upon the association. I am not concerned here with the power relations, but rather with the fact that "equality

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[123] Jean Comaroff, and John L. Comaroff, "Millennial Capitalism: First Thoughts on a Second Coming," *Millennial Capitalism and the Culture of Neoliberalism* (London: Duke University Press, 2001), p.38.

[124] Ibid., p.39-40.

[125] Yaprak Zihnioğlu, *Kadınsız İnkılap/ Nezihe Muhiddin* (İstanbul: Metis Yayınları, 2003), p. 258.

before law" was deemed a legitimate and sufficient discourse for closing down an association that works on the "woman question".

The new constitution debate that had started with the Justice and Development Party (AKP) government period can also be thought along these lines. Major problems in the society, such as the Kurdish question, are supposed to be solved with a new constitution and different legal arrangements. A similar understanding is valid with respect to violence against women. As pointed to earlier, this statement does not undermine the importance of legal rights or the struggle of feminists and of other social movements to have a more democratic constitution; however, such a focus and emphasis on the law has its own limitations both in ending violence and human rights violations and in the productivity of activism and politics.

An Inevitable Conflict: The Law and Everyday Life

It is obvious that human rights based on universal principles[126] are important for those who are oppressed and victimized by different institutions and agents that have a sovereign or ruling position within power relations. However, there is always a tension between the universal and the particular. Laws that are based on universal principles may be incompatible with every day practices.

The incompatibility can be traced in the rise in the incidence of the murder of women in recent years and the new Civil Code (2002). As Comaroff and Comaroff argue, laws individuate citizens and transmute differences. Through a claim of

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[126] What universal is, how power had operated in the very definition of universal and what are principles included and excluded are important matter of debates that cannot be debated in this thesis. With universal principles, I what to refer to principles like everyone has the right to live.

universalism, particularities are forgotten. It can be argued, following Comaroff and Comaroff then, that the changes in the Civil Code, which were on behalf of women in spite of gaps and lacks, may have effects on women in an opposite direction than what was suppose to be.

With the new Civil Code, "the old legal approach, which assigned women a legislatively subordinate position in the family with rights and duties defined in relation to the husband, has been abandoned in favor of one that defines the family as a union based on equal partnership."[127] The legal improvements in favor of women include: the husband is no longer the head of the family, spouses are equal partners, jointly running the matrimonial union with equal decision-making powers, spouses have equal rights over the family abode, the property acquired during marriage and they have equal representative powers. In addition, According to Article 197 of the Civil Code, "either of the spouses has the right to live apart from the other as long as living together seriously endangers his or her personality and economic security or family harmony". With the change in the Penal Code in 2004, adultery is no longer considered a crime.

The motivations or reasons put forward by men for killing their wives, include adultery (including, acts such as talking to other men and rumors or suspicion of such acts), leaving home (women generally return back to their parents' -or other close relatives'- home), divorce and not being good wives (meaning not accomplishing domestic works and duties for instance being a bad cook).[128]

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[127] Women for Women's Human Rights (WWHR) – NEW WAYS. February 2005. *Turkish Civil and Penal Code Reforms From a Gender Perspective: The Success of Two Nationwide Campaigns*, p.8-9. Available [online]: "http://www.wwhr.org/files/CivilandPenalCodeReforms.pdf." [25 July 2011]

[128] "bianet Şiddet, Taciz, Tecavüz Çetelesi Tutuyor". 8 February 2009. Available [online]: "http://bianet.org/bianet/toplumsal-cinsiyet/106378-bianet-siddet-taciz-tecavuz-cetelesi-tutuyor" [10 June 2011].

Here the point is that there is a discrepancy between the laws and everyday lives. Granting legal rights does not mean that these women enjoy these rights in their everyday practices. Furthermore, women are murdered because they use their rights. As Mojab puts it, "while citizens in some sixty countries have been able to deny the state the right to capital punishment, they have failed to deny individual men the power to kill women."[129] So, legal equality or rights do not immediately mean the empowerment of women. As Comaroff and Comaroff states, "power produces rights, not rights power"[130].

In discussing legal arrangements in international law in order to protect woman from honor related crimes, Yakin Ertürk states that the "empowerment of women, a primary goal of the international gender agenda, as a strategy to resist violence, in the case of honor crimes, may in fact result in increased violence against women. Such was the case with Fadime Şahindal who was killed by her family in Sweden in 2002 because she dared to deviate from norms prevailing in her family and kinship environment."[131]As Nazan Üstündağ argues, the struggle against violence against women cannot be conducted in opposition to familial relations because women's identities are constructed in relation to family and kinship in Turkey and the very constitution of these identities within familial relations is a violent one. So, violence against women should be contextualized within these particular relations without denying them.[132] So, on the one hand legal rights are

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[129] Shahrzad Mojab, "The Particularity of 'Honour' and The Universality of 'Killing'," *Violence in The Name of Honour: Theoretical and Political Challenges,* ed. Shahrzad Mojab, and Nahla Abdo (İstanbul: İstanbul Bilgi University Press, 2004), p.24.

[130] Comaroff, and Comaroff, "Millennial Capitalism: First Thoughts on a Second Coming," p.38.

[131] Yakın Ertürk, "Violence in the Name of Honour within the Context of International Regimes," *Violence in The Name of Honour: Theoretical and Political Challenges,* ed. Shahrzad Mojab, and Nahla Abdo (İstanbul: İstanbul Bilgi University Press, 2004), p.166.

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important for women to produce different fields of struggle against the violence they are subjected to, but, on the other hand, laws are not always representative of the materiality of everyday relations; in other words, they cannot correspond to the particularities of each context.

Discourses of Crime and Criminality

Another important aspect with regard to legal discourse is that it can also constrain violence within the discourse of criminality. As Comaroff and Comaroff argue the law "individuates" citizens. Although in cases such as crime against humanity or hate crimes, the crime is not defined as an individual act, in Turkey, in court cases of on the murder of women, the crime is seen as an individual act of the criminal. Following court cases is an important field of activism for creating solidarity with women or in cases of murder, to demand justice for the woman and all women in Turkey. Feminist lawyers especially try to intervene in cases of the murder of women however their demands are generally rejected on the basis of the argument that they are not the "victim" of the specific act.[133]

The minister of the Family and Social Policies announced that there would be a new system of electronic surveillance for men who violate the protection order. This system, through electronic handcuffs, will survey the "violent men" to see whether they act in accordance with the protection order. The point here is not that perpetrators should be free, rather, controlling criminals or potential criminals in

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[132] Nazan Üstündağ, "Toplumsallık, Şiddet ve Kadınlık İlişkisi Üzerine Bir Deneme", *Amargi,* no.4 (Spring 2007), p.18-19.

[133] Nur Centel, "Ceza Mahkemesi Hukukunda Müdahillik ve Suçtan Zarar Gören Kavramı," *Türkiye'de Toplumsal Cinsiyet Çalışmaları*, comp. Hülya Durudoğan, Fatoş Gökşen, Bertil Emrah Oder, and Deniz Yükseker (İstanbul: Koç Üniversitesi Yayınları, 2010), p.239-250.

order to struggle against male violence shift the focus from violence to the discipline of individual bodies. This argument will be discussed further with respect to bio-politics in the following pages.

Attempts to "solve" the issue of violence through legal arrangements prevent the visibility of the violence immanent in the construction of social, economic or political relation in liberal capitalism based on the rule of law and the violence they produce. The liberal discourse that confines violence against women within the limits of crime and criminality can operate and render invisible its own violence through two basic assumptions. The first one is the assumption of contract theories; that is, violence exists in the state of nature and with the establishment of the state and the law, it will be eliminated. The second assumption stems from the first one, which is briefly that violence is a state of exception, an exception to the rule of law and therefore a crime.

Walter Benjamin in his article "Critique of Violence" conceptualizes violence not as natural but rather political. Contract theories, that provide the basis for liberal theory, assume a pre-political time where there is violence, chaos and no law. The contract is the moment where the sovereign and the law are constructed with the consent of the people. From this moment on, any act of violence is outside the law with the exception of the sovereign and/or the state exercising violence, which is in fact within the limits of the constitution. Benjamin opposes this pre-political and pre-legal understanding of violence and its relation to law; rather he proposes a definition where violence is immanent to law. Violence is in the foundation of the politics. In this respect, liberal democracies are founded with violence and violence is intrinsic to their nature. For him, "the origin of every contract also points toward violence". As he writes, "law's interest in a monopoly of violence vis-à-vis individuals is not

explained by the intention of preserving legal ends but, rather, by that of preserving the law itself; that violence, when not in the hands of the law, threatens it not by the ends that it may pursue but by its mere existence outside the law."[134] For Benjamin, law making is power making. So, since violence is at the heart of constituting and destroying power, it should be confined by law, which justifies the existence of the sovereign.

In fact, within the legal discourse, one of the arguments in instances of violence against women is that laws are on behalf of women who are subjected to violence but there are problems in the implementation. This statement can be deconstructed following the way Benjamin analyzes the relation between violence and law. As Derrida points out, the English word "enforce" used in the sense of implementation of a law shows that force is intrinsic to law and that violence and law cannot be separated from one another.[135]

Therefore, these analyses on the relation of violence and law are inspiring for feminist theory as well. Violence against women in this respect may be considered not as a violation of law but rather as the very constitution of the rules and norms that regulate and control the social relations and institutions as well as subjectivities and practices.

This point also opens different ways to think about the issue of criminality. In fact, such a conceptualization of violence blurs the boundaries between who is criminal and who is not. In other words, if the constitution of the law is related to power relations –that are ultimately violent- the very definition of the crime can be

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[134] Walter Benjamin, "Critique of Violence," *Reflections: Essays, Aphorisms, Autobiographical Writings* (NewYork: Marcourt Brace Jovanovich, 1978), p.281.

[135] For further discussions on law and justice see Jacques Derrida, "Force of Law: The Mystical Foundation of Authority," *Deconstruction and the Possibility of Justice,* ed. Drucilla Cornell, Michel Rosenfeld, and David Gray Carlson (London: Routledge, 1992), p.29.

problematized. So, if laws are established through violence and 'enforce' particular norms and regulations, how can criminality be considered as an exclusively individual phenomenon? The argument here is not to open a discussion whether killing a woman is a crime or not. What is questioned is to see limits of the discourse of crime and criminality in talking about violence against women. This can also be a question for politics that does not aim only to punish perpetrators but to change the organization of gendered power relations.

