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Emancipation or Liberation? The European Union's Gender Policy and Candidate States - The Case of Turkey

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Abstract

EU policy acts to mandate emancipation, without necessarily "liberating" women. Rather than stimulate social change, the stated objective of gender mainstreaming is to create a legal atmosphere that could, with the right social conditions, foster liberation. Although EU conditionality has been quite effective in shaping gender policies and changing gender attitudes in Turkey, major shortcomings still exist. Gender policies in Turkey were made in a top-down manner and consequently, the underlying features that create the foundation for the patriarchal system were not affected by the legal reforms. There is a discrepancy between what is legally stated and what is actually practiced. Thus the Turkish case highlights the important distinction between "enacting legislation" and "implementing legislation", as well as questions a fundamental of EU gender policy. As a result, a clear distinction should be drawn between institutional and societal levels. It requires a great commitment from the Turkish Government to educate the public on issues where prejudice against the position and role of women in society is central. The patriarchal system, fundamentally sustained by Mediterranean culture and Islam, is so collectively understood that laws cannot reverse it. Instead, the social change must first take place, so that the laws can reflect society; not *vice versa*. Until women cease to be the "transmitters and protectors of dominant social values and norms", there cannot be fundamental change. As long as women are culturally understood to possess a fundamental role as a sexual being, whose dominant place is the domestic sphere, their societal role cannot change. Gender roles must be redefined, but the reform must necessarily occur socially and not only being reflected in laws and regulations.

Introduction

Although considerable work has been done on the Europeanization of the new European Union (EU) Member States, there has been very little research conducted regarding the EU impact on the change of gender attitudes in candidate countries. Even less discussion has been dedicated to what kind of end-goal the EU policies promote in relation to gender. Moreover, because gender roles and relations tend to be deeply engrained in culture and extremely societal, the efficacy of EU policies - in relation to the end-goals set - must be brought into question; especially in the light of the argument that the EU's gender policy runs on the platform of promoting social change and the dissolution of stigmas, rather than simply imposing legislation that is not congruent with societal factors.

The purpose of this paper is threefold. First, it seeks to investigate the degree in which the EU's gender policies promote women's emancipation or liberation. Second, the paper attempts to assess the effectiveness of the EU gender policies in promoting its end-goals in the societies of the candidate countries. Third, it is within this framework that the value of EU accession pressures and gender policy on Turkey will be assessed. In other words, the paper will investigate to what extent the EU's policies create an environment conducive to social change and improved gender relations within the Turkish society.

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Turkey has been chosen as a case study for two interrelated reasons. First, there is a widespread perception among the European publics that the Turkish culture is very different than the European one and, therefore, it is difficult for particular EU societal policies – including gender – to be accepted by the Turkish society and consequently be effectively implemented by the Turkish authorities. Second, Turkey is a country that represents a mixture of an advanced Western state and a traditional society, which makes it very interesting to see how Western ideas could fit in that particular political and societal setting (Bozdogan and Kasaba 1997; Kandiyoti 1997).

With reference to gender equality, it is not the goal of the paper to judge which set of values – European or Turkish/traditional are better as this is a value judgment that lies in the eye of the beholder. The task of the paper is rather to examine whether EU accession policies and legislation promote women's liberation, or rather simply legal emancipation. Moreover, is Turkey able to provide the necessary social changes that EU accession negotiations demand? In so doing, the paper is divided into four parts. The first section investigates the concepts of "emancipation" and "liberation" and discusses the relationship between them. A theoretical discussion of emancipation versus liberation will provide the framework for analyzing the effects of EU integration policy on gender relations in Turkey. The second part provides an overview of the EU's gender policy and identifies its end-goals. The third section discusses the gender issue in Turkey, while the final part investigates the impact of EU gender policy on Turkey.

