STATUS OF WOMEN IN TURKEY: THE ISSUE OF HEADSCARF

Dissertation submitted to Jawaharlal Nehru University
In Partial Fulfillment of the Requirements
For award of the degree of

MASTER OF PHILOSOPHY

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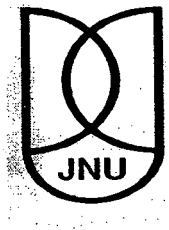

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DECLARATION

I declare that the dissertation entitled "**Status of Women in Turkey: The issue of Headscarf**" submitted by me for the award of the degree of Master of Philosophy (M. Phil) of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.

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CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

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Acknowledgements

First of all, I am very grateful to my supervisor, Dr. Aswini K. Mohapatra for sowing the seeds of this work in my mind. His guidance for my work, as a teacher, advisor and friendly approach played an important role in moulding my ideas and thinking, and work it out. I am deeply obliged to him for encouragement and academic freedom, which he provided me. I am forever indebted to the moral and emotional support given by him throughout this period of my work.

I would also like thank to *Centre for West Asian Studies,* the Chairperson and all the faculties, who have taught me and helped me with their valuable comments and suggestions. I am thankful to also *JNU* Central Library staff & others and Institute for *Defence Studies and Analyses (IDSA)* for giving me service.

I indebted to my friends Saleem Ahmad, Tanveer Ahmad and Vineetmitra for their timely & valuable and companionship. They have provided me enough support to keep my sprit and confidence alive during the whole time of this work. Last but not least, I would not have gotten this research done without my Friend Tanweer Ahmad Khan. He made everything possible with his support whish was invaluable. I will always remember his generosity, strength and sense of sharing.

Finally, I am forever indebted to my parents and brothers for their faith, love and support with encouragement that has guided me throughout my academic study and much more.

Date 28 July, 2010 **khushbu Gupta**

CONTENTS

Introduction

Religious attire in daily life was banned by Mustafa Kemal Ataturk, founder of the modern Turkish Republic, as part of his ambitious project to create a new nation, a new state, a new mentality and a new way of life. The ban has been vigorously enforced in public offices and schools since the September 1980 military coup. In February 2008 when the ruling Islamic-rooted Justice and Development Party, Known as AKP by its Turkish acronym, under pressure from its conservative base moved to end the decade-old ban on female students wearing headscarves at public universities, a fierce debate ensued between the country's secularists who see headscarf as a symbol of political Islam and those who consider the ban an affront to religious freedoms of Muslims.[1] Although the headscarf controversy reflects the growing political polarisation in the country between the moderate/liberal Islamists and the military-backed secularists, it has brought to the fore an array of issues pertaining to the status of women in Turkey. They range from gender inequality, domestic violence and the puritanical sexual morality to the patriarchal underpinnings of the Turkish state and the role of women in public sphere. This study makes an attempt to address these issues in the context of the headscarf debate, which is though narrowly focused on religion.

At the heart of the headscarf issue are the women and their public appearances. The liberals and conservatives who support the AKP government's Constitutional amendments to lift the ban see the headscarf as a form of expression of individuals' religious identity and the necessity of its representation in the public sphere. For them, the issue is more a matter of freedom and equality than a collective, counter-hegemonic identity. Moreover, wearing headscarf is the private matter, which needs no state regulations as such. The women, who demand to be admitted to universities with headscarves, view this as exercise of their citizenship rights as referred in the article 24 of the 1982 Constitution. They also insist on their right to education guaranteed by the Constitution and the state should not deny them access on the ground that they wear

[1] Evren Çelik Wiltse (2008), "The Gordian knot of Turkish Politics: Regulating Headscarf Use in Public", *South European Society and Politics*, vol. 13, no. 2, p. 195.

headscarves. Those who are not admitted to universities are in fact discriminated against not because of their religious beliefs but also because they are women. They argue that they have a right to do so and that the abrogation of this right is a restriction of the freedom of religion and an encroachment of individual right.

Until recently Turkey prided itself on the emancipation of women as an integral part of the Kemalist reforms aimed at creating a modern/Western nation. With the introduction of the 1926 Civil Code, Turkish women were emancipated, but only to the degree the republican saw fit. Gender equality was granted in the public realm and corresponding upward mobility among the women did take place. Ironically, at the same time patriarchal norms continued to be in practice in the private realm giving rise to domestic violence and subordination of wife to husband. Moreover, the impact of Kemalist project was confined to upper strata of the society, from which emerged the radical feminists who in the mid-1980s onwards demanded substantive equality and even control over their own sexuality. Subsequently, with the expansion of the nascent Turkish society and the growing assertiveness of the women associations, the government came under pressure to adopt a new Civil Code on 22 November 2001 in accordance with the requirements of the 1975 UN Convention of the Elimination of Discrimination Against Women (CEDAW).[2]

Meanwhile, the demographic changes due to the progress of modernization introduced new strata into Turkish society – the new urban class with close attachment to the tradition and religious values. Their search for "alternative spaces" and together with their political mobilisation by the Islamists led to the demand for the right to public representation and tolerance of their symbols and rituals in the public sphere. The headscarf began to be seen as a form of expression of their religious identity and part of citizenship rights, which, however, constituted a potent challenge to the guardians of the Kemalist republic wedded to secularism. In brief, the headscarf issue at one level involves the power struggle and identifies differences at another.

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[2] "Sex and Power in Turkey: Feminism, Islam and the Maturing of Turkish Democracy", (2007), *European Stability Initiative (ESI) Report*, Berlin: Istanbul, p. 8

Ironically, however, the headscarf controversy has obscured larger issues involving the status of women in Turkey, notably the empowerment of large but silent sectors of the women and gender inequality in the critical spheres of employment, education and policy-making. It is argued by many that patriarchy traditions and economic structure are the factors that account for the subordination of women in Turkey. At the same time religion of Islam has a great impact on the social structure providing a powerful legitimacy to subordinate women. In this backdrop, this chapter in an attempt to evaluate the changing role and status of Turkish women begins with a historical overview of political and social changes since the Ottoman period through the Kemalist reforms to the rise of the Islamists in the wake of the progressive democratization of the post-imperial polity under military-bureaucratic tutelage.

Ottoman Period: Reforms and Status of Women

The first ideas of modernity among the Ottoman elites paid attention to techniques that Western countries used. It is important to present the modernity project of Turkey to understand the social structure in which women became active participants in society. Without an understanding of Turkey's modernity project, Kemalism, and feminist discourses, it is hardly possible to understand Islamist movements and the status of women today. The bureaucratic elite who led the reforms in the Ottoman period in the nineteenth century in the spheres of the judiciary, military, and education also sought to emancipate women. This liberal movement by the elites faced opposition from Islamists, who considered the emancipation of women an offense to the existing Islamic Empire and these reforms to be the effects of the imperialist West. The modernization projects in Muslim countries in West Asia are said to have led to a separation between the reformists and conservative Islamists. But according to Kandiyoti, this oversimplifies the dynamics and complexities within these movements. Modernity and ideals of nationalism in West Asian countries manifested different combination of elements and women's status was manipulated in order to legitimise the structures of the new Turkish nations.[3]

[3] Deniz Kandiyoti (1991), "Women, Islam and the State", *Middle East Report,* vol. 1, no. 1, p. 12

In the 19th century Ottoman Empire, administrative, legislative, and educational reforms were undertaken in order to integrate with Europe. Equality, freedom, and citizenship were new ideas originating from the French Revolution, and Ottoman bureaucrats who were educated in Europe could not resist these ideals. Apart from, technological advancements, a new rationalistic view of life in Europe also started to have an impact on the Ottoman Empire. Islamists debated the consequences of this materialistic lifestyle and argued that the decline of the Empire depended upon these values. According to an analyst, an emphasis on Islam versus the stress on Westernization and enlightenment formed two opposing sides.[4]

The reforms that aimed to strengthen state power in the Ottoman Empire led to a gap between the bureaucratic elites and the *ulama.*[5] The Young Ottomans[6] supported ideas such as liberalism, modern Islam, and socialism. Although the Islamist group among the Ottomans agreed to the advantages of European methods in technology and science, they rejected the secular reforms and blamed them for the decline of the Empire.[7] Because of the disparity between the state and the *ulama* in the hinterlands became more powerful than before. The struggle between state and *ulema* became an issue that continued throughout the twentieth century.

The women question and the reforms of bureaucratic elites seeking to emancipate women by adopting the Western modernization model in the late Ottoman period overlapped with the debates over Islam and modernity. On the one hand, the new educated bureaucrats argued that the traditions and Islamic way of life could not

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[4] Nukhet Sirman (1989), "Feminism in Turkey: A Short History", *New Perspectives on Turkey,* vol. 3, no. 1, p. 4.

[5] Bernard Lewis (1968), *The Emergence of Modern Turkey*, New York: Oxford University Press, chap-2.

[6] The Young Ottomans were a group of Turkish nationalist intellectuals formed in 1865, influenced by the French Revolution. They advocated a constitutional, parliamentary government. The Young Ottomans were bureaucrats resulting from the *Tanzimat* reforms who were unsatisfied with the bureaucratic absolutism of it and sought a more democratic solution. See Lewis, The Emergence, pp. 126-170.

[7] Cizre U. Sakallioglu (1996), "Parameters and Strategies of Islam-State Interaction in Republican Turkey", *International Journal of Middle East Studies,* vol. 28, no. 1, p. 233

emancipate women as educated wives and mothers who needed to be civilized. On the other hand, the Islamists were critical, defending the argument that Islam was sufficient in regulating social life. Compared to the reforms in the legislative, educational, and military fields, society presented more resistance to the social reforms. Polygamy, arranged marriages, divorce regulations which was favored of men. The segregation of the sexes was the obstacle in the Islamic structure that made women's emancipation difficult. The debates over the status of women were the arenas in which these ideologies were fought.

The modernization process was followed by the appearance of women in public life at the end of the nineteenth and beginning of the twentieth centuries. At the beginning of the twentieth century, half the textile workers were women, and in 1897 half the personnel in matchstick factories were women. Women from the lower classes were already working in the Ottoman Empire in the factories and homes. With the educational reforms, women's educational status improved, and they formed a new working class. The Women's University, secondary schools, and vocational schools helped to employ women as teachers and nurses. Besides their participation in the labor force, women founded charity organizations and became socially active. The participation of women in the workforce threatened the segregation of the sexes, so the Islamic Organization for the Employment of Women, which was founded in 1916, promoted marriage for working women and expressed its aim as teaching women how to work honorably.

The Educated bureaucratic elites and the Young Ottomans desired to choose wives for a happy marriage and friendship, and they wanted women who would not be subordinate to them and who would share their ideals.[8] These men therefore wanted to leave the old, oppressive customs behind. Before the decline of the Ottoman Empire, women were regarded by themselves and by the state as primarily responsible for home. Although educated and elites women had begun to speak out against the Ottoman family

[8] Deniz Kandiyoti (1988), "From Empire to Nation State: Transformations of the Woman Question in Turkey" in S. Jay Kleinberg (ed), *Retrieving Women's History: Changing Perceptions of the Role of Women in Politics and Society*, Oxford: UNESCO Series in Women's Studies.p154

system. "The main discourse was one of progress and education that did not challenge the identity of women as wives and mothers. This discourse was formulated in opposition and in compliance with another".[9]

The search for being a citizen instead of a subordinate was one of the most important factors in mainstream feminism in the late Ottoman period. According to one scholar, mainstream feminisms in West Asian and Third World countries can be associated with the struggles of the local middle class searching for anti-imperialist and nationalist social reforms, modernization. In Turkey the origins of feminism paralleled the efforts of nationalism. Since it emphasized and supported women's rights, nationalism is considered to form the basis of the women's movement in this period.

Early Republican Period

Although the history of modernization in Turkey dates back to the eighteenth-century Ottoman Empire, known as the *Tanzimat* period most critical and important reforms include those made between 1926 and 1930 after the foundation of the Turkish Republic in 1923.[10] The main goal of the republic was to develop the country along the lines of Western civilization and to reach the stage civilized nations had achieved. In the early republican period after 1923, the new reformists, namely Mustafa Kemal, upon who was later bestowed the name Ataturk as an honor, and his cadres wanted to create a new Turkish identity opposed to the Ottoman identity with its roots in Islam. They wanted to radically transform the Ottoman Islamic structure into a nation-state within the framework of ideological positivism. Kemalism sought to create a new nation with capitalism as an economic structure, the nation-state and democracy as a political structure, and secularism as a cultural basis.

[9] Sirman , "Feminism in Turkey: A Short History" , p. 9

[10] Cengiz Candar (2000), "Atatürk's Ambiguous Legacy", *The Wilson Quarterly*, Vol. 24, No. 4, pp. 88-96

Because the new ideals of modernization of these educated bureaucrats were not compatible with the Islamic way of life, to weaken the power of Islam in social life, the *Caliphate*[11] was abolished in 1924, along with the office of *Seyh-ul-Islam*[12] and the Ministry of *Sharia*. The *fez*[13] was also outlawed. The abolition of the fez was a "great symbolic revolution," according to Bernard Lewis, since it was an important symbol of Muslim identity. In the 1924 Constitution, Islam was designated the religion of the state.[14] This article was changed in the 1928 Constitution, and secularism was inserted into the 1937 Constitution. Islam was integrated into the government structure as "state Islam" by an agency called the Directorate of Religious Affairs. Imams who represented enlightened Islam were graduates from the state-run religious (*Imam Hatip*) schools.

The goal of the modernity project of the new government was to create modern nation that had adopted the rationalism of Europe. According to Ataturk and his cadres, to achieve this nationalization transformation, it was necessary to annul the inheritance of the cultural identity of being Muslim. In Ataturk's program of modernization, secular government and education played a major role. In exploring of Kemalism as the new identity of the nation, Sakallioglu has argued:

> "In Benedict Anderson's terminology, the Kemalist project of Western-style Enlightenment attempted to achieve the difficult task of making individuals come to "imagine" themselves as part of a nation and identify themselves with that "imagined community" of Turkey. This was to take place without any inheritance of older cultural meanings, the strongest of which was being a Muslim".[15]

Under the policies of the new republic, Islam became a secondary identity and a secondary cultural element in society. Being a citizen of the nation was the primary

[11] Islamic leadership of the community of Islam

[12] The highest religious authority in the Ottoman Empire

[13] Muslim headgear for men in the Ottoman Empire

[14] Lewis, "*The Emergence of Modern Turkey*", p. 269

[15] Sakallioglu, "Parameters and Strategies of Islam", p. 235.

identity at which the Kemalist ruling elite aimed. Because the structure of Islam was incompatible with the new ideals, such obstacles needed to be eliminated to create a new identity. The cancellation of *Sharia*, the religious schools, and the *Caliphate* were the reforms that legitimized the authority of the new, secular state. As successor to the Ottoman Empire, the Turkish Republic's new goal was to discontinue the rule of Islam. Islam was now the state religion, which could be controlled under the agency of the Directorate of Religious Affairs, which separated the public and private realms of religion.

Ataturk and his compatriots placed greater importance upon the Turkish identity than the Ottoman identity, and to do so they had to compete with the power of Islam. The Islamic identity of the nation was subordinated to the Turkish identity, and Islamic culture was subordinated to the newly formulated Turkish national culture to legitimize the new nationalist politics. In examining the significance of kemalism, an analyst has observed:

> "Kemalist ideology was an amalgam of the ideas associated with laicism, nationalism, solidarist positivist political theory and 19th century scientism. The dominant trend in the historiography of the Kemalist revolution saw it as a late-Enlightenment movement that had its roots in the secular-rationalist tradition of ideological positivism and characterized the politics of the era as a zero-sum game between secular modernist Kemalists in action and religiously oriented anti-modernists in reaction".[16]

State Feminism and Reforms in the Republican Era

After the new republic had disengaged itself from its Ottoman heritage and Islamist ideologies, it had a secular and democratic structure, and the status of women became an important concern for the state. The idea of modernity had brought the question of the status of women into the center of such binary oppositions as traditional and modern. The women had played a major role in their new identity during the Turkish

[16] Nazim Irem (2002), "Turkish Conservative Modernism: Birth of a National Quest for Cultural Renewal", *International Journal of Middle East Studies,* vol. 34, no. 1, p. 87.

War of Independence. During the war, urban and rural women had defended their country and in the cities. While rural women were helping in Anatolia, educated women gave speeches in the cities. Most of the women also fought with the enemy along the enemy lines. The national goal was to reach the level of the civilizations of the West and for both men and women to work together to achieve this new goal. Thus, women had to redefine themselves and go through the transformations that the state encouraged. Feminism during this republican period was called "state feminism," and it aimed to make women appear in the public sphere as modern daughters of the republic. Education was the most important tool to bring about the modernization of women so they could become professionals as well as Westernized wives and enlightened child bearers, with the scientific knowledge needed to raise healthy children for the republic. Emphasizing women's development as professionals as well as their domestic roles, Ataturk said:

> "As time passes, science, progress, and civilization advance with giant steps, so increase the difficulties of raising children according to the necessities of life in this country, and we are aware of this. The education that mothers have to provide to their children today is not as simple as it has been in the past...Therefore, our women are obliged to be more enlightened, more prosperous, and more knowledgeable than our men. If they really want to be mothers of this nation, this is the way".[17]

According to Sirman, the early republican period was the second phase of interest in women's emancipation; in the Ottoman period, women had been wives and mothers in need of education, while in the republican period they also became patriotic citizens.[18] Both periods emphasized the importance of education arising from Enlightenment ideals. Ataturk's speeches also emphasized women's role as symbols of democracy and civilization. In March 1923, Ataturk stated:

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[17] Details of Ataturk's speech, Quoted in Yesim Arat (1991), "Feminism and Islam: Considerations on the Journal Kadinve Aile" in, S. Tekeli (ed), *women in Modern Turkish Society*, London: Zed Books publications, p. 61

[18] Sirman, "Feminism in Turkey", vol. 3, no.1, p. 5

> "Our enemies claim that Turkey cannot be considered a civilized nation, because she consists of two separate parts, men and women. Can we shut our eyes to one portion of a group, while advancing the other and still bring progress to the whole group? The road of progress must be trodden by both sexes together, marching arm in arm".[19]

Women seeking emancipation in the Ottoman period did not receive much freedom on issues such as polygamy, divorce, inheritance, and custody rights. Between the 1917 Ottoman Family Law and 1926, Turkey was devoid of a civil code. In 1924 preparations for a new civil code began. But because of the Commission's reactionary attitudes and bureaucratic difficulties, the preparations did not proceed fast enough. The Commission working on the civil code attempted to legalize the 1917 Family Law, setting the age for marriage at 9 for girls and 10 for boys, legitimizing polygamy, and giving the right to divorce to men in all situations and to women only under some circumstances. This protocol was not legalized until 1926 with the adoption of the Swiss civil code. During this process, Ottoman feminists did not oppose this family law and were therefore criticized by men. Although feminists did not oppose this in the context of emancipation, within the domestic context they considered it contrary to healthy marriages and so criticized it. The passivity of women against attempts to subordinate them was a sign of the importance feminists placed on the family and on women's domestic roles. In the Ottoman period, feminists had not merely searched for emancipation but also continued to highlight women's roles as mothers and wives. The reaction of the commission and its attempts to sabotage the new civil code is just one example that shows the tension between the modernists and the Islamists in the republican era.

With the adoption of the Swiss civil code in 1926, which was important for eliminating the obstacles that had existed during the Ottoman Empire, polygamy became illegal, women gained the right to divorce, civil marriage became obligatory, and both

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[19] Quoted in Nermin Abadan-Unat (1974), "Major Challenges Faced by Turkish Women: Legal Emancipation, Urbanization, and Industrialization", *Turkish Yearbook of International Relations,* vol. 14, no. 1, p. 24.

sexes were considered equal in matters of inheritance. Highlighting Ataturk's emphasis on the importance of the Turkish family, an analyst writes:

> "He wanted the goal of Turkish women, like that of men, to be to develop a lifestyle that uses her energies and capabilities in such a way that she functions in her various roles efficiently and productively. Ataturk was determined to liberate women from their secondary and subdued role that consisted solely of being a commodity of exchange, a producer of offspring, in short a sex object".[20]

As Abadan-Unat, for many years head of the Turkish Social Science Association, pointed out, "all most all major progressive measures benefiting Turkish women wear granted rather than fought for".[21] Although the Swiss code provided women with security, it described men as being the head of household and gave them the right to choose where the couple would live. To participate in household expenses, women should perform tasks within the household, and if they were to work outside, written consent from the husband was mandatory. Patriarchs of *mahrem* (belonging to the private sphere, secret) became the heads of households in the new system. Also, the age for marriage had to be arranged according to custom; in June 1938, the age of marriage for men was set at 17 and for girls 15. Although the reforms encouraged the participation of women in the public sphere, they did not interfere much with the private sphere. Turkish scholars later criticized this aspect of the reforms during the liberal feminist movement. The republicans did not criticize or argue over what constituted womanhood. The new goal of women was to become social, educated, and active in addition to their roles as mothers and wives.

The education system became coeducational, and in 1927 the first women lawyer appeared before a court, followed by the first judge and prosecutor in 1930.[22] In 1930,

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[20] Abadan-Unat, "Major Challenges Faced by Turkish Women", p. 23

[21] "Sex and Power in Turkey", p. 4

[22] Ibid., p.4

1933, and 1934, women gained their rights in the municipal councils, the councils of elder men in the villages, and in parliament respectively.

In Turkey during the 1930s, the ruling party was Ataturk's Republican People's Party (until 1946 there was single-party system), and it has been argued that to eliminate prejudice against being a dictatorship and to distinguish itself from Hitler's government, Ataturk gave women the right to vote and to be elected. Between 1926 and 1934, women fought to gain their right to vote. At the same time, they founded the Turkish Women's Federation to be politically active and to represent the needs of women in the political arena. But their attempts in the 1927 and 1931 elections failed due to the criticisms against them. In fact, in 1935 their leader was deposed, and the new leader of the federation declared that it would only participate in charitable activities, since women had gained the rights they had asked for and no further struggle was needed for political demands. In 1935, 18 women were elected during the national elections and began to attend parliament. Women's participation in the parliament during the republican era stood at 4.5 percent. In the 2002 general elections, only 4.4 percent of the 550 parliamentary seats went to women, producing 24 MPs (13 AKP; 11 CHP). This places Turkey 114th of 119 countries, and by far the lowest in Europe. Turkey is also last in Europe in terms of women as government ministers.[23]

In the republican era, industrialization gained momentum. In addition to changes in the economy, industrialization also brought about social change, and, parallel to that, changes in the family and women's status. To arrange the new economic structure and women's status in the workforce, in 1936 a new Labor Law went into effect. In 1937 the state banned women from working in dangerous and heavy-weight jobs. And the reason for this preference is the reactions against women's participation in the workforce in rural areas.

[23] "Sex and Power in Turkey, p. 30.

Critique of State Feminism

The republican period in Turkey formed the background to women's liberation with its efforts to emancipate them. But these efforts were not the result of a women's movement; they instead came from high officials. The main characteristic of the republic was the emancipation of women in the absence of a women's movement; these reforms reflected the ideals of male elites but not women's demands. She has further argued that these reforms do not indicate the presence of feminism during this era. Women were "emancipated but not liberated"[24] in this period. But women's efforts between 1926 and 1934 to gain the right to vote cannot be denied, as well as their manifest during the municipal elections that provided free distribution of milk among nursing mothers. Despite the state's expectation of women to become teachers and educated professionals, its first goal was to create educated wives and mothers who would educate the nation in turn. Women were expected to appear in the public sphere according to the Westernization ideals of the republic, but they were also placed in the private sphere as mothers and wives. The new identity of women presented a duality between the new, modern Western ideology and the traditional Islamic identity.

Examination of the characteristics of the reforms, including the civil code defining men as head of the household, shows that the goal was not to liberate women as individuals. As already noted, the reforms did not interfere with the private life and role of women. Women were given an impossible mission. Apart from being symbols of modernization, they had to restrain the rapid breakdown of the social structure by undergoing a moderate transformation process. Women of the period were defined by a critic as "the keepers of the tradition". According to writer, Islamists, socialists, and Kemalists dissolved women's issues into their own politics and used them to legitimize themselves.

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[24] Deniz Kandiyoti (1987), "Emancipated but Un-liberated Reflections on the Turkish Case", *Feminist Studies*, vol. 13, no. 2, pp. 321

Likewise, another analyst in is examining the effectiveness of state feminism has sought to unveil the politics behind women's rights. According to her, the right of women to vote was a democratic strategy for the republic. Scholars have criticized Ataturk as being a dictator, since during that period his party alone ruled the country. Women's voting rights could be the shift that would support democratization. As Tekeli has pointed out, the republican efforts to give women the right to vote and be elected to the parliament appears to have been a strategy designed to accomplish the ideals of democratization.[25] She has also argued that "accomplished objective illusion," brings into question the absence of a women's movement during these years. Although Tekeli refers to republican women as symbolic tools, she stresses the idea that the reforms came as regulations from above. She draws attention to the feminist movements in the Ottoman period and to women's protests that fought for voting rights. Women internalized the nationalist ideology, which prevented them from forming a women's movement. Another reason for the absence of a women's movement was the inadequate transformation in gender roles in this period.