Such a conceptualization of law and violence does not have to lead to the argument that violence is everywhere and there is nothing that can be done. I think, it is more productive to think in a different way: on the one hand, justice for women cannot be realized only within a legal framework, so, different ways of politics, activism and organizations should be considered (the point that feminists had always been making by emphasizing the importance of practicing women's solidarity); on the other hand, to engage critically with our own subject positions. That is, those who are struggling against violence are not outside power relations, there is no violence-free zone. So, the categories, concepts or struggle techniques developed in order to end violence against women can also produce different forms of violence.

Teresa de Lauretis states a link between "rhetoric of violence" and "violence of rhetoric". For her, the Foucauldian notion of "rhetoric of violence" is an order of language which speaks violence: the fact that we name certain acts, behaviors or words as violent and others not is at the very constitution of our understanding of violence[136]. This argument leads us to its reverse, the violence of rhetoric: "… if violence is in language before if not regardless of its concrete occurrences in the world, then there is also a violence of rhetoric, or what Derrida has called the

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[136] Teresa de Lauretis, *Technologies of Gender Essays on Theory, Film, and Fiction*, p.32.

violence of the letter. "[137] Therefore, the critique of violence always require an engagement with one's own position within power relations and question the very concepts and categories used to talk about.

Medical Discourses on Violence

In developing institutional policies and politics, there is a strong tendency to focus on the reasons of violence. Especially, traditional values, poverty or unemployment and education level can be listed as primary reasons[138]. There are other reasons as well that can be categorized as medical discourse: psychological problems (especially from the childhood), deviancy or alcoholism.

According to Eva Lundgren, what is important in feminist research on violence is "not to ask the question why". According to Lundgren, focusing on causes of violence isolates acts of violence as number of separate events and misses the point that experiences of violence are intertwined and that violence get normalized in everyday experiences and relationships.[139] In this way, the act of violence or the perpetrator and perpetrated are stigmatized and considered as 'abnormal' whereas the feminist literature and studies on violence claims that violence is constitutive of what is called "normal" or "ordinary".

In the Combating Violence against Women National Action Plan, violence against women is defined as a "public health" problem. In 2011, new legal arrangements are proposed including testosterone treatment or "castration" in rape

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[137] Ibid.

[138] Discourses on poverty, education and tradition will be discussed in Chapter IV.

[139] Eva Lundgren, *Process of Normalizing Violence* (Stockholm: Rocks, 2004), p.7.

cases and sexual abuse of children as a "punishment" for the perpetrator. The medical approach to violence is not a new phenomenon in Turkey. In this part, how violence against women is understood as a medical phenomenon and the limits of such an understanding in Turkey will be discussed.

Here, the aim is not to argue that violence does not have medical consequences. Especially in cases of physical violence, women need medical intervention. In addition, women subjected to violence may need, depending on their particular conditions, to have psychological or psychiatric assistance.[140] The argument here, following Foucault's analysis, is the use of a medical language.

It can be argued that there are two different yet interrelated ways in the medical discourse circulating with respect to violence against women: The first one is violence as a natural, genetic phenomenon and the second one is violence as an illness.

In the research Violence in Family and Society (*Aile İçinde ve Toplumsal Alanda Şiddet*) conducted by the Family and Research institution, the causes of violence and violent behaviors of men are explained by comparing it with that of animals. According to the study, the violence of animals is natural. Since human beings are far more complicated creatures and have more complex relationships than animals, whether violence is immanent to our biology or learned trough socialization is hard to answer, yet the answer is both.[141] Especially the fact that sexual arousal and assault are closely connected is shown by different studies conducted on humans

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[140] It should be noted that there are different approaches both in psychology and psychiatry literature to violence and women subjected to violence that is not taken in to account within the limits of this project. What is worth to note however is that these medical or psychological interventions are important fields of analysis in the way they approach women and the treatment processes.

[141] TC Başbakanlık Aile Araştırmaları Kurumu, *Aile içinde ve Toplumsal Alanda Şiddet*, (1998), p.10.

and animals.[142] It is the androgen hormone that causes assaults, for men. However, it is emphasized that different than animals, hormone levels alone cannot explain violence. Still, according to the study, experiments on men and animals show that in both species, the male is more violent; the estrogen hormone, repress violent behaviors in females.[143]

The comparison with animals can be understood with respect to the assumption that violence is natural and humans who control the nature can also control violence. So, violence is naturalized, with the assumption that with the progress of the mankind from barbarism to civilization, it will wither away. In this way, human nature and biology are located as the site of violence and it is by intervening to the human body that violence can be eliminated. The assumption beneath the proposition of testosterone treatment is similar: the cause of violence or child abuse is located within the body; so, through controlling hormones, violent behaviors can be controlled.

The second discourse is violence as a health problem. In the study conducted by the Family Research Institution titled Causes and Consequences of Domestic Violence (*Aile İçi Şiddetin Sebep ve Sonuçları*) in 1995, domestic violence is considered as a complex phenomenon related to patriarchal power structures and hierarchies within the society. In this respect, legal and institutional solutions should be developed in order to change the cultural and social organization. Violence against women is also defined as a medical problem. Women subjected to violence are called 'the patient' and her "treatment" should consist not only of surgery but also of psychotherapy.

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[142] Ibid., p.16.

[143] Ibid., p.17.

In *Aile İçinde ve Toplumsal Alanda Şiddet*, violence against women is understood as an illness that can contaminate the society: the family is the constituent unit and a healthy family is the indispensable condition for a healthy society.[144] In the National Action Plan, it is seen as a social and public health problem.

The medical discourse in this respect can be understood as twofold: on the one hand, it is part of human (especially men) nature; on the other hand it is an illness. Thus, violence is located in the body. So, through the progress of civilization and science, violence becomes some*thing* that can be intervened. On the one hand, it is an archaic residue: even though it is normal for animals to be violent since they symbolize the natural origin of human beings, with progress, civilization and modernization, humans developed more complex relationships that do not use violence as a medium to communicate, to relate to each other. On the other hand, within modern social and political relations, the use of violence is acceptable within certain limits and legitimate in certain institutions; its use by individuals in everyday life, violence outside the control and the reach of an institution that has the legitimacy to use it, is either a crime, an act against the laws or an illness (if not a traditional practice, that will be discussed in Chapter IV). Thus, not only does violence become a problem concerning genetics and hormones and therefore, de-politicized by separating it from power relations; but it is also re-politicized with the introduction of different agencies in order to protect the population from contaminations, by both modernizing and educating the population to deal with their nature and by providing medical services to cure the illness. Moreover, the family becomes a site of protection rather than to which violence is intrinsic. So, the place

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[144] TC Başbakanlık Aile Araştırmaları Kurumu, *Aile içinde ve Toplumsal Alanda Şiddet*, (1998), p.v.

of women within oppressive power hierarchies is not the focus anymore, rather, for the preservation of the population, the family becomes the major concern that is understood to be threatened by the violence. Hence, the focus of the policies becomes the family instead of power relations and the oppression suffered by women.

In addition, introducing new techniques to control, regulate and cure the population also brings new categories. It can be argued that it would be a political decision to draw the line between the healthy and the unhealthy, the non-violent and violent. If the physical violence is not the only form but rather there are forms of violence as verbal, psychological or emotional, how is that possible to make clear cut distinctions between the criminal and/or ill and those 'normal' people assumed to be non-violent.

These new techniques to control and regulate the population can be understood in the way Foucault define the disciplinary power and bio-power. For Foucault, starting from seventeenth century, two processes occurred. The first one is reduction of body into a machine. This is what Foucault calls the anatomo-politics of the human body. The human body is the object of power relation by disciplining and optimizing its capabilities. This was possible with a new technique, namely discipline. This disciplinary power paved the way for the second, which is bio-politics. The focus of bio-politics is not merely the individual bodies but the body of the species. The body imbued with the mechanics of life and serving as the basis of biological processes are controlled and regulated. Thus power's operation is on the one hand individualizing, operating on single bodies and on the other hand totalizing, taking the population as a whole and controlling and regulating it through techniques and statistics such as birth control, birth rates, mortality or life expectancy.

For Foucault, with these processes and change in the techniques of exercising power, sovereign power has also changed from "the right to take life or let live" to "make live and let die"[145]. For him, sovereign power is connected with a juridical-discursive conception of power "that is, a power which operates as a command embodied in law."[146] With the emergence of discipline and bio-power the exercise of power is "no longer to kill but to invest life."[147]. The new technique for the operation of power is to control the life of individuals and the population. So, on the one hand the individual body on the other the population became the object that the government must take into account in all its observations and knowledge, in order to be able to govern effectively in a rational and conscious manner.

Government techniques used in relation to legal and medical discourses on violence against women can be understood as both individualizing and totalizing operation of power. Particular acts are defined as violence and thus considered as crime. Similarly, violence in certain cases, especially in cases of sexual violence, it is defined as an illness. In this way, violence becomes an abstraction: It is understood as a disease that can contaminate families that are still healthy. In this way it is the well-being of the whole population that is at risk and must be protected. The medical discourse is also operative in the way the homosexuality is understood. Selma Aliye Kavaf, the former minister of state responsible for Women and Family Affairs stated in March 2011 that "homosexuality is a disease and should be cured" [148]. This

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[145] Michel Foucault, *Society Must Be Defended,* (London: Penguin Books, 2003), p.241.

[146] Mitchell Dean, "Four Thesis on the Powers of Life and Death," *Contretemps*, no.5 (December, 2004), p.18.

[147] Michel Foucault, "Right of Death and Power over Life", *The Foucault Reader*, ed. Paul Rabinow, (London: Penguin Books, 1984), p.262.

[148] ''Eşcinsellik hastalık, tedavi edilmeli''. 07 March 2010. Available [online]: ''http://arama.hurriyet.com.tr/arsivnews.aspx?id=14031207'' [7 September 2011].

medical discourse on the one hand makes bodies as a space for power operation on the other, constructs a collective body that is stigmatized as ill. So, the medical discourse opens a ground for different techniques of government to work.