Emancipation versus Liberation

Emancipation implies formal, legal equality, put into place through legislation. This however, does not necessarily signify liberation. The critical distinction is between the functional differences and implications of emancipation and liberation. Legal emancipation means little more than legislation if it does not translate into social reality. However, as Yesim Arat argues, eventually, the emancipated will begin to seek their own liberation by "challen[ging] the boundaries that the state had drawn" (Arat 2000, 108). That is to say, emancipation is an important and necessary step towards full liberation. The two concepts are not mutually exclusive rather they represent a progression. The distinguishing factors between the two concepts remains prominently in how they are received and understood in society. Emancipation dominates the public sphere. That is to say, an emancipated population is awarded legal rights. It is a formal type of equality, but does not necessarily reflect a social attitude or value of equality. Examples of legislation towards emancipation include suffrage, employment rights, etc. As will be discussed regarding the Turkish example (as holds true regarding many societies), legal rights do not necessarily reflect societal changes that embrace said rights. Emancipation is a tool used by the state, or demanded by individuals, to insure legal rights. That is to say, emancipation is a "political concern [to] equalize women to men in the public domain. Differences between men and women, especially in the private domain, were ignored" (Arat 2000, 115 & 1993).

This is not to say that emancipation is meaningless or somehow undesirable in anyway, as it is a necessary step towards political and social reform. Nor does this imply that emancipation provides superficial rights that are meaningless in a social manner. Emancipation is political question, and is often used to reflect the "status" of a democratic state (as will be further discussed in the case of Turkey). It is enough for an emancipated state to call attention to formal equality, while paying less attention to the translation and implementation into society and the private sphere. As Deniz Kandiyoti points out, legal emancipation is often a strategic goal, and they inevitably help to develop a democratic, civic society (Kandiyoti 1987, 320 & 1988). Therefore, it is a positive and necessary tool in creating an equal society. It is fully possible however, and often-quite common, to be emancipated yet not liberated.

Although legal equality in the form of emancipation is certainly not a solution to gender inequality toward an ultimate goal of female liberation, however, it is a necessary building block towards liberation. Emancipation is a threshold that exists through which liberation can be met. Legislation ensuring rights can "be a powerful instigator of change through policies that may in some cases represent an onslaught on existing cultural practices" (Kandiyoti 1987, 323).

Liberation, as opposed to emancipation, regards the private sphere, and is a reflection on societal tendencies and cultural factors. To be legally emancipated is to have the *right* to do something, be protected from discrimination, etc. Conversely, liberation is much more individualistic, it reflects a choice of the emancipated woman. That is to say, the degree of liberation depends on what one chooses to do *with* the equality afforded to them. Liberation entails women "speaking in their own name, with their own voice rather than be spoken about by the officials of the state or other women" (Arat 2000, 114; 1994 &

1998). A woman can have every right afforded to her to attend primary education and learn how to read. However, unless she chooses to *engage* those rights in a meaningful way, she will remain unliberated. Thus liberation is a personal and private plight, rather than something that can be assigned or designated. In other words, legislation cannot control liberation; it can simply lay the groundwork for women to demand liberation by using the tools given to them by said legislation. Legal emancipation equips women with the framework to be able to “challenge the boundaries that the state had drawn” (Arat 2000, 108 & 1997).

Using the given example of education, an educated woman will have a greater chance of going onto higher education and thus have a greater chance of choosing a more liberated private life, and demanding the fulfilment of her rights. In turn, there must be more comprehensive education not only of women, but of men as well, in order to challenge social stigmas and traditional roles that might inhibit the availability of rights. However, it is very important to note that the ability to use the rights awarded to them by legislation certainly does not solely depend on a woman's choice to do so. Other variables such as socio-economic status, or a very traditional society will impede a woman's ability to demand her rights. For example, this can be seen especially regarding education. It is often the case that even in situations where education is mandatory, the middle to upper middle class women are those more likely to attend school, because of different family values, the need to stay at home and work, etc. Moreover, legal reforms tend to benefit women in urban settings, as there is less of disconnection between the state and the citizen. Therefore, legal rights can mean very little if there is no possibility to practice them. That is to say, just because the state gives someone the right to do something, it might be much more difficult in practice to achieve. Consequently, legal equality can be meaningless if there is no facet in which to practice it. Once women are emancipated and state legislation supports their rights, they then have the ability to develop or demand their own liberation, their personal freedom.