During the republican period, reformists attached importance to women's role as mothers and wives to be the producers of a new, powerful nation. Their role was important in raising healthy, educated citizens for the nation. Women needed to become educated, patriotic citizens. But the reformists thought their Westernization needed to have some limits, and they were not to become "over-westernized". Kandiyoti puts the new women's identity during this period into perspective using the terms "the comrade-woman" and "asexual sister-in-arms".[26] The ideal republican woman was a citizen woman, urban and urbane, socially progressive, but also uncomplaining and dutiful at home".[27] Women not only had to be active but also conservative[28]and they had to make

[25] Sirin Tekali (1995), *Women in Modern Turkish Society: A Reader*, London: Zed Books Publications

[26] Kandiyoti, "Emancipated but Un-liberated", p. 28.

[27] Jenny B. White (2003), "State Feminism, Modernization, and the Turkish Republican Women," *National Women Studies Association (NWSA), Journal,* vol. 15, no. 3, p.145.

[28] Ibid., p. 145

the transformation slowly. Women had to adjust to their new lifestyles, and at the same time they had to keep the social order.[29] According to Newton, these new modernity aspects of the state may have been the beginning of a new form of control and restriction over women that may have weakened other forms of male authority.[30]

Generally, critics of state feminism have argued there was a contradiction between motherhood and labor force participation. The highest duty for women was motherhood, and their political duty was embodied with motherhood: to raise educated generations for the republic. Motherhood was the highest patriotic duty. A healthy family was the main concern of the republic, and if the family was strong, the nation would be strong too. Also, this period did not support individualism, since collectivity was more important to achieve the national purpose. Women's education carried the risk that it could undermine the importance of the family; if women were educated; they would earn their own money and would not need a husband to support them. Because this would lead to a corruption in the social order and morality, individualism was not to be encouraged. Thus women's responsibilities became a burden for the new, educated woman; she participated in the workforce but at the same time, because of the gendered division of labor, she had to take responsibility for the house, children, and the duties of being a wife.[31] Some women in the 1960-70 periods did not take these roles for granted, they instead became active participants in remodeling the society in order to redefine their roles.[32]

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[29] Ibid., p. 145

[30] Judith Newton (1994), *Starting over: Feminism and the Politics of Cultural Critique*, Ann Arbor: University of Michigan Press, p.99

[31] White, "State Feminism, Modernization," p. 152.

[32] Dilek Cindoglu and S. Toktas (2002), "Empowerment and Resistance Strategies of Working Women in Turkey", *The European Journal of Women's Studies*, vol. 9, no.1, pp. 31-48.

In contrast, Saktanber has argued in her book *Living Islam* that the state's policy on gender roles led to a smooth transformation in society, making it more successful than other nationalization projects in the West Asia.[33] According to her:

> "the republican reformers were almost all men, who did not base their discourse on gender politics merely on women's issues, and nor did they address men through women. This is to say, when they built their discourse as a speech between "I" and "you", both the addresser and the addressed were men".[34]

She also does not see women as the objects of this modernization. Urban and rural differences also became visible during the state feminism period. Although religious marriage was illegal, in the rural areas it continued to exist. But the state did not recognize religious marriages, which caused problems in such areas as inheritance and children's identities. Islamic law provided some security for these women, but the official laws could not since the marriage was not legal. The penetration of the reforms into the rural areas required more time than it did in the cities because of the absence of communication. The family structure of extended families remained and women's status did not change as much.

The consequences of state feminism were the increase in women's responsibilities and rural/urban differences. In this period women were emancipated as a class and undertook different responsibilities. Although this period cannot be described as a liberation process for women, it laid the groundwork for women's liberation in the 1980s. Despite the transformations, neither republicans nor women themselves in this period challenged gender roles and the family as an institution. Also, the illusion that "women had obtained what they asked for" obstructed formation of an active women's movement.[35] Feminism in this period was not only encouraged and supported by the state

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[33] Ayse Saktanber (2002), *Living Islam,* New York: I. B. Tauris Publishers, p.122

[34] Ibid.,

[35] Pinar Ilikkaracan and Berktay A. (2002), "Women in Turkey finally gain full equality in the family: the new civil code in Turkey," *Middle East Women's Studies Review,* vol.1, no.1, p.19.

but was also ruled by the state. Although the state encouraged feminism, it had limits. It is thus argued that women's attempts to form an active feminist movement were discouraged by the state, and feminism disregarded women's actual needs. During the 1980s, state feminism was criticized by new, liberal feminists, who endeavored to liberate women as individuals, not as a class.[36]

The Liberal Feminist Movement During The 1980s

To explain the peak of the feminist movement after the 1980s, it is imperative to examine political conjuncture of the 1970s.Marked by polarization between rightist groups and leftist groups. Women were mostly engaged with leftist groups that were opposed to class inequality and capitalism. Since these groups were engaged with "oppression" and "exploitation," women became aware that they themselves were disadvantaged by these phenomena. But because leftist movements opposed capitalism and questioned class oppression and exploitation, to them feminist discourse was not a concern. Capitalism as a system was the main reason for class differences, and once freedom and equality were gained, there would be no more oppression and class differences and no need for feminist ideology. Being anti-feminist, socialist ideology denied that women were oppressed; instead, it regarded women's exploitation as a side effect of capitalism. During the 1970s in Turkey, socialist women could not raise their voices and were expected to take a role in the leftist organizations along with men against capitalism. According to Gulendam women were so far involved in this process that they themselves could not realize that patriarchal oppression would still be there even after the leftist revolution.[37] Feminist ideology was completely absorbed by these leftist movements and therefore never had the chance to become visible until the 1980s.

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[36] Ayse Durakbasa and Ilyasoglu Aynur (2001), "Formation of Gender Identities in Republican Turkey and Women's Narratives as Transmitters of Her story of Modernization", *Journal of Social History*, vol. 35, no.1, pp. 195-196

[37] Ramazan Gulendam (2001), "The Development of a Feminist Discourse and Feminist Writing in Turkey: 1970-1990", *Kadin/Woman*, vol. 2, no. 1, p. 6

Scholars have identified four reasons for the rise of the women's movement in the 1980s:[38]

1. The impact of Western feminist movements
2. The presence of educated women
3. The effect of leftist movements
4. The political conjuncture in the 1980s.

Western feminist movements affected women in Turkey especially after the modernization project. Feminism was a strong ideology in the West, and it was inevitable that Turkish women would question their rights after the social transformations which took place after the Republic was founded. This transformation gave women the opportunity to become educated professionals with economic freedom. Most of these women were educated in Western universities and could speak Western languages, which let them become active participants in the Western feminist movement.

Most feminist women were drawn has to leftist movements before the 1980s.the main focus of these movements was equality between classes, not the sexes, and so they did not provide women enough space to argue their ideology. Thus, feminist ideology was hindered by the polarization and extremism in the political arena. Nevertheless, although they limited women's ability to argue their ideology, they did provide them with experience in facing the government. Until 1980, the oppression of women in Turkey was not an important concern, and no feminist group or organization was founded that argued against women's subordination. At this time there were three main ideological perspectives:

1. The Kemalists, who thought that women were already equipped with every possible legal right and that every situation that oppressed women had been eliminated?

[38] Arat, "Feminism and Islam", pp. 50-71

2. The Islamists, who argued that Islam provided the best situation for women since their most important role was to be a good wife and mother.
3. The socialists who regarded women's oppression as a side effect of capitalism and offered the socialist revolution as a solution. None of these three accepted feminism as a necessary ideology in Turkey.

Gulendam in an article in *Woman Magazine* has explained the different identities imposed on women by different groups in that period:

> They realized that Islam, Kemalism and socialism had superimposed specific roles on women with the aim to make them a useful member of the society. Accordingly Islam imposes the role of wife and mother on women; Kemalism imposes on them the role of the educated, emancipated woman who successfully unites her career with marriage and motherhood; socialism imposes on them the role of comrade, sister and fighter, subordinate to men. They were "Islamic Women", "Kemalist Women" or "Socialist Women", but they were never "women" or even "an individual woman".[39]

"Private is the political" was the new slogan of the new women's movement.[40] Kemalist ideology never intervened with the private sphere, and according to Islam, the private sphere was sacred (*mahrem*). Socialism was also anti-feminist since it denied that women were oppressed because of their gender. This gap and inadequacy in representing women's problems in the private sphere may have been an important driving force that led women to argue their problems for themselves.

With the progressive civilization of post September 1980s polity, space opened up in the political arena as a result of the elimination of both leftist and rightist ideologies. The suppression of these political factions made the alternative ideology to emerge. With this favorable situation, it became convenient for feminists to come forward and start a new movement. This conjuncture was not only suitable for feminists but also for

[39] Gulendam, "The Development of a Feminist Discourse and Feminist Writing in Turkey", p.9

[40] Ibid. p. 9

Islamists. They both had an opportunity to form a new structure and to define norms. They both argued that the private was political.

The political structure after the 1980 military coup allowed both women's and Islamist movements to become visible in the political arena. Both movements were looking for individual freedoms. While women were looking for freedom of choice in the private sphere, Islamists were searching for freedom in the public sphere. For example, a liberal women's movement developed in Turkey to focus on women's problems. Because state feminism was the antecedent of the liberal feminist movement, liberal feminism is thus a part of the modernization project that started with the Kemalist reforms. With the background provided by the Kemalist reforms, women were able to start a women's movement. According to Arat, liberal feminism reaches beyond the aspirations of state feminism since it questions the sufficiency of the Kemalist reforms.[41]

Since state feminism was not concerned with the private lives of women, women's liberation, problems within the family, and women's mistreatment by their husbands became concerns for the new liberal feminist group in the 1980s.[42] The emphasis was on problems that grow from being women only. Women's sexuality, their desire and need to participate in the workforce, and their mistreatment were concerns for this new movement. This movement also provided women with shelters, contraceptives, education, libraries, and knowledge concerning their rights. Liberal feminists increased the expectations of women and aimed to change gender role dynamics and women's status in both the family and workplace.

The leaders of this new movement were urban middle class, educated women with professions. These women defined themselves as feminists. Using the term feminist at that period was a brave thing to do, according to Arat, since in Turkey feminists are

[41] Arat, "Feminism and Islam", pp. 77

[42] White, "State Feminism, Modernization, and the Turkish Republican Women", p. 153.

perceived as women who are the enemy of men.[43] These feminist women gathered to write a feminist column in a journal called *Somut. Kadin Cevresi* was an organization founded by these feminists to present and evaluate women's problems in the workplace, whether at home or outside it, and whether paid or unpaid.

During the 1980s, the main problem for the feminists was patriarchy. Patriarchy involved subordinating women to men, and it was a more important issue than women's rights. Besides equality of the sexes, women's individuality was also a subject of concern. According to these women, the state and its various organs were validating women's subordination. Because the organs of government helped maintain the continuity of its patriarchal structure, they needed to be transformed. The policy of the state offered equality between the sexes, but it left women alone in the private sphere. As a gap was between the private and public sphere needed to be eliminated, and women needed to acquire security and freedom of choice in their private lives.[44] At this point, liberal feminism differentiated itself from state feminism. It proposed a different structure that would eliminate the oppressive, patriarchal side of the state. In education, health, law, and the family, there was the need for change. During the 1980s, with the support of liberal feminists, many organizations were founded to protect and defend women's rights. But according to Kandiyoti, Western feminist ideologies were inadequate in the case of Turkey, since they were used and abused by politics.[45]

In addition to liberal feminism, Islamist movements that had existed in Turkey for 70 years became visible when their political power started to impact society. The emergence of an Islamist perspective gave rise to a struggle between the Kemalist/secular and Islamist groups. The impact of this struggle can be noticed in the economy, politics, and social life, especially on issues concerning women. The literature provides us with different examples that reflect the conflict between these groups and modernity. At the

[43] Arat, "Feminism and Islam", pp. 80-85

[44] Ibid.,

[45] Kandiyoti, "Emancipated but Un-liberated?" p. 335.

governmental level, while the Family Research Institute recommended women's return to the private sphere to maintain their role as wives and mothers, the Directorate General for Women's Status and Problems encouraged women to participate the workforce. While some studies show that religious women who are university graduates have preferred to remain in the private sphere, other such studies hold that some women have continued to work after marriage. The professional women, who have benefited from the Kemalist reforms providing them education and the opportunity to work have formed a new class—"a new Muslim woman" which, as Gole has dubbed them, Which has over the years changed the dynamics of gender and the identity politics of Islam.[46]

[46] Nillufer Gole (2003), "Contemporary Islamist Movements and New Sources for Religious Tolerance", *Journal of Human Rights*, vol. 2, no. 1, pp. 27-28

Chapter-I

Genesis of the Headscarf's Controversy

The Kemalists define the headscarf worn by the girls and women living in village areas as traditional. Whereas, they define turban that is worn by university students as "flag of *Sharia*" threatening the secular character of the state. Likewise, the representatives of Turkish Women's Union denote that they are not against the "headscarf" since it is a traditional covering. However, they identify the turban worn by young girls as a political uniform not a traditional headscarf. The Turkish women representative claims that during the war women used their headscarves to protect the guns from rain. By giving this example, the sacred meaning given by the Kemalist women to the headscarf can be stressed. However, this example also reveals the creation of the adversary concept of the "headscarf" that is "turban".[47]

Historically and from a religious point of view, the headscarf is not a phenomenon first faced by mankind with the emergence of Islam. The headscarf has been part of pagan culture as well as monotheistic religions.[48] In monotheistic religions, the headscarf has primarily been the trademark of free and virtuous women, whereas female slaves did not cover their head and wore low-cut dresses. For centuries, the headscarf has carried a religious, sexual, social and political meaning regardless of whether it has been used as a means of erotism, insult, romantism, piety or purity.[49] Naturally, women wearing the headscarf have carried the meanings symbolized by the headscarf. In our age, it is interesting that, when compared to Western societies, in Islamic Countries important

[47] Aylin Aydin (2005), *An Innovative Step Towards Resolving Turkey's "Headscarf Conflict": Assessing The Applicability Of "Interactive Conflict Resolution" At The Civil Society Organizations Level,* Sabanci University, p.106

[48] Metin Toprak, and Nasuh Uslu (2009), "The Headscarf Controversy in Turkey", *Journal of Economic and Social Research*, vol.1, no.1, p. 43-67

[49] F. Shirazi, (2001), *The Veil Unveiled: The Hijab in Modern Culture*, Gainesville: University Press of Florida.

political debates are primarily carried out by men about women related issues are considered hierarchically in the secondary position.[50] Although the *Hijab* or *Turban* has also been used by men throughout the history, men as dominant actors of the public sphere were exposed to a greater level of social evolution. Although the headscarf has undergone a great deal of change in Muslim societies, which has strongly resisted its removal and has protected its existence. Moreover, the use of the headscarf in public life has become even more common in the countries such as Turkey. The headscarf has caused intensive debates not only in Muslim countries, but also in Western non-Muslim countries over the last 30 years. It has been dealt variously depending on the context such as religious context, human rights, secularism, the religion-state relationship and politics.[51]

The emergence of headscarf as a problem in public life is, in fact, related to the evolution of public sphere. With the development of civil society and democracy, a differentiated public sphere emerged. While this phenomenon and discussions around it were witnessed in Western countries at earlier times, it began to dominate in the Muslim countries after 1980 in parallel with democratic evolution. The headscarf issue is a phenomenon that emerged during this socio-political evolutionary process. The level of academic and political attention which the headscarf has attracted in Western countries in the recent years is striking. Headscarves of women and loose robes and beards of men have began to carry political meanings due to the rise of *Islamophobia*[52] after the 9/11 attacks, and non Muslims have begun to see these symbols as the signs of political Islam, fundamentalism or Islamist brand of terrorism. This excessive reaction has also been witnessed in Muslim countries to a lesser degree and with a different tone. For example, courts in Turkey have punished women in headscarves on the grounds that they violate

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[50] Y. Arat (2000), "From Emancipation to Liberation: The Changing role of Women in Turkey's Public Realm." *Journal of International Affairs,,* vol. 54, no. 1, p. 107-126.

[51] D. McGoldrick, (2006), *Human Rights and Religion-The Islamic Headscarf Debate in Europe*, Oxford: Hart Publishing

[52] R. K. M. Smith, (2007), "Religion and Education: A Human Rights Dilemma Illustrated by the Recent 'Headscarf Cases", *Globalisation, Societies and Education,* vol. 5, no. 3, p. 308.

the right to education of people who do not wear headscarf. An interesting point in this context is that the attitudes of state authorities in Turkey and France toward the headscarf have great similarities as compared to the attitude of other Western and even non western countries including India.[53]

Origin of the Headscarf Controversy

The controversy over the headscarf was nothing new to Turkish society. Indeed, the attire had always been associated with ethnicity, religious identity and profession in the period of Ottoman Empire. Changes in the attires by fashion had always attracted social and political attention.[54] In the Ottoman period, revolutions in clothing were only concerned with men. The Ottoman state used separate law for civil society and state affairs because of its intense relations with Western societies. During the Ottoman Empire, the costume revolution was initiated by the *Sultans* themselves and the *fez*, *trousers* and other Western-type clothes were made compulsory for civil servants. Actually, Sultan Mahmut II was named the ''infidel Sultan'' by people because of the dress code reforms he initiated. In the light of this history, the concept of dress reform has a long association with revolution, a fact not forgotten by the rulers of the new Turkish republic. Since women did not have serious place in the civil life, no dress reform was imposed on women by the State. During the initial period of the Turkish Republic, in which intensive reforms were initiated, the symbol of the costume revolution was the *hat*. Although Atatürk wanted Turkish women to dress as European women, he did not initiate any reforms on their dress habits.[55] From the 1920s, a series of reforms were implemented to change the outlook of the state and the nation towards a more secular one. The institution of the *Caliphate* was abolished in 1924 and later a political party was

[53] Toprak and Uslu, "The Headscarf Controversy in Turkey", p. 45.

[54] E. kalaycioglu, (2005), "The Mystery of the Turban: Participation or Revolt?" *Turkish Studies*, vol. 6, no.2, p. 236.

[55] D. Kandiyoti (1991), "End of Empire: Islam, Nationalism and Women in Turkey", In Deniz Kandiyoti (ed.), *Women, Islam & the State*, Pennsylvania: Temple University Press, p. 22

closed down for its affiliation with religious fundamentalism. In the same year, the religious brotherhoods were permanently closed and the first dress code regulation took affect. The 'Hat Law', enacted in 1925, banned the public use of the *fez* for men. In 1926, a new Civil Code took affect, which granted equal rights to all women. In 1928, the official statement that the religion of the nation is Islam was removed from the Constitution. This meant that the new Turkish Republic no longer had an official religion. In the same year, the alphabet was changed from Arabic to Latin, further signaling the new direction of the Republic.[56] During the Republic's early years, one can observe the deliberate efforts of state elites to improve the lot of women. In fact, some of the political rights granted to Turkish women were more progressive then their counterparts in Europe. In the case of the dress code, the area remained largely unregulated. The *fez* law was only applicable to men. In practice, however, the Republic did endorse a modern, western outlook for women. In the upper level of society, among higher-ranking bureaucrats, at schools and urban centers, women did not sport traditional dresses nor did they cover their hair. Yet, an important point to keep in mind is the level of development in the country at that point of time. The 1970s, the majority of the Turkish society still lived in rural areas. Traditional outfits and particularly the headscarf were thus more or less confined to the rural geography.[57]

In Turkey, the first incident of the headscarf was seen in 1960s during the student riots when a student wearing a headscarf attended classes in the Divinity Faculty of Ankara University. Female student wore scarves during recitation of the "holy Koran" in the lecture hall. However, this student in this faculty did not show any particular tendency to cover up their heads and bodies more than their friends studying science and humanities in other faculties of Ankara University. The faculty members started to deliberate the issue, and the student was eventually subject to disciplinary action.[58] The higher educational council (YOK) in Turkish acronym passed the decrees and stressed

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[56] F. Ahmad (2007), *Turkey: The Quest for Identity*, Istanbul: Bilgi Universty, pp. 106-109

[57] Evren Çelik Wiltse (2008), "The Gordian knot of Turkish Politics: Regulating Headscarf Use in Public", *South European Society and Politics*, vol.13, no. 2, pp. 198-199.

[58] E. kalaycioglu, "The Mystery of the Turban", p. 233.

that the students were not at liberty to wear whatever form of attire they desired in calls rooms and they would be disciplined if they failed to obey the rules and regulations of the colleges. In the meantime, the YOK started to employ novel terminology to describe the headscarf of the women student. Modernized yet pious Sunni women in Turkey used to wear a stylized, scarf like material that only covered their hair, from a distance such a headscarf looked like the turban of the ottoman men, and thus it was referred to as the turban, to distinguish it as a modern fashion to avoid any confusion with any religious symbolism and reaction to secularism.

The shift in terminology was adopted by media and become popular over the years. Ever since, the issue became known as the "*turban* issue" in the college and the high schools of Turkey. However, the issue of the *turban* seems not only to be resilient to change, but also continues to fire up the passions of voters enough to cast a shadow on the National Assembly elections in Turkey. The difference seems to arise from the fact that in the past, as subjects or as members of a subject culture, the people were resigned to accepting a new policy imposed upon them by the political authorities. In a democratic environment, however, they can react by voting for or against political parties upon their stance on various issues.[59]

At that time, there was no broadly implemented prohibition in place. The use of the headscarf in universities or high schools giving religious education did not emerge as a problem until the 1980 military coup. Only when the military rulers chose to regulate university education in the 1982 constitution, the headscarf began to become a problem.[60] Moreover, the 1982 Constitution required compulsory religion classes at primary and secondary schools, a measure completely at odds with the secularism principle of the Republic.[61] The numbers of vocational schools from 6th grade to high school that trained

[59] Toprak and Uslu, "The Headscarf Controversy in Turkey", p. 46.

[60] Ely Karmon (1997), "The Denise of radical Islam in Turkey", *Middle East Review of International Affair,* vol. 1, no.4, p.1-4

[61] B. Toprak (1990), "Religion as State Ideology in a Secular Setting: The Turkish-Islamic Synthesis", in M. Wagstaff (ed), *Aspects of Religion in Secular Turkey*, University of Durham: Centre for Middle Eastern and Islamic Studies, p. 10

imams and preachers rocketed after the 1980 coup. Conservative families preferred the religious vocational schools as a convenient alternative to the secular ones, and sent their children in increasing numbers. This created a dual track national education system secular and non-secular, a problem that remains unresolved to this day. In theory, the students of these schools were trained to become *imams* and preachers. In practice, however, the number of graduates far superseded the actual need of the nation for *imams* and preachers. All of these measures were part and parcel of the Turkish-Islamic synthesis, which aimed to create a loyal and obedient generation that is less inclined to follow divisive ideologies.[62]

In July, 1984, another incidence erupted in Turkey when a female chemical engineering professor insisted on wearing a headscarf while teaching. The contrary it triggered was centered on the ideological conflict. However, the 1980s discussion on the headscarf differed from today's discussion. By getting the support of a working group in which the State Minister, Prof. Ekrem Pakdemirli, the chancellor of Istanbul University, Prof. Cemi Demiroglu, the head of the Council of Higher Education, Prof. Ihsan Dogramaci, and Prime Minister Turgut Ozal persuaded President Kenan Evren that the headscarf should be used in universities in a uniform and orderly manner rather than the use of the headscarf in different shapes, forms and colors. The group also succeeded in getting the approval of the army generals by persuading them that it was a part of fashion in countries such as Italy as proved by the pictures in fashion magazines. President Evren agreed with Dogramaci that the turban of the wife of State Minister Mehmet Kececiler would cause no harm in universities. Dogramaci stated that they gave university lecturers and authorities who were against headscarf on secular grounds note they had received from shops saying that "they are turbans". In fact, in public speeches in different parts of the country, Kenan Evren said that the use of different styles and colours of headscarves in universities was not good for eyes. He further stressed that the turban, which was worn in a uniform style, was more modern and simple and only the turban could be used by university students to cover their heads. Nevertheless, some universities prohibited the headscarf. The prohibition was implemented differently in different universities rather

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[62] Wiltse, "The Gordian Knot of Turkish Politics" p. 202

than it was implemented in a uniform manner throughout the country. When the coalition government faced military intervention with the decision of the National Security Council on 28 February 1997, Turkey entered a new debate on fundamentalist secularism having radical effects on the headscarf issue in universities. The prohibition of the headscarf was implemented strictly in universities and in high schools providing religious education and consequently tens of thousands of female students left schools and some went to foreign countries to continue their education.[63] Among those who chose to receive foreign education were there the daughters of the current prime minister, ministers, parliamentarians, prominent businesspersons and bureaucrats.

It was indeed through the NSC that the Turkish military moved into politics on 28 February 1997 by ordering the Welfare Party-led coalition government to implement a list of measures designed to crack down on Islamist activities. As the government prevaricated, the military stepped up pressures forcing the then Prime Minister, Necmettin Erbakan, the first pro-Islamic party leader to head a government in Turkey, to resign after nearly a year in power. A few months later, the Welfare Party was closed down by the Constitutional Court.[64]

In early 1998, the New Islamist Welfare Party was shut down and its leaders temporarily exiled from politics, following a decision by the Constitutional Court and pressure from the military controlled National Security Council (NSC).[65] The headscarf ban in universities was tightened. In 1999, Merve Kavakci, who had studied computer engineering in the US, was elected to parliament on the ticket of the Virtue Party, the Islamist successor to the Welfare Party. When she attended parliament with her head covered, the outcry was tremendous: "terrorist", "agent", "provocateur", "liar" and "bad

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[63] Z. Arat (1998), *Deconstructing Images of the Turkish Woman*. New York: Palgrave Macmillan.

[64] Aswini K. Mohapatra (2008), "Democratization in the Arab World: Relevance of the Turkish Model", *International Studies*, vol. 45, no. 4, p. 279- 280

[65] Ibid, p. 280

mother" were some of the accusations against her. As one commentator in popular National Daily *Cumhuriyet* wrote:

> "A political party is trying to bring a religion, a *Sharia*, which does not belong to us, by throwing a live bomb to our Grand National Assembly. This is a crime against the state".[66]

Similar arguments are being employed today against the possibility of a Turkish president whose wife wears the headscarf. The fear of political Islam makes Kemalist women distinctly ambivalent towards multi-party democracy. The day after the Caglayan demonstration, Zeyno Baran, a Turkish analyst at the conservative Hudson Institute in Washington D.C., wrote, "it is the women who have the most to lose from Islamism; it is their freedom that would be curtailed". Justifying the military's threat of intervention, she noted:

> "Turkey does not exist in a vacuum; Islamism is on the rise everywhere... If all Turkey's leaders come from the same Islamist background, they will – despite the progress they have made towards secularism – inevitably get pulled back to their roots".[67]

According to Baran and other Kemalist women, little has changed in the century-old confrontation between secularists and Islamists. Backwards looking and afraid of the majority of their compatriots, the "daughters of the republic" continue to flirt with military intervention in their defense of Ataturk's legacy.[68]

The February 28 process, which aimed at engineering social life once again, was interrupted at the end of 2002 by the election victory of the Justice and Development Party (AKP) which had a conservative, religious identity. During the AKP rule, the initiators of the February 28 process and their supporters fell into real distress. The local

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[66] Cahit Tanyol, *Cumhuriyet*, 15 May 1999, quoted in, *Women Politicians*, p. 101

[67] "Sex and Power in Turkey: Feminism, Islam and the Maturing of Turkish Democracy", *European Stability Initiative (ESI)* Report (2007), Berlin: Istanbul, p. 6

[68] Ibid.,

elections in 2004 and the general elections in 2007 witnessed a radical increase in the power of the AKP.[69] The dire warning posted by chief of state in its website in April 2007 to prevent the election as president of a person whose wife wore the headscarf deepened the division in society and resulted in a record increase in the votes of the AKP in the July 2007 elections. After the elections, Abdullah Gul, whose wife wears the headscarf, was elected as president and a law allowing wearing headscarves in universities was passed by the parliament. Curiously the law was supported by nationalist party, MHP those opposed by ethnic Kurdist, leftist parties, notably the RPP.

Eventually, on the one hand, the Constitutional Court annulled the law on the ground that it violated the principle of secularism in the constitution. On the other hand, the Principal State Counsel at the Court of Cassation brought a case on 16 March 2008 to the Constitutional Court which demanding the dissolution of the AKP. Since, it played role in the enactment of the headscarf law.[70] The case was concluded on 30 July 2008 with the judgment that the AKP had been at the centre of activities which was violating secularism. However, the party was not dissolved; it was only deprived of half of the grant provided by the assets. Thus, the headscarf issue became such a serious problem that it nearly caused the dissolution of the democratically elected governing party. Contrary to the claims of those who oppose the headscarf, the issue is not only an ideological problem. It is a problem with a considerably strong social base. A problem not having a social basis would not be so explosive and long-lasting. In Turkey, there are numerous theoretical and empirical studies conducted on the turban or headscarf. There is a common and strong belief that Turkish people do not see anything wrong with the use of headscarf by women because they do not consider the headscarf as something contrary to secularism or as constituting a threat to the secular state structure. There is even strong

[69] Established in August 2001 by the younger members of the banned Islamist Welfare Party and its successor, Virtue Party, the JDP has made its commitment to secularism and declared itself as a 'conservative democratic' or a 'Muslim Democratic' party, rather than an Islamist party. Although interested in preserving Islam's social base (traditional values, practices and norms), the JDP leaders have rejected any project of 'social engineering' by using political power to transform society in accordance with the precepts of a particular ideology. See Mohapatra, "Democratization in the Arab World"

[70] The issues are different but inter-linked in the sence the latter the clouser case stemmed from the forum, the case of headscarf. For details, see Ozbudun, "Islamism", pp.70-73

support for allowing the use of the headscarf by people working in state departments. In this context, it could be said that headscarf is a problem created artificially by the state elite rather than being a problem that emerged in the social sphere. In fact, the main opposition party in Turkey has reached the point where it defines its identity on the basis of being opponent of the headscarf.[71]

The Headscarf Debate

Revealing deep cultural, social, political, and identity cleavages between Islamists and secularists, the headscarf appears as a politicized emblem reconstructing the "otherness". The identity of women in Turkey has always been shaped through the conflict between Islam and Kemalism which has been the "project of civilization. In this context, the headscarf began to highlight the tension within the core values of society ranging from secularism of the public space, the place of religion in education, and individual rights to multiculturalism.[72] This controversy has historical origins going back to late nineteenth century when modernization reforms of the Ottoman state created reactions among the Islamic groups.

In this context, the clash between secular and Islamist has taken place in the realm of cultural codes and life styles. It is not therefore surprising that women's headscarf was always and continues to be a major concern for both the secular and Islamists since the spreading of secularism into the daily lives of people is best illustrated by women's visibility. For the initiators of the reforms unveiling of women was the symbol of women's emancipation from religious bonds. In this sense woman issue symbolized the cleavage between the Western-oriented rulers and Islamists since dress codes and

[71] Toprak and Uslu, "The Headscarf Controversy in Turkey", p. 49

[72] E. Ozdalga, (1998), *The veiling issue, official secularism and popular Islam in modern Turkey,* Richmond: Curzon Press

physical appearance, especially of women, have been significant indicators of the Republican reforms and the project of modernity.[73]

Interestingly, however, while the conservative sectors of the Turkish society consider the headscarf ban as an infringement of the right to religious expression, the constitutional amendments carried out by the ruling AKP has placed the issue in the framework of legal equality and educational freedom. For example, the amendment to Article 10 (Equality before the Law) includes that "the state has to respect the equality of all citizens when receiving public services." The second amendment to Article 41 (Right to Education) states, "no one can be denied his/her right to higher education for any reason, except for the restriction defined by law".[74] By allowing only headscarves and not the more radical forms of covering, such as black chadors or *burqas*, the right-wing AKP government, according to some analysts, seeks to end the humiliation of headscarf-wearing women at the educational institutions. But for the secular coalition made up of the military and judiciary, the Higher Education Council, the principal opposition party, Republican People's Party, part of media and the Kemalist civil society organization, these constitutional changes are not about extending liberties to the so-called disenfranchised group, but about legalizing public displays of religion and at the same time tacitly condemning women who choose not to cover. The secularists attribute this to the ruling party's "hidden agenda" of introducing *Sharia* in Turkey and turning the country into an Islamic Republic.[75]

In response to those critical of the social status of women in Turkey, the secular groups often contend that critical transformation in the emancipation of women took place during the early years of the Republic in the context of the Kemalist project of modernisation/westernisation. It is true that the Kemalist reforms, notably the introduction of a new civil code in 1926 and granting of suffrage in 1934 emancipated the

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[73] Ayse Saktanber, (1994), "Becoming the 'other' as a Muslim in Turkey: Turkish women vs. Islamist women", *New Perspectives on Turkey,* vol.11, no.1, p.102

[74] The Constitution of the Republic of Turkey, pp. 3-14

[75] Wiltse, "The Gordian Knot of Turkish Politics" pp. 197-206

Turkish women. In fact, the civil and political rights enjoyed by the Turkish women were even more progressive than their counterparts in Europe. Despite the gender equality and professional mobility of women, patriarchal norms continued to be practiced and replicated in the private realm. Moreover, the impact of the reforms was largely confined to upper echelons of the Turkish society. While women in urban centers, for instance, emulated the western attire, traditional outfits and particularly, the headscarf were a commonplace in the rural areas. With the progress of modernization, .socio-economic dynamism began to reverse the urban/rural ration from the 1970s onwards. As the impoverished rural population flocked into the cities in search of jobs, education and better living standards, they also brought their own lifestyles. It was this new urban class that created the core constituency for the rise of political Islam and electoral success of the Islamist party, the National Salvation Party (NSP) and its successor, the Welfare Party (WP). The Islamist party during this period became the voice of these newly urbanized lower and middle classes who had difficulties to access to the country's publics sphere because of their attachment to traditional values. As these socially and economically excluded groups began to organize a new set of Islamic social networks, there emerged "alternative spaces " challenging the Kemalist modernization for which secular way of life was necessary precondition for public visibility. In these alternative spaces, women with different 'Islamic' clothes began to appear, symbolizing the virtue and integrity of Islamic society.[76]

As the Islamists represented by the Welfare Party put the issue of women at the centre of their political struggle in the early 1980s, the issue of headscarf became part of the political debate in Turkey. An unprecedented increase in the public appearance of female students wearing headscarf in the university campuses incited the guardians of Turkish secularism degrading such dress as a reactionary symbol. In 1987, the Higher Education Council (YOK) issued regulations banning the headscarf on the campuses followed by the Constitutional Court decision in support of the ban. The European Council of Human Rights (ECHR) also concurred with the Turkish courts on this issue.

[76] Ysim Arat (1997), "The Project of Modernity and Women in Turkey", in Bozdogan Sibel and Resat Kasaba (ed), Rethinking Modernity and National Identity in Turkey, USA: University of Washington , p. 89-90

After the overthrow of the Welfare Party-led government in February 1997, the YOK expanded the ban on headscarf by new regulations such as preventing students with this dress from entering campuses.[77]

Despite judicial blow and new regulations, the headscarf issue remained on the domestic agenda. This was partly due to the large number of headscarf wearing women and in greater part, popular support for the liberalization of the dress code. The issue resurfaced in the wake of the EU motivated radical political and constitutional reforms aimed at transforming Turkey into a liberal democracy. Although the ruling AKP under pressure of its conservative constituency initiated the move to liberalize the headscarf use in universities, it chose to portray the issue as individual or private matter, not as a defense of communal rights of the Muslims vis-à-vis the secular state. In any case, given the anti-headscarf stance of the Turkish Higher Courts already endorsed by the EHRC, these amendments are not likely to put into effect in near future. Further, the suggestion for the Anatolian type as a standardized model of scarf to be allowed on campuses has not gone down well among the conservative students either. More importantly, the headscarf debate has obscured larger issues affecting the status of women in Turkey, notably the empowerment of large but silent sectors of women and gender inequality in the critical spheres of employment, education and politics.

The relationship among religion, secularism, democracy has been complicated in the republic of Turkey. Since the foundation of republic in 1923, the ruling elite have engaged in a radical secularization projects. Where the state not only separated itself from religion but also tried to control it. The idea was confine religion to the private realm and keeps its public expression under state supervision. The state discarded the religious legal framework, adopted secular laws, and instituted the directorate general of religious affairs that was responsible for all religious issue. The state trained religious personnel and banned all religious schools. Turkish secularization took place in the context of an

[77] Wiltse, "The Gordian Knot of Turkish Politics", p. 195

exclusionary regime that restricted political participation as well as political liberalism.[78] The founder of the republic believed that secularism, as they understood it, was in the interest of the community and a necessary, if not sufficient, condition of westernization. The individual was expected to participate in this communal effort to westernize the country. Secularism under state control was given priority over political liberalism. The founder of the republic was successes full to an important extent. Over time, the regime democratized. With democratization, public religious expression was more widely recognized, but secularism was not redefined to become genuinely independent of the state. Most of the political parties have been banned during the secularization. The Islamist national party, founded in 1970s was closed immediately after its foundation as a threat to secularism.[79]

After the military coup of September 1980s, Islamist Welfare Party played an increasingly important role in Turkish politics. In any case, Islamist politics allowed more marginal member of the population to be integrated into the political system. Within this particular course of secularism, dress code always assumed an important role. Even though there had been state intervention in men's headgear, women's dress, outside public bureaucracy, was not regulated by the state. Despite the banned on headscarves women in modernizing urban areas gradually adopted western style of clothing, while those in rural areas and town continued to tie traditional scarves on their heads.

As restriction of public space expanded to include Islamist demands, women began attending universities with their headscarf. The new headdress was a wide scarf, which unlike smaller traditional scarf, covered the head and shoulder. It was usually worn with a long wide coat. The state response to the growing numbers of women wearing headscarf at universities was difficult to protect. In 1981, the council of ministers

[78] Bulent Daver (1967), "Secularism in Turkey: A Dilemma in Turkish Politics", vol. 1, no.1, pp. 55-66.

[79] Arat, "Group-Differentiated Right and the Liberal Democracy State", p. 35.

approved a statute that prohibited headscarves for female employees in public institutions and student in school tied to the ministry of national education.[80]

In 1982, the Council of higher education banned the wearing of headscarves in universities. Islamist groups and headscarves women protested the decision. Under increasing pressure from the Islamist, the council of higher education in 1984 allowed women to cover their hair with a turban "a scarf tied at the back and covering only the hair". The council deemed headscarf to be in line with contemporary dress code. This time the secular group reacted. President Kenan Evren, the former chief of staff, took the initiative to ban the headscarf and, in early 1987, the council withdrew the article allowing headscarf. The decision was again relaxed in the spring of the same year in a meeting of the university rectors. In 1989 the council of higher education withdrew the article that prohibited headscarf inside in the universities. Politician and the Judiciary also joined the controversy, bringing along their own internal cleavages over the issue. The judiciary declared head covering illegal in the universities. Some decisions issued by lower courts were favorable to those supported head covering but the higher court of the council of state and the constitutional court the issue even went as far as the European Human Rights Commission but the Commission rejected the case. In 1989, the constitutional court decided that the statute of the council of Higher Education allowing the headscarf in the universities was unconstitutional.[81]

The issue even went as far as the European Human Rights Commission. When a university administration refused to prepare the diplomas of two graduating students who insisted that their photo graph with head cover be used in their diplomas, the student sued the university and virtually took the case to the European Human Rights Commission. The Commission rejected the case. In this tug-of-war, both side employed a variety of arguments.[82]

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[80] Ibid, p. 36

[81] Emilie Olson (1985), "Muslim Identity and Secularism in Contemporary Turkey: The Headscarf Dispute", *Anthropological Quarterly,* vol. 58, no.4, pp. 162-167

[82] Arat, "Group-Differentiated Right and the Liberal Democracy State, p. 37

Legal Action and Politics of Dress Codes

The students, state and local administration employees who were sanctioned for donning the headscarf appealed against the disciplinary administrative decision. When their appeals were rejected at the higher levels of the public bureaucracy, they turned to the courts and sued the administrators who decided to enforce a ban on the headscarf. The Provincial Administrative Courts, the High Administrative Court and the Constitutional Court of Turkey have been discussing the appeals of the students and public sector employees since the 1980s, and overwhelmingly the decisions of the courts have been against headscarf in public life. The courts have tended to argue that the headscarf amount to an upheaval or challenge against the secular political regime of Turkey. Thus they constitute a violation of the articles of the 1982 Constitution that are pertinent to secularism.[83]

The Constitutional Court argued that no link can be established between the dress codes and religious beliefs, except for those who serve as the clergy. They can only do their religious attire in their offices, office buildings and during the execution of their religious duties. The decision of the Constitutional Court in Turkey exhausted all chances of repeal in the domestic realm of the country. Hence, this opened the way for the appeals to be made at the Human Rights Commission and Court in the European Union. The initial decision of the former institution, which is no longer in operation, was a rejection of the appeal of those women who insisted upon submitting veiled photographs for the official documents required by the university administration.[84]

Since Sultan Mahmut II took a radical step in changing his outlook by incorporating the *fez* as a headgear instead of the *sarik*, and European coats and trousers into the Ottoman culture, dress codes aroused a considerable amount of political passion in the *kulturkampfs* of the country. Atatürk's reforms of the 1920s created similar

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[83] kalaycioglu, "The Mystery of the Turban", p. 235.

[84] Ibid. p. 236

reactions from the same *kulturkampfs*. Therefore, the row over the headscarf should not come as a surprise to anyone. However, in the past, the reactions to dress code alterations were rather brief. Indeed, the *kulturkampf* that had found the *fez* decadent and revolting enough in the early 1800s to call Mahmut II Infidel Sultan[85] soon adopted it to such an extent that it would strongly protest its removal in the 1920s. People often adapted their habits to the new codes and some continued to done the older forms of attire, and a certain medium of understanding eventually seemed to take root. However, the issue of the headscarf seems not only to be resilient to change, but also continues to fire up the passions of voters enough to cast a shadow on the National Assembly elections in Turkey. The difference seems to arise from the fact that in the past, as subjects or as members of a subject culture, the people were resigned to accepting a new policy imposed upon them by the political authorities. Now, in a democratic situation, they can react by voting for or against political parties upon their stance on various issues.[86]

The women who cover their heads have a different understanding of Islam than the state is willing to accommodate. They believe that according to Islam women have to be covered an all time in any public space. Ironically, the prime minister of the Turkish republic never publicly refuted the Islamic dictates that women should be covered in public. However, the understanding of Islam assumes that Muslim women could be uncovered in the public domain and still be good Muslim. The Islamist women in defense, of their understanding of Islam, were ready to protest what was being enforced on them.[87] They could be seen as perforating the boundaries of the narrowly defined freedom of action for religious individuals.

The Higher Courts gave the most decisive argument against the headscarf. In response to the argument in favor of the headscarf as dictates of political liberalism, the

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[85] Niyazi Berkes (1964), *The Development of Secularism in Turkey* Montreal: McGill University Press, p.122–125.

[86] Ibid.,

[87] The argument summarized are abstracted from a leaflet originating from the council of Higher Education and distributed within universities in 1998. The leaflet was titled, Statutes and legal judgments concerning dress codes in institutions of Higher education

courts argued that it would destruct the latter. There were four related but separated argument against the headscarf and for the ban made by the courts as well as those opposed to the ban.

Head covering and women's liberties

The Council of the state argued that head covering was opposed to women's liberation. Many others, including some but not all feminist, opposed the headscarf because, they saw headscarf as a means of controlling women. Among secular groups, the headscarf has long been associated with limiting women's option of self expression and with Islamic law wherein women are deemed to have unequal rights regarding marriage, inheritance and divorce.

The Council of State agued that rather than an innocent custom it has become a symbol of a world view opposed to the fundamental principles of the Republics. The constitutional Court explained that it was a symbol opposed to secularism and defended the conception of secularism. Accordingly, "in a laicist order, a religion is prevented from politicization and becoming an administrative device and kept in its real respectable place in people's consciences". Thus, it was concluded that headscarves could not be recognized within the limits of religious freedom.[88]

The Constitutional Court argued that allowing headscarves not only would be a privilege given to Islamist students, but it also would generate the circumstances for their unequal treatment by differentiating them from others.[89] Contrary to the claims of the Islamists, the court argued that the headscarf was against the principle of equal treatment before law. When the headscarf issue was taken to the European Human Rights

[88] The Constitution of the Republic of Turkey, p. 8

[89] Everyone whose constitutional rights and freedoms have been violated has the right to request prompt access to the competent authorities. The State is obliged to indicate in its transactions, the legal remedies and authorities the persons concerned should apply and their time limits. Damages incurred by any person through unlawful treatment by holders of public office shall be compensated for by the state. The state reserves the right of recourse to the official responsible. P. 13

Commission acknowledged the right of a secular state to restrict religious practices, maintaining that this restriction would allow students of different beliefs to coexist. It was further argued that, "particularly in countries where the vast majority of the populations belong to a particular religion, exhibition of the rituals and symbols of this religion without regard to any restrictions of place and form can cause pressure on students who do not practice this religion or instead belong to another religion".

The principle of religious freedom, as stated in the constitution, explicitly not allowed organizing the state's social, economic, political, or legal order, even partially, according to religious dictates. Manipulating the dress code according to religious dictates would be in contradiction to this requirement. Thus, the state aimed to draw its "boundaries of freedom of action vis-à-vis religious dictates" outside the domain of headscarves, to protect itself from the encroachment of Islamic law.

The Headscarf: What does it represent?

The headscarf seems to be designated as a major problem of the Turkey by 0.4 percent of the electorate. When polls conducted between November 2002 and February 2003 also indicate that there had not been any changes in that perception (see Table 1).[90]About four out of five voters identify unemployment, consumer price inflation and economic instability as the most important problems of the country. Political instability, education and healthcare are cited as important problems facing the country as distant fourth, fifth and sixth rank issues. Corruption, crime and other such issues do not seem to occupy the minds of the Turkish voters. However, voters were asked an open-ended question whether "pressure is applied on the religious people in Turkey", about 40 percent seem to have thought so before the November 3, 2002 elections, and about 33 percent in February 2003. When further requested to name what exactly they meant by pressure, about two-thirds named the headscarf, which stayed more or less the same, and

[90] kalaycioglu, "The Mystery of the Turban", p. 237.

Which amounts to about 25 percent of the voting age population from October 2002 to July 2003 (see Table 2).[91]

Table 1. Problems Facing Turkey

What is the most important problem facing Turkey?

	(2002) %	(2003) %	(2003) %
1. Inflation	20.9	18.3	19.3
2. Unemployment	29.4	29.8	30.7
3. Economic Instability	33.7	30.1	30.6
4. Corruption/Bribery	1.8	1.2	1.1
5. Health/Social Welfare	0.8	0.6	0.2
6. Education	2.0	1.6	2.6
7. Political Instability	6.0	1.8	1.6
8. Iraq/War	–	14.1	9.2
9. Türban	0.4	0.4	0.4
Sample size (n)	(2,028)	(954)	(1,047)

Notes: The first column on the left consists of the results of the Political Participation Panel Study of October 2002, the second column from the left consists of the "panel" results and the third column consists of the results of the "control group" of the Political Participation Panel Study of February 2003.

Source: E. kalaycioglu, (2005), "The Mystery of the Turban: Participation or Revolt?" *Turkish Studies*, vol. 6, no.2

[91] Ibid., p. 238

Table 2. Religious Pressure and Türban

Can people properly worship in Turkey?			
	Yes	No	
	%	%	
	63.3	33.8	(2002)
	68.5	27.1	(2003)
Are religious people under pressure in Turkey?			
	Yes	No	
	%	%	
	40.0	55.6	(2002)
	33.7	62.5	(2003)
Types of Pressure:			
	2002	2003	
	%	%	
"*Türban*-Headscarf"	67.7	74.4	
Lack of freedom of worship	7.3	16.0	
Status of the "*İmam-Hatip* High Schools"	4.6	2.6	

Notes: Results of the Political Participation Study October 2002 and the Panel group of February 2003

Suorce: E. kalaycioglu, (2005), "The Mystery of the Turban: Participation or Revolt?"

Current veiled girls/women are still deprived of their rights for education and work. This condition appears to create important psychological and economic problems. There are still some daily incidences and debates that keep the headscarf controversy on the agenda. As another outcome of the controversy it can be claimed that the relationship between the Islamists and Kemalists is torn apart still including fear, hatred, anger and antipathy. Additionally, because of the headscarf controversy, the state, political parties and even universities had to spend much of their time dealing with the issues of the controversy instead of focusing on their primary goals. All these aspects affect development of the state and a social cohesiveness to work in unity cannot be fully generated.

A serious polarization is not observed in the community, although majority of the society supports lifting the ban. The headscarf controversy is still in deadlock. Negative

perceptions of the Kemalists towards the Islamists that can be defined in terms of fear, suspicion and de-individuation prevents emergence of communication channels and makes the secularists ignore existence of the headscarf controversy. Likewise, civilian governments' hesitance to face military confrontation limits the action area and resolution even though AKP government opposes the headscarf ban. However, the international pressure, especially the European Union (EU), on Turkey to promote human rights standards has as for prevented further escalation of the controversy. Nevertheless, Turkey still continues to struggle with problem in terms of reconciling religious people with a secular state.[92]

Taking all these aspects, the current debate on the headscarf controversy would not be a much defined description. In this sense, the current debate can be defined rather as a "standoff" in which the Islamists come to regard the controversy as intolerable, generating high level of psychological costs for the veiled women. Obviously, this debate affects many aspects of interpersonal and inter-group functioning so that communication between the Islamist and Kemalists is almost nonexistent. The controversy is framed by the Islamists in terms of survival needs, and the outcomes are seen as win–lose. Moreover, the psychological costs for the two parties are undeniable. On the one hand, the Islamists feel as oppressed, deprived from their fundamental rights, excluded from the society and reduced to second class citizen. The Kemalists on the other hand, have great concerns and fears related to the future in terms of being psychologically oppressed and that their liberties, identities, values and securities would be threatened.

[92] Y Arat (2000), *Islamist women, their headscarves and democracy in Turkey*, Istanbul: Bogaziçi University

Chapter-II

Islamists and Secularist Perspective on the Headscarf

In the early 1980s, following the pattern of feminist movements in Europe and the United States, a full-fledged feminist movement in Turkey was brought about by women who were educated in a secular system, active professionals in urban areas, and members of the middle class.[93] This movement did not continue long without opposition. An Islamist women's movement also emerged in the 1980s, developing alternative arguments regarding women's roles and status.

Head covering and work highlight the controversy in Turkey over women's roles and status in both the public and the private spheres. Moreover, the issues are interrelated. Frequently, a woman's opportunity to do paid work in Turkey is contingent on her decision to cover or not to cover her head in the public sphere. Parallel to the literature on difference among women, this indicates that progress for women has different meanings for women with different ideologies.[94] According to secular feminists, women can progress if they follow a path similar to modern, secular feminists in the West. On the contrary, Islamist women envision a "true" Islam and argue that progress for women can only be realized when women fulfill the obligations the envisioned Islam requires. The views of feminist and Islamist women reflect the political polarization within Turkish society.

In the Turkish case, feminist and Islamist women have not engaged in a meaningful dialogue even when there have been similarities in their approaches to women's problems. It may be unrealistic to expect interaction between feminists and

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[93] Yesim Arat (1994), "Towards a Democratic Society: The women's movement in Turkey in the 1980's", *Women's Studies in international Forum,* vol. 17, no. 213, p. 241-248.

[94] Rabab Abdulhadi, (1998), "The Palestinian women's autonomous movement", *Gender & Society* vol. 12, no. 6, p. 49-73.

orthodox Islamist women who strictly oppose feminism. When it comes to solutions, feminists talk through a framework of secular individualistic feminism, whereas reformist Islamist women use ideas and policies from within Islamist ideology. Moreover, feminist and reformist Islamist women employ their solutions in a universal fashion. Such conviction in the context of basic ideological difference presents the similar rhetoric of reformist Islamists and feminists meaningless.

The feminist movement in Turkey developed after the 1980 military coup that suppressed leftist movements.[95] Most feminists who were at the forefront of the movement had been involved in these leftist movements before 1980. For a large group of feminists, in the absence of leftist movements, feminism filled an empty space. From the beginning of the movement, consciousness raising groups constituted the basic organizational form of feminism. Issue based campaigns emerged and disappeared quickly after limited success. Among the major campaigns were the 1986 campaign to pressure the state to implement the "Elimination of All Forms of Discrimination against Women," a measure that the state had signed in 1985 at the United Convention in Nairobi, and the 1987 campaign against the battering of women. The 1989 national assembly of women's groups held in Istanbul produced a declaration that called women to unite against discrimination and marked the struggle and success of feminists to separate themselves from the Left.[96]

The feminist movement in Turkey was shaped initially by radical and socialist feminists. Although the views of these two groups often overlap. Radical feminists think that the movement should be autonomous, whereas socialist feminists argue that a socialist and feminist transformation needs to go hand in hand in order to eliminate

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[95] Sirin. Tekeli (1986), "The Emergence of the feminist Movement in Turkey", in D. Dahlerup (ed.), *The New women Movement*, London: Sage Publications, p. 12

[96] Hilal Ozcetin (2009), "Braking the Silence: The Religious Muslim Women's Movement in Turkey", *Journal of International Women Studies*, vol.11. no. 1, p. 114

inequalities in society.[97] The Islamist women's movement also began growing in the early 1980s. Islamist women were part of the larger Islamist movement that included men. Religion friendly policies of center right governments prior to and after 1980, intended to curb communism, were significant in the development of the movement. The Iranian Revolution was also influential. The Iranian revolution has deliberately projected a universalist image and harbored universalist aspirations. This universalism helped the Iranian revolution to "export" its ideological elements to other Muslim countries.[98] Moreover, women with Islamic head covers played important roles in the success of the revolution and provided role models for Islamic oriented women in other countries including Turkey. The major issue that first raised public awareness of an Islamist movement in Turkey in the late 1980s, it was head covering. As Islamist women started covering their heads as a political statement, they began facing problems in the secular public arena of Turkey. Islamist students were banned from entering schools with turbans. Islamist professional women were not allowed to be in public workplaces with their heads covered. In their attempt to abolish the ban on head covering, Islamist activists used tactics such as hunger strikes, sit-ins, protest walks, and petitions.

Islamist women in Turkey are divided among themselves regarding approaches to women's issues. Reformists consider that *Islam* in the modem context and reinterpret the *Koran* and other religious texts in relation to developments in today's Turkey. Only a few of these women refer to themselves as "Islamist feminist" mainly because the word feminism in Islamist circles is equated with sexual promiscuity as well as hatred toward family and motherhood. After the murder of an outspoken Islamist feminist by members of a militant Islamist organization (Hizbullah), Islamist women seemed to be less publicly open about using the terms Islamist and feminist together.[99] In addition to these

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[97] Gül Aldikaçti Marshall (2005), "Ideology, Progress, and Dialogue: A Comparison of Feminist and Islamist Women's Approaches to the Issues of Head Covering and Work in Turkey", *Gender and Society*, vol.19, no.1, p. 106

[98] John Esposito and James Piscatori (1990), 'The global impact of the Iranian revolution", in J. Esposito (ed), In *The Iranian revolution*, Miami: Florida International University Press, p. 318

[99] Rabab Abdulhadi, (1998), "The Palestinian women's autonomous movement", pp. 49-73

factors, Islamist women believe that Islam encompasses everything and therefore can take care of social problems. The views of members of the orthodox group are in line with the traditional ideology about men's and women's roles in Turkish society. Despite their differences, Islamist women's groups, like feminists, usually participate in the same demonstrations and belong to the same organizations.

Islamists perspective on the Headscarf

Islamist women come from different backgrounds; they are housewives, students, lawyers, doctors, and journalists. They define themselves in terms of a moderate Islamic background. They demand the right to education and their right to work wearing their headscarves. According to these women, the headscarf is a dictate of their religion and they should be free to wear it in public. They also feel their educational rights have been restricted because of their religious beliefs. The state has been forcing them to choose between being a citizen and a believer.[100] Islamist women have united to protest the banning of the headscarf in the public realm. The turban that they wear as a headscarf is different from the traditional head cover of Turkish women. While the traditional headscarf was tied loosely, allowing the hair to be seen, the turban is tied tightly; it is also longer than the traditional headscarf and covers the hair completely. Especially since the 1980s, more women have started to cover their heads with headscarf. The headscarf has been the symbol of a political ideology, and the protests of these women have become a political issue.

The state's practices regarding headscarf have changed over time. In 1982 the state banned headscarf from the universities; in 1984 the Council of Higher Education allowed girls to wear headscarf in universities; and in 1987 the headscarf was again banned from the universities. Islamist women actively questioned the authority of the state and organized protests against the state. But their attempts to withdraw the article banning the turban in universities failed. Muslim students then carried the issue to the

[100] Ayse Saktanber (2002), *Living Islam,* London & New York: I. B. Tauris Publishers, p. 48

European Human Rights Commission and defended the proposition that people should be able to freely practice their religious beliefs. But the cases were dismissed. Ironically, these women who took their cases to the European Human Rights Commission also criticized the Western ideals of the republic and accused it of being a satellite to the West.[101] Yet the Welfare Party wanted to integrate with the East instead of the West. It is striking that these cases were taken to a Western institution. Considering the headscarf bans of Germany and France, Western institutions will be critical about for their demands to wear the veil in schools and state institutions.[102]

Back in the 1920s, Islamists were protesting against the educational rights of women and their appearance in the public sphere. What changed in 50 years in Islam and in interpretation of the *Quran's* dictates was that women became a concern of the political parties because of their electoral right. Women's problems have been supported by the parties within restrictions, and only if there is an election in the future. They were regarded as symbols in the 1920s and after the 1980s as well. Despite their limited emancipation and the state's control over women's improvement, along with criticisms of women's submissive and secondary activities, there are women who have worked for women's emancipation and have otherwise been active. It cannot be agreed that women have been puppets or objects. These criticisms present a point of view that diminishes the activities of women. Also, contemporary Turkey has required a long process to break the rigid structure of the patriarchal state and its cadres to improve women's rights. The head covering has had very strong opposition from secular groups. It has been seen as a threat to democracy and secularization. Muslim women have been accused of being brainwashed and manipulated. It has been argued that the head covering is a restriction against women's liberation.

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[101] Yesim Arat (2005), *Rethinking Islam and Liberal Democracy: Islamist women in Turkish politics.* Albany: State University of New Yearbook Press, pp. 25-27

[102] Ibid.,

Socialist feminists, radical feminists, and independent feminists alike have been opposed to the head covering.[103] While Kemalist feminists placed themselves in opposition to Islamist women, the new generation of second-wave feminists has not been critical about Islamist women's demands to wear the headscarf in schools and state institutions. Despite the diverse ideological differences of the radical, independent, and socialist feminists, they have agreed on criticizing the state's policy. Besides their support for the secularist state, they have also supported Islamist women for a more democratic political system. However, the assumptions of these post-1980 feminists have been based on their perception of religious enlightenment. These Islamist women would distinguish the place of women in Islam and would protest patriarchal religious authority.[104] According to Kozat in the journal *Cactus*, the bias against religion has been obvious, I defend the right to veil, not the wearing of the veil. I wonder whether Islamist women ever thought about how the practice of veiling reinforces women's subordination, and reduces their sexuality and social role merely to the biological function of reproduction.[105] According to these feminists, the main problem has been sexism and the patriarchal exercise of men over women. Sexism is in the teachings of *Koran*, and this has been a common problem for both feminists and Islamist women. The position of women in Islam and what Islam may offer them has been the new question for post-1980 feminists. The turban has become a political tool for Islamist movements and parties. It symbolizes traditional Islamic values, such as the subordination of women to men, and it is considered to limit the rights of women in accordance with statements in the *Koran* related to inheritance, divorce, separation of the sexes, and women's submissiveness. But the headscarf concerns secularists primarily as a threat to secularism. In the Turkish Republic, religion has been under state control and its use as a party policy has been obstructed.

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[103] Burcak Keskin-Kozat (2003), "Entangled in Secular Nationalism, Feminism and Islamism; The Life of Konca Kuris," *Cultural Dynamics* vol. 15, no. 2, pp. 183-211.

[104] Ibid., pp. 183-210

[105] Ibid., p. 194.

As analyst has explained, the constitutional court has maintained that allowing Muslim women to wear head scarves in educational institutions would discriminate against other religions and would give privileges to Islamists; therefore, it cannot be allowed. Equal treatment requires banning any religious practices from public institutions. In France as well, covering the head has been banned to promote equality in the public schools. Laicism means the separation of the state from religion. It also denotes preventing the dominant religion from oppressing other religions coexisting in the same society. Thus, if headscarves were allowed, it would open up the way to other rituals and practices.[106] For years Muslim women in Turkey covered their heads and attended secular public schools, but their headscarves never drew much attention. The reason the turban has captured attention and created much opposition has been its political content.

According to the state and secularists, allowance for the turban would be a compromise and a step toward letting Islamists carry forward other dictates of Islam. Religious practices in public should be controlled by the state and within the framework of secularism. Religious freedoms cannot be advanced beyond the established, proper limits. With the headscarf issue, women have again been placed in the center of politics, but this time not for but against the norms of Western modernization. The opposition of Kemalist feminists took place within the efforts to reinforce literacy and education. They emphasized the secular ideals of the republic and argued that education would undermine the attraction of Islam. Their primary goal was to enlighten Turkish women and avoid religious obscurantism.

Secular feminists argued that any opposition to the secular system would jeopardize women's rights. Kemalist women refused to practice their academic activities in the universities when the state allowed turbans to be worn there. Necla Arat, a Kemalist feminist, has argued that veiled women do not want to break away from the backwardness of the past. She has described the veil as a cloth that covers the head of

[106] Yesim Arat (2005), *Rethinking Islam and Liberal Democracy: Islamist women in Turkish politics.* Albany: State University of New Yearbook Press, p. 27

women and that is claimed to protect their honor. According to her, "Islamist women who cover their heads maintain the traditional submissive image of women and want to abolish the rights the state gave them".[107]

What is important here is that Kemalist policy emancipated women. Against all criticisms, Kemalists improved women's rights and their status in Turkey. But for Islamist movements it is hard to make assumptions. If Islamic women attempted to solve the problems of women, such as domestic violence, sexual harassment, and restrictions under the civil and penal codes, it would be easier to defend them as supporters of women's rights. Instead, despite these critical problems facing women in Turkey, they have chosen to protest only over the turban issue. The turban problem cannot be considered a women's problem. The right of women to wear what they want intersects with the ethics of laicism. In Turkey, where religious and ethnic diversity is considerably high, allowing Muslims to practice their dictates would lead to the domination of one religion over others. Therefore the protest of women to be allowed to wear the turban is not a women's issue but a political protest against the state's policies, as well as modernization and secularism. Their protests resemble the women's protests in Iran when Reza Shah banned the veil during his modernist regime. It is important to address the turban issue within women's daily lives. Aside from these arguments on veiling, it is a fact that veiling limits Islamist women's lives. With the ban on turbans in educational institutions, veiled women who want to improve their lives prefer to wear wigs in the schools to continue their education.

In addition to limitations in the state sector, companies in the private sector also do not want to employ veiled women so as to present a secular image. Veiled women cannot be present in the parliament, and their participation in decision making in the political arena is restricted. A veiled woman, Merve Kavakci, who was elected to the parliament, had to leave the General Assembly during the oath-taking ceremony because of regulations regarding veiling and the protest of secular groups. Islamist women's

[107] Niluffer Gole (1997), " The Quest for the Islamic Self within the Context of Modernity ", in Sibel Bozdogan and Reset Kasaba (ed), Rethinking Modernity and National Identity in Turkey, USA; Washington Press, p. 86

zealousness over their right to veil does not appear when it comes to questioning men's authority.[108] Their autonomy seems to be limited by their desire to wear headscarves in the universities. Women from Islamist backgrounds have demanded only their rights concerning the turban. "Veiling has become a symbol for political Islam, and it emphasizes the secrecy of gender relationships". But as women have become visible in public, they have also stressed gender relations within Islam and started a process that is changing the dynamics in both the public and private spheres.

In 1996 the Welfare Party leader Erbakan became the country's first Islamist prime minister. For the Kemalists, it was an earthquake. But Erbakan overplayed his hand and, after only a year in office, he was pushed out as a result of sustained pressure from the military. The crackdown did not stop there. The authorities have done their utmost to cut the Islamists down to size. The Islamists, for their part, proclaim a new found moderation, one their critics find unconvincing. Nur Vergin, professor of sociology at Istanbul University, thinks it is purely tactical. She believes that "if the Islamist groups are left unchecked, they will poison the minds of the 8,000 boys and girls at Istanbul's Islamic schools". "What does the religious teacher teach them? I'll tell you what, because I have an "example, a girl of nine, born in Istanbul, her parents have the means of sending her to school, but she doesn't know how to read, she cannot read yet. But she knows that, if you put nail polish on your nails, you'll go directly to hell. This is very serious. They want the very young children to be educated in that direction with a tremendous amount of hatred against whatever looks like European, looks like secular. Little Taleban, you know",[109] Nur Vergin said. That word. Taleban, is a sign of just how polarised this country has become. Islamists and Kemalists are not just hostile to one another - each feels deeply threatened by the other. So has this polarisation reached the point of an identity crisis. Students at Istanbul University have mixed views. According to one student, "Turkey doesn't have an identity crisis. Minority groups, a small group of

[108] Amelie Barras (2009), "A Rights-Based Discourse to Context the Boundaries of States Secularism? The Case of the Headscarf Ban in France and Turkey", *Democratization*, vol. 16, no. 6, pp. 1246-1250

[109] Roger Hardy (2002), "Turkey battle of the headscarf", *BBC NEWS*, 22 July 2002

people, are living in line with the principles of Islam. But the majority of the Turkish people are Western oriented, and they have a Western education." Another student said:

> "Yes, I do think that there is an identity problem in Turkish society, which comes from the educational system, giving us the Eastern values on the one hand, and on the other hand, the same education system is giving us the Western values. So it's mixed up."

Three quarters of a century after the founding of the modern state, Turks have grown used to Kemalism. But, perhaps most consider that Islam is part of who they are now. The Kemalist model of modernity is dominant - not because everyone accepts it - but because the elite which has managed to impose it on those who do not. But can that continue indefinitely? Since Ataturk's death, his brand of secularism has come under periodic challenge. There is no reason to believe it won't come under challenge again. In this sense, the demands of women with the headscarf are related to the expression of cultural group rights and recognition by the society and the state. They feel that the headscarf is an indispensable part of their identity and they want to cover their heads in public in order not to experience a clash or division of identity in their inner lives.

Thus, like feminists and secular women, Islamist women are in favour of active participation of women in community life, which is dominated by men, whether Islamist or non-Islamist, and the improvement of the place and position of women in society. Since Turkish secularist women and feminists are adamant supporters of the state ideology formulated predominantly by men, Islamist women are at least not behind their secularist and feminist counterparts in terms of rising up against or adopting a system formed outside their wills and actions. Women who cover their heads are aware that a secular, democratic and plural state guarantees the recognition of their identity rights, too. Therefore, they are not intent on toppling the existent system. In fact, they do not have the power even if they wanted to do so and their demands do not represent an uprising against secularism, democracy and modern life, from which they benefit. On the contrary, they are determined to resist the efforts to have a certain ideology like the one preferred by the Turkish traditional secularist elite imposed on them. They do not challenge the

secular order, but rather challenge the imposition of a particular identity adopted by a certain section in the society, which actually contradicts the secular and democratic approach.

Women who wear the headscarf are opposed to state control over their Islamic identity and even over their bodies. They do not want the others to tell them what they should wear and what they should not. And yet, they seem to ally themselves with male dominant pro-Islamic circles not only because they feel closer to them on the ideological grounds, but more importantly, they find themselves isolated and deserted within the community because of the negative attitudes of secular circles and especially women organizations and feminists.

Secularist Perspective on the Headscarf

In Turkey, the secular elite as well as women organizations including feminists do not have any sympathy toward women wearing the headscarf. They do not promote their welfare or do not support them in getting an education, participating in public life and benefiting from public goods.[110] These groups have no plans to integrate the large headscarf-wearing part of society into community life and state structures and ideology. On the contrary, they act with hatred and enmity to the extent that they do not want to see women in headscarves in any part of community life, virtually leaving them to the mercy of their husbands and the Islamists. Demands for recognition and public participation coming from women in headscarves are delegitimized and rejected with the use of state feminism and state secularism. In the eyes of secularists and feminists, the headscarf is the symbol of backwardness rather than of women conscious of their rights and freedoms and demands on this issue carry the threat of radical Islam and a theocratic state.

[110] Metin Toprak, and Nasuh Uslu (2009), "The Headscarf Controversy in Turkey", *Journal of Economic and Social Research*, vol. 11, no. 1, p. 43-67

In secular and feminist minds, a society governed according to Islamic codes of conduct adopted and defended by Islamists cannot escape from becoming a backward society because the Islamist ideology envisages an unequal division of labor between men and women. Men fulfill duties in the public place while women are isolated from outside and are mainly responsible for bringing up children and doing daily housework. The headscarf serves as a symbol of this division of labor and the banning women from public life.[111] Accordingly, women do not cover their heads out of personal choice, but they are forced to do so by Islamist men. Islamist men do not want to see Islamist women publicly active and try to promote the view that all women should cover their head by insisting on the headscarf issue and encouraging Islamist women to defend the right of head covering. Their real purpose is the establishment of an Islamic regime in which all women have to wear the headscarf and are excluded from the public.[112]

According to this way of thinking, women defending the right to wear the Muslim headscarf are not seeking citizenship rights, but are initiating a revolt against the system. Therefore, they should be denied this right and should be excluded from the distribution of public goods. This is in fact a species of gender-based discrimination since Islamist men are not controlled and excluded from the public for their Islamic views and actions.[113] Women are denied any role in the public sphere unless they adopt the secular codes of the state ideology and give up covering their heads. This view amounts to ignoring the dynamic nature of Islamist women's demands for receiving education and joining the workforce to improve and realize their personality. This also strengthens the patriarchal structure in the community, deserts women who are indeed wearing the headscarf because of family pressures, and deprives the community of the contribution of women wearing the headscarf for personal reasons including religious ones. The simple

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[111] S. Genel and Karaosmanoglu, K. (2006) "A New Islamic Individualism in Turkey: heads carved Women in the City." *Turkish Studies,* vol. 7, no. 3, p. 473-88.

[112] Marshall, "Ideology, Progress, and dialogues", p. 109-110

[113] H. Seckinelgin (2006), "Civil Society between the State and Society: Turkish Women with Muslim Head scarves", *Critical Social Policy,* vol. 26, no. 4, p.763-764.

desire of women wearing the headscarf is to enjoy the freedom of covering their heads and thus fulfill their religious duties.

On the streets of Istanbul, Muslim girls march in defiance of the Turkish state. They are demanding the right to wear a headscarf when they go to school. In most countries, the issue would be un-contentious, but not here. In Turkey the official orthodox of the state is Kemalism. Although the state is secular, the people are overwhelmingly Muslim. So the headscarf has become a highly charged symbol of the collision between Kemalism and Islam. Seventeen-year-old Zeliha was turned away by riot police when she tried to go to school in her headscarf. So why does she not simply obey the state and leave the headscarf at home? "I don't feel I have to comply with what the state says. This is my faith - and I want to live by my faith," Zeliha said. So how should we understand the headscarf issue? What does it tell us about modern Turkey?[114] In many ways, Turkey is a vibrantly modern and secular country where Ataturk's legacy appears, on one level, to be alive and well. The guardians of that legacy, the high priests of Kemalism, are the Turkish generals. Sabri Yirmibesoglu, himself a retired general, defends the view that it is wrong for women to wear headscarves in government schools or in government departments.

> "In Turkey it is not forbidden to cover your hair or your body. But the Turkish public gets upset when this is done in the public sphere - and in public education - and when the headscarf is used as a political symbol."

Secularism, though, is not confined to the Turkish military. According to Mehmet Ali Birand, one of Turkey's best known liberal commentators, so doesn't he believe that girls like Zeliha have a point when they claim the democratic right to wear a headscarf? "Well, she had a point but I don't think that she has as strong a point as before. There is a fight between moderate Islam and radical Islam. "The fight is not between the United States, and it is not between the Christian world or the Western world and Islamic countries. No, this war is within us," Mehmet Ali Birand said. To understand why the headscarf issue exercises such passions, it is necessary to look back at the beginnings of

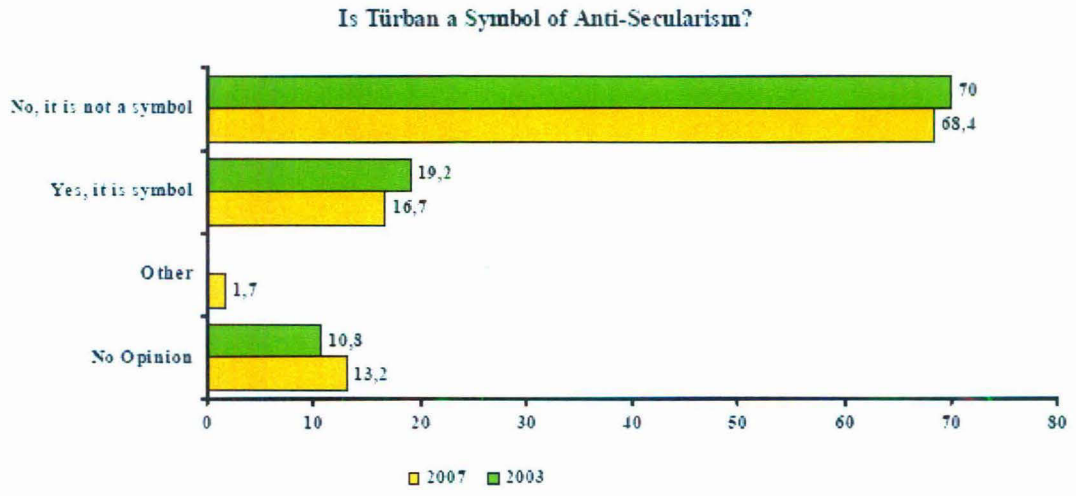
[114] Roger Hardy, "Turkey battle of the headscarf",

modernity in Turkey. These origins go before Ataturk and his secular nationalism and go back, in fact, to the period of the Tanzimat - the reforms introduced by the Turkish sultans in the middle of the 19th century. These Sultans realised that Europe had outstripped the Muslim world in military power and scientific achievement. In response, they began to overhaul the ramshackle bureaucracy of the Ottoman Empire and modernise the education system.

Is Turban a Symbol of opposition to Secularism?

16.7 % of society sees *Turban* as a symbol of antagonism towards secularism. Those who think that *Turban* is not such a symbol are 68.4 %. No significant change is visible in the publics view on this matter since the 2003 survey. While those seeing *Turban* as a sign of antagonism towards secularism was 19.2 % in the 2003 survey, today it is 16.7 % and those not seeing it as a sign changed from 70 % in 2003 to 68.4 % today (see tables).[115]

Table No. 3.1



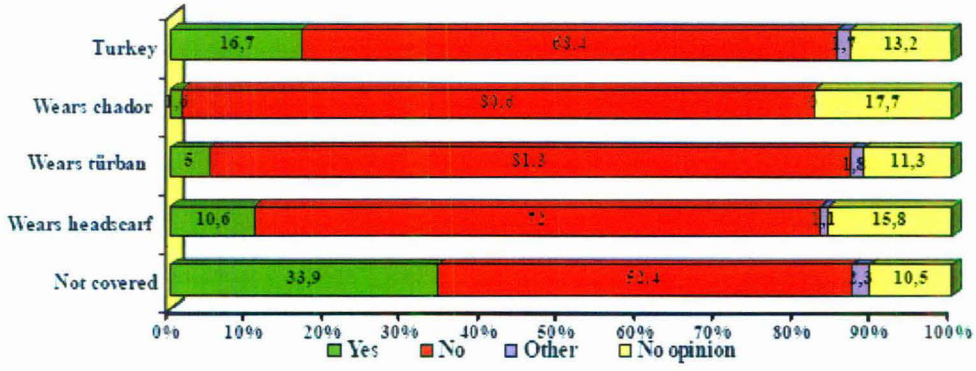
Source: *KONDA* Survey, 2007

[115] See *KONDA* Survey (2007), "Religion Secularism and the veil in daily life", published in *MILLIYET* daily newspaper, p. 34-36, see website also, URL: http/www.konda.com.ti

While a third (% 33.9) of people not covering their heads view *Turban* as a symbol of antagonism towards secularism, one in ten (% 10.6) of those with headscarves and one in twenty (% 5) of those with *Turban* agree with this proposition Looking at the issue by taking people's religiosity into account, 25.8 % of the believers, 10 % of the religious and 8.2 % of the fully devout see *Turban* as a symbol.[116]

Table No. 3.2

Views on Türban as a Symbol by Style of Veiling



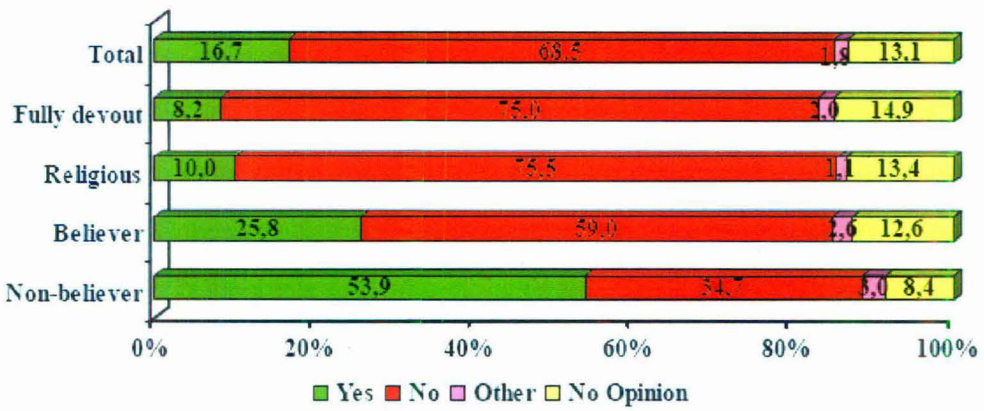
Source: *KONDA* Survey, 2007

[116] Ibid.,

Table No. 3.3

As religiosity increases, the tendency not to see *türban* as a political sign also increases.

Views on Türban as a Symbol by Self-Defined Religiosity



Source: *KONDA* Survey, 2007

Public Perspective on the Headscarf

The ban against wearing the headscarf in universities has been the focus of discussions on secularism in Turkey.[117] While the headscarf, an object worn by women, is involved in politics heavily, women are excluded from the public life and politics by this object. Political parties try to gain the votes of the people by either defending or opposing the right of women to cover their head. But women wearing headscarf cannot participate in political life as deputies in the parliament and they cannot attend universities in order to get influential jobs to improve their situation. Their exclusion from universities and public jobs is justified by state authorities on the grounds. They and their attitudes constitute a serious threat to the survival of the regime. This means that the existence of women wearing the headscarf is itself a threat to the regime and their right of freedom of

[117] M. Akyol (2007) "The Threat is Secular Fundamentalism." *International Herald Tribune* May 4.

dress is tolerated at the expense of interests of the state. While state authorities maintain this way of thinking, the perceptions of the public on the issue gains importance in terms of demonstrating the difference between ordinary people and the elite concerning threats to the state.

The rate of people who believe that allowing the headscarf in universities is contrary to the principle of secularism is 26%, while 31% of people believe that allowing the headscarf in the state sector conflicts with secularism. Thus, the Turkish people strongly support the freedom of women to wear the headscarf not only for university students but also female civil servants and wives of statesmen and bureaucrats. It can be concluded from this that the headscarf is seen as a subject of private life. As this data demonstrates, the great majority of Turkish people does not see anything wrong or perceive any threat in allowing female university students and civil servants to cover their heads. In their minds, the headscarf issue does not undermine secularism, which they consider it an important element of the Turkish state order. If there were any doubts about this perception amongst the Turkish people, the election process of the Turkish president in 2007 removed them.

When the Abdullah Gul's candidacy for presidency was announced in April, his election was prevented by an extraordinary intervention of the military and the judiciary, who opposed it because Gul's wife wore the headscarf. The general elections in July 2007, which were moved forward because of the deadlock in the Parliament on the presidency election, brought the AKP back to the power with an even greater majority because of the people's sympathy toward Abdullah Gul and the injustice done to him. Abdullah Gul announced his candidacy for presidency again by stating that the people approved of their position by increasing their support. The people showed no negative reaction to the election of Abdullah Gul as president even though his wife covered her head. The referendum was organized to prevent the intervention of non-political powers in presidency election on the grounds of secularism and other issues concerning religion and the people ratified this move by believing that such issues did not undermine the

nature of the state.[118] In the eyes of the traditional elite, the election of someone, whose wife covers her head, as president would a serious development, which would undermine the regime and would replace the existing one with a theocratic regime?

However, it should not be forgotten that the scope of the issue was more comprehensive than this. The presidency was the last position in the hands of the traditional elite. Losing it would bring serious repercussions for them. The presidency was the symbol of the Turkish Republic and a president of religious origins would not be good in terms of the secular Turkish Republic's prestige at home or in the international arena.[119] Moreover, the president had comprehensive powers in appointing officials to high levels of state authority and could change the character of the state by appointing religious people to such important positions. The traditional elite have experienced a real difficulty in adapting itself to such a change, which has led some marginal groups to initiate inclusive violent and non-violent actions aimed at interrupting and reversing the process. At the same time, the people have been persuaded that the president is sincere in complying with and working for the secular and democratic structure of the state. They believe that a first lady covering her head does not constitute any problem for the state. In fact, there are even some people who believe that wearing the headscarf in universities and state positions is contrary to secularism but that the headscarf of the president's wife does not undermine secularism. In fact, those who perceive it as a problem constitute only one fifth of the Turkish society

Islamists and Secularist Women's Perspective on the Headscarf

Head covering is one of the most controversial issues in modern Turkey. Secularists think that wearing the turban signifies a desire to bring about Islamic rule. Except for a small minority, women with turbans say that they simply want the freedom

[118] G. Cavdar (2007), "Behind Turkey's Presidential Battle", *Middle East Report*, [Accessed: September 3, 2009], URL: http://www.merip.org/mero/mero050707.html

[119] Toprak, "The Headscarf Controversy in Turkey", pp. 43-67

to cover their heads and fulfill their religious duties. Yet, when pressed, some also say that an Islamic order is the ideal one.[120] In their approaches to the issue of head covering, most feminists ally themselves with pro-secular groups in Turkey, while most Islamist women industriously work for wider acceptance of head covering in the public sphere and ally themselves with pro- Islamic circles. Islamist women try to rationalize the status quo by emphasizing that it is good for them because it is God's command.[121] For feminists, the turban serves as a symbol of this sexist status quo. Islamist women say that covering the head and the body frees women from being sexual objects. However, because they see the female body as a sexual object, Islamist women hide their bodies behind coats and turbans to make them "invisible."

Reformist and orthodox Islamist women both believe that covering the head is necessary for women. In defending the turban, Islamist groups share the strategy of drawing on feminist arguments to oppose feminist messages and to promote their own messages, constructed within the framework of their Islamist ideology. The feminist messages most are often reinterpreted by the Islamists in the documents and interviews. According to both reformist and orthodox Islamists, although feminists and westernized secular elite portray head covering as something that restricts women and conceals women's sexuality, it gives women freedom. Ayse Unal, a member of *Baskent Kadin Platformu* and a teacher, defends the turban: "We don't cover our womanhood. On the contrary, we underline it. We show that we exist as women. But the opposite side (feminists and other pro-secular groups) understands the unrevealing of sexuality as covering womanhood. I am not going to show my sexuality just because some people want it this way. In addition, Islamist women argue that, while underlining womanhood, the turban makes women less vulnerable to harassment and assault. In Aktas's words, "Head covering is not women's captivity. It is a uniform that allows women to be productive and active in social life".

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[120] Marshall, "Ideology, Progress, and dialogues", pp. 109-110

[121] Ibid., pp. 109-110

This clears exemplify how Islamist women often respond to feminist claims regarding the relationship between a woman's body, her mobility, and sexuality. By reinterpreting feminist arguments from within Islamist ideology, Islamists successfully replace hiding womanhood with underlining womanhood, suppressing sexuality with not emphasizing sexuality, and restricting mobility with permitting mobility. Reformist Islamist women accept that, for centuries, Muslim men have equated head covering with restricting women's mobility in the name of Islam while men enjoyed social life. Some reformists stress that the claims of secular-oriented authorities on a woman's place in society mirror the views of traditional Muslim men: "They (secularists) say 'we don't interfere with your turban in your private life.' Their approach overlaps with the religious men's argument that 'a traditional woman's place is her home.' They both try to force (covered) women to stay at home: one in the name of secularism, the other in the name of religion".[122] In "true" Islam, reformists claim, head covering is not intended to limit women's actions. This position reveals that for reformists, head covering is a matter of justifying their presence in the public sphere.

Thus, like feminists, reformist Islamists advocate for women's involvement in activities in the public sphere. Yet, unlike feminists, they think that Islamic head covering is a necessary part of this involvement. Orthodox Islamists particularly emphasize the category of exploitation. According to them, a woman without head covering can be easily exploited by men. She is open to everybody who can easily take advantage of her. However, a covered woman is secure. Her body is always new and fresh. No one can harm her body.[123] Mevlude Ucar, an activist who writes in the radical journal Mektup, condemns women without head coverings for "going out uncovered, drinking and gambling with men in bars and casinos, and being intimate with unfamiliar men in entertainment places." She adds that "by behaving this way, these women (who do not use head coverings) and their supporters think that they are becoming modern and having freedom just like in the West. However, women have been exploited to do business.

[122] Ibid.,

[123] Ibid.,

...Shame on this type of freedom".[124] To show how moral Islamists are, Ucar portrays all non-Islamist women as promiscuous.

Portraying women without the turban as individuals open to exploitation by men helps these orthodox Islamists to characterize head covering as a moral issue. Unlike reformists, orthodox Islamists reduce the issue of head covering to a moral/ immoral dichotomy. From their perspective, immorality is not only a trait of feminists but also of any woman who does not cover her head. Orthodox Islamists equate head covering with chastity, loyalty to husband, and honor, while identifying non-covering with unchastity, dishonesty, adultery, and carelessness. By framing head covering as an either/or moral issue, these orthodox Islamists present their proclamations as the universal moral way.[125]

Daily Lives of Women in Private and Public Spheres

Similar to the republican parties during the 1920s, the Welfare Party also addressed women's traditional roles as a priority. Whether republican or Islamist, women were always referred to as mothers and good wives. Islamists presented women's duties as the following:

> In society, ladies and mothers are given important duties. According to our beliefs, "heaven is under the feet of mothers". In the tradition of our nation ladies and mothers have always deserved respect and affection. Let us never forget the Sultan Aspaslans, Sultan Osmans, Sultan Fatihs and great scholars like Aksemseddin; people who have been examples of morality and virtue have been raised by their mothers. Mothers of today and tomorrow will raise those who build and serve the great Turkey once again. What a great goal, what an honorable service (Welfare Party General Elections Election Declaration 1991, p. 95).

Once again women's domestic roles were emphasized for the nation's success. Their main purpose was to raise good Muslim children who would dedicate themselves to Islamic ideals. In contrast, during the republican period, in addition to their domestic

[124] Ibid.,

[125] Ibid.,

roles women also were called upon to be good citizens of the state, to be educated, and to be westernized. Years later in the same country, women were again being presented with the same traditional roles, this time to bring success to Islamic ideals through a political party not for purposes of Westernization, not for the state, but against women themselves. This time instead of equality, complementarity was recognized between the sexes.[126] The objective was to criticize the state's authority and Western modernization ideals, and to replace them with the moral customs and norms within the culture. But there was no reference to women's educational rights or employment issues, except those that contradicted the turban ban. Islamists criticized only issues related to the turban ban. For the WP, which supported women's protests and encouraged them, the turban problem was not a women's issue. Instead it was a protest against secularization and the authoritarian nature of state policies. It was presented as important step towards democratization. But it also contradicted secularism. The only promise made to women by the WP was on the turban issue. The party guaranteed that when they came to power, they would allow Muslim women to cover their heads in universities and state institutions.

Thus, the turban issue was largely considered a political issue instead of a religious requirement,[127] according to the dictates of Islam, women's obedience to their husbands is beyond question. Islamic law regarding inheritance, divorce, child custody, and polygamy already dictates the regulations for them. The validity of the *Suwar* and *Hadiths* cannot be criticized. Although there are different interpretations of equality of the sexes in Islam, Islam legitimizes men's authority over their wives. Both Islamist and secular scholars in Turkey have accepted the differences between the sexes in Islam.[128] Even the Presidency of Religious Affairs has stated that the equality of men and women depends on the division of labor between husband and wife based on their different skills.

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[126] Ibid.,

[127] Nermin Abadan-Unat (1986), *Women in the Developing World: The Turkish Case,* USA: University of Denver Press.

[128] Elisabeth Ozdalga (1998), *The Veiling Issue, Official Secularism and Popular Islam in Modern Turkey,* Richmond: Curzon Press, p. 39-50.

Although Islamist women accept the traditional division of labor in Islam, they reject its in egalitarian nature. Responsibility in different areas of life is fair, since everybody has different skills and abilities. According to Muslim women, it is God's call alone to decide what is fair and unfair. These ideas coming from Islamist women validate practices that exclude women from some public areas. According to Islam, women cannot become the practitioners (imam)[129] of Islam. Women can lead the community with prayers only if there are no men to practice the ritual. Islam itself excludes women from practicing the most sacred work. But in modern Turkey, Islamist women have argued the validity of working for God's sake. Equality for men and women is subject to debate, if not paradoxical. The authority of men over women cannot be eliminated from interpretations of the *Quran*. Even in the most modern interpretations, the right of men to beat their wives does not appear compatible with feminism in any context. Polygamy, whatever the reason for it, such as protecting the deceased or weak, cannot be compatible with feminism. Even Islamist women, when asked, do not agree with polygamy, and to defend Islam they refer to this issue as a wrongful interpretation. One of the most criticized issues in Islam by secularists is the number of wives the Prophet had.[130] Islam approves and legitimizes the separation of the sexes.

In Islamic practice, women and men sit in different rooms and practice their religion in separate parts of the mosque. When a Muslim woman works with men in a workplace, she is violating the separation rule. Also, the Prophet stated that women should stay at home and do not even need to leave the house to pray; their home is considered to be their mosque.[131] Some scholars have argued for and defended women's freedom and their autonomy under *Sharia*. Their most important responsibility is to take care of their children, their husbands, and their home. What happens when they cannot carry out their responsibilities because of their work? In one of Arat's interviews with the Welfare Party's Ladies Commission, one active member explained that since party work

[129] The officiating priest of a mosque; the title for a Muslim religious leader or chief.

[130] Nicholas Awbe (2000), *Women in Islam an Anthrology From the Quran and Hadiths,* Oxon: Milton Park Abingdon, p. 65

[131] Ibid., p. 136

is considered to be for the sake of God, she believes that He will forgive and understand her. Working for God's sake validates the employment of Islamist women, but can working in other institutions as doctors, lawyers, or teachers also be validated.

Islamist women have also argued that the capitalist system degrades women and gives them more responsibilities. According to one Islamist woman writer, "a woman who works outside the home comes home and cannot find enough time to cook, clean, and take care of the children. Since women are expected to do both, they are being exploited by the modern capitalist system. It is impressive at this point to see the similarities between Western feminists and Islamist women regarding the division of gender roles".[132] Although there are Islamist women who want to work and practice their profession in the public sphere, some Islamist women reject the idea of working outside the home and ascribe to their primary responsibilities. Education is validated in Islam since it is considered important for a good Muslim, but ideas on working outside the home differ.

In the Islamist magazine *Kadin ve Aile* (*Women and Family)*, writers have opposed the idea of women's employ men. Arat's research on *Kadin ve Aile* magazine has provided data on the writings of Islamists regarding women and their suggestions to them on how to behave and to be a good Muslim. Besides modern discourses, fundamentalist approaches are also to be found in those journals. There are fewer articles regarding education, employment, and women's appearance in public than articles referring to their domestic roles. Since Islam considers education to be important, education and employment are considered differently as part of the public realm. While these journals approve of women's education, they criticize their employment. Employment is acceptable only when it is necessary. If a Muslim woman needs to work for the sake of the family, it is appropriate for them to work in an environment that is agreeable to Islam's principle of separation of the sexes.[133] In these journals, common arguments are

[132] Ibid.,

[133] Ibid.,

criticism of Western values and support for separation of the sexes. The exploitation of women in the West has a very important place in these journals' arguments. From their perspective, women who work outside the home have difficulty performing their domestic roles.

Western women are expected to perform in both the private and the public spheres; therefore, their culture is more inclined to oppress them. But in Islam they are protected, and they are only responsible for the house. Most of the studies support the idea that women in Turkey still consider their roles as mothers and wives as the most valuable, and women in the workforce share a common guilt of not being a good mother. Women in the modernized West also have the work/family conflict, but examination of labor force participation rates in Turkey in the cities (17.1 percent) and in rural areas (30.9 percent) shows that more women are working in Western countries.[134] Since Islam legitimizes the division of labor with the differentiation of the sexes, it can be argued that Islam has had an important effect on employment practices.[135]

Arat has also drawn attention to subjects such as divorce, polygamy, battering, inheritance, and testimony; criticizing the magazines' approach, she has stressed the Absence of articles concerning these issues in these journals, *Kadin ve Aile (Woman and Family)*, *Mektup (Letter)*, and *Bizim Aile (Our Family),* women are told to be pretty at home but ugly outside. According to Arat, Islamist women avoid any competition from other women by covering themselves. According to Islamist women, Islam favors women more than secularism does and gives them more rights to protect them from exploitation. They have criticized the use of women's bodies as a marketing mechanism and their sexual exploitation, and have supported Islam's dictates on the dress code for women. Western culture is referred to as "materialistic, racist and exploitative".[136] Their turbans

[134] Rates for employment include population 15 years and over.

[135] "Fertility Levels and Trends in Countries with Intermediates Levels of fertility", (1987), Department of Economics and Social Affairs, United Nations Secretariat.

[136] Ayse G Hosgor, (1996), *Development and Women's Employment Status: Evidence from the Turkish Republic 1923-1990*, London: University of Western Ontario, p. 166.

and long coats protect them from being the target of men's gaze. Islamist women have rejected arguments that emphasize the restrictive nature of the headscarf. They have also challenged arguments that Islam considers women's sexuality to be threatening and men's sexual desires to be aggressive.

They have also questioned the notion that their perception of protection requires them to veil. Although they have rejected the arguments that criticize the veil, their references to "open" women provide a clue to their views on protection. Their approach to the dress code is different. They regard it as a dictate of Islam, and they follow it for God's sake. They choose to cover their bodies to be free from exploitation, and the choice is theirs. From their perspective, 'open' women with their tight dresses and miniskirts are at greater risk of harassment by sneaky, evil eyes.[137] According to Islamist women, a good Muslim man would not gaze upon another woman with bad intentions.[138] In the backdrop the two polar opposites in Turkey, the following chapter makes an attempt at critically examining the debate spurred by the headscarf controversy.

[137] In Turkey, the word "open" refers to women who do not cover their heads, as opposed to being"closed," which refers to covering the head

[138] Ayse Saktanber (2002), Living Islam, London: I.B. Tauris, pp. 217-221

Chapter-III

An Assessment of the Debate

The controversy over the headscarf has set off an intense debate in contemporary Turkey, which goes beyond the Kemalist ban on traditional attire worn by women. It involves the larger issue of public visibility of Islam in a secular state. It has at the same time provided an occasion to reflect whether Turkish women are simply emancipated but un-liberated. Also related to the controversy is the politically salient question of Turkey's transition to a liberal and pluralist democracy with the constitutionally guaranteed individual rights and liberties. In the backdrop of all this, the chapter begins with a critique of the arguments put forward by both the hard-line secularists and the Islamists based on the mistaken belief that women with headscarves constitute a homogeneous group in the country. In reality, however, some belong to an illiberal community while others do not, and some would prefer to live in an Islamic state while others would not. More importantly, even those who prefer to live in an Islamic state still want to preserve the civil rights they have under the secular democratic republic. Among these "others" are those women willing to reconcile with individualistic liberal dictates as well as secularism.[139]

The Headscarf Skepticism

Physical appearance and dress codes have always been significant as markers of political attitudes in Republican Turkey. Yet, the Muslim women's Islamic headscarf assumed a special position for it "challenged the self-image of secular, Republican order of Turkish state and society".[140] This is still the case despite the fact that the Islamic

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[139] Yesim Arat (2001), "Group- Differentiated Right and the Liberal Democracy State: Rethinking the headscarf controversy in Turkey" *New Perspective on Turkey*, vol. 25, no. 1, p. 33.

[140] Hakan Seckinelgin (2006), "Civil Society between the State and Society?Turkish Women with Muslim Headscarves", *Critical Social Policy,* vol. 26, no.4, pp. 748–69.

headscarf has entered the highest state level via marriage partnership, for most of the wives of the members of the AKP government cover their heads with an Islamic headscarf, including the wives of the president of Turkey, Abdullah Gul, and the Prime Minister, Recep Tayyib Erdogan. However, even this new situation has not prevented covered women from being engaged in a public confrontation with the state authorities.[141] Nor dose it help them get the Islamic headscarf recognized as a civil right by changing with the 1989 the 2008 decisions of the Constitutional Court. In 2005, the ban of 1989 was also approved by the ECHR, for the ECHR endorsed the national authorities' view of the headscarf as antagonistic to both secularism and gender equality in the case of Leyla Sahinv in Turkey.[142] This ECHR decision initiated a heated debate in the media, created an extensive international literature in the academic world, and frustrated the proponents of the Islamic headscarf.

Despite this frustration, considering Turkey is committed to attain full membership to the EU, the headscarf debate in Turkey cannot be regarded as a domestic issue any longer. Not only their headscarf but also the social identity of Muslim women has already become a problematic issue which as some observers raised important issues about the status of religious law, custom and practice in the context of Western secularism.[143] Among those global developments are "the creation of religious diasporas, the emergence of transnational religious movements, the growth of fundamentalism, the appropriation of religion in ethnic politics, the religious mobilization of dispossessed

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[141] Dilek Cindoglu and Gizem Zencirci, (2008), "The Headscarf in Turkey in the Public and State Spheres", *Middle Eastern Studies,* vol. 44, no.5, pp. 791–806

[142] She was a fifth-year student at the faculty of medicine of the University of Istanbul. On 23 February 1998 the Vice-Chancellor of the University issued a circular directing that students with beards and students wearing the Islamic headscarf would be refused admission to lectures, courses and tutorials. In March 1998 the applicant was denied access to a written examination on one of the subjects she was studying because was wearing the Islamic headscarf. Subsequently the university authorities refused on the same grounds to enroll her on a course, or to admit her to various lectures and a written examination. The faculty also issued her with a warning for contravening the university's rules on dress and suspended her from the university for a term for taking part in an unauthorized assembly that had gathered to protest against them. All the disciplinary penalties imposed on the applicant were revoked under an amnesty law.

[143] Bryan S. Turner (2007), "Islam, Religious Revival and the Sovereign State", *Muslim World,* vol. 97, no.3, pp. 405–18

youth movements, and growing inter religious tensions"[144] in all of which Islam plays a crucial role. In this highly fragmented global world, however, Muslims' search for an which brings about a "non assimilative critique of modernity",[145] finds its echoes extensively in the question of Muslim women's social status and identity.

In the context of Turkey, the position of women who had been trained in secular, republican educational institutions and who at the same time adhered to the principles of Islam is particularly important in this process. How they position themselves vis-à-vis the westernization project of Turkey is a position that can be defined as an "outsider within"[146] because of the way their demands to participate in public life while wearing an Islamic headscarf is treated by their own state. Those who want to attain their rights of religious expression for them no matter how critical they were towards the liberal codes of western modernity. Covered women those who are activist in Turkey have developed new discursive strategies through which the structure of the headscarf within the support of a liberal notion of human rights over-ruled the other discursive meanings of the Islamic headscarf.

The Islamic headscarf was not always associated with the human rights issue. Apart from the rejection of the Islamic headscarf by the state authorities, the headscarf-skepticism also loomed large in the headscarf controversy. Such social skepticism partly stems from the fact that in Turkish society wearing a headscarf not necessarily denotes a strict religious observance, but mostly refers to cultural traditions of Anatolian women. In fact, to wear a headscarf as part of a cultural tradition is highly common among women in Turkey and it does not constitute a social problem as long as it is not associated with Islamism. However, as the total number of women who wear an Islamic headscarf has

[144] Ibid., p.406.

[145] Nilufer Gole (2003), "Contemporary Islamist Movements and New Sources for Religious Tolerance", *Journal of Human Rights,* vol. 2, no.1, p. 19

[146] Patricia Hill Collins (1986), "Learning from the Outsider within: The Sociological Significance of Black Feminist Thought", *Social Problems,* vol. 33, no.6, pp. 14-15

increased significantly since the 2003 during the AKP rule, this fact alone serves to nurture the headscarf-skepticism, particularly common among the secular sections of society about whether wearing a headscarf is advocated in defense of religious rights and freedoms or to Islamize society.

Headscarf: A Sign of Piety or Politics

The headscarf is usually seen as the culminating point of the process of the inner search of women who headed to find this true path that entails entering an inner struggle with one's self. Thus, to cover one's head is seen as one of the highest points of embracing the faith of Islam, which is not granted to every woman. It is said to be a God-given gift, an ability that not even all devout women can have, as the evidences of many urban and mostly well-educated women suggest. It is also a kind of rite that leads women to a state of being, after reaching which one cannot be the same person anymore. In this new state of being, apart from strictly fulfilling the requirements of Islam in their daily lives, these women also abandon their previous way of life as well as their personal habits of taking care of themselves.[147] Regarding their new moral conduct, they avoid participating in mixed-sex social gatherings unless necessary, and indulging themselves with leisurely activities and clear consumption, which are thought to be imposed upon women by western modernization to alienate them from their own Islamic culture and tradition. Moreover, a powerful sense of distaste about their previous way of life that is expressed in a sarcastic manner becomes a characteristic part of their self-narratives.[148]

On the basis of the aforesaid belief, many eminent Turkish women who wear headscarf have narrated their personal experiences vis-à-vis the secular Turkish establishment. For example, Gulsen Ataseven M.D. says that in 1963 even though she became the first female student who graduated from medical school first in her class in the history of the Republic, she was not given her prize because her head was covered.

[147]Ayse Saktanber (2002a), *Living Islam: Women, Religion and the Politicization of Culture in Turkey*, London: I.B. Tauris, p. 22

[148] Ibid, p 213

Nor was her picture published in the newspaper as the winner of this prize, but another female student's who occupied the second place was.[149] However, although she had started to cover her head in the last year of college, she was neither expelled from the university nor was she prosecuted in contrast to the covered female university students in the 1980s and 1990s. Another woman, Sule Yuksel Senler, a self-taught journalist and a right-wing political activist who became a leading actor in the mobilization of women for headscarf in the late 1960s, and inspired next generations to cover their heads by her cult novel Huzur Sokag? I had a different experience. She was prosecuted for she had challenged the secular order of the Turkish state and society by making her headscarf a public issue. She also became known as the inventor of the new Islamic head covering in Turkey, which was called "Sule's head".[150] Sule Yuksel Senler was highly inspired by one of those Nakshibendi religious communities established during the republican period called Nur Community, and eventually became a student of the *Risale-i Nur,*[151] that is the *Koranic* commentaries and brochures written by the founder of the order, *Bediiuzzaman Saidi Nursi.*[152] Because before the abolition of the Article 163 of the Penal Code in 1991 by which any political organization committed to forming a religious social order was proscribed, her affiliation with this particular religious group made her activities legally susceptible.

Although she was not a traditional woman but a modern political activist and a popular writer, mostly because of her particular religious affiliation her act of headscarf was also associated with obscurantism, which was perceived as the biggest threat directed towards the secular regime. But the aspect that was perceived as the most dangerous was that as a pious covered woman she did not confine herself to the private sphere but opened her religious identity to the public gaze by making herself a popular public figure in a social order in which secularism is understood as the relegation of religion to the

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[149] Gulay Atasoy (2004), *How they Veiled,* Istanbul: NesilYayinlari, p.35.

[150] Ibid.,

[151] The Epistle of Light

[152] Nonpareil of Our Times

private sphere as a matter of the people's individual conscience. If she had stayed at home or just she continued to lead her ordinary daily Life, as a pious woman after covering her head, her act of headscarf might have continued to be evaluated within the discursive boundaries of a personal salvation. Since she did not draw a portrait of a submissive Muslim woman and challenged the state authority, her headscarf was seen as the sign of an Islamic uprising. This is how her image was carved out into the secular imagination of public memory. How it was perceived to be the watershed of the politicization of headscarf in contemporary Turkey.

Politicization of Headscarf as a Human Rights Issue

In the 1980s and 1990s, Turkish society underwent a tremendous transformation. The neo-liberal economic policies launched by the Anavatan Partisi (ANAP, the Motherland Party) between 1984 and 1991, which involved the integration of Turkey to the world economy, were also expected to be accompanied by freedom of thought and speech as well as freedom of enterprise. This situation provided an opportunity space for Islamist forces to legitimize their cause at the national level. In this context, in 1984 when Nebahat Koru, an Assistant Professor of Chemical Engineering at the Aegean University in Izmir was warned by the chancellor of her university not to attend her job while wearing a headscarf. She defended her attire saying that "this is my philosophy of life" and based her arguments on her constitutional rights referring to the Article 3 of the Constitution by which freedom of religion and conscience are protected. In return, the chancellor argued that she had to take off her headscarf on duty, and proposed that she wear a headscarf if she wished.[153] Dr. Koru did not accept this offer for she thought this would be a curtailment of her constitutional rights.

Thus, she filed a suit protesting these sanctions, but the legal basis of her argument was not found compatible with the principles of secularism. She was dismissed from her job for insisting on wearing an Islamic headscarf. Although the headscarves of

[153] Emilie Olson (1985), "Muslim Identity and Secularism in Contemporary Turkey: The Headscarf Dispute", *Anthropological Quarterly,* vol. 58, no.4, p. 162

some other university students had started to be a part of the public debate, at the time when Dr. Koru's headscarf became a legal issue, her professional status as a scientist with a Ph.D. degree added a new dimension to this dispute. Her headscarf was extremely intolerable for the secular forces for she was neither an uneducated traditional woman nor a dedicated politician. Nor was she one of those politically agitated young university students whose ideological allegiances might be subject to change, but was a university professor who was supposed to be the agent of enlightenment and progressive thought. Contrary to such expectations, she was refusing to even negotiate with the authorities regarding covering her head with a headscarf, so as not to underline her religious identity.

In the Turkish context, the term headscarf does not connote headscarf as the term headscarf literally does. It is also smaller and looks less visible and much more modern than the old fashioned Islamic headscarf that covers the shoulders, at least in the eyes of state authorities. She was also using her intellectual abilities to articulate her cause as a "philosophy of life" by also referring to the constitutional citizenship rights. Her claim, then, was not grounded in the peculiarity of religious narratives. Thus, she has brought headscarf into a new discursive platform considerably different from the religious one. That is, religious and citizenship identities are not mutually exclusive. So that, one can claims both citizenship and religious rights at the same time without giving precedence to either of them. This is something new to the understanding of Turkish citizenship according to which loyalty to the nation oversteps all other identities.[154] Another peculiarity of this incidence was that from then on an attempt has been made to impose the headscarf as a solution to the headscarf issue, particularly for the university students. The Council of Higher Education, which was established after the military takeover in 1980 with an aim to control the politicization of universities, banned the Islamic headscarf in 1982 together with men's beards and moustaches, which targeted the leftist and ultra-nationalist groups as well as Islamists. The headscarf ban was softened both in 1984 and 1987 under the rule of the ANAP by interpreting university students' headscarves as modern headscarves rather than Islamic attire.

[154] Dale Eickelman and Armando Salvatore (2002), "The Public Sphere and Muslim Identities", *European Journal of Sociology*, vol. 43, no. 1, p.107

However, this decision was annulled in 1989 by the Constitutional Court which argued that in a secular order religion should be depoliticized and kept in people's consciences.[155] Throughout the 1990s, this Constitutional ban on the headscarf exacerbated the controversy in society. Small or large-scale marches, sit-ins, protests, and demonstrations followed one another. The mobilization of female university students to defend their right to cover their heads went parallel with the advent of Islamist movements, both peaceful and violent. In other words, they mutually urged one another, and the headscarf ban fostered the mobilization of young generations of Muslim women, which in turn led to the emergence of new Islamist women activists and intellectual[156] as well as the establishment of many civil society organizations in defense of the headscarf. In so far as the headscarf was knotted with Islamist activism, it was marked as the political symbol of Islamist movement. Moreover, this process was construed and designated by the Turkish public opinion as the politicization of the headscarf.

From the mid 1980s on, however, as Yesim Arat argues, feminist and Islamist activist women succeeded in bringing about a political change in Turkey by questioning the prevailing structures of power. In so doing, although the feminists aimed to promote women's human rights, and the Islamists to realize divine rule. They both challenged state authority over individual human rights. The increasing political activism of women also made the political parties perceive the participation of women in party politics as the symbol of the democratization of the political parties. This also brought about the "symbolic feminization of right-wing politics"[157] through which parties have secured a liberal, democratic public image by incorporating a small number of women to the higher level of their parties without, however, developing a program to improve women's

[155] Yesim Arat (2001), "One Ban and Many Headscarves: Islamist Women and Democracy in Turkey", *HAGAR: Studies in Culture, Polity & Identities,* vol. 2, no.2, pp. 47–60.

[156] Yesim Arat (1990), "Islamic Fundamentalism and Women in Turkey", Muslim World, vol. 80, no.1, pp. 17–23.

[157] Ayse Saktanber (2002b), "Whose Virtue Is This? The Virtue Party and Women in Islamist Politics in Turkey", in Paola Bacchetta Margaret Power (ed.), *In Right-Wing Women: From Conservatives to Extremists around the World*, New York: Routledge, p. 75.

condition. Echoing this attitude, Islamist politicians targeted women, but the right of headscarf appeared to be their almost only important demand for women.

In order to capitalize on the intellectual potential of educated covered women, the Islamist Refah Partisi (RP, Welfare Party) allowed women to form "ladies' commissions" in 1989. Women in the Ladies' Commissions became extremely successful in mobilizing pious women who came from different geographical regions, socio-economic backgrounds, and education levels, to work and vote for the party. In an effort to transform its public image from that of a traditionalist religious party to that of a mass party, in the 1991 general election campaign the RP avoided using overtly religious idioms and symbols. But they used seven female faces in its advertisements, only one of which was a covered young university student who had been expelled from the university.[158] The RP certainly became a mass party when it swept the 1994 municipal elections, including largest cities. Following the electoral success of the RP, the struggle of well-educated women to make the Islamic headscarf recognized as a legitimate civil right gained a new impetus, and the meaning of wearing a headscarf began to be multiplied due to the increasing social differentiation among women who wear an Islamic headscarf.

On the one hand, the Islamic headscarf gained an elite status because it had been first worn by well educated, upwardly mobile urban women, particularly by the university students who defended it as their individual rights of religious expression. On the other hand, this new style of Islamic modesty was also embraced by the lower and lower-middle class women who lived at the periphery of urban metropolises as a "status symbol".[159] But the embracing of the Islamic style of headscarf by ordinary Muslim women other than the activist university students did not help normalize the Islamic headscarf and lessen the headscarf-skepticism common among the secular polity and

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[158] Ayse Oncu (1995), "Packaging Islam: Cultural Politics in the Landscape of Turkish Commercial Television", *Public Culture*, vol. 8, no.1, pp. 51–71

[159] Jenny White (2002), "The Islamist Paradox", in Deniz Kandiyoti, and Ayse Saktanber (ed), *In Fragments of Culture: The Everyday of Modern Turkey*, London: I.B. Tauris, p. 212.

society. The university covered student insistence on defending their headscarf as a religious requirement and a personal choice both of which were articulated within the framework of human rights. Such development led to accusations of *takiye*[160] the notion that Islamist activists are concealing their real intentions and goals of destroying the secular order of the Turkish state and society, instead of revealing them honestly in public.

The Headscarf and its Impact on Turkish-EU Relations

Turkey's efforts to achieve its long-term aspiration to be included in the EU, and the radical reforms she had to implement in order to fulfill this aim. This had a great impact on Turkey's state–society relations and domestic politics. In June 1993, the European Council laid down the conditions, the so-called Copenhagen Criteria for the accession process of Central and Eastern European Countries to the EU. These criteria demand that all applicant states must have achieved "stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities".[161] During the Copenhagen Summit of 2002, where the boundaries of New Europe were determined, the European Council declared that accession negotiations between EU and Turkey would start without delay on the condition that Turkey fulfills these criteria before the Helsinki Summit, which was to take place in December 2004. Turkey managed to get the negotiation process started on the indicated date. For this to be possible, Turkey made radical reforms through legal and constitutional changes in 2002. There were improvements in the fields of extension of cultural rights for minority groups and protection of human rights, such as the abolishment of capital punishment and allowing, however limited, broadcasting in minority languages. Even though these changes have played an important role in securing a conditional date for the beginning of accession negotiations, it is difficult to say that democracy has become the defining

[160] Dissimilation

[161] Janne Haaland Matlary (2002), *Intervention for Human Rights in Europe*, New York: Palgrave publication, p.77.

aspect of Turkey's state–society relations. Turkey's limitation on religious freedoms and the treatment of minorities remain a major area of concern for the EU.[162]

Despite its Islamist roots, paradoxically, the AKP emerged as the political party with the biggest commitment to EU membership.[163] The underlying motive for the AKP's active support for full membership to the EU involved "extension of religious freedoms that challenged authoritarian secularism of the Turkish state"[164] as well as an "opportunity of curbing of the political influence of the military".[165] However, before the AKP's accession to power, the fact that Turkish citizens were able to apply to the ECHR created another important step in relations between EU and Turkey. Turkey ratified the European Convention of Human Rights in 1954, but accepted the right to individual petition to the European Commission of Human Rights in 1987. Individual application to ECHR became mandatory for all contracting states in 1998, which made it possible for individuals to file cases against their countries in the ECHR. This was the first time Turkey confronted the protection of individual rights and freedoms against the state, and also an international legal force that would pursue the violation of human rights. Individuals increasingly began applying to ECHR when all efforts to seek justice in national courts were exhausted. They wanted to employ the opportunity to bring their concerns and claims to a European platform, where they thought their rights and freedoms were safeguarded by international law and principles, with which Turkey has to act in compliance. Thus, the headscarf issue also became an integral part of that search

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[162] Seyla Benhabib and Turkler Isiksel (2006), "Ancient Battles, New Prejudices and Future Perspectives: Turkey and the EU", *Constellations*, vol. 13 no. 2, p. 219.

[163] Nicholas Dan Forth (2000), "Ideology and Pragmatism in Turkish Foreign Policy from Ataturk to AKP", *In Turkish Policy Quarterly*, vol.1 , no.1, p. 91

[164] Fuat E. Keyman, and Ziya Onis (2003), "Helsinki, Copenhagen and Beyond: Challenges to the New Europe and the Turkish State." Paper presented at ISA Conference, Budapest, Hungary. tr/~zonis (accessed 6 November 2009) http://portal.ku.edu., p.18.

[165] Ayse Gunes Ayata (2003), "From Euro-Skepticism to Turkey-Skepticism: Changing Political Attitudes on the European Union in Turkey", *Journal of Southern Europe and the Balkans*, vol. 5, no.2, p. 217.

for rights and freedoms of Turkish citizens at the ECHR, most of which were found inadmissible.

The AKP's Government and the Opposition Parties

The role of religion in public life has been a persistent issue for the modern Turkish Republic. For the conservative and more religious sectors of society, Kemalist secularism was too harsh on religious expression and particularly punitive towards women. Thus, the liberalization of the dress code for women was a long overdue measure. In fact, from this perspective, the amendments barely addressed. More reforms are needed to fully integrate these women into all aspects of public life. Even after these two amendments, women wearing a headscarf would still be excluded from employment in the public sector as judges, doctors, nurses or teachers. In short, the religious sectors of the society were only partially satisfied with the reform.

The attempts of AKP to liberalize headscarf use in universities were met by a strongly dissenting coalition, composed of the universities, the Higher Education Council (YOK), the military and the judiciary. Incidentally, these institutions have come to be the support of secularism, especially since the 1990s when political Islam became a more visible power in Turkey. Other members of the dissident camp included the Republican People's Party as the main opposition party with strong secular credentials; most of the Kemalist, secular civil society organizations; organizations of retired military officers; and some fringe leftist parties.

An important characteristic of all these groups which steadfastly oppose the liberalization of headscarf use is that they all take secularism as their defining cause. For them, the amendments present a clear and imminent danger. The constitutional changes are seen as serious attempts to reorganize the rules of the state according to the dictates of Islam.[166] Because of this, the secularists do not regard them as some benign amendments,

[166] Arat, "Group- Differentiated Right and the Liberal Democracy State: Rethinking the headscarf controversy in Turkey", p. 40.

but as signs of AKP's "hidden agenda": that is, to bring *Sharia* to Turkey and turn the country into an Islamic Republic, one amendment at a time. Aside from the staunch supporters and opponents of the headscarf amendments, a third group also emerged in the public debate. Even though it is very difficult to shelf them, this group includes influential journalists, columnists and prominent members of the Turkish intelligentsia.

As a whole, they represent the rare breed of liberal democrats in the country. In general, this group was highly supportive of AKP and its reformist and pro-EU outlook during its first four years in power. In terms of their lifestyles, the liberal group has more in common with the country's secular establishment. However, there is a fundamental difference in the way in which the two sides read AKP and what it stands for. While the staunch secularists consider AKP synonymous with the rise of political Islam and the assault of reactionary/counter-revolutionary forces on westernization, the liberals conceptualize the same phenomenon as signs of transformation, progress and an alternative modernity.[167]

The headscarf issue seems to be rupturing the liberal camp into at least two. While some of them continue to support AKP's headscarf initiative without any reservations, others voice concerns over the way in which the amendments were carried out and their potential social consequences. The first group considers the lifting of the ban a long overdue measure. They subscribe to the basic rights and freedoms discourse of AKP and argue that the headscarf ban was a violation of both the freedom of expression and of the right to equal access to education. The critical liberals, however, express more of a disappointment with AKP for relegating the constitutional debates to the back burner. They disapprove of AKP's pragmatic coalition with the extreme nationalist MHP a party with a highly dubious record on rights and liberties – just to pass the amendments. More importantly, they feel offended by this piecemeal expansion of rights by patching with two articles of the 1982 Constitution. What this group expected was a

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[167] What the liberals want is not piecemeal approach to reform, but the total re-structuring of the post 1980 polity by introducing new constitution based on the notion of social contract in place of 1982 constitution framed under the auspicios of the military.

comprehensive reform package introduced alongside the new Constitution initiative. Therefore, they felt let down by AKP and its token liberalization attempt which appeased only its conservative constituency.[168]

Spread of Headscarf during AKP Rule

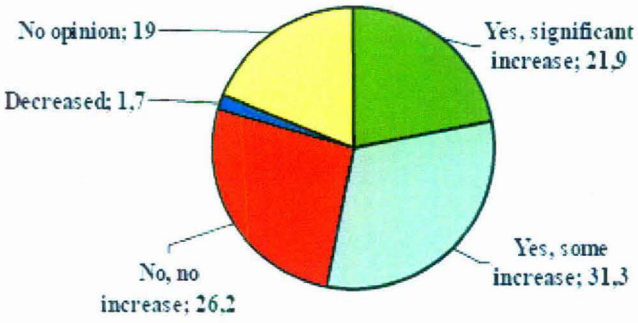
While 21.5 % of society holds that there has been a significant increase in the number of women covered with headscarf during AKP rule, 31.3 % believe that there is some increase, 26.2 % that there is no increase and 1.7 % that there is in fact a decrease. In short, 53.2 % of society observes an increase in the number of people using headscarf; even if in differing amounts (see tables).[169] Half of society thinks that the number of people covering their heads with headscarf has increased in the past 5 years. Two out of every 10 people think that there is a great increase while three out of every ten think there is some increase.

[168] Evren Celik Wiltse (2008), "The Gordian knot of Turkish Politics: Regulating Headscarf Use in Public", *South European Society and Politics*, vol. 13, no. 2, pp. 197-98.

[169] See *KONDA* Survey (2007), "Religion Secularism and the veil in daily life", published in *MILLIYET* daily newspaper, p. 37, see website also, URL: http/www.konda.com.ti

Table No. 4.1

Türban wearers during AKP rule



Source: *KONDA* Survey, 2007

Among those who are not covered, 34.6 % see a significant increase, 29.1 % somewhat of an increase, while 16.5 % of those with headscarf see a significant increase and 29.8 % of them somewhat of an increase. As for those with headscarves, 16.8 % see a significant increase and 32.5 % some increase. As religiosity increases, the likelihood of seeing an increase in headscarf wearers decreases.

Table No. 4.2

View on Turban Wearers during AKP Rule by Style of Veiling[170]

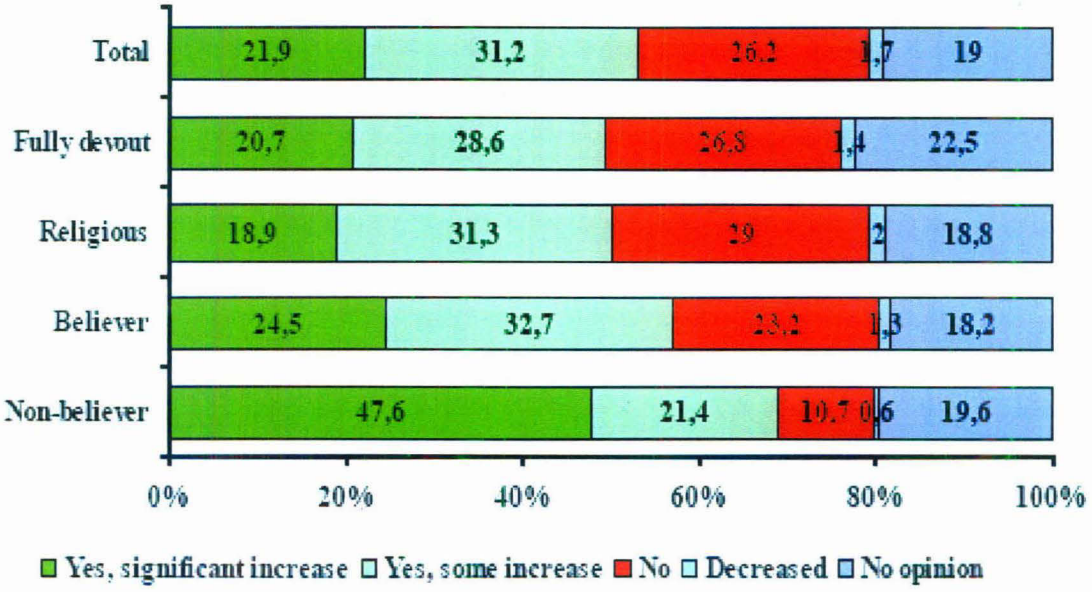
In the past 5 years, during AKP's ruling period, has there been an increase in the number of women wearing *türban*?						
	Yes	Yes, some	No	Decrease	No opinion	Total
Not covered	34.6	29.1	19.8	0.8	15.7	100.0
Wears headscarf	16.8	32.5	28.1	2.0	20.4	100.0
Wears *türban*	16.5	29.8	31.9	2.0	19.8	100.0
Wears chador	14.5	21.0	38.7	3.2	22.6	100.0
Turkey	21.9	31.3	26.2	1.7	19.0	100.0

Source: *KONDA* Survey, 2007

Table No. 4.3

[170] Ibid., p. 38

View on Turban Wearers during AKP Rule by Self-Defined Religiosity



Source: *KONDA* Survey, 2007

Assessment of the headscarf controversy

One could make a different argument and point to the fact that women who cover their heads do not share the individualistic perceptions of liberty that liberal women or men share. Islamist women's personal or individuals perceptions of liberty are predicated upon the communitarian Islamic norms, which dictate, they argue, that women cover their heads. These women feel free if they can attend universities with their heads covered. The ban allows the state to impose its own restricted understanding of liberties on a group.[171] The covering of Islamist students appears as a controversial issue because it is the most visible reminder of religiosity and traditional role of women in modern social context such as universities campus, urban centers, political organization, and industrial work place.

[171] Nilufer Gole (1996), *The Forbidden Modern*, Ann Arbor: University of Michigan Press.

She also argued that the question of covering is not an secondary issue for Islamist movement but, on the contrary, highlight though centrality of the gender issue to Islamist self definition and implied western criticism. Thus covering is a discursive symbol that is instrumental in conveying political meaning.[172]

It is true that headscarf is a symbol of opposition to the Republic. However, one could question whether it constitutes an opposition to the fundamental principles of the regime, namely secularism or its particular understanding that has been practiced. Many headscarf women protest state control over religion and merely want to enlarge the boundaries of freedom of action for religious individuals and groups vis-à-vis political institution. Similarly, it may be argued that the headscarf poses no threat to a strong Republic with a healthy democracy. Those who see heads carved women as a threat to the state mistakenly underestimate the deep-rooted nature of secular precepts in the country. Even though there be those who would prefer to see an Islamic republic, they need not be seen as anti systemic to be isolated.

Finally, the argument regarding unequal treatment and neutrality of educational space can be reconsidered. Those students who come to class with pink hair might be protesting the *status quo* and differentiating herself from her friend, thus inevitably eliciting different treatment from her colleagues and teacher. An Islamist woman who does not cover her hair could, nevertheless, signal her ideology in a dress with "unfashionable" longer hemlines and long sleeves, even during summer. Regarding the claim made by the European Human Rights Commission, that in some urban universities where the covered students are a minority. Those who "exhibit the symbols of one religion" re-pressured under the unwelcome, it is not hostile. These question rose against the ban should not prevent us from scrutinizing the argument made for the headscarf. First we should not exaggerate or generalize the argument that headscarf expand opportunities for women within Islamist groups. Many women who come from traditional families are expected to cover their heads, and they have no freedom of choice or autonomy in the matter. Even though secular, individual students might have chosen to

[172] Ibid.,

cover as a dictate of religion, to practice Islam better, how much will the community respect their individual choice, for example, when one of them begins to reinterpret Islam as not requiring women to cover? The Islamic community is very hierarchic, conformist, and intolerant of individualism. Studies carried out among Women's Commission of the Islamist Welfare Party have showed that there was a strong, entrenched glass ceiling within the party. Women who had been empowered and immensely satisfied by working for the party, and who have covered their heads in the university, were restricted and confined by men in hierarchical position within the party. This discrimination, unlike that within secular parties, was legitimized with a reference to Islamic norms and a reverence of hierarchy within the community. outside the party, Islamist women's journals, for examples, promote traditional gender roles for women and discourage them from working outside their homes, prominent Islamist female as well as male opinion leaders condemn secular women and their western modes of life. They are intolerant of feminism and women's freedom of choice.[173]

In short, even though there are groups who are more tolerant of dissent and "the other" the Islamist community is illiberal and promotes a communitarian conception of self rather than an individualistic one. Under these conditions, to be recognized unless there are internal restrictions within the group would lead us to draw the boundaries for freedom of action for political institutions vis-à-vis religious authorities outside the realm of headscarves.

At this point, the argument for equal treatment given by Constitutional Court and the European Human Rights Commission and the neutrality of public schools can be reconsidered. This argument is particularly relevant in Anatolian universities, where women who cover their heads were in the majority and those who do not cover are pressured, if not intimidated, to follow suit. Although, it is true that headscarves women are exposed to the unwelcome glances of their peers who are against covering, the reverse is also true, and sometimes violently so.

[173]Arat, "Group-Differentiated Right and the Liberal Democracy State: Rethinking the headscarf controversy in Turkey", pp. 40-44.

The argument that the head cover is symbol of opposition to the Republic and that it threatens the Republic needs to be takes with a pinch of salt. Among the Islamists in general, and women with head covers in particular, there are those who would prefer an Islamic republic rather than a secular, liberal democracy. Moreover, wearing the headscarf is not the same thing as wearing a cross or a silver ring, which identifies you as a member of a group. Women wearing headscarves because they believe that it is a dictate of Islamic law. They wear it because they want to be better Muslims and practice Islam correctly as it should be practiced, not merely to identify themselves as a member of a group.[174] Islamic law, if it were practiced as many believe it should be, would legitimize some form of polygamy, unilateral divorce, unequal inheritance, and other dictates that secular women find unacceptable. The Republic has tried to privatize Islam, and Islam does not necessarily lend itself to simple privatization.[175]In practice, head covering and Islamic law can mean many at times mutually exclusive things. Welfare Party women's Commission had fought for their head covers in universities, before they joined the Party, and they felt that Islamic law was faire and just. None publicly expressed their allegiance, for example, to the secular civil code, which prohibits polygamy and gives equal rights of divorce and inheritance to both partners. They would not assure the authorities that head covering does not necessarily mean they support an Islamic state. It looked like it was very difficult to disagression their defense of headscarves from their support for Islamic law or an Islamic state.[176]

Yet their reactions were more complicated than their simple endorsement of Islamic law would lead one to believe. When they explained why they believed in Islamic law, it was evident that liberal secular values of equality had infiltrated their religious

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[174] Gul Aldikacti Marshall (2005), "Ideology, Progress, and Dialogue: A Comparison of Feminist and Islamist Women's Approaches to the Issues of Head Covering and Work in Turkey", *Gender and Society*, vol.19, no.1, p. 109-112

[175] Ibid., p.43.

[176] Senem Aydin Duzgit (2008), "What is happening in Turkey: Party Closure and Beyond", *Center for European Policy Studies*, vol.1, no.1, p.2.

frameworks. They did not want the polygamy, unilateral divorce, or unequal inheritance rights that are generally attributed to Islam and viewed as restrictive of women's liberties. These women cherished women's rights as they were understood by many secular liberals and tried to argue that these rights were compatible with Islam. They argued that polygamy was practically impossible under conditions of contemporary life, because it was impossible for men to treat all wives fairly as required by the Islamic law. They insisted that couples could write contracts before entering an Islamic marriage to specify the particular conditions and understandings or regulating their married life according to Islamic law. Thus, they could establish the terms of divorce and inheritance. Considering their relative weakness within the Islamic community, these proposals probably would not carry much weight for many Islamists men. Or many Islamist should call the women "apologists" for Islamic laws in consistent with western notions of equality and reinterpreting them to be reconcilable with those notions. However, their answers were important, because they showed that there was no uniform understanding of Islam within the Islamic community and, more important the so-called fundamentalists who wanted an Islamic state actually did not want it.[177]

[177] Ibid.,

Conclusion

All women in Turkey share the same history whether they are secularists, Islamists or feminists. But the ideologies that shape their lives create the differences between them. It is important to criticize authoritarian regulations that oppress women whether they are the secular policies of the state or the dictates of Islam. The diversity of the ideologies within feminism in Turkey prevents them from working together. It is apparent that women have the autonomy to shape their own lives or to decide what is best for them. The dichotomy between secular and Islamic opposition is today one of the most important hindrances they should overcome. Beyond the issue, there are critical concerns for both Islamic and secular women. But the debate has been placed at the center of women's problems in Turkey.

In the history of the Turkish Republic, there have been two periods when major improvements were made to the status of women. One was the 1920s, the early years of the Republic, when Mustafa Kemal Ataturk outlawed polygamy and abolished Islamic courts in favour of secular institutions. This first period of reforms is well known and celebrated in Turkey. The second major reform era has been the period since 2001. Reforms to the Turkish Civil Code have granted women and men equal rights in marriage, divorce and property ownership. A new Penal Code adopted in 2004 treats female sexuality for the first time as a matter of individual rights, rather than family honour.[178] The amendment was later taken to the Constitutional Court by the steadfastly secularist Republican People's Party (CHP). The lifting of the headscarf ban could indeed be considered as a positive and necessary step.[179]

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[178] William Hale and Ergun Ozbudun (2010), *Islamism, Democracy and Liberalism in Turkey: The case of the AKP*, London: Routledge, P. 122

[179] Senem Aydin Duzgit (2008), "What is happening in Turkey: Party Closure and Beyond", *Center for European Policy Studies,* vol.1, no.1, p.2.

Amendments to the Turkish Constitution oblige the Turkish state to take all necessary measures to promote gender equality[180]. Family courts have been established, employment laws amended and there are new programmed to tackle domestic violence and improve access to education for girls. These are the most radical changes to the legal status of Turkish women in 80 years. As a result, for the first time in its history, Turkey has the legal framework of a post-patriarchal society.[181]

The reforms of the 1920s were carried out by an authoritarian one-party regime. Women were given the right to vote at a time when there were no free elections. Generations of Turkish women were taught to be grateful for Ataturk's gift of freedom and equality. However, legal inequality of men and women remained in place in Turkey throughout the 20th century, long after it was abolished in the rest of Europe. During the first half century of the Turkish Republic, Turkey's womanhood has been confronted with important challenges. Legal emancipation permitted Turkish women to free themselves of a legitimized disqualification in favor of men. The second important challenge, the transition to a multiparty system and the extension of franchise to all citizens over 21, placed upon the shoulders of Turkish women voters a heavy and responsible task. The third challenge came because of deep rooted structural changes such as rapid urbanization, industrialization, mechanization of agriculture, exposure to mass media, internal and external migration.[182] Reformers believed that education and the removal of discriminatory and seclusive treatment within the family would enable women to develop into better wives and mothers. Increasing entry of women into higher education and the pressure of rising standards of living within the middle class helped to strengthen the illusion of rapid improvement in their conditions and achievements of equality.

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[180] Ibid., p. 1

[181] Mustafa Akyol (2007), Sex Matters: Toward a post patriarchal Turkey, Turkish Daily News, Vol.1, no.1, p.1-2

[182] Nermin Abadan-Unat (1978), "The Modernization of Turkish Women", *Middle East Journal*, Vol. 32, No. 3, p. 305.

The traditional society, while it certainly did not treat women as equals, did provide meaningful, necessary and guaranteed roles to women. The claim for protection from society rested on the recognition of the value of their contribution. The process of modernization, particularly economic change, has disturbed these roles and the guarantees are fast becoming inoperative. New guarantees are necessary but they cannot come by treating the women's problem as a marginal issue to be dealt with unselfishly. Turkish planners and policy makers have reached the point where they must adopt new approaches and ways of thinking in order to cope with problems of a rapidly modernizing social group: the rural and urban Turkish women of today and tomorrow.[183]

There are some who fear that Turkey may be turning its back on its secular traditions. Some of the loudest voices come from Kemalist women, who insist that the rise of political Islam represents an acute threat to the rights and freedoms of Turkish women. There have even been calls for restrictions to Turkish democracy to protect women's rights. Yet such an authoritarian feminism is out of touch with the reality of contemporary Turkey and the achievements of recent years. The reforms of the last few years have come about in a very different way from those of the 1920s. They were the result of a very effective campaign by a broad-based women's movement, triggering a wide-ranging national debate. The AKP government proved willing to work constructively with civil society and the main opposition party CHP. This open and participatory process produced the most liberal Penal Code in Turkish history in 2004. It represents a significant maturing in Turkish democracy.

Turkey has a long road ahead of it in narrowing its gender gap. Improving gender equality will involve tackling a series of deeply entrenched problems, from improving access to education in rural regions to removing the institutional and social barriers to women's participation in the workforce. Elections in July 2007, this year had been the commitment of Turkey's political parties to increasing the number of women in

[183] Ibid., p. 306

parliament.[184] But women in Turkey still remain secondary to men. They still do not sufficiently exercise their new legal rights, their participation in the workforce remains low and the division of labor in the private sphere does not favor women.

Debates regarding the position of women in Turkish society have occupied a central place in the political and ideological agendas of the Ottoman and Turkish states at three crucial moments. The first was during the period of Ottoman reforms instituted through the activities of the Turks in the middle of the nineteenth century. At this juncture it was reformist men, whose main concern was to find ways of reviving a stumbling empire, who voiced concern about the position of women in society. A second wave of debates defining the role of women and, by extension the meaning of womanhood took place in the early years of the establishment of the Turkish Republic and culminated in the enfranchisement of Turkish women in 1934.[185]

Although during the second phase, the elite women were more determined in stating their own positions. The first and the second gesture of debates on the woman question culminated in what various observers have called state feminism. The third time that feminism and women have occupied an important space in the public stare in Turkey was after the military coup of 1980.[186] The fact that this movement has largely developed in opposition to state feminism explains to a certain extent its place among the forces of the non-formal opposition. Scholars have argued that patriarchy, tradition and economic structures are reasons why women have been subordinated in Turkey. But the religion of Islam has also had a great impact on Turkey's social structure. It gives men a powerful legitimacy to subordinate women. Islam is usually studied in the context of identity

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[184] European Stability Initiative Report, "*Sex and Power in Turkey*", p. 30-31

[185] Nukhet Sirman (1989), "Feminism in Turkey: A Short History", *New Perspectives on Turkey,* vol. 3, no. 1, p. 3

[186] Sirin Tekeli, (1986), "The Emergence of the feminist Movement in Turkey", in D. Dahlerup (ed.), *The New women Movement*, London: Sage Publications, p.185

politics especially since the rise of a new Islamic movement in the 1980s. It affects daily practices to a great extent.[187]

The Headscarf debates, Identity politics and the threat of *Sharia* all prevent women from working together for their rights. It is important for women in Turkey to avoid the policies, ideologies and practices that limit their potential for achieving equality. State policies not only restrict the rights of heads carved Islamist women but also those of open and secular women. Islam cannot itself restrict women's lives; instead, it needs a mechanism to practice its dictates. Turkey as a secular country has managed to eliminate some religious effects on daily life. But except for the headscarf issue, it is not possible to conceptualize the effect of Islam on women's lives. Nevertheless, it is certain that Islam legitimizes the patriarchal structure in Turkey which leads to the submissive position of women. Although the headscarf issue appears to be related to women's rights in Turkey, many scholars consider the headscarf debate to be a political rather than a women's problem.

Islam as a religion calls for obedience for women and contradicts feminism. Although Islam allows women to be visible in the public sphere within limits, it does not approve full participation. With its *Surahs* and *Hadiths* that refer to women's obedience, Islam is incompatible with feminism in Turkey. The division of labor and responsibilities in the private and public spheres which are criticized by Western feminists are considered by Islamist women in Turkey to be a compensation for the money the husband brings home. Islamist women see no harm in such a bargain. What appears to be compatible with feminism is neither Islam nor Islamist women, but their idea of becoming autonomous individuals in contemporary society. But their religious practices conflict with feminist practices. The debates regarding the identity crisis of Islamist women appears destined to continue for a long time.

[187] Simten Cosar (2007), "Women in Turkish Political thought: between tradition and modernity", *Feminist Review,* vol. 86, no.1, pp-113-131

Carrying women's problems into a domain where dichotomies such as East/ West, traditional/modern, veiled/unveiled, Muslim/secular exist only serves as an obstacle. This time women themselves are producing debates that sabotage their liberation. They restrain themselves within these dichotomies and undermine more important issues regarding women. Discussing women's rights in West Asia in only a symbolic context such as headscarves appears to serve male stream thought. Identity politics and dichotomies can also be criticized for restricting the potential of women's movements and can be considered new ideologies imposed upon women to control them.

Turkey is likely to spend significant political capital on the headscarf issue in the coming years. These debates however should not obscure the larger problem of gender inequality in the country, particularly in the critical spheres of employment and education. The study demonstrates that the persuasive need for the state to adopt proactive measures if Turkey wants to secure a place among the league of advanced democratic nations.[188] AKP government has a great chance to silence the allegations that it is a reactionary Islamist movement, should it decide to undertake progressive reforms that improve the lot of all women.

Another important point to mention is that the headscarf itself is a moving object. Hence very difficult to regulate when the liberalization takes affect. It is by no means frozen in time and invulnerable to the general social transformation and progress of Turkish society. Thus, there is a whole variety of styles for wearing a headscarf, each with a different socially and class-bound symbolism. In recent debates, when the legislators suggested that only a standardized model of scarf should be allowed on campuses, the headscarf-wearing women were the first to protest.[189] The legislators were proposing the Anatolian model as a compromise solution. Yet the students frowned upon it by calling it the grandma style. Some headscarf wearing students said they would rather uncover their hair than walk around dressed like their grandmothers.

[188] Evren Çelik Wiltse (2008), "The Gordian knot of Turkish Politics: Regulating Headscarf Use in Public", *South European Society and Politics*, vol. 13, no. 2, p. 211

[189] Ibid, p. 112

Meanwhile, a small but coherent group has emerged as the spokeswomen of headscarf wearing university students. This group has criticized the homogenization of all women under the headscarf. They have deconstructed the normal vs. pathological dichotomy that tacitly dominates the secularism debates. Finally they voice their support for freedom to all marginalized sectors, including homosexuals. In this regard, they reject the collective pressures of both the religious institutions and the secular state tools over their individual choices. Yet, an important problem is the lack of political skills and institutional flexibility to accommodate these demands. Second, and more importantly, there are the vast majority of girls and women who lack the means and skills to articulate their demands in a democratic society. The AKP government does not seem to prioritize the empowerment of these large but silent sectors of women.

The severity of the gendered aspect of the headscarf problem notwithstanding, current developments on the judiciary face suddenly have turned the situation into an existential problem for AKP. In April 2008, the Constitutional Court of Turkey decided to take up a case regarding AKP's closure and a political ban on the 71 most important figures of the party.[190] The public prosecutor's case charges AKP as a centre of anti-secular activities. There is little doubt that the recent headscarf amendments acted as a catalyst for the filing of the suit. Though tensions with the judiciary have been common throughout AKP's tenure as the ruling party, this is by far the most serious threat to date. The closing down of the party and a political ban on its entire leadership could effectively eliminate this movement from the democratic arena. Since rupture from Erbakan's hardliner Islamist movement, the leaders of AKP have displayed a thorough understanding of Turkey's centre-periphery cleavage.

They have carefully anchored themselves on the EU track through a series of democratic reforms. This way, AKP has been able to reinforcement itself domestically with its increasing electoral support, and internationally with the sympathetic EU opinion. However, in the last couple of years, AKP's democratization efforts have

[190] Ibid, p.113

become lethargic, thus weakening the EU secure. Despite its massive electoral success, AKP has been seriously intimidated by the filing of the Constitutional Court suit. It is desperately trying to restore its bridges with the EU by passing another comprehensive democratic reform package. Getting back on the EU membership track could not only strengthen its recommendation as a mainstream centrist party, but also could orderly some of the non-democratic excesses of the Turkish state.

It can be said that the headscarf is a tool in the power struggle in Turkey. It is a procedural tool used in the struggle for power rather than an essential element of the conflict with the actual representatives of the secular regime. In fact, that head covering should be left to individual choice is widely approved by the society. Politicians who make the headscarf as an instrument of political power struggle become either winners or losers of the polarization the issue creates.[191] The headscarf is a good example of the fact that the manufactured conflict between the state elite and political elite is symbolized through religious values.

A great majority of Turkish society thinks that the demands of university students, wives of statesmen and civil servants to wear the headscarf do not contradict secularism. Further that an individual's choice to wear headscarf is not a problem. Those who are offended by the freedom of the individual to wear the headscarf or who believe that it contradicts the belief of secularism constitutes a small part of the society. Thus, a social consensus on the freedom of headscarf can be said to exist in Turkey. The approach of people of differing Socio-Economic Statuses (SES) toward the headscarf issue demonstrates a meaningful differentiation. The positive attitude toward the freedom to wear the headscarf decreases as the SES increases. This is an interesting finding because the leftist-socialists in Turkey generally belong to the high SES. While the supporters of conservative nationalist parties defend the freedom to wear the headscarf in higher rates, the supporters of leftist-social democrat parties have serious doubts about this freedom.

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[191] Toprak, Metin and Nasuh Uslu (2009), "The Headscarf Controversy in Turkey", *Journal of Economic and Social Research*, vol. 11, no. 1, p. 61

Consequently, it can be seen that the headscarf ban has no social basis. As it would be a mistake to see the headscarf ban as an element of the secularism project, defining an ideology on the basis of the headscarf. An important religious symbol in Turkey, presents a risk to the progress of democracy, and only serves to increase political polarization.[192] Formulating public policies on the basis of the headscarf ban will only help destroy social peace. Social engineering projects which aim to change political, religious and ethnic positions of the citizens, and are not permitted in Western-type contemporary democracies. There is no headscarf problem in Turkey in a sociological sense. The real problem lies in the authoritarian approach which stems from groundless fears or ideological choices of the social elite or economic power centers.

The headscarf debate shows that it is a complicated issue. In practice there is no single or simple Islamic law, and no unified community of Islamist. According to Kymlicka, there are neither simple internal restrictions within the Islamic community nor a simple need for external protections to be extended to the community. There are no simple restrictions because wearing the headscarf does not necessarily restrict women liberties.[193] Many women make their own decisions to wear the headscarf. Fighting their right to wear the headscarf, they assert their autonomy. Yet this is not the case for others. The Islamic community that dictates the wearing of the headscarf might, and at time does, persecute women who do not conform. After all, the Islamic community is not very liberal. It restricts women's rights to dissent and promotes communal as opposed to liberal norms.[194]

Similarly, the Islamic community needs external protections in the context of larger secular Muslim society is controversial. It is true that the secular state imposes on the Muslim population a particular understanding of Islam where women are not expected to cover their heads. It is also true that many among those who subscribe to the

[192] Ibid, p. 62

[193] Arat, Yesim (2001), "Group- Differentiated Right and the Liberal Democracy State: Rethinking the headscarf controversy in Turkey" *New Perspective on Turkey*, vol. 25, no. 1, p. 44

[194] Ibid, p. 45

particular understanding of Islam where women have to cover their heads. They also prefer to adopt such other dictates of Islam as polygamy, unilateral divorce, and unequal inheritance rights which is turn pose a threat to the civil-liberties and principles of equality shared by the secular majority. It is difficult to categories all women who wear headscarves as a threat to the republic. However, headscarves can represent a world-view, which is opposed to the fundamental principles of the republic. It shows the desire to have Islamic law as opposed to the secular law implemented in the polity.[195]

At the same, it can be argued that the ban itself can be a threat to the foundation of liberal democracy. The ban declares that the illiberal Islamic can not be accommodated within a liberal democratic state. Considering that many of those so-called illiberal Islamist are not necessarily illiberal the possibility of accommodative them with a democratic state can not be set aside. It is not clear why they can't be accommodated within a democratic state. Furthermore, by assuming that all those women who are covered, are the same and represent a threat to secularism. The ban redefines reality and creates a contrived enemy of secularism and liberalism.[196] Thus, the monopolistic aspiration of Islamists can be contained within the institutions of liberal democracy. Most of the women who cover do so willingly, so forcibly changing what they think is not a realistic prospect.

To conclude, the current political debate on headscarf in Turkey seems curiously out of touch with Turkey's real social dynamics. There is a vocal minority, including some authoritarian feminists, who see Turkey's secular traditions as under threat and want the military to step in. Their intense fear of political Islam blinds them to the changes underway in Turkish society, as well as to the achievements of recent years. As Turkey continues to tackle the barriers to gender equality in economic, social and political life, the most important lesson of recent decades is simple: any substantial progress depends above all on the quality and inclusiveness of Turkish democracy.

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[195] Ibid.,

[196] Ibid., p. 45

Bibliography

***indicates primary sources**

Abadan-Unat, Nermin (1974), "Major Challenges Faced by Turkish Women: Legal Emancipation, Urbanization, and Industrialization", *Turkish Yearbook of International Relations,* 14:20-44.

Abadan-Unat, Nermin (1986), *Women in the Developing World: The Turkish Case,* USA: University of Denver Press.

Abu-Lughod, Lila (1998), "Feminist Longings and Postcolonial Conditions", in Lila Abu-Lughod (ed), *Remaking Women; Feminism and Modernity in Middle East,* Princeton Publications.

Acar, F. (1995), "Women and Islam in Turkey", in Sirin Tekeli (ed.), *Women in Modern Turkish Society,* London: Zed Books.

Acar, F., (1991), "Women in the ideology of Islamic revivalism in Turkey: Three Islamic Women's journals", in R. L. Tapper (ed.), *Islam in modern Turkey: Religion, politics and literature in a secular state,* London: I.B. Tauris, pp: 280-303

Afetinan, Ayse. (1962), *The Emancipation of the Turkish Women,* Amsterdam: UNESCO Press.

Ahiska, Meltem (1994), "Feminism in Turkey in the 1980s; An Interview with Ayse Duzkan", [Online: web] Accessed 5 Sept. 2009 URL:http://wwwwluml.or/english/publications/occpapers/occasioanalpaper6.rtf.

Ahmed, Leila (1992), *Women and Gender in Islam; Historical roots of a modern Debate,* London: Yale University Press.

Aktas, Muruwets, (2001), "Headscarves Turkish women feel angry, marginalized", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.online women in politics. org/.../

Akyol, M. (2007), "The Threat is Secular Fundamentalism", *International Herald Tribune*, May 4.

*Amado, Liz Ercevik, (2005), "The Human Rights Education Program for Women (HREP): Utilizing state resources to promote women's human rights in Turkey", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.cvt.org, www.newtactics.org.

Al-Na'IM, Abdullah Ahmed (2008), *Islam and the Secular State,* USA: Library of Congress.

Aorthus (1989), "The importance of Feminist Critiques for Contemporary cell biology", In Nancy Tuana (ed), *Feminism and science*, Bloomington: Indiana University Press.

Arat, Y. (1999), *Political Islam in Turkey and Women's Organizations,* Istanbul: Tesev

Arat, Y. (2000), *Islamist Women, their Headscarves and Democracy in Turkey,* Istanbul: Bogaziçi University.

Arat, Y. (1997), "The project of modernity and women in Turkey", in S. Bozdogan & R.

Arat, Y. (2007), "Islamic Fundamentalism and Women in Turkey", *The Muslim World,* 80(1):17-23.

Arat, Y. (2007), *Rethinking Islam and Liberal Democracy: Islamist Women in Turkish Politics*, New York: State University of New York Press

Arat, Yesim (1991), "Feminism and Islam: Considerations on the Journal Kadinve Aile", in, S. Tekeli (ed), *Women in Modern Turkish Society*, London: Zed Books Publications.

Arat, Yesim (1994), "Towards a Democratic Society: The women's movement in Turkey in the 1980's", *Women's Studies in international Forum,* 17 (213): 241-248.

Arat, Yesim (1996). "On Gender and Citizenship in the Middle East", *Middle East report,* 198 (1): 28-31.

Arat, Yesim (2001), "Group-Differentiated Right and the Liberal Democracy State: Rethinking the headscarf controversy in Turkey", *New Perspective on Turkey*, 25 (1): 31-46.

Arat, Z. (ed.) (1998), *Deconstructing Images of the Turkish Woman*, New York: Palgrave Macmillan.

Arat, Z.(1994) "Turkish women and the Republican construction of Tradition", in F M. Gocek and S. Balughi (ed), *Reconstructing Gender In Middle East, Tradition, Identity and power*, New York Colambia University Press

Arat,Yesim (2000), "From Emancipation to Liberation: The Changing Role of women in Turkey's Public realm", *Journal of International affairs*, .54 (1):107-123.

Arat,Yesim (1998),"Feminists, Islamist, and political change in Turkey", *Political psychology*, 19(1):117-131.

Arin, Canan (1997), "The Legal status of women in Turkey", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.kadininsanhaklari.org/files/legal status.pdf.

Association for Liberal Thinking (LTD) (2003), *Report Of Research On Freedom Of Speech With Regards To The Legal And Social Aspects In Turkey*, Istanbul: LTD.

Ayata, S. & Ayata, A. G. (2007), "The Centre-Left Parties in Turkey", *Turkish Studies*, 8(2): 211–232.

Aycan, Z. (in press), "Career development of women in Turkey", in S. Bekman and A.Koc (ed), *Development across cultures*, London: sage Publication.media. library. [Online: web] Accessed 5 Sept. 2009 URL: http:// www.Ku.edu.tr/fapub/zeynep_Aycan_career _Development. Pdf.

Ayrimciliga Karsi Kadin Haklari Dernegi (1999), *Near History of Scarf Banby Photographs: With Pleasure*, Istanbul: Degirmen Yayinlari.

Berg, Charles (1951), *The Unconscious significances of hair*, Lodon: Allen and Unwin Publication.

Berkes, Niyazi (1964), *The Development of Secularism in Turkey*, Montreal: McGill University Press.

Breu, M. and Marchese, R. T. (2000), "Social Commentary and Political Action: The Headscarf as Popular Culture and Symbol of Political Confrontation in Modern Turkey", *Journal of Popular Culture,* 33(4): pp. 25-38.

*Canivar-Corat, Saniye ser (2005), "Woman, Gender Equality, Education and Sustainable Growth," [Online: web] Accessed 5 Sept. 2009 URL: http:// portal.unesco. org/en/.../ instambul % 2B 2005_final.doc.

Cavdar, G. (2007), "Behind Turkey's Presidential Battle." *Middle East Report Online,* [Online: web] Accessed 15 Sept. 2009 URL: http://www.merip.org/mero/mero050707.html

Cindoglu, Dilek and Toktas S (2002), "Empowerment and Resistance Strategies of Working Women in Turkey", *The European Journal of Women's Studies,* 9(1):31-48.

Cizre Sakalleogla, U (1996) "Parameters and strategies of Islam-state interaction in republican Turkey", *International Journal of Middle Eastern Studies*, 28 (1):231-251.

Coar, Simten and Onbai, Funda Gencolu (2008), "Women's Movement in Turkey at a Cross- roads: From Women's Rights Advocacy to Feminism", *South European Society and Politics*, 13 (3): 325-344.

*Convention on the Elimination of All forms Discrimination Against women report (CEDAW), (1996), "Women, Law, And Judicial Decision-Making in the Middle East and North Africa: Towards Gender Justice", [Online: web] Accessed 5 Sept. 2009 URL: http://www. portal.Unesco.org/shs/en/.../11647960021 gender justice.../gender_justice.pdf.

Dagi (2005), Transformation of Islamic Political Identity in Turkey: Rethinking the West and Westernization", in *Turkish Studies,* 6(1): 21–37

Delaney, Carol (1994), "Untangling Meaning of Hair in Turkish Society", *Anthropological Quarterly*, 67 (4):159-172.

Durakbasa, A. (1998), "Kemalism as Identity Politics in Turkey", in Z. Arat (ed.), *Deconstructing Images of the Turkish Women*, New York: St. Martin's Press, pp: 139-155

Durakbasa, Ayse and Ilyasoglu Aynur (2001), "Formation of Gender Identities in Republican Turkey and Women's Narratives as Transmitters of 'Her story' of Modernization", *Journal of Social History,* 35(1):195-203.

Erdem, T. (2007b), *Understanding New Turkey,* Istanbul: Konda Research.

Erol, S. (1992), "Feminism in Turkey", *New Perspectives on Turkey*, 8 (1):109-120.

Esim, Simel and Dilek Cindogly (1999), "Women's Organizations in 1990's Turkey: Predicaments and prospects", *Middle Eastern Studies*, 35 (1):178-188.

Falk, Richard, (2007), "Decoding the Turkish Headscarf Debate", [Online: web] Accessed 5 Sept. 2009 URL: http://www.global.ucsb.edu/orfaleacenter/Iuce/.../.

Gallala, I. (2006), "The Islamic Headscarf: An Example of Surmountable Conflict between Sharî'a and the Fundamental Principles of Europe", *European Law Journal,* 12(5): 593-612.

Genel, S. and Karaosmanoglu, K. (2006), "A New Islamic Individualism in Turkey: Headscarved Women in the City", *Turkish Studies,* 7(3): 473-88.

Giddens, Anthony (1990), *The Consequences of Modernity*, Cambridge: Polity Press.

Gocek, F.M. (2000), "To veil or not to veil? The Contested location of Gender in Contemporary Turkey", *Interventions,* 1(4): 521–35.

Gole, N. (1996), *Forbidden Modern: Civilization and Veiling*, Ann Arbor: University of Michigan Press.

Gole, N. (2003), "Contemporary Islamist Movements and new Sources for Religious Tolerance", *Journal of Human Rights*, 2(1):17-30

Gole, N. (1997), "Secularism and Islamism in Turkey: The Making of Elites and Counter Elites", *Middle East Journal*, 51 (1): 46-58.

*Government of Turkey, (2007), "United Nations Development Program: Women in Politics", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.undp.org.tr/.../signed%20project%20document%20_%20women%20 in 20 politics%20_%2000049635.pdf

Government* of Turkey, (2008), "Turkey's Vision and key Development Challenges", [Online: web] Accessed 5 Sept. 2009 URL: http://www. siteresources.worldbank.org/INT Turkey/.../Turkey_CPS_exec_summ.pdf.

Gulal, H. (2001), "Globlisation and Political Islam: The Social Basis of Turkeys Welfare Party", *International Journal of Middle East Studies*, 33 (1): 433-448.

Gulendam, Ramazan (2001), "The Development of a Feminist Discourse and Feminist Writing in Turkey: 1970-1990", *Kadin/Woman,* 2: 93-110.

Gündüz, Zuhal Yeflilyurt (2004), "The Women's Movement in Turkey: From Tanzimat towards European Union Membership", *Perceptions,* 9(3):115-135.

Hancock, C. (2008), "Spatialities of the Secular", *European Journal of Women's Studies,* 15(3):165-179.

Hatem, Mervat (1993), "Toward a Critique of Modernization; Narrative in Middle East Women Studies", *Arab Studies Quarterly,* 15(2):117-122.

Hoodfar, Homa (1997), "The Veil in Their Minds and on Our Heads: The Persistence of Colonial Images of Muslim Women", in David Lloyd and Lisa Lowe (ed), *The Politics of Culture in the Shadow of Capital*, Durham: Duke University Press, pp. 248-280

Hosgor, Ayse G. (1996), *Development and Women's Employment Status: Evidence from the Turkish Republic 1923-1990*, Ph.D.Thesis, and London: University of Western Ontario.

Human Rights Watch Report (2004), *Memorandum to the Turkish government on human rights watch's concerns with regard to academic freedom in higher education and access to higher education for women who wear the headscarf,* [Online: web] Accessed 15 Sept. 2009 URl: http://www.hrw.org/backgrounder/eca/turkey/2004

Ibrahim M. Abu. Rabi (2006), *The Blackwell Companion of contemporary Islamic Thought,* USA: Blackwell Publishing.

Ilikkaracan, Pinar and Berktay A. (2002), "Women in Turkey Finally Gain Full Equality in the Family: The New Civil Code in Turkey", *Middle East Women's Studies Review,* 1(1): 19

Irem, Nazim (2002), "Turkish Conservative Modernism: Birth of a National Quest for Cultural Renewal", *International Journal of Middle East Studies,* 34:87-112.

*Jeroen Smits, Ayse Gündüz-Hogör (2006), "The status of rural women in Turkey: What is the role of regional differences" [Online: web] Accessed 5 Sept. 2009 URL: http://www.ru.nl/nice/workingpapers.

Joppke, C. (2007), "State Neutrality and Islamic Headscarf Laws in France and Germany", *Theory and Society,* 36(4): 313-342.

Judge, H. (2004), "The Muslim Headscarf and French Schools", *American Journal of Education,* 111(1): 1-24.

Kadioglu, A. (1994), "Women's Subordination in Turkey: Is Islam Really the Villain?", *Middle East Journal,* 48(4): 645-660.

Kagitcibasi, Cigdem (1986), "Status of women in Turkey: Cross- Cultural Perspectives," *International Journal of Middle East Studies*, 18(4): 485-499.

Kalaycioglu, E. (2005), *Turkish Dynamics: Bridge across Troubled Lands*, New York: palgrave,

Kamke, Ilse (2001), "Societies in Transition – Challenges to Women's and Gender Studies", [Online: web] Accessed 5 Sept. 2009 URL: http://openlibrary.org/b/0122541826m.

Kandiyoti, D. (1991), "End of Empire: Islam, Nationalism and Women in Turkey", in D. Kandiyoti (ed.), *Women, Islam and the State,* Hampshire: Macmillan Press, *pp:* 22-48

Kandiyoti, D. (1988), "Bargaining with patriarchy", *Gender and Society,* 2(3): 274-289.

Kandiyoti, Deniz (1987) "Emancipated but Unelaborated? Reflections on the Turkish Case", *Feminist Studies,* 13(2):317-338.

Kandiyoti, Deniz (1988), "From Empire to Nation State: Transformations of the Woman Question in Turkey", in S. Jay Kleinberg (ed), *Retrieving Women's History: Changing Perceptions of the Role of Women in Politics and Society,* UNESCO Series in Women's Studies.

Kandiyoti, Deniz (1991), "Women, Islam and the State", *Middle East Report,* 9-13.

Kandiyoti, Deniz (1998), "Some Awkward Questions on Women and Modernity in Turkey", in Lila Abu-Lughod (ed), *Remaking Women; Feminism and Modernity in Middle East,* London: Princeton, pp.270-287

Kasaba (eds.), *Rethinking Modernity and National Identity In Turkey,* London: University of Washington Press, pp. 95-112.

Keskin-Kozat, Burcak (2003), "Entangled in Secular Nationalism, Feminism and Islamism; The Life of Konca Kuris," *Cultural Dynamics* 15(2):183-211.

Keyman, E. F. (2007), "Modernity, Secularism and Islam: The Case of Turkey", *Theory, Culture and Society,* 24(2): 215-234.

Keyman, Fuat (1995), "On the Relation between Global Modernity and Nationalism: The crises of Hegemony and the Rise of (Islamic) Identity in Turkey", *New Perspectives on Turkey,* 13:93-120.

Kuru, A. T. (2007), "Changing Perspectives on Islamism and Secularism in Turkey: The Gülen Movement and the AKP", in Kuru, A. T. (ed), *Muslim World in Transition: Contributions of the Gülen Movement,* London: Metropolitan University Press, pp.140-51.

Landau, Jacob M. (1995), *Pan-Turkish: From Irredentism to Cooperation,* Indiana University Press.

*Lazzarini, Alicia (2005), "Women, Turkey, and the West: Resistances and Negotiations of Power", [Online: web] Accessed 5 Sept. 2009 URL: http://dilb.lib. Washington.edu/alspace/bitsstream/ handle/../lazzarini.doc.

Lewis, Bernard (1968), *The Emergence of Modern Turkey*, London, Oxford and New York: Oxford University Press.

Mandel, Ruth (1989), "Turkish Headscarf and the Foreigner problem", *The New German Critique,* 46 (1): 27-46.

Mardin, S. (1995), "Civil society and Islam", in J. Hall (ed.), *Civil Society: Theory, History, and Comparison.* Cambridge: Polity press

Mardin, Serif (1989), *Religion and Social Change in Modern Turkey*, Albany: State University of New York Press.

Marshall, G. A. (2005), "Ideology, Progress and Dialogue: A Comparison of Feminist and Islamist Women's Issues of Head Covering and Work in Turkey", *Gender Society,* 19(1): 104-20.

McGoldrick, D. (2006), *Human Rights and Religion-The Islamic Headscarf Debate in Europe*, Oxford: Hart Publishing.

Mernissi, Fatima. (1975), *Beyond the Veil*, New York: John Wiley

Moghadam, Valentine (2002), "Islamic Feminism and Its Discontents: Toward a Resolution of the Debate", In Therese Saliba, et al., *Gender Politics and Islam*, London: University of Chicago Press, pp. 15-51

Moghadam, Valentine. M. (1992), "Patriarchy and the Politics of Gender in Modernizing Societies; Iran, Pakistan and Afghanistan", *International Sociology*, 7(1): 35-53.

Moghissi, Haideh (1999), *Feminism and Islamic Fundamentalism; the Limits of Postmodern Analysis,* London & New York: Zed Books Publications.

Newton, Judith (1994), *Starting over: Feminism and the Politics of Cultural Critique,* Ann Arbor: University of Michigan Press.

*Official Report, (1991), *Welfare Party General Elections Declaration,* Ankara.

Olson, Emelie (1985), "Muslim Identity and Secularism in Contemporary Turkey: The Headscarf dispute", *Anthropological Quarterly,* 58 (4): 161-171.

Ondul, H. (2002), *Headscarf Issue and Principle Attitudes,* [Online: web] Accessed 15 Sept. 2009 URL: http://www.ihd.org.tr/basin/bas20020415.html

Ondul, H. (1999), *Upon Headscarf and Superficial Crises that are Sought to be Created,* [Online: web] Accessed 17 Sept. 2009 URL: http://www.ihd.org.tr/basin/bas990503.html

Ozbudun, E. (2006), "From Political Islam to Conservative Democracy: The Case of the Justice and Development Party in Turkey", *South European Society and Politics,* 11(3–4): 543–557.

Ozdalga, Elisabeth (1998), *The Veiling Issue, Official Secularism and Popular Islam in Modern Turkey,* Richmond: Curzon Press.

Palaz, Serap (2002), "Descrimination Against women in Turkey: Review of the Theoretical and Empirical Litrature", *Ege Acadimic Review,* 2(1):103-114.

*Prologue Consulting Ltd, (2006), "Women Traffiking in the Turkish Cypriot community", [Online: web] Accessed 5 Sept. 2009 URL: http:// www. Nicosia usembassy.gov/Embat work/BSPTI Pconf feb08.htm.

Qaradawy, Yusuf al (2005), "The Status of women in Islam", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.witness-pioner.org/vil/books/0_wi/defalt.htm.

Rankin Bruce H. and I. Sik A. Aytac (2006), "Gender inequality in schooling: The Case of Turkey", *Sociology of Education*, 79 (1):25-43.

Roald, Anne. S. (2001), *Women in Islam; the Western Experience*, London & New York: Routledge Publications.

Roy, O. (2007), *Secularism Confronts Islam*, New York: Columbia University

Rud, Howard A. (1954), "Revival of Islam in Secular Turkey", *the Middle East Journal* 8(1): 267-282.

Sakallioglu, U.Cizre (1996), "Parameters and Strategies of Islam-State Interaction in Republican Turkey", *International Journal of Middle East Studies,* 28 (1):231-251.

Saktamber, A. (1994), "Becoming the other" as a Muslim in Turkey: Turkish women vs. Islamist women", *New Perspectives on Turkey*, 11(1): 99-134.

Saktanber, Ayse (2002), *Living Islam,* London & New York: I. B. Tauris Publishers.

Sayari, S. (2002), "The Changing Party System", in S. Sayari & Y. Esmer (ed), *Politics, Parties and Elections in Turkey*, London: Lynne Reinner Publishers, pp. 9–32.

Scott, Joan Wallach (2007), *Politics of the Veil.* New Jersey: Princeton University Press.

Seçkinelgin, H. (2006), "Civil Society between the State and Society: Turkish Women with Muslim Headscarves", *Critical Social Policy,* 26(4): 748-69.

Shadid W. and van Koningsveld (2005), "Muslim Dress in Europe: Debates on the Headscarf", *Journal of Islamic Studies,* 16(1): 35-61.

Shakry, Omnia (1998), "Schooled Mothers and Structured Play: Child Rearing in Turn of the century Egypt", in Lila Abu-Lughod (ed), *Remaking Women; Feminism and Modernity in Middle East*, London: Princeton, pp.270-287

Shaw, S and Shaw, E.K. (1977), *History of the Ottoman Empire and Modern Turkey*, USA Cambridge University of Cambridge Press.

Shirazi, F. (2001), *The Veil Unveiled: The Hijab in Modern Culture*, Gainesville: University Press of Florida.

Sirman, Nukhet (1989), "Feminism in Turkey: A Short History," *New Perspectives on Turkey* 3(1):1-34.

Smith, R. K. M. (2007), "Religion and Education: A Human Rights Dilemma Illustrated by the Recent Headscarf Cases", *Globalization, Societies and Education,* 5(3): 303-314.

Stirling, Paul (1958), "Religious change in Republican Turkey", *The Middle East Journal* 12 (1): 395- 408.

Sunar, I and Toprak, B. (1983), "Islam in Politics", *Government and Opposition*, 18 (1): 421-441. [Online: web] Accessed 5 Sept. 2009 URL: http://www.jstor.org/stable/3792117.

Sunar, I. (2004), "Democracy in Turkey: Problems and Prospects", in I. Sunar (ed), *State Society and Democracy in Turkey,* Istanbul: Bahcesehir University Publications

Tekali, Sirin. (1995), *Women in Modern Turkish Society: A Reader*, London and New Jersey: Zed Books Publications.

Tekeli, S. (1986), "The Emergence of the feminist Movement in Turkey", in D. Dahlerup (ed.), *The New women Movement*, London: Sage Publications

Tibawi, A. L. (1956), "Islam and Secularism in Turkey Today", *Quarterly Review,* 294 (1): 325-337.

Toprak, B. (1990), "Religion as State Ideology in a Secular Setting: The Turkish-Islamic Synthesis", in M. Wagstaff (ed.), *Aspects of Religion in Secular Turkey,* University of Durham: Centre for Middle Eastern and Islamic Studies, pp. 10–15.

Turan, I. (2006), "Old Soldiers Never Die: The Republican Peoples Party of Turkey", *South European Society and Politics*, 11(3–4): 559–578.

*Turkish Association for Secularism and Kemalism: International Women's Day Bulletin, (2004), "Democracy, Secularism, and Modern Turkish Women", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.clubs.psu.edu/up/task/.../TASK_women_day_bulletin.pdf.

*Unite Nations Report, (2004), "Commission on Human Rights Sub-Commission on the Promotion and Protection of Human Rights Working Group on Minorities", [Online: web] Accessed 5 Sept. 2009 URL: http://www2.ohchr.org/English/issues/minorities/doc/.../federation 3b.Doc.

Walther, Wiebke (1993), *Women in Islam*, Princeton: Markus Weiner Publishing.

Weil, P. (2004), "A Nation in Diversity: France, Muslims and the Headscarf", *Open Democracy*, [Online: web] Accessed 20 Sept. 2009 URL: http://www.opendemocracy.net/

White, Jenny B. (2003), "State Feminism, Modernization, and the Turkish Republican Women," *NWSA Journal,* 15(3):145-159.

Wiltse, Evren Cilik (2008), "The Gardian Knot of Turkish Politics: Regarding Headscarf use in public", *South European Society and Politics*, 13(2): 195-215.

*Women for movement's Human Rights, (2001) "Gender Discrimination in the Turkish penal code. Draft Law summary", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.wwhr.org/files/2_3.pdf.

*Women for Women s Human Rights, (2004), "Women's Human Rights in the New Turkish Penal Code: The Success of the Campaign for the Reform of the Turkish Penal Code from a Gender Perspective", [Online: web] Accessed 5 Sept. 2009 URL: http:// www.stopvaw.org/.../summary_outcome_penal_code_wwhr_pdf.

Yaqoob S. (2004), "Hijab: A Woman's Right to Choose." This Speech delivered at the European Social Forum in London", *The National Assembly against Racism*, [Online: web] Accessed 15 Sept. 2009 URL: http://www.naar.org.uk,Yayinlari.

Yilmaz, Ihsan (2003), "Non-recognition of Post-modern Turkish Socio-legal Reality and the Predicament of Women", *British Journal of Middle Eastern Studies,* 30(1): 25-41.

Zurcher, E. J. (1994), *Turkey: A Modern History*, London: I.B. Tauris,

Websites

The reservations are to Articles 15 and 16 of CEDAW. 44 International Helsinki Federation for Human Rights (IHF): http://www.ihfhr.org/viewbinary/viewdocument.php?download=1&doc_id=2073.

Figures taken from Turkiye Istatistik Kurumu, http://www.tuik.gov.tr/Start.do.

Fadime Ozkan's interview with Hidayet Tuksal titled "Diyanet iyi niyetli ama gayretli degil" (The Diyanet is well-intended but not diligent), *Yeni Safak daily*, 6 December 2005, http://www.yenisafak.com.tr/arsiv/2005/ARALIK/06/roportaj.html and Yeni Safak 9.5.2006.

The parliamentary session on 24 October 2001 dedicated to the Civil Code. http://www.belgenet.com/yasa/medenikanun/gorusme-5.html

"Bu devirde bu kafa: Tecavuz edenle evlenir, 'haydi hayirlisi' derdim" (This Mentality in this Era: I'd marry the rapist and say 'may it be blessed/beneficial'), Interview of Elif Korap with Dogan Soyaslan in *Milliyet*, 25 October, 2003. http://www.milliyet.com.tr/2003/10/25/guncel/agun.html.

Turkish Civil and Penal Code Reforms From a Gender Perspective: The Success of Two Nationwide Campaigns, WWHR, www.wwhr.org/images/CivilandPenalCodeReforms.pdf, p. 14

Radikal Newspaper, 3 April 2007, http://www.radikal.com.tr/haber.php?haberno=217307-, Sabah Newspaper 2 April 2007, http://www.sabah.com.tr/2007/04/02/eko98.html.

Central Bank of the Republic of Turkey, 2007 Year January March period payment balance developments, http://www.tcmb.gov.tr/odemedenge/rapor.html.