Regulating and controlling individuals and the population are not only based on legal and medical discourses on violence against women. As it is called in this thesis, violence against women is understood as the "other's" problem as well. IT can be argued that there is a continuation in the way that violence against women is understood as the other's problem. However, as it will be discussed in the following chapter, how this other is constructed goes through crucial changes depending on the context. It can be argued that those who act violently towards women were once depicted as those who are poor, living in the countryside and with lower level education. So, it was the problem of underdevelopment stemming from deficiencies in the modernization processes. These violent men were "the other's among us". With the discovery of honor crimes, a distinction was constructed between domestic violence and honor or customary crimes. While domestic violence was understood as an individual and haphazard problem, honor or customary crimes were associated with a particular community, Kurdish people. Alongside the Kurdish question that created a distinction between the categories of Turk and Kurd, violence against women became the problem of the Kurdish culture or feudal structure. So, Turks are imagined to accomplish the modernization processes (with few exceptions of deviancy and illness) Kurds are imagined to be backward and underdeveloped. This break in the discourse and the construction of the self and the other has significant effects on the way policies to end violence against women are produced.

CHAPTER IV

VIOLENCE AGAINST WOMEN AS THE "OTHER'S" PROBLEM

The basic concern of this chapter is how violence against women is labeled as the other's problem through different discourses. The 'other'-as an identity- is constituted with different discourses and practices in different contexts. In this chapter, the focus will be on cultural relativist and nationalist discourses and how violence against women and especially violence in the name of honor becomes an identity marker between 'us' and 'them' through these discourses and in turn constitutes these dichotomies will be discussed. The examples from European contexts will be used to reveal how violence against women operates at the discursive level in order to associate Europeans with modernity (assumed to be based on gender equality and the empowerment of the individual against the community) and immigrant communities –Arabs and Muslims in particular- with tradition and culture (assumed to be patriarchal in nature and therefore oppressive to women and lack of freedom due to the power of community ties). At the material level, through different policies like integration, education and economic empowerment, immigrant communities become the target of intervention and are kept distinct from others. In addition, by putting the blame on the others, the responsibility of the state and its different institutions in the prevalence of violence against women and the violence perpetrated by "Europeans" themselves is rendered invisible. It will be argued that these techniques of governing this stigmatized population can be analyzed as a relation between biopower and the governmentality, in the way Foucault uses the concepts.

I use the term governmentality in the way Foucault puts it, that is, the conduct of conduct. In this sense, it is an attempt to determine and direct human conduct in general, through different means of calculation, techniques and production of knowledge. This form of power is different than sovereign and disciplinary power yet does not exclude their techniques and tactics.[149] Governmentality is in relation with the economy, the population and security. As Foucault puts it, it is "[t]he ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific form of power, which has as this target population, as its principle form of knowledge political economy, and as its essential technical means apparatuses of security."[150] According to Mitchell Dean, governmentality has two meanings. The first one is about how we think about governing, thinking here being a collective activity: "It is a matter not of the representations of individual mind or consciousness, but of the bodies of knowledge, belief and opinion in which we are immersed."[151] In this sense, it is about regimes of truth that produce and are produced through practices in particular contexts. The second meaning of governmentality for Dean "marks the emergence of a distinctly new form of thinking about exercising of power in certain societies."[152] So, what is meant by governmentality, in the sense of the conduct of conduct, is a connection between bio-politics and the government. In this sense, what matters is

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[149] With sovereign power, what should be understood briefly in Foucauldian terms, in liberal democracies, is the juridical, executive and legislative arms of the state and mechanisms like constitutions, laws, parliaments and so on. Disciplinary power as discussed at length especially in *Discipline and Punish* among others, is the effective use of power through coercive and instructive techniques and institutions on individuals and their bodies. It consists a wide range of state apparatuses from schools to armies, to work places and administrative institutions.

[150] Michel Foucault, "Govermentality," p.102.

[151] Mitchell Dean, *Governmentality: Power and Rule in Modern Society*, (London: Sage Publications, 1999), p.16.

[152] Ibid., p.17.

not the analysis of state policy as a unified entity, but, rather different calculations and techniques and their institutionalization through different agencies. In this sense, power operates by locating individuals and bodies into a population; a collectivity.

In the context of Turkey, the constitution of the subject position of the other consists of both continuities and breaks from the 1990s to the 2000s. It can be argued that, both in feminist studies and in studies conducted by government institutions are conducted whether rural-urban differences are significant in causing domestic violence, whether the increase in the economic income and the education level has effects in the occurrence of violence within the family. As it argued in Chapter II, for feminist women, it was patriarchy rather than underdevelopment that could explain violence against women.

Through their praxis, feminists also redefined violence. Although the first campaign, Solidarity Against Beating was based on physical violence, feminist women pointed to other forms of violence that were not as visible as the physical one such as sexual violence, verbal violence, emotional violence or economic violence. In this sense, they do not assume a taken for granted distinction between violent and non-violent practice, behavior or thought but rather try to point how political, social and economic relations are gendered and how its naturalized or accepted gendered character makes violence invisible.

Government policies in the 1990s regarding violence against women are influenced by feminist politics and knowledge. Although attempts were made to marginalize or ridicule feminists through different means and especially the media, feminists succeeded in changing government policies and laws. In two researches conducted by the General Directorate for the Family and Social Studies, then called the Family Studies Institution, the influence of feminist literature and knowledge

produced through feminist theory and activism is obvious both in the references and citations and in the way domestic violence is conceptualized in relation to patriarchal power relations within the Turkish society and the family. What is critical for the purpose of this chapter is that in these studies violence against women is discussed within the limits of the modern/tradition dichotomy and the role of urbanization, education, and economic income as cause of violence is questioned. It is worth of mention that, although patriarchal power structures are referred to in these studies, the main concern remains the preservation of the family since a strong and healthy family is supposed to be the basis of a strong society. In the 2000s, violence remains as an identity marker between traditional and modern (men). However, with the "discovery" of honor crimes and customary crimes the rural-urban dichotomy was replaced by the east-west dichotomy, which is another wording for the Kurdish-Turkish dichotomy. Customary killings, the role of feudal relations and structures were not referred to in the 1990s whereas in the 2000s, it became one of the major matters of debate. Research and projects conducted by governmental directorates, as a solution to violence against women, in the 2000s started to introduce education campaigns for girls and microcredit projects to increase women's employment. In this period, feminists on the one hand insisted on the term of violence in the name of honor instead of customary killings in order to emphasize that violence against women is not only the problem of the East, or Kurds but also the western part of Turkey; on the other hand, they challenged these education or economic development campaigns by claiming that the education system itself is not gender equal. Most recently, in 2009, feminist women initiated the campaign of Women's Killings are Political where instead of using the term honor killings feminists started

to use women killings in order to emphasize the fact that women are being killed everyday, shifting the focus from the causes of violence to the violence itself.

In this chapter, I will firstly discuss how violence against women becomes an identity marker in the 1990s. Secondly, following the debates on honor crimes, the constitution of the other and new forms of governmentality will be focused on through different examples. Finally, the debates on domestic violence, customary killings and violence in the name of honor in the context of Turkey during the 2000s will be elaborated.

The Other: Backward Men Among Us

In this part, the aim is to juxtapose different studies on violence against women produced in the early days when violence against women became part of the feminist and state agenda in Turkey. Questions like what is violence against women, what is domestic violence, who uses violence and what are causes and consequences of violence are questions which all of these studies try to address. In different studies answers given to these questions vary. Does the use of violence depend on the education level? Is violence more prevalent in the countryside compared to the big cities? Is violence more prevalent among immigrant people living in shantytown of the big cities? Is violence more prevalent in families that have low levels of income? Even though the differences in the way the answers formulated to these questions are important, the fact that these are the questions asked in order to study violence is important. These questions show that, violence against women is discussed within the limits of the discourse of modernization. Violence against women situated within this discourse is understood as the failure in the modernization process. Violence

against women in this sense is constructed as "our problem": the modernization project failed in the domain of violence against women. However, it is believed that not everyone uses violence: it is the problem of those people living in less modernized countryside or shantytowns of big cities, poor people who are unemployed, uneducated. In this way, violence is understood as the problem of the other, yet this other is among us and is one of us, the Turkish society which has in its endeavor to civilize all its population.

This modernist discourse and the terms through which violence against women was discussed set the context within which different feminist groups conducted studies on violence. They tried to challenge this modernist discourse that understands violence as the failure in the modernization process and as the other's problem of the yet not modern. As I will try to show through different feminist studies in following pages, these studies basically emphasized the fact that the causes of violence against women could not be limited to education, unemployment or migration even though they argued that these are important in determining the form of violence and the way women developed strategies to survive.

It should be stated that this challenge did not mean that feminist theory was not entrapped by the modernist discourse. In relation with the limits of the category of woman that was discussed in Chapter II, how differences among women had effects on the way they experience violence and how violence is not the failure of modernism but rather is intrinsic to modernity and modern power relations remain unaddressed in these studies. The main objective of these studies is on the one hand to show that domestic violence is prevalent irrespective of class or education level and on the other to problematize the family as an institution that is defined as the constituent unit of the society by laws.

The problem of this approach is that women's identities and their place in the society cannot be thought independently of their place in the family. The category of women is not constructed exclusively depending on their sexual difference from men. They are as well mothers, wives, sisters or daughters. These identities are effective in the way they face violence within the family as well as how they can act, behave and exist within the social and economic relations.

Imagining women's empowerment in order to end violence, women are considered as an abstract category independently of what meanings are associated with women within the family and their effects on the role of women within and outside of it. This abstraction confines feminist theory and praxis within modernist discourse: women can be emancipated by being individually empowered against the assumed oppressive traditional familial structures. Such an understanding reproduces the tradition/modern dichotomy.

Another result of this entrapment is that violence against women is restricted to domestic violence. Feminist women, as stated earlier, rejected the private/public dichotomy, and the focus on violence against women allowed them to show connections between different forms of violence. The focus on domestic violence was crucial in those early studies, since the aim was to problematize the family as a site of violence. However, the focus on domestic violence also prevented them from seeing the context within which the family was constituted and the place of women within the family. This limitation of feminist theory had also effects on the way feminist policies were developed in order to struggle against violence.

In the following pages, firstly different feminist studies will be analyzed in order to see how violence against women was analyzed and what was suggested for

feminist praxis. Later on, government studies on domestic violence and the way these studies tried to contain the feminist perspective will be discussed.

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Feminist Studies' Approach to the Issue of Violence against Women:

Challenges and Achievements

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In the 1990s, the power of the knowledge produced by feminist activists and scholars (who are also engaged in the feminist movement) mainly derived from the everyday experiences of women. Women's testimonies were collected in order to see how violence operates in the family, how it is effective in the constitution of women's subjectivities and how these experiences could be translated into politics, that is, how a commonality could be constructed on the basis of gender cross cutting issues such as class, ethnicity, religion or age. So, they were against defining women as simply victims, the distinction between beaten women or not beaten. In other words, finding a commonality among women, and showing that every woman although in different ways are oppressed and subjected to violence, also allowed them not to make a differentiation among men, as violent and non-violent, good and bad or modernized and traditional. The first meetings of feminists in consciousness raising groups and their meetings with women during activist campaigns provided the ground for situating violence and its gendered character within the ordinary everyday life, instead of considering oppression and violence as happening under exceptional circumstances. These consciousness-raising groups allowed feminist women to discover that men subject women from different economic and social backgrounds to oppression and violence albeit in different forms.

The booklet published as the product of the Campaign for Solidarity Against Beating *Shout, be Heard* in 1988 can be considered even today as delineating the principles the feminist movement in Turkey developed with regard to violence. The text is based on different women's testimonies. Experiences of women from different socio economic backgrounds are shared throughout the booklet. The economic or educational status of husbands or wives differs, yet, what is common for the women whose testimonies are published and the authors of the booklet, is that they all experience violence, physically and materially or its shadows and fear haunt their daily life.

Obviously, today the discussion is not only around physical violence and beating. Yet, the first reaction from the feminists was to the most visible, yet legitimate form of violence against women that is the beating of the husband. Beating is conceptualized in the pamphlet as "a medium for the construction and reproduction of a power relation."[153] It is seen as an indispensable component of the family as an institution based on power relations. Therefore, domestic violence cannot be thought as caused by cultural backwardness, ignorance or legal limitations because women in the Western societies where these problems were supposedly overcome are also still experiencing domestic violence. If violence cannot be explained by individual might or personality but rather within power relations, the question is what these power relations are. The answer of the authors is as follows: "Men lean on the state with its giant institutions, its judges who refuse to divorce battered women, its policemen ignoring the complaint of women victims, its attorneys and its doctors refusing to report beating or humiliating women. Behind all this, there stands the social order with all its customs and traditions, its religion and

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[153] Dayağa Karşı Dayanışma Kampanyası, *Bağır Herkes Duysun*, (İstanbul: Kadın Çevresi Yayınları, 1988), p.10.

its culture that humiliate women."[154] In the booklet, motives for beating are various: One of them is women's inability to accomplish her domestic duties; women should be dutiful and obedient. Another reason for beating is jealousy, chastity and honor issues. The husbands' problems, especially at work, are also cited as one of the reason for domestic violence. Men pretend to be the sole breadwinners and workers whereas women's work, especially domestic work, is not considered as valuable. Men consider the burden of work as a righteous cause for beating the wife. Alcohol, although is not the reason for beating, is an important factor in exacerbating the beating. Men use their authority to beat women. Womanhood is constructed through the male gaze, leading to the assumption that women are the property of their husbands.

Feminists defined domestic violence as lifelong torture; the reason being the fact that Turkish society is numb to violence, a strong word such as torture is needed to explain the horror women are passing through.

What are women's reactions to violence? What women do to end the beating? Women's testimonies show that to end the violence women generally threaten their husband with leaving the house, telling to others (neighbors), calling the police or committing suicide.

Why women stand the marriage despite the beating? From the testimonies of women, several factors stand out. Authors categorized them as economic (women do not have personal property, live on in case of leaving the house or divorce), ideological (women's belief in marriage, their emotions like compassion, love, pity, affection or fidelity for the husband), psychological (the burden of social pressures, fear or lack of self confidence), having children, pressure of relatives and legal and

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[154] Ibid., p.22.

official obstacles. This list, in fact, formed the basis of feminist analysis that violence was systematic.

The recommendations suggested for women subjected to violence are various. What should be done immediately is to go to police station, give a statement, go to the hospital and obtain a report. However, the most critical response to beating is deemed to be the solidarity of women. Women should not be ashamed of being beaten, should not loose their self-confidence. What is to be done is basically to weave networks of solidarity among women despite their differences.[155] Although women should also fight for their legal rights, different procedures in such as the police and hospitals are unfavorable to women because beating in particular and violence in general is a systemic problem that also includes the state and its institutions. Thus, the solidarity among women is ultimately the sole means to make sure that women are not left to their own devices to gain the strength to overcome violence.

Thus, the Campaign for Solidarity against Beating Campaign constructed the women as a historical and social group who can act, protest or organize as women. This showed that women were not alone, that what they experienced was women was not unique to them as individuals but was also shared by other women. This claim alone opened a new space politically, strategically and theoretically.

The book *Terror at Home: Violence Against Women* (*Evdeki Terör: Kadına Yönelik Şiddet*) published, by *Mor Çatı* in 1996 as a collection of their experience in the shelter[156], is also a critical text to discuss how feminists understand not only

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[155] Ibid., p.11.

[156] They write in their foreword that the real writers of the book are the thousand courageous and strong women who dared to tell the violence they were subjected to. Mor Çatı Kadın Sığınağı Vakfı, *Evdeki Terör: Kadına Yönelik Şiddet*, (İstanbul: Mor Çatı Kadın Sığınağı Vakfı, 1996).

violence against women but the violence in all state institutions, the family and the complex relationships that women have with them.

As in *Shout, be Heard*, one of the themes that they try to emphasize is the shared experience of women and insist that they all are subjected to violence inside and outside of their home. They state that women who contact *Mor Çatı* seeking counsel or shelter are those who lack the support of their family; they have low income or are unemployed and they have low education levels. However, *Mor Çatı* states that this profile does not mean that violence occurs in families with low economic income and education levels; rather this profile shows that these women contact *Mor Çatı* since they have no other choice.

Another important point is that they reject the creation of distinction among men violent and non-violent. Men who use violence cannot be categorized as alcoholics or as drug addicts or as ill or as perverts. They are ''normal'' men, rather than "other"; they are "one of us".[157]

Another important point that the book makes has to do with their analysis of the family as a patriarchal institution. As they state, the cost of the protection of the 'sacred family' is the violation of women's rights, every single day. This analysis places the family within the social, political and economic structures in which it is located. Although the book is based what is called ''the domestic violence'', the deficiencies in laws and their implication, the hostile treatment of women by state officials ranging from judges and attorneys to police officers and doctors are clearly described on the basis of women's testimonies. In other words, the way other

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[157] As discussed in the previous chapter, the medical discourse, constructing categories of sane and insane, normal and pathological are operative in the way violence against women is understood. Feminists in Turkey challenge this medical discourse by constantly referring to the fact that violence rather than an exceptional and haphazard, is part of the ordinary life. Thus, every men and women, since they are part of this ordinary everyday life, are both perpetrator and victim of the violence.

institutions support domestic violence is made visible. The book thus argues that both the patriarchal system and the subjects in the key positions of this system play an implicit or explicit role in the legitimization and endurance of violence against women.

The book ends with what women subjected to violence do in order to end violence in their relationships. Contrary to the common view, women struggle hard during their life span to end the violence, rather than being passive bystanders and accepting violence or seeing it as legitimate. They apply to different state institutions, they try to divorce, and they commit suicide so on and so forth. According to *Mor Çatı*, women start changing their lives by becoming conscious of their own power, which allows them to pursue their legal rights like divorce, to be able to be strong against the pressures of their family and relatives. The most important demand *Mor Çatı* makes from the state has to do with shelters. As in the *Shout, be Heard* pamphlet, feminist women propose several solutions in order to struggle against and stop violence against women. Initiating legal reforms on behalf of women is one of them. Another demand from the state is that it provides the necessary budget for opening independent shelters.

The last study I want to refer is *Sıcak Yuva Masalı: Aile İçi Şiddet ve Cinsel Taciz* by Pınar İlkkaracan, Leyla Gülçür and Canan Arın. The study is conducted by the Women's Human Rights Project, an independent feminist research and action project. It consists of two field studies, one in Ankara the other in Germany, and a study on sexual harassment against children. The basic axis of the study revolves around the fact that domestic violence is not dependent on socio-economic status and class and that it is not a private and haphazard matter but, rather, that violence is a

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systemic problem that is normalized by the society and the state and not seen as a violation of women's human rights.

The point the book makes is that the economic, social, political and cultural structure of patriarchal society, which are important in producing, perpetrating and legitimating the violence go completely unnoticed. On the contrary, society considers the male dominance at home as well as in other aspects of the life outcome as natural. The book stresses that both laws and traditions produce this.

The study analyzes, culture and tradition critically and makes them an important matter of debate. Throughout the book, what is discussed is that tradition and culture are important in the production and reproduction of gendered hierarchies and have an important place both in legitimating violence and leaving women without any option to deal with it. This study challenges the general belief that having a better education and higher income leads people to get "modernized" and not resort to violence; like other feminist texts discussed here, *Sıcak Yuva Masalı* also rejects the west (Europe)/east (Turkey) as well as the educated/no educated dichotomy.

Thus, these studies see the family as the main site where violence against women is produced and seek a remedy in women's solidarity and women's shelters. These are mainly several statements and yet specific experience in dealing with violence against women was accumulated in shelters and counseling centers.

These studies should also be analyzed in a dialogical relation with studies conducted by state institutions. Although studies that will be referred below take into consideration feminist studies on domestic violence, it can be argued as well that these are attempts to produce knowledge different than that of the feminist women's.

Government Studies on Domestic Violence: Protecting the Strong Family from

Violent Men

In this part, two studies conducted by the General Directorate on Family Researches

(*TC Başbakanlık Aile Araştırmaları Kurumu*) will be cited as an example

representing the understanding of state institutions about violence against women

and policies and politics suggested in order stopping it. The first one is Causes and

Consequences of Domestic Violence (*Aile İçi Şiddetin Sebep ve Sonuçları*)[158] a field

study conducted in 1994 and published in 1995 and the second one is Violence

within Family and in Society (*Aile içinde ve Toplumsal Alanda Şiddet*)[159] conducted

in 1997 and published in 1998.

Both of the studies are influenced by feminist activism and experience on

violence against women. This can be seen in the way that studies I cited earlier in

this chapter along with western feminist literature on domestic violence are cited in

analyzing the data collected in field research and in theorizing domestic violence.

Hence, it is stated that violence against women is a structural problem and it is

related to male dominance in every sphere of life. It is also stated that domestic

violence is not related to income level, ethnic background and religion.[160]

What is important to note with respect to the way violence is perceived, as

"others" problem is that in the 1990s, the issue is generally seen as a modernization

problem. Tradition-modernity is the basic axis that explains the relation between

domestic violence and socio-economic structure, income, migration and

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[158] TC Başbakanlık Aile Araştırmaları Kurumu, *Aile İçi Şiddetin Sebep ve Sonuçları,*1995.

[159] TC Başbakanlık Aile Araştırmaları Kurumu, *Aile içinde ve Toplumsal Alanda Şiddet*, 1998.

[160] TC Başbakanlık Aile Araştırmaları Kurumu, *Aile İçi Şiddetin Sebep ve Sonuçları,*1995, p.20.

urbanization.[161] Modernity is understood as movement and change whereas tradition is defined as the connection with the past. However, modernity and tradition cannot be separated from each other with a clear cut boundary, rather they are opposite poles.[162] Tradition reproduces the social, communal or familial order. Women's attitude in keeping violence as a private matter and their reluctance to share their experience of violence with other family members or friends is related to traditional values. Another finding of the study is that the higher the number of family members, the more likely it is that domestic violence occurs. So, the extended family, which is considered to be a traditional family "in the opposite pole" of the modern nuclear family, is seen as one of the reason for violence.

Another important finding of the study is that there is an important relation between the family's socio-economic level and domestic violence. The rise in the economic power of the family member who is subjected to violence lessens the violence. Poor and less educated men are more likely to be violent; men's domestic violence is more prevalent in lower classes and in families with lower education levels: For the study, socio-economic level is determined through the education and profession of the head of the family.

Alcohol consumption level is also another important cause of violence according to the study. It also says that those who have been subjected to violence in their childhood are more likely to use violence then those who had not. Although the study mentions the relation between violence and patriarchy, its emphasis on the relation between alcohol consumption levels and use of violence unfortunately repeats the cliché idea which focuses on the individual and this inevitably pictures

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[161] Ibid., p.101.

[162] Ibid., p.102.

this systemic problem as an individualistic one. Thus, this analysis is obviously in contrast to what is said before in the report.

The only rejected hypothesis is that the prevalence of domestic violence does not depend on whether men who use violence live in the countryside or not. In other words, the role of urban-rural difference in determining the prevalence of violence against women is not found significant in the study. For the study, the problem is not the urban-rural difference but rather the fact that in our culture, elements that prevent domestic violence are not strong. So, it is argued that this difference is significant for women in dealing with violence.

The major policy suggested in order to end violence is to protect the traditional family structure because it is argued; the Turkish family is built on the strong foundations of mutual love and respect. Because violence is an illness that has not contaminate every family, it is argued, emphasizing the prevalence of non-violent families will lessen cases of violence.[163] In addition, since large families are more prone to violence, health services (like birth controls in order to reduce the number of children) should intervene to the struggle against domestic violence.[164] Another important recommendation is to encourage women to work, to develop their skills and productivity.

So, on the one hand the traditional family, which is understood to be the strength of the Turkish society, should be protected, on the other recommendations suggested for the protection of this traditional family go beyond it.

In the *Aile içinde ve Toplumsal Alanda Şiddet* study, domestic violence is also understood in relation to social structures. Domestic violence does not have a

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[163] Ibid., pp.205-6.

[164] Ibid., p.208.

relation with regional, ethnic, religious differences. Domestic violence becomes a matter of debate for this study because the family is the foundation of the society and problems within the family has negative effects on society.

Although it is argued that domestic violence occurs irrespective of class, education level and social status but rather is related to male domination, analysis of findings of the study contradicts this statement. As in the previous study, the rural-urban difference is rejected in determining domestic violence. Income and education level as well as residence and marriage type are seen as causes of domestic violence. For instance, the study maintains that people living in shantytowns resort to violence more than people living in luxury residences; or that violence occurs at a higher rate among couples married with a religious ceremony than with a civil ceremony.

The second concern of the study, as the title indicates, is violence in society or in public and this involves two dimensions. One is political violence, named as terror and the second is individual violence. Terror is defined as violence with political motivation used in order to impose certain ideas on people, by force.

What is important to note, in the two studies mentioned, is that a specific project or solution is not suggested in order to solve the problem of domestic violence. As in the 1995 study, general recommendations like strengthening the traditional Turkish family, lessening unemployment and education are restated.

All these studies, conducted by feminist researchers and governmental bodies show that discussions that took place in the 1990s on domestic violence were based on the axis of modernization: urbanization, education and economic development as well as traditional family structures (the extended family as opposed to the modern nuclear family) and cultural norms (that oppress women) are basic concepts that are discussed as causes of violence.

It is critical to realize the extent to which feminist activism and discourse has influenced government policies and discourses on domestic violence, as it was shown previously. However, it should be also seen that, the inclusion of the feminist discourse into state policies was manipulated in different ways. The first one is the issue of the protection of the family. Obviously the writers of the two government studies imagine the possibility of a non-violent family. In this respect, the feminist critique of the family as an institution that, by its very constitution, is violent and works to oppress and exploit women is dismissed. Violence, thus, is reduced to individual problems like poverty, low levels of education and personal problems. Although it is emphasized that the urban/rural dichotomy is not effective in domestic violence, migration or shantytowns where rural migrants dwell are seen as the primary site of violence.

In addition, those studies create a division between women who have been subjected to violence and those who have not. The recommendation to empower women by encouraging them to join the work force or obtain an education shows another aspect of modernist discourse, namely, that women who can not become individuals and remain within traditional community relations are subjected to violence, whereas those who are educated and work, are not. In reality, educated and working women also are subject to violence. On the other hand, as Deniz Kandiyoti suggests, women are constantly bargaining with patriarchy.[165] Women open different spaces in family and kinship relations for renegotiations. However, these struggles women conduct in their everyday lives cannot necessarily be described as "empowerment". In this sense, women may stay "within" the patriarchal system and yet struggle against its oppressions, which may lead to different forms of resistance

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[165] Deniz Kandiyoti, "Bargaining with Patriarchy," *Gender&Society* 2, No.3 (September 1988), p.274.

and changes the patriarchal system that cannot be comprehended within the individual-community dichotomy.

In addition, the link between public and private spheres is ignored in these studies, limiting the domestic violence to the private sphere. The name of the book published by *Mor Çatı* is noteworthy in this way: *Evdeki Terör* (*Terror inside Home)*. This title can be considered as an attempt to link violence in the public and in the private: on the one hand violence in public sphere, or terror, is a replica of the domestic violence; on the other hand, domestic violence cannot be understood independent from violence in the society. However, how these links can be constructed theoretically and what are the other areas that feminist women have to problematize politically in their struggle against violence are not addressed in these studies.

In government studies, by locating violence against women within the private sphere and creating a dichotomy between men who exercise violence and those who do not, the responsibility of the state and its institutions are ignored. What is critical to note finally, is that the policies recommended by government studies are too general, that is particular projects are not recommended. What will be seen in 2000s, on the contrary, is that recommendations consist of projects that intervene to the everyday life of the population.

As it will be argued in the following pages, through these projects, it is possible to see the breaks in discourses and policies on violence against women. Especially with the "discovery" of honor crimes, violence against women understood not anymore as the problem of "the other" who are either deviant or ill, or who are assumed to be left out of the modernization process. Rather, there is break in the constitution of "the other". The "other" is constituted as the Kurdish people who are

assumed to have oppressive cultural norms, named custom, and feudal social structure. Thus, the "other" is identified with the Kurds.

The Discovery of Honor Crimes: From "Violent Men Among Us" to "It is Their Problem"

Honor crimes in the context of Turkey are "discovered" with the change in the Penal Code guided by European Union stipulation for membership in 2005. The new Penal Code constructed a distinction between honor and custom: whereas honor crimes receive reduced sentences, customary crimes are defined as aggravating circumstance. According to Sirman, this distinction is based on the way custom and honor are understood differently. For Sirman, honor is seen as "a natural feeling in every human being which demonstrates a person's free will, integrity and self-respect"[166] whereas custom is seen as "a cultural practice which prevents a person from acting out of their own free will and excessively places a person under the control of the group."[167] These two different concepts are associated with two different ethnic groups: Turkish people have honor whereas Kurdish people have custom. As Sirman puts it, "[i]t is claimed that in the Kurdish society tribe and custom, which are seen as the excess of kinship and tradition, prevail and therefore they are not capable of acting rationally. So, just as culture has been used to define the essence of a society in the West and place that society in a more backward position with relation to the West, the same method is now being implemented on the

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[166] Nükhet Sirman, ''The New Face of Honour'' (presentation, Şiddetin Normalleştirilmes Süreci: İsveç ve Türkiye'deki Bakış Açıları Paneli, Istanbul, 6 June 2009).

[167] Ibid.

Kurds in Turkey."[168] This is new way of representing the tradition/modern dichotomy and through this dichotomy developing new governmental techniques, especially regulating and controlling the Kurdish population is for Sirman "the new face of honor".

So, violence against women is not understood anymore as "our problem" but as the problem of Kurds because it is seen as "they" failed in the modernization process. The modern/tradition dichotomy is associated with the Turkish/Kurdish dichotomy: whereas Turks are seen as representing the modernity, Kurds are the representative of backwardness. It is thus no longer "our" failure to civilize "them", but "their" failure to insist on their own backwardness.

This critical separation between "us" and "them" is not however specific to Turkey. Honor crimes have been "discovered" in Europe also as a way of making violence the other's problem.

Honor Crimes in Different Contexts: Current Debates and Conceptualization of Violence against Women

Even before Turkey, the west has defines honor crimes or violence in the name of honor as a generic concept referring to a particular form of violence against women that embodies a collectivity and prescribes action in accordance with the cultural and traditional values and norms of a particular community. Especially in the western public and academic debates, the emphasis on the tradition and culture of the "non-western" -if not eastern or Islam-constitutes the ground of the discussion as the "other's" problem. This "othering" is mainly done in two ways. The first one is

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[168] Ibid.

through cultural relativism and the second is through nationalist or racist discourse. The general discourse on 'others' (generally minority groups but sometimes faraway lands where women are oppressed, as in the case of Afghanistan or Iraq) and its effects on politics vary according to specific contexts. What can be generalized however, is that the label of "honor crime" makes violence against women the other's cultural problem which ultimately makes invisible the fact that domestic violence in particular or violence against women in general as a universal problem is also the West's or the modern world's problem. These so-called gender equal modern states and national or international legislative, executive or judiciary bodies are responsible for the existence of patriarchal structures and mindsets that produce visible and invisible, physical or rhetorical forms of discrimination and violence.

Honor operates to control, direct and regulate women's sexuality and freedom of movement by male members of the family. However, such practices, were not considered as violence but rather as traditional and cultural practices that require respect and tolerance. Thus, with a particular understanding of multiculturalism or cultural relativism, these violent or discriminatory practices against women were not part of the international agenda of eliminating violence and gender inequalities.[169] As Mojab puts it, "this respect for other cultures is disrespect towards women who are subjected to harsh punishment for failing to abide by man-made rules of honour."[170]

As stated in previous chapters, as a result of years of struggle of women's movements, starting with the declaration of "women's human rights bill", namely

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[169] Radhika Coomaraswamy, "Preface: Violence Against women and 'crimes of honour'," *Honour: Crimes, Paradigms and Violence against Women*, ed. Lynn Welchman and Sara Hossain, (New York: Palgrave Macmillan, 2005), p.xii.

[170] Mojab, "The Particularity of 'Honour' and The Universality of 'Killing'," p.27.

CEDAW and especially the adoption of General Recommendation No. 19 that specifies violence against women as form of discrimination, discrimination against women was considered to be as violation of human rights. Although the public discussion of honor crimes emerged in the 1990s, it was understood in the United Nations' gender equality agenda as a good example of harmful traditional practices: The Commission on the Status of Women addressed the issue as early as the 1950s and again in the mid-1980s; the World Health Organization (WHO) and other UN entities made a strong case that traditional practices were a form of violence against women. Honor crimes were listed within these practices but the focus of those years was on female genital mutilation.[171]

The most important step of the UN about honor crimes was the adoption of Resolution 57/179, "Working towards the Elimination of Crimes against Women Committed in the Name of Honour" in 2002. With the Resolution, UNGA called upon all member states "to continue to intensify efforts to prevent and eliminate crimes against women committed in the name of honour, which take many different forms, by using legislative, administrative and programmatic measures (paragraph 3b); to investigate promptly and thoroughly, prosecute effectively and document cases of crimes against women committed in the name of honour and punish the perpetrators (paragraph 3c); to intensify efforts to raise awareness of the need to prevent and eliminate crimes against women committed in the name of honour, with the aim of changing the attitudes and behaviour that allow such crimes (paragraph 3e); to encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes and consequences of crimes against women committed in the name of honour, including the provision of

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[171] Ertürk, "Violence in the Name of Honour within the Context of International Regimes," p.168.

training for those responsible for enforcing the law (paragraph 3g); to establish, strengthen or facilitate, where possible, support services to respond to the needs of actual and potential victims (paragraph 3i)."[172]

Thus, cultural relativist approaches that lead to non-involvement are not compatible with international law; states are responsible for preventing the so-called cultural practices that are against women's rights and result in violence against women. The cultural relativist approach not only contradicts international law but has different consequences as well. Firstly, by isolating culture or tradition into practices, it prevents the identification of the patriarchal structures beneath these singular practices. Secondly, by focusing exclusively on a particular form of violence, that is, violence in the name of honor, violence against women in general, or the prevalence of violence in the modern world is concealed. In addition, since cultures or traditions are neither monolithic nor static, women's struggles in different contexts are neglected. As Mojab puts it, "paved with good intentions such a respect for cultural *difference,* these theoretical positions deny the peoples of the region their history of struggle against religious obscurantism and oppressive ethnic and cultural traditions"[173].

However, developing policies to end honor related violence with a critical stance to cultural relativist approach does not come to mean neglect of the context within which violence occurs. Neither does the critique of "respecting other's

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[172] United Nations, *Resolution adopted by the General Assembly [on the report of the Third Committee (A/57/549)]57/179. Working towards the elimination of crimes against women committed in the name of honour.* Available [online]: "http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N02/549/97/PDF/N0254997.pdf?OpenElement."

[173] Shahrzad Mojab, and Nahla Abdo, "Introduction", *Violence in The Name of Honour: Theoretical and Political Challenges,* ed. Shahrzad Mojab and Nahla Abdo (Istanbul: Istanbul Bilgi University Press, 2004), p.6.

culture" mean hostileity against minority communities or against non-western countries. As Yakın Ertürk writes:

> While the universality of human rights law must be observed, honor crimes should not be treated in isolation from the phenomenon of violence against women in general. This is important in order to avoid two potential risks: 1. The stigmatization of migrant communities, which might result in anti-immigrant sentiments and policies; and 2. The normalization of other forms of violence in the society which might make everyday incidents of violence against women invisible or neglected.[174]

In a close relation with the rise of anti-immigration policies and racist discourses in European countries, the discovery of honor crimes in the European public operates in a way to stigmatize minority communities further. For instance, in Sweden, with in 2000s, honor crimes received an unprecedented attention compared to any other forms of violence against women had before. Between 2003 and 2007 sixteen million euro was set aside for different projects to end (if not help minority communities to get rid of) honor crimes.[175] Different projects from shelter houses to publishing and distributing handbooks for professionals in order to deal with honor crimes were developed. Honor crimes were identified as different than other forms women's killings in Swedish society and considered as the other's problem.[176] And what received the main focus was not violence itself but rather the conflict between the community and the individual: the representation of a woman from an immigrant background who wanted to lead an "ordinary Swedish life" in contrast to the united family who wanted their girl to stay within the limits of their cultural rules and norms.[177]

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[174] Ertürk, "Violence in the Name of Honour within the Context of International Regimes," p.172-173.

[175] Asa Elden, "Men's Violence and Women's Responsibilty: Mothers' Stories about Honour Violence," *Honour, Violence, Women and Islam,* ed. Mohammad Mazher Idriss, and Abbas Tahir (London: Routhledge, 2011), p.130.

[176] Ibid.

Through this dichotomy in representation, that is the modern individual who does not use violence (where exceptions are considered with several explanations like alcoholism, perversion or psychological illnesses) versus the immigrant who has not yet become an individual (with uncivilized motifs) who uses violence, violence against women is understood as the other's problem in the context of Sweden. The great opposition and even hate campaign against feminist scholar Eva Lundgren who studies violence against women in Sweden, showing the prevalence of violence in Sweden and how it is normalized in relationships among native Swedes can be understood within this context. The basic point that Lundgren made in her studies is that almost half of the women in Sweden were subjected to violence by men and that these men were not marginal, alcoholic but rather ordinary Swedish men. These findings became a controversial matter in Sweden especially with the broadcasting of a TV documentary called *Gender War*. After the documentary, Uppsala University appointed a commission in 2005 to investigate Lundgren's academic work in order to find out whether she had fabricated the data. Although the commission had criticism for her feminist approach and ways of interpreting her data, she was cleared of academic dishonesty. All this process that a feminist scholar went through illustrates the power of representation: the moment that the representation of the modern Swedish male individual imagined to be non-violent under normal circumstances is ruptured, the self representation is threatened and the only explanation can be a fraud or fabrication of data as it was in this case. As Wendt writes: "Since gender equality is such a central facet of Swedish national identity, the question of men's violence against women becomes an explosive subject… [in Lundgren's study] constructions of ethnically Swedish men as especially equality-oriented and protective (of

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[177] Ibid.

women's rights) are challenged. Thereby, the results become a site of salient political struggles around questions of both gender and nation."[178] In this sense, in the context of Sweden oppressing women or violence becomes a marker of the identities that distinguishes immigrants from Swedes on the one hand and on the other hand fixes identities as civilized or non-civilized, European or Muslim.

The point is not to argue there is no violence in the name of honor against women and that this violence is not different in form as well as in cultural or social ways than other forms of violence. What is important, as Mojab writes,

> It is racist to tie honour crimes to the Kurds as an ethnic people or to Kurdish culture. This racism has been experienced extensively in Europe and in Turkey. This ideological construction of the Kurds as perpetrators of honour killings constrains the struggle against crime in many ways. For one thing, it overlooks similar gender crimes committed by non-Kurds, and as such legitimizes the racist's own regime of male violence. At the same time, it generates racist attitude in the target community, which has, in self-defense against racism, denied the indigenous nature of honour crimes and anchors them instead in Arab and Islamic cultures and traditions.[179]

In this sense, violence against women, as the other's problem can be also a way to produce different policies and politics in controlling and regulating communities. This makes honor crimes also a form of governmentality that certain states use as a strategy to control communities.

In the context of Israel, honor was used to control and govern Arab families. In Israel, as in European countries, honor related violence is considered as the problem of Arab-Muslim communities. It creates a kind a cultural marker defining borders, differentiating 'us' from 'them', 'Jews' from 'Arabs'. As Abdo writes:

> In Israel, and despite Israeli official academic insistence on categorizing them as an 'ethnic' group, the state places them in a specific category as an

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[178] Wendt, "Recreating Ignorance? The Politization of Feminist Research into Men's Violence against Women," p.2.

[179] Mojab, "The Particularity of 'Honour' and The Universality of 'Killing'," p.29.

'undesired' group, as a 'hostile' collectivity and, therefore, as the 'enemy', rather than as citizens. Yet, when it comes to issues concerning sexuality, sexual violence, and political rights, Palestinians become 'Arabs' and 'muslims' par excellence! Thus, when the issue of 'honour killing' is raised, it is never raised as crimes against women, but rather as an exclusively 'Arab/Muslim' phenomenon. It is brought out as a product of the Arab and Islamic 'mentality' and indication of their backwardness, compared to the modernity and Europeannes of the Israeli Jews.[180]

The official treatment of honor killings by Arab governments and leadership, as well as by Palestinians, is referred as *tabtabeh* (literally a pat on the back) that Abdo defines as "paying lip service to the crimes perpetrated against women."[181] According to Abdo, the Israeli state realized that the family is the basis for Palestinians national identity, which is a threat to Israel. In order to control the Palestinian family, several policies and politics were developed from house demolitions to unemployment and lack of government services to Arab cities. With respect to family-honor, Israel does not intervene directly but rather remains in a passive position. This means that, the state deals with honor-crimes through *tabtabeh*, meaning that honor crimes are not considered as a crime and the perpetrators are not punished according to the laws. In addition, the police co-operates with perpetrators and local leaders in order to resolve the issue. For Abdo, this non-involvement policy is not an issue of respect but rather a form of keeping Palestinian citizens under control by supporting local power structures.[182] In this sense, this 'hostile' community's place both discursively and materially is fixed and

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[180] Nahla Abdo, "Honour Killing, Patriarchy, and the State: Women in Israel," *Violence in The Name of Honour: Theoretical and Political Challenges,* ed. Shahrzad Mojab, and Nahla Abdo (Istanbul: Istanbul Bilgi University Press, 2004), p.68.

[181] Ibid., p.65.

[182] Ibid., p.75.

this fixation also helps to control the general population by securing identity markers and borders between Jews and Arabs.

However, non-involvement is not the only state policy with respect to family-honor in Israel. Besides empowering local patriarchal structures by delegating the state's power while especially Palestinian women organizations are struggling against them, the Israeli state used honor in order to depoliticize political prisoners.

> Israeli colonial policies did not only attempt (and success) to create a new and tighter mode of cultural intervention in the Palestinian family, it also played out and reinforced what it considered to be 'Arab cultural markers', such as the phenomenon of 'honor killing', to serve its own colonial purposes. For example, the phenomenon of family honour was and still is used as a means to de-nationalize and de-politicize citizen Palestinian by using it as a tactic to force out confessions from Palestinian political prisoners by, among other things, threatening to sexually harass, rape, or torture their female kin.[183]

In this respect, honor operates in everyday lives including daily encounters with different institutions. The examples from different contexts allow us to see the interrelations between different forms of violence, in this case both the honor crimes and violence perpetrated by the security forces and the gendered character of violence even when the subject is not female. So, honor is produced and reproduced through government techniques. In the case of torture that Abdo depicts, both controlling and individualizing the prisoner's body and simultaneously, controlling the whole population, in other words totalizing, and reconstructing a collective identity on the basis of honor. In this sense, a collective identity reconstructed through modern governmental technique that is based on the supposed cultural and traditional relations.

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[183] Ibid., p.77.

In the context of Turkey, it is hardly possible to talk about multiculturalism or cultural relativism that is based on 'respecting other's culture' and therefore adopting politics of non-intervention. However, this does not mean that discourses on honor crimes are not produced in a way to otherize a certain group and provide the ground for adopting politics to govern and control population through different techniques and calculations. The examples from different contexts are important on the one hand to see that the ''discovery'' of honor crimes is not unique to the Turkish context, on the other, to show engage critically with the way honor crimes are discussed in Turkey.

Discussions on Customary Crimes and Honor Crimes in the Context of Turkey

With the 2000s, discussions around the issue of violence against women started to be dominated by honor crimes. Different than other contexts, through the law, a difference is constructed between violence in the name of honor and custom (*töre*) in Turkey. Honor, whether men's honor or family honor was seen as a cause of violence against women before, however the word custom had never been used. It became a matter of debate with the change in the Penal Code guided by European Union stipulation for membership in 2005. Before this change, in the court cases of crimes in the name of honor, judges used to apply an unjust provocation clause to reduce the sentence. In the new penal code, now this reduction of sentence cannot be applicable to killings in the name of honor through women's movement struggle. However, a new dichotomy is introduced, between customary killings and honor killings. "Killing in the name of custom" is defined as an aggravating circumstance in Article 82, which regulates sentences for homicide. As Sirman argues, customary

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killing is a term difficult to define legally: the term custom is used to mean

traditional norms and connotes traditional family practices.[184] Court practices show

that judges decide that a particular crime is customary in cases where the decision to

commit the crimes is taken by a "family council". However, whether a family council

has taken place or not cannot be proved legally since what a "family council" means

remains unknown.

Yet this division between honor killings and customary killings has an

important consequence in the context of Turkey. "The use of 'custom' instead of the

internationally accepted term 'honor killings' limits the scope of the crime, as if it

only exists in certain regions of Turkey where customs prevail."[185] What is referred

with ''certain regions'' is the 'eastern and south eastern' part of Turkey, where the

Kurdish people live. In the media and governmental reports, the Kurdish region is

associated with customary killings.[186] Therefore in the context of Turkey, the other,

unlike the European context, is not the one who kills in the name of honor but rather

in the name of custom. What is linked with backwardness and tradition in contrast to

modernity is the Kurdish identity that is assumed to be dominated by feudal

structures and extended families. As Sirman writes: "In Turkey, honour is seen as

part and parcel of the integrity of a human being and therefore perfectly compatible

with individuality and modernity. Custom (tore) by contrast, is what is seen as

traditional. In other words, Turkish society, with its legal apparatus, social services,

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[184] Nükhet Sirman, "Honour or the Murder of Women: How to Conceptualize Crimes Against Women Globally," *Sharing Experiences of Similarities and Differences. Arab-Swedish Meetings about Honour Related Violence against Women*, ed. Asa Elden (Alexandria: Swedish Institute, 2009), p.40.

[185] Women for Women's Human Rights (WWHR) – NEW WAYS, *Turkish Civil and Penal Code Reforms From a Gendered Perspective: The Success of Two Nationwide Campaigns*, February, 2005.

[186] Sirman, "Honour or the Murder of Women: How to Conceptualize Crimes Against Women Globally," p.42.

media and police force applies the discourse the west uses to otherize the east, to its own east, the Kurds."[187]

As Koğacıoğlu argues, during the Justice and Development Party (AKP) period since 2002, honor crimes are located in the Southeast, labeling it exclusively as a Kurdish phenomenon. In this way, the association of violence with tradition has gained an ethnic character: According to Koğacıoğlu, "[h]onor crimes attributed to the traditions of an already disadvantaged ethnic group and its region. This enables other parts of the country to be imagined as somehow immune to the problem.[188]

In a study undertook for the Directorate of Women's Issues with in-depth interviews conducted with persons working in the social services, the police, and the health services who are involved with servicing women who were subjected to domestic violence, Sirman found out that for the majority of professionals, extended family structures of the Kurds are seen as the main causes of the domestic violence alongside their ignorance and economic difficulties they encounter.[189] In this respect, customary killings are seen as remnants of the past.

Similarly, in *Türkiye'de Namus Cinayetlerinin Dinamikleri: Eylem Programı için Önerilen Sonuç Raporu* interviews with professionals, organizations and NGOs working in the field show that people believe that honor/customary killings can be ended by abolishing feudal structures, encouraging economic development and creating job opportunities for women and educating girls.[190]

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[187] Ibid.

[188] Koğacıoğlu, "Tradition Effect: Framing Honor Crimes in Turkey," p.130.

[189] Sirman, "Honour or the Murder of Women: How to Conceptualize Crimes Against Women Globally," p.42.

[190] Birleşmiş Milletler Kalkınma Fonu, Nüfus Bilim Derneği, Birleşmiş Milletler Nüfus Fonu, *Türkiye'de Namus Cinayetlerinin Dinamikleri: Eylem Programı için Önerilen Sonuç Raporu,* comp. Filiz Kardam, (Ankara: Nüfus Bilim Derneği, Kasım 2005).

The immediate association between violence and tradition in contrast to modernity at the discursive level and constraining the violence against women within the rubric of customary/honor crimes have important consequences in the way state institutions are involved in the development and implementation of policies and politics. Since tradition is understood as the cause, it is modern institutions and government techniques that are supposed to stop violence. As Koğacıoğlu writes: ''when violence against women is framed as a matter of tradition, a distinction is established between, on the one hand, traditions-which are seen to be native, timeless and unchanging- and on the other, institutions –which appear as contemporary and timely. The utterance of 'timeless tradition', in other words, serves to produce its other, the modern, enlightened institution.''[191] Empowering women through education and employment were suggestions in the earlier governmental reports as it was shown before. Protecting and strengthening the family and stopping violence against women before it contaminates non-violent families were also present in these reports. What we see with the 2000s, is that, projects are developed in order to realize these general recommendations. In other words, especially through education campaigns and encouraging women to be part of microcredit scheme projects in the Kurdish region seen as remedies to end violence in the long run, the Kurdish population as a whole and the socio-economic structures are tried to be centrally controlled and governed.

The Republic of Turkey Directorate General on the Status of Women developed the "Combating Domestic Violence Against Women National Action Plan"[192] for 2007-2010. The Action Plan is prepared as a part of the Promoting

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[191] Koğacıoğlu, "Tradition Effect: Framing Honor Crimes in Turkey," p.120.

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Gender Equality Project, which has been launched within the framework of the 2005

Pre-Accession Financial Cooperation Program between Turkey and the European

Union. As indicated in the Action Plan, improvements are targeted in six main fields,

namely legal arrangements, social awareness and mental transformation,

advancements of women's socio-economic status, protective services, curative and

rehabilitation services and inter-sectoral cooperation. The Action Plan suggests legal

arrangements on behalf of women and establishing required institutions like shelters

and training professionals working with women subjected to violence. These are in

line with previous suggestions. What I find significant however, is that violence

against women is understood as an economic problem as well: "the cost of violence

against women does not only comprise of direct costs such as services provided to

victims (health care services, shelters, counseling centers, help lines, etc.) and

procedures regarding the perpetrators (costs associated with the police forces,

prosecutors, courts and prisons), but also indirect costs such as declined productivity

and employment (victims' loss of productivity and substantially effected changes in

employability of both victims and perpetrators. [sic.] The economic cost can be

significant."[193] In this respect, the Action Plan urges the government to develop

policies for the encouragement of women entrepreneur, provisions of relevant

trainings, counseling and financial services in addition to job training courses,

"income generating activities for women in poverty and families headed by women",

through microcredit schemes.

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[192] Republic of Turkey Directorate General on the Status of Women, *Combating Domestic Violence Against Women National Action Plan*. Available [online]: "http://www.ksgm.gov.tr/Pdf/kyais-uep-eng.pdf" [4 August 2011].

[193] Ibid.

Education campaigns for girls have been launched since 2003. The Ministry of National Education, in the framework of the activities related with "Strengthening Individual Resources of Women and the Family" plans, conducts the "Come on Girls! Let's go to School" Campaign. The campaign started in ten cities, all of them being in the Kurdish region. There are also campaigns for adult education, in Community Education Centers, in order to provide men and women functional literacy, income-generating vocational courses, skill development courses and parenthood education courses. As indicated in the Action Plan, in these education campaigns "the method of adult education is used in order to raise the consciousness of women on issues such as early marriage, polygamy, fellow wife practice [sic.], dowry abuse, wife inheritance, domestic violence, physical violence, verbal violence and sexual violence."[194]

The way education and economic policies operate in the Kurdish region can be analyzed in the way Foucault sees the operation of power. According to Foucault, power's operation is on the one hand individualizing, operating on single bodies and on the other hand totalizing, taking the population as a whole and controlling and regulating it. Within the framework of the Kurdish problem, associating violence against women with Kurdish identity and introducing policies for integrating each and every subject into the national education or national economy can be understood as a technique to control and regulate both individuals and the community as a whole. Nilay Ozok-Gundogan, in her study analyzing governmental development projects in the Kurdish region, argues that these projects were not limited to technical programs aiming at greater production, but entailed an effort to intervene in all social spheres and should be considered as a strategy to establish control and authority over

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[194] Ibid.

a region and its population.[195] She argues that in the context of the Kurdish region, it is imperative to analyze the development practices of the Southeast Anatolia Project (GAP) in relation to the state's attempts to deal with the Kurdish question in Turkey.[196] The neo-liberal understanding of development is turned into an appropriate technology for the state to realize its developmental objectives in the region where it had lost credibility and prestige and thus introduce new actors offering social services.[197]

Violence against women conceptualized as a problem of poverty, ignorance and tradition and therefore understood as the problem of the other, results in projects of modernization and development. These projects however should be understood in a wider framework, that is the framework of the ongoing Kurdish problem. Although armed conflict is an indispensable aspect of the Kurdish problem in Turkey, the intervention of state institutions alongside with private corporations and NGOs through social and economic regulations, as stated by Ozok-Gundogan, is attempts to govern the region through different disciplinary and regulatory means.

Another aspect of the problem is that limiting violence against women to honor/customary violence conceals violence against women perpetrated by security forces and other state officers in the region as well as the gendered character of the violence emerging as a result of the armed conflict. The boarding schools recommended in governmental reports in the struggle against violence are considered as spaces for integrating Kurdish children into the Turkish national system,

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[195] Nilay Özok-Gündoğan, "'Social Development' as a Governmental Strategy in The South Eastern Anatolia Project," *New Perspectives on Turkey*, no. 32 (Spring 2005), p.94.

[196] Ibid., p.95.

[197] Ibid., p.109.

especially through education in Turkish instead of the mother tongue, Kurdish.[198] In addition, schools are not spaces devoid of violence. In Siirt, a Kurdish city, there is an ongoing court case about seven girls who were sexually harassed and raped for two years by men including the primary school principal and other state officers.

However, this does not mean that education or economic income is not important in the empowerment of women. What is crucial in this respect is that honor is not only a cultural issue but also a political one that regulates the everyday life and practices.[199] So, legal reforms and different levels of education do not ultimately end the violence they face in their everyday life. As Sirman puts it, "women learn about their rights theoretically without being provided with the means to exercise them, or given an understanding of the social context in which they have to struggle."[200] So, projects should be developed starting from the locality and in relation with local institutions, and in this case local women's institutions who are struggling against violence.

Throughout this chapter, the changes in the way violence against women is understood and in the policies developed by governments are discussed. It is argued that one of the important ways of defining violence against women is done through seeing it as the other's problem. However, how the other is constructed changed in time. In the early days that violence against women became a mater of debate, the other is identified as poor and ignorant, living in the countryside or in shantytowns. Therefore, violence against women was understood as a symptom of the failure in

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[198] "Bize Zorla Türkçe Öğretildi". 27 May 2010. Available [online]: "http://bianet.org/bianet/ifade-ozgurlugu/122320-bize-zorlaturkce-ogretildi," and "YİBOlar Açık Cezaevi Yatakhaneler Koğuş." 5 May 2010. Available [online]: "http://bianet.org/bianet/toplum/121790-yibo-lar-acik-cezaevi-yatakhaneler-kogus" [26 June 2011].

[199] Sirman, "Kinship, Politics, and Love: Honour in Post-Colonial Contexts–The Case of Turkey," p.54.

[200] Ibid., p.55.

the Turkish modernization. However, with the discovery of honor and customary crimes, the other is identified with Kurdish people. In this sense, it is not understood anymore as the problem of the Turkish society but a particular population. The Turkish society is, therefore, understood as modern whereas Kurdish people as traditional. This dichotomy has important effects in the way different government policies are developed and techniques fro controlling regulating the Kurdish population.

Another important aspect of the changes in the way violence against women is understood is that it is limited with domestic violence. This limitation is not only a problem in the theory; it is effective in the feminist politics as well. Although feminist women in Turkey try to keep their focus on violence and women subjected to violence, how different forms of violence are connected to each other and what should be strategies that different women can use in dealing with violence in different contexts have not yet been addressed extensively.

CHAPTER V

CONCLUSION

In this thesis, discourses and policies on violence against women in Turkey were examined. Violence against women, its conceptualization and the various proposals about how to combat against it were the main issues around which feminist activism in Turkey has been organized to date. As a matter of fact, there are various actors that produce knowledge and policies on violence against women. These actors do not operate independently from each other. Rather the tension and the dialogical relation among them set the context within which they act. In the thesis, discourses and policies developed by the feminist movement and the General Directorate on the Status of Women and on Family and Social Studies are analyzed.

It is argued that discourses and policies on violence against women should be understood in relation to the way the "woman question" had been framed within the modernization process in Turkey. Violence against women, in parallel with the "woman question" was understood as part of problems in the modernization process. It was either a residue of traditional norms, values and practices as well as archaic social structures or ignorance and economic deficiencies. Otherwise, it was labeled as a crime, an individual act that breaks the law or an illness, a psychopathologic disorder. So, in order to exterminate violence against women, policies developed by governments were based on education, economic development and legal reforms or medical cures.

The comparison of governmental policies of the 1990s and the 2000s show another significant dimension. With the "discovery" of customary crimes, violence against women became the problem of a particular group, the Kurdish population.

The discussion on the discourse of the "Kurdish question" is outside the limit of this study; yet, it can be stated that as the "woman question", the "Kurdish question" is similarly considered as a problem of modernization and development of the "eastern parts" of Turkey, in the policies and politics produced by the state. As such, violence against women is articulated within the underdevelopment discourse and identified as the problem of the Kurdish population and Kurdish culture.

Feminist women challenged the way violence against women was understood by the state and by state feminists. The knowledge they produced and their activism was a radical break from the way the "woman question" was framed within the modernization project. They understood violence not as a failure of the modernization process but as immanent to the way the modern state and the social, economic and political relations were institutionalized. In this sense, the patriarchy was not conceptualized as a residue of the past but rather as constitutive of the present power relations. Thus, the issue of how to deal with violence against women has no final answer within the feminist movement.

This thesis has also tried to argue that the way feminist women theorized violence against women and the political strategies they suggested in order to struggle against it has its own limits. Questions like how different women experience violence in different ways and the connections between different forms of violence were addressed after meeting with Kurdish women. In order to transgress the limits in theory and activism and to weave links of solidarity between different women without ignoring their difference, feminist women constructed different spaces for deliberation and platforms and coalitions for struggling against violence together with women who had political agendas other than women and socialism. Through

these encounters, feminist women had been and still are changing their approaches to violence as well as their demands and strategies.

Violence against women is a problem that needs urgent solutions since three to five women are killed per day. However, policies developed claiming to end violence should be also considered critically. In fact, a tension emerges due to the fact that for the feminist movement one of the main challenges is to develop policies that will have immediate results through state or civil society organizations and while simultaneously having a critical attitude towards these institutions and their patriarchal, capitalist and militarist discourses. This thesis does not provide answers to solve this tension but rather tries to formulate its discursive background.

The thesis shows that different techniques and calculations to end violence against women are constructed as a discursive base that makes the intervention to both individual bodies and the population as a whole possible. It argues that individual bodies became spaces where violence is assumed to be located through discourses of criminality and pathology. In addition education and the integration of women into the work force through different economic development projects made the population a site for different power mechanisms to operate.

By showing these processes, one of the aims in this thesis was to uncover the power relations that are rendered invisible through the different discourses analyzed. On the one hand, criminality and pathology, on the other the stigmatization people with lower education and income level or representing Kurds as backward and feudal with custom as their law conceal the patriarchal power relations and different institutions and agencies are portrayed as "protectors".

This study has three major limitations. The first one is that different policies developed by different governments and institutions are not distinguished. This

causes the state to be represented as a unified monolithic entity. So, tensions and conflict among different state institutions as well as the change in their overall policies throughout time are not elaborated. The second limitation is that differences among different groups that constitute the feminist movement are not extensively discussed. The third limitation is that violence against women is taken into account isolated from other forms of violence like violence among men.

Taking these limitations and the general discussion throughout the thesis into consideration, further questions can be asked about discourses and policies on violence against women.

Firstly, how different state institutions placed violence against women on their agenda, and the different policies developed need to be analyzed. For instance, it is indicated in the National Action Plan that different training and education programs in different institutions are organized. However, in those projects, these are only quantitative data. So, the content of these education programs and its effects on state officials and their reactions can be analyzed.

Another important set of questions that can be addressed are the issues of is "legitimate use of violence" and "who deserves violence". Although there are extensive projects on violence against women conducted by government institutions, the armed forces and especially the police use violence as a means to control or suppress public protests. How is it possible that whereas domestic violence against women is recognized as officially unacceptable, other forms of violence are seen as legitimate? How violence against women can be imagined as separate from other forms of violence?

Another important field to analyze is the feminist movement. As it was stated earlier, the feminist movement is neither unified nor homogenous. How different

feminist perspectives also shaped they way violence is conceptualized? What are critical issues that lead to differences within feminist movement? What are different political strategies suggested in order to end violence? In addition, as it was argued, the modernist discourse of the "woman question" is a challenge for feminist politics. So, how different feminist organizations deal with the constraints of modernist discourse?

Lastly, the interrelation of different forms of violence in the context of Turkey is an understudied issue. In a country where there is an ongoing civil war accompanied with a chauvinist militarist and nationalist discourse and where there are various lynch attempts against non-Turkish groups like Kurds or Romas, I do not believe that domestic violence can be analyzed independently of all the rhetoric and practices of violence.

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