EU Gender Policy

EU candidacy involves many platforms on which the candidate country's progress is assessed. Regarding the policy of gender equality of member and candidate states, the EU emphasizes gender mainstreaming, legislation implementation, and positive actions. In fact, the incorporation of existing European [gender] legislation into a country's national law is one of the conditions for joining the European Union. The EU first began to focus on gender equality in the 1990s, in order to be in accordance with the criteria of the UN Women's Conference in Beijing in 1995 (CEC 2005, 15). The EC holds that gender equality in member states is “achieved when the different behaviour, aspirations and needs of women and men are equally valued and favoured and do not give rise to different consequences that reinforce inequalities” (CEC 2005, 10).

The promotion and evidence of action towards gender equality, in accordance with Articles 2 and 3 European Commission Treaty on gender mainstreaming, is an important provision for Member States. These articles state that the “promotion of equality between women and men is a task of the Community” and that the “promotion of equality and the elimination of all inequalities should take place in all Community activities” (CEC 2005, 11). Specifically, the gender mainstreaming policy of the EU seeks to “act on society as a whole, by changing the norms and practices at the root of gender inequality which sustain its continuous reproduction” (Krizsán and Zentai 2006, 136; Beveridge and Shaw 2002; Bretherton 2001).² That is to say, the ultimate goal of the EU's gender equality policy is to create social changes through the implementation of generalized policy and legislation. Gender mainstreaming “widens the policy frame and expands ideas about the broader institutional causes of gender inequality” (Liebert 2002, 250; Hafner-Burton and Pollack 2002; Hoskyns 1996). The EU provides financial assistance to candidate and member states to improve gender equality, and invests large amounts of resources into promoting women's organizations and making the EU's gender policies available and readable for the public. Consequently, supporting women's movements and organizations is one of the largest areas for the EU regarding gender equality. In 2004-2005 the EU spent EUR 2.2 million to support women's rights organizations (CEC 2005, 14).

² It could certainly be argued that this approach to policy implementation is representative of cultural hegemony and acts in an Orientalist fashion, imposing prescribed social beliefs (Abu-Lughod 2001; Ahmed 1982 & 1991; Badran and Cooke 2004; Einstein 2004; Nelson and Olesens 1977). However, it is not the purpose of this paper to critique or judge any set of values. Rather, the paper seeks to question the effectiveness of such gender related policies imposed on both member and candidate states.

The EU focuses on policy implementation and monitoring systems to track improvement, maintaining that “gender statistics, indicators and benchmarks play an essential role in promoting equality between women and men” (CEC 2005, 16). Gender mainstreaming also requires a strong commitment and cooperation between regional and national governments. The EU maintains that it strives for a comprehensive, organizational structure. The European Commission tracks countries’ development and subsequent legislation through annual reports regarding gender equality. The Commission relies mainly on the creation of new laws and directives, which are “framework pieces of legislation” and include deadlines for the inclusion of said legislation into national law. In this way the EU has control over when gender equality laws are passed, and can follow a timeline regarding when a state must meet each deadline of progression.

The EU approaches gender equality in a broad manner, attempting to make gender policy widespread and homogeneous. However, this approach fails to fully take into effect pre-existing social conditions that might affect the efficacy of such legislation. The EU’s policy towards gender mainstreaming attempts to “liberate” women, by emphasizing equality for both men and women. The EU seeks to implement universal political standards of gender equality. Yet, the mandated implementation of gender equality policies cannot directly create social changes. Rather, the gender mainstreaming policy of the EU furthers emancipation and formal equality, in the hopes of creating an environment suitable for women’s movements. The question, thus, is how effective are such guidelines at positively encouraging fundamental changes in equality in candidate states?

Mainstream gender policies are problematic when speaking of accession and enlargement specifically because of their universal nature, as “enlargement countries represent a different gender history” (Kronsell 2005, 1032; Mazey 2002; Caporaso and Jupille 2001). Even though the EU’s policies attempt to promote gender equality, they have also “mainly focused on establishing anti-discrimination and equal treatment legislation” (Krizsán and Zentai 2006, 143; Shaw 2000). Too much emphasis solely on legislation can overlook the social realities and gender equality missions can become rhetorical in nature. In addition, the EU’s policy lacks a reliable or accurate method of evaluation and implementation of such policies. There is a lack of “mechanisms of monitoring and evaluation of performance and the paucity of accountability processes serve to undermine progress” (Krizsán and Zentai 2006, 145; Rossili 2000).

In addition to a lack of evaluation processes, the EU’s gender policies can be criticized for the fact that the rhetoric used which calls for social and legal changes can fall short of providing any meaningful actions or results (Krizsán and Zentai 2006, 137). The standards concerning legislation implementation in candidate countries are difficult to enforce, especially because they lack implementation and clear definition in some member states. The EU has been criticized for its enforcement of sweeping gender policies, especially when this represents a field where “standards are not so clearly defined and implemented even in older member states” (Krizsán and Zentai 2006, 137). How can the EU justify enforcing strict policies on candidate states when, as an institution, it has a difficult time monitoring and effectively mainstreaming the gender equality of current members? This is an important question to ask when analyzing not only the efficacy of such policies, but moreover the practicality of attempting to apply such universal standards. This brings not only the methods of enforcement, but also the policies themselves into question. These types of accession requirements demand a large amount of administrative power and financial resources to implement and monitor. In addition, the imposed deadlines of new directives mandating legislation at the national level can be seen as irrational in that they force a objective timeline on a process that is necessarily subjective. Anytime traditional values are challenged, there is no way to determine or force how quickly they will change. Rather, it is a process that must to a certain extent happen on its own, as one cannot predict with any certainty the progression of societal change.

The EU’s gender equality policies claim to promote social change in member and candidate states through legislation and awareness among policy-makers. Yet, in reality, there is a perpetuation of the discord between emancipation and liberation. That is to say, in practice, EU policies might not necessarily be as effective in creating social change as hoped for. By implementing top down, universal policies, without effective methods of evaluation and monitoring, the success of EU gender policy must be questioned. However, what can be said for the requirement of legal structures, which guarantee rights, is that it fosters an environment of emancipation and formal equality. This can, under the right conditions, engender a mentality of liberation, thus ultimately leading to social changes. The question then becomes, how effective has the EU’s policy of gender equality been in the case of the candidacy of Turkey? The following section will discuss gender in Turkey, which will be presented in a historical

context, as well as an analysis of present gender relationships in Turkish society. This will provide a framework for a critique of the efficacy of proposed gender equality legislation by the EU towards Turkey.

Gender Issues in Turkey

Predominately Muslim cultures often fall victim to criticism from Western Feminism regarding gender equality and women's rights. However, it has been said that secular Turkey has proven "one of the most important success stories of women's empowerment in the early twentieth century" (White 2003, 158). Nevertheless, this has not dampened the debate regarding gender equality and women's rights in contemporary Turkey, especially as a candidate country to the European Union. By analyzing the traditional role of women in both the Mediterranean culture and Islam, and the ever-evolving role of women in modern day Turkish society, one can shed light onto the origins of the current gender relations in Turkey in an attempt to better understand the progress that has been made, and to what extent obstacles still exist. Many factors, including those of demographics, socio-economics, and education, as well as theoretical questions concerning emancipation versus liberation (Kandiyoti 1987, 317), have contributed to the debate regarding the applicability and effectiveness of the legal reforms put into place by the government, thus bringing into question the method by which Turkey attempts to progress.

Traditional Role of Women

Turkish society exhibits strong influences of both Mediterranean culture and Islamic values. Traditionally, women inhabit the private sphere, maintaining the household roles and responsibilities. The Mediterranean family structure is based on the patriarchy. However, it is the women who maintain this system of male superiority, who hold steadfast to their place in society and pass it on through generations (Müftüler-Bac 1999, 305; Duben and Bahar 1991). It is from this male dominated culture that the importance of 'honor' is derived. This embedded concept of "honor", especially as related to women's purity, is a strong characteristic of Mediterranean culture. The 'honour' of the family is dependent upon and measured through the virginity and purity of the female family members, particularly the daughters. It is in this respect that women hold a unique and somewhat contradictory role in Mediterranean cultures (Peristiany 1976; Komarovsky 1946). When this honor is misrepresented or tarnished it is the woman who is held at fault. Unfortunately, this has frequently resulted in violence towards women and, in extreme cases, so-called "honor killings". Thus, women represent one of the most important concepts in Turkish society, but yet have little rights in defining it. A woman is traditionally defined through her sexuality, or lack thereof, and a pubescent girl's family observes and controls her sexuality, proving that it is not hers to own, give, or control (Kandiyoti 1987, 325 & 1977).

In addition to the emphasis placed on honor, the 'son-producing-ethos' is necessary for the continuation of the patriarchal system (Müftüler-Bac 1999, 305; Kandiyoti 1988; Taskiran 1976). This leaves women as the foundation for a patriarchal system. It is in a woman's best interest to have a son, as the mother-son relationship is arguably the most important in Turkish society. The most powerful role a woman can have in the household is that of a mother-in-law. As sons typically stay near to their families, the bride marrying into the family relocates and enters this dynamic where she and the mother struggle "for the man's loyalty [which] is a product of this socialization which has far outlived the context in which it was born" (Kandiyoti 332). Therefore, by having children a woman gains significantly more power in the family. Yet, this same dynamic perpetuates the patriarchal system that leaves women as the inferior sex. Moreover, a woman's purity is emphasized for the health of the family and of society, and must be controlled to a great extent by culture, in order to guarantee that the system will not be disrupted. Women's bodies and sexuality must be controlled, for a fear that liberation of sexuality, or even too much (uncontrolled) education, will lead to dissolution of the socially prescribed gender roles. The Turkish woman serves a unique role in that she defines and maintains the community, which being an inferior member. If this were allowed to change, society would be at risk for change as well, disrupting the *status quo*. "Modernization" and "secularization" evoked the fear that women becoming educated and entering the public sphere would "precipitate a crisis of family and community" (White 2003, 154; Arat 1997). In other words, too much individualism would danger society by undermining the importance of the state. Thus, women's emancipation must be kept in check. Women traditionally embody and exemplify family values, which are considered a cornerstone of Turkish society. Paradoxically, a woman's traditional importance simultaneously places her in a vital role for maintaining the health of society and is the feature that most oppresses her. Her sexuality becomes a public concern, one that

must be monitored and protected, by both her community members and the state.

Turkish women, therefore, play a huge role in the formation of the male identity. As they inhabit a different social space than men, there is a complex web of relations between women. The social relationships of women reflect those of men. A man's masculinity is directly dependent upon the purity of his wife therefore they must be directly controlled. In this way, the spheres mirror each other, and women play a direct role in the social status of their husbands. The dynamics of the social relationship of women in Turkish society act as an indirect way for men to transmit otherwise incommunicable information between each other by utilizing the intimacy of women's social circles (Dogramaci 1984, 109).

To examine the societal role of women in Turkish society, religion must be brought into question (Toprak 1981; Ahmet 1991). It would be far too simple and erroneous to say that the patriarchal system and the resulting inferior role of women are due solely to the presence of Islam in Turkish society. Patriarchy, along with the "virginity-fidelity-son-producing ethos, a sexual double standard and so on, existed in the Middle East and in other parts of the world long before Islam was born" (Beck and Keddie 1978, 25). Nonetheless, religion is a very important factor in both culture and the gender relations. Like the other monotheistic religions, Islam is based on the belief that God is the Father, and therefore sustained and perpetuated by the patriarchal system, in which male dominance and superiority are both justified and upheld (Müftüler-Bac 1999, 309; Ahmed 1991; Kandiyoti 1991). In Islam, the public space is traditionally that of the male, while the woman maintains her role in the household and as a mother. The Koran legitimizes this belief, as well as the legal aspects of inferiority, as understood in Shari' a law. Because the Koran is believed to be the word of God, the inferiority of women that is suggested in the text cannot be interpreted and adapted to the varying social changes, as the Bible has been. In addition, the importance of the woman is outlined in the Koran primarily through her sexuality, or *fitna*. Not only is the woman a sexual being, rather, her sexuality is also dangerous in that it poses a threat to both men and society. Therefore, the covering up of a woman is to protect society from the threat of her uncontrollable sexuality. The segregation of women from men is therefore a necessary for the functioning of the social order (Fallers and Fallers 1976). As seen in a traditional Mediterranean culture, sexuality is once again understood as a defining role in the structure of gender relations in Turkish society (Peristiany 1976).

Turkish women, being subject to pressures from both Mediterranean culture and Islam, are ultimately defined through their sexuality. This confines them to the private sphere, as sexuality is considered dangerous in the public realm. Because the public is seen as men's space, it is especially difficult for the Turkish woman to become integrated into the public sector. This is reflected in and presents problems for gender equality and equal opportunities in other aspects, such as labour force participation.

The Modern Turkish Woman

Following the secular reforms by Atatürk in the 1920s and throughout the twentieth century, Turkish women gained new legal rights in an attempt by the state to 'Westernize' (Duralsaba 2000; Shissler 2007; Van Os 2005). Following the war of independence from 1918-1923 and the subsequent foundation of the Republic, women gained new rights; polygamy was banned, and spouses became legally equal in matters of divorce and custody of children. The importance of these reforms cannot be underestimated. By far one of the biggest advancements for gender equality was the educational reform. Seven years of primary education became mandatory and universal. Literacy rates increased significantly, and by 1938, only 22 years after becoming co-ed, close to 10% of all graduates from Istanbul University were women (Duben and Behar 1991, 216). In fact university educated Turkish women are more likely to become engineers or doctors as Western women (Kandiyoti 1987, 323; Oncu 1981). Women's public presence became a concern for the state as well. Turkish women were supposed to be secular citizens, and they were divested of the right to wear headscarves while attending school or working in public institutions.

However much these reforms legally emancipated women, they were not a result of an active women's movement. Rather, women's emancipation was "granted by an enlightened governing elite committed to the goals of modernization" (Kandiyoti 1987, 320). Gender equality was used as a vital tool for secularization, and was a strategy for "dismantl[ing] the old order" (Kandiyoti 1987, 321). The interests of the policy makers did not reflect the characteristics of society, and there was disconnect between policy and implementation. Urban women benefited the most from the changes in legislation, and social

change in the urban setting arrived much faster than for the rural majority of the country.

Gender equality served two main purposes for the secular Republicans. First, to have equality among the sexes and to elected women government officials was a way to “fit in” among, and in some cases be more progressive than, Western, industrialized democracies. Second, ameliorating the position of the bourgeois, urban woman was useful in creating a new generation of Republicans. If a woman is an educated, secular, good citizen, she will be much more likely to raise her children in the same fashion. Moreover, the motherhood role was emphasized more as the highest patriotic duty (Duben and Behar 1001, 221; Arat 1994). Jenny White points out “modernity, as defined by the Turkish state, included marriage and children as a national duty for women” (White 2003, 146). The Republican woman became a symbol of the secular, modern state. In many ways she carried much of the responsibility of creating a civic population. Women were expected to be educated and were encouraged by the state to have careers, but were simultaneously expected to maintain their unwavering role as housewife and mother.

There exists a discrepancy between the public status of women and the private sphere. This state-led feminism was concerned mostly with the legal status of women, without much inspection as to society’s view of women was developing alongside secular reforms. Popular movements were discouraged by the state as they were seen to undermine the interests of the state. It was argued that due to the fact that the state had bestowed all rights to women, there was “no longer and reason for women to organize” (Arat 1997, 101). This left Turkish women in a precarious situation, stuck in between legal emancipation and traditional values that do not necessarily reflect the modern, secular interests of the state. Legal reforms in regards to gender equality face the problem of enforcement and absorption into the culture, as society often does not reflect the actions taken by the state.

Women’s liberation and gender equality is certainly not a formula, and as the women of Turkey show, there is a much more complicated social transformation that must take place. As Deniz Kandiyoti (1987) and Binnaz Toprak (1990) question, is it that Turkish women have been emancipated but not yet liberated? How well does modern Turkish society reflect the legal emancipation of women? The legal reforms taken by the Kemalists are certainly in line with the values of the European Union regarding gender equality. However, is legal reform enough to claim gender equality? A critical discussion of legal emancipation versus liberation helps to deconstruct the seemingly paradoxical role of women in Turkish society. The emancipated woman was a tool of the state to achieve a secular, republican status. She was used as the paragon of a citizen, to prove that modernization was possible while keeping in line with traditional roles and values. The emancipated woman was necessary, a key to national identity, while the liberated woman remained a threat. A liberated woman might seek more control over her destiny, rather than accepting the rights given to her by the state. Therefore, a new role for the Turkish woman evolved, one in which she was embodied both the ideal citizen and the traditional gender roles. These two spheres remained defined yet integrated. The state did not concern itself with how well the reforms infiltrated the private sphere, yet used its image as a means to propagate the Republic. The government created a feminism that served the needs of the state, as can be seen in a 1913 woman’s magazine stating, “the family provides the future of national life. Family means nation; nation means family” (Duben and Behar 1991, 105).

Education is a major factor that affects the degree of gender equality in a society. As previously discussed, the Kemalist reforms of the early twentieth century instituted obligatory primary education in Turkey. Nevertheless, there was still an illiteracy rate of 51 percent among women in 1975. Especially in rural areas, many girls are not educated because of the stigma associated with an educated woman as dangerous, but also, out of necessity. As women are taught at an early age, their primary role is concerned with the domestic sphere, and when need be, education must be sacrificed for the needs of the family. If a family cannot afford to educate all of the children, without having one at home to help with the chores and duties of the household, the girl will most likely be the first to give up education. With more education and social awareness, however, women would be able to move into the formal sector, and be less susceptible to the danger of work place abuse. Illiteracy is a problem because women cannot necessarily read and fully understand contracts of work, and thus cannot demand higher wages. Additionally, education will allow women to become aware of laws that *do* affect them and their rights in the workplace.

Marital status has a direct affect on the probability of a women working outside of the home. Married women are half as likely to work outside the home than single women, as the rigid patriarchal system often inhibits married women from seeking employment. However, there is also the implication that single women work out of financial necessity, as married women presumably already have a ‘bread-

winner.' Women's participation in the workforce increases as the perceived necessity for extra income increases. That is to say, as the number of working members of the family rises, a woman is more likely to work at home. When there is not a need to work outside the home, women feel a greater social and familial pressure to stay at home and fulfil traditional obligations. In a male dominated society, active women in the workforce pose a threat, as they are seen to intrude upon the traditionally male public sphere, breaking social norms.

In addition to the patriarchal family structure and the stigma facing workingwomen, mothers also face the problem of the lack of childcare facilities in the country. This is a reflection on the importance placed on the traditional mother and housewife role of the women. Thus, women who have families are restricted from being able to take full advantage of the legal equality they have earned, due to the lack of infrastructure to facilitate equal opportunities. If women are allowed to work, they face the continued stress of obligations to their household duties. Due to embedded cultural values, men are very unlikely to participate in domestic work, leaving the women to manage both the household and a career. With these types of pressures, it is very unlikely that a woman will go to work outside of the home unless it is necessary. This, too, encourages women to participate in the home labour sector, as it would be easier to work while maintaining familial obligations, