

# WOMEN AND MODERNITY: TURKEY'S CONUNDRUMS

*Turkey has made exceptional gains in the last decade; however, these are overshadowed by the country's low rankings in global gender indexes. One reason behind this fact is the exclusion of headscarved women from the public sphere. As development in Turkey is commonly measured by the degree of Western resemblance, headscarved women are marked as a "problem" and correspondingly subjected to different treatment, avowedly based on the concept of modernity. As long as the women in Turkey are subjected to different treatment contingent on their choice of dress, debates over the headscarf, or "türban", becloud genuine problems of women and ultimately delay concrete solutions.*

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### *Turkey's Position and Women's Rights*

Due to its historic socio-political importance and consistent development, Turkey's leadership is on the rise. Being the world's 16th largest economy with increasing influence requires Turkey to also be a pioneer in the area of human rights. One of the most important criteria of a country's development level is the status of its women. Regardless of other factors, it is impossible for a country to reach a certain level of welfare without ameliorating the status of women.

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Turkey has made exceptional gains; however, these are overshadowed by figures pertaining to women's rights. Despite the modernist rhetoric, and particularly the legal amendments carried out after 2002 to improve gender equality, Turkey retains considerably low

rankings in global gender indexes. In terms of women's education, labor force, and political participation rates, Turkey not only lags behind EU and OECD countries, but also many other countries with subpar track records regarding women's rights. This situation contradicts the general rise of living conditions in Turkey. Rather than general lack of development, the poor figures are linked to disparity between men and women's opportunities to exercise their rights.<sup>1</sup>

In Turkey, development is measured by the degree of resemblance to the West. With its modern and secular national identity, the Republic espouses women's rights; nevertheless, there is scant effort to support this promulgation. For example, Turkey is praised for granting suffrage to women in 1934 before many European countries such as France or Switzerland. However, informal barriers to women's political participation pull Turkey below global statistical averages of women's political rights and liberties. Currently, Turkish women hold merely 14 percent of seats in Parliament and less than one percent of mayoral positions.

The Turkish Constitution assigns the state to provide gender equality and endorses affirmative action. Nevertheless, obstructions to women's rights and lack of equality of opportunity result in gender inequality. Granting equal rights does not necessarily mean the practice of equal rights.

<sup>1</sup> 15 % of women in Turkey are illiterate, compared to 5 % of men, which significantly lowers the overall education scores. “Global Gender Gap Index 2012,” *World Economic Forum*, <http://www.weforum.org/reports/global-gender-gap-report-2012>

## *Discrimination against Headscarved Women in Turkey*

Despite legislative advances and increasing development, statistics pertaining to women remain low. One reason is the exclusion of headscarved women –62 percent of the female population in Turkey– from the public sphere.<sup>2</sup> Deemed contradictory to modern appearances, these women are forced to the background. When 62 percent of women are excluded from educational, political, and working life, the remaining 38 percent is not enough to make a difference.

Except under authoritarian rule, an individual's choice of clothing is legally inalienable. In terms of basic rights and freedoms, covering her head is within the scope of a woman's freedom of dress and religion. The same logic applies to situations in which traditional structures or legal arrangements force women to cover their heads. Donning the headscarf is a pious responsibility and a means of practicing religion. Therefore, a woman's choice to wear or not wear the headscarf rests solely with her as an individual, not with the state or society.

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As a result, under the rule of law, a woman cannot be subjected to different treatments depending on whether her head is covered. Concepts such as identity, faith, and choice of clothing are part of an individual's freedom. What matters here is the ability for one to determine his/her own identity; in other words, deciding and becoming what he/she wants to be. Furthermore, this logic is not limited to one's private sphere. A person should be free to determine his/her appearance in public.

Which rights headscarved women can and cannot use, where they can and cannot go, and the implications of being the wife of a prominent public official, and attending public events are all highly controversial issues in Turkey. As a result, avowedly based on the concept of modernity, these discussions have denoted headscarved women as a “problem” and correspondingly subjected them to different treatment.

Headscarves were banned during the periods when the regime was dominated by the military. Most recently, headscarved students were prohibited from entering

2 Ali Çarkoğlu and Binnaz Toprak, “Değişen Türkiye’de Din Toplum ve Siyaset,” [Religion, Society, and Politics in Changing Turkey] (Istanbul: TESEV Yayınları, 2006), p. 58; According to a research by *Milliyet* newspaper 69,4 % of women cover their heads. “Türbanın Hızlı Yükselişi,” [The Rapid Rise of *Türban*], *Milliyet*, 3 December 2007, <http://www.milliyet.com.tr/2007/12/03/guncel/agun.html>

“Disputes over the headscarf ban, and the ensuing psychological pressure prevented the essence of the problem from being comprehended.”

university campuses between 1997 and 2010. The thinking behind this practice was that women did not have equal rights unless they uncovered their heads, and they deserved this treatment as long as they did not fulfill the requirements of being modern.<sup>3</sup>

Beginning with the so-called “post-modern *coup*” of 28 February 1997, headscarved women were vehemently prevented from entering places considered to be part of the “public sphere”, including universities, in order to prevent their visibility in public. Furthermore, although there were no legal amendments, a *de facto* policy by the National Security Council (MGK) deprived thousands of students of their education.<sup>4</sup> For 10 years, they could not participate in university exams. Thousands of teachers were dismissed from the civil service, losing their salaries, social rights, and healthcare coverage. Hundreds of women were subjected to discrimination at entrances of public buildings and even in private factories.

Disputes over the headscarf ban, and the ensuing psychological pressure prevented the essence of the problem from being comprehended. Today, in retrospect, the social engineering efforts are seen more clearly. Similarly, throughout history, much discrimination and violation has been deemed reasonable and supported by large segments of society. Particularly when ethnic, religious, and political prejudices coincide with economic and class-based tensions, these violations protract for years, wreaking pain and suffering.

Consequently, the headscarf ban lasted 13 years, polarizing Turkish society. Prompted to hold one extreme view or the other, people overlooked the damage caused by the injunction. Proponents argued that headscarves had no use for the modern Turkish woman, and were imposed by families and/or were a political tool for subverting the secular, democratic order. Hence, nobody really cared about how women felt about changing outfits and uncovering their heads, as if living with a double personality, at the door of their workplace or school.

3 “Türban Takan Ağır Eleştiriye Razi Olmak Zorundadır,” [A Person Who is Wearing a *Türban* Should Put Up with Severe Criticism], *Haber Vitrini*, 5 June 2009, <http://www.habervitrini.com/haber.asp?id=404739>

4 “Turkey: Headscarf Ruling Denies Women Education and Career,” *Human Rights Watch*, 16 November 2005, <http://www.hrw.org/en/news/2005/11/15/turkey-headscarf-ruling-denies-women-education-and-career>

By the end of 2010, for the most part, the headscarf ban was lifted in universities – though it continues in many spheres of employment.<sup>5</sup> With the ban lifted in universities, there are no longer tensions over dress code. Today, headscarved students share desks with fellow students who do not cover their heads, with neither attempting to intervene in each other's choice.

Furthermore, there are no longer calls for reinstating the headscarf ban in universities. This situation shares similarities with the history of segregated schools in the United States. In Turkey, people shun memories of headscarved students barred from entering campus grounds. Previous claims that allowing covered students into universities would unfairly pressure uncovered ones and violate the national secular identity have all but completely lost legitimacy.

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In fact the Turkish public has gradually realized that the 28 February “postmodern coup” was about 25 banks that either went bankrupt or closed down, costing the country over 50 billion dollars.<sup>6</sup> The burden caused by the collapse of these banks was not realized in the midst of the political tensions in the country.

Thirteen years of bickering over whether headscarved women should be allowed higher education not only damaged them and their families, but also exhausted Turkey of time and energy. So much so that when prejudices lifted, women who could have worked together did not have the opportunity to be present in the same environments.

Turkey's sluggish pace in improving in women's rights was not sufficiently scrutinized. In the debates about the headscarf ban, another point was neglected: it is not possible to protect the rights of women who do not have the means to economically sustain themselves. While the polarized public vehemently debated the headscarf ban, it overlooked rising female unemployment and the fact that low economic power would hinder women's rights.

<sup>5</sup> The interesting fact is that the ban which is applied by *de facto* measures, without any legal backing, was removed in the same way.

<sup>6</sup> “28 Şubat'ta Batan Bankaların Toplam Maliyeti,” [The Total Costs of the Banks That Went Bankrupt with 28 February], *Günümüz.com*, 7 May 2012, <http://www.gunumuz.com/28-subatta-batan-bankalarin-toplam-maliyeti-52-milyar-dolar-61227.html/>

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Without women’s empowerment, long-term development and welfare is unattainable. Women’s ability to exercise their rights is contingent on their level of personal wealth. However, Turkish women neither have a regular income, nor the sufficient financial means inside or outside their families. For example, while the female labor participation rate is 60 percent in Indonesia, in Turkey, despite efforts to incentivize, the rate is merely 27 percent.<sup>7</sup>

Women are also hindered in terms of political participation. The laws require the provision of equal opportunities for women and men; however, there are a scant number of women in public office. There is only one female governor in 81 provinces, and only 20 female provincial district governors out of 918 districts. Of the 25-member Council of Ministers, only the Minister of Family and Social Policies is female. This disproportion represents Turkish society at large. Even in instances where gender equality exists, the rate of women in decision-making positions is weaker.<sup>8</sup>

Despite Turkey’s rhetoric of modernity, there is a negative perception towards women taking up positions of authority, which is even stronger in the case of headscarved women. Headscarved women are not allowed into the political or work life. While Belgian MP Mahinur Özdemir’s headscarf did not bar her from entering Parliament in Europe, such cases can not take place in Turkey. In 1999, an elected MP was prevented from taking oath in the Turkish Parliament because she was wearing a headscarf. Her party, the Virtue Party (FP), was subsequently accused of being the hub of the anti-secular campaigns, and ultimately abolished. Consequently, no party has placed a woman with a headscarf as a candidate at a winnable position of their party list. Moreover, headscarved mayors are forced to uncover their heads during

7 “OECD Factbook 2011-2012: Economic, Environmental and Social Statistics,” *OECDLibrary*, <http://www.oecd-ilibrary.org/sites/factbook-2011-en/07/01/01/index.html?contentType=&itemId=/content/chapter/factbook-2011-58-en&containerItemId=/content/serial/18147364&accessItemIds=&mimeType=text/h>; “Indonesia’s Skills Snapshot,” *Skills.OECD*, <http://skills.oecd.org/informationbycountry/indonesia.html>

8 As an example, even though more than half of the teachers and public officials in the Ministry of National Education are women, there are only 1,500 female directors in the Ministry, against 23,159 male ones. In higher ranking positions, the number of women diminishes even further, as among 81 provinces; there are only 2 female provincial directors of national education. “Eğitime Kadın Eli Değsin,” [There Should be a Woman’s Touch in Education], *Memurlar.biz*, 19 December 2012, <http://www.memurlar.biz/egitimpersoneli/haber/egitime-kadin-eli-degsin-369836.html>

their term of office.<sup>9</sup> In short, headscarved women have been excluded from political life, resulting in a low number of female elected officials.

In order to understand the extent to which the scorn on covered women limits women's rights, it is worthwhile to recall an instance that occurred in 2007. The Prime Minister's headscarved wife was prevented from visiting a famous actor in hospital as he was being treated in a military medical facility.<sup>10</sup>

Therefore, headscarved women continue to be discriminated against in Turkish work life. With few exceptions, it is impossible for a covered woman to work in public institutions. As for the private sector, headscarved women are unwelcome. If they are employed, they are given obscure jobs and relatively lower wages. Trade associations continue to avoid registering their headscarved employees, thereby hampering their work.<sup>11</sup> Headscarved lawyers –private professionals– are prohibited from attending court proceedings.

As long as the women in Turkey are subjected to different treatments contingent on their choice of dress, debates over the headscarf, or *türban*, becloud genuine problems of women and ultimately delay concrete solutions. Women already have difficulties accessing work life; hence, the additional exclusion of covered women further diminishes female participation in economic, social, and political life.

All these considered, it is clear that Turkey has a long way to go in order to improve women's rights. Furthermore, modernity cannot be measured by one's choice of clothing. Recognizing individual rights through legislation or international treaties is insufficient. Effective measures must be taken in order to enable one to exercise his/her liberties without being subjected to discrimination or obstruction.

Ultimately, when the rights of half of its population are not safeguarded, a society cannot attain welfare. Turkey, and the world at large, must not stop at legislation supporting women's rights, but should also take action in order to facilitate their application in practice.

9 "Türbanlı Adayın Peruk Çözümü," [The Wig Solution of the Headscarved Candidate], *Akşam*, 4 April 2009, [http://aksam.mediyator.com/2009/04/04/haber/guncel/2241/turbanli\\_adayin\\_peruk\\_cozumu.html](http://aksam.mediyator.com/2009/04/04/haber/guncel/2241/turbanli_adayin_peruk_cozumu.html)

10 "Emine Erdoğan GATA'da Uygur'u Ziyaret Edemedi," [Emine Erdoğan Could not Visit Uygur in GATA], *Hürriyet*, 23 November 2007, <http://www.hurriyet.com.tr/gundem/7746915.asp?m=1>

11 "Gıda Mühendisleri Odası ve Başörtüsü Yasağı," [The Chamber of Food Engineering and the Headscarf Ban], *Gıda gündemi.com*, 5 January 2013, <http://www.gidagundemi.com/kultur-sanat/mevzuat/gida-muhendisleri-odasi-ve-basortu-yasagi-h602.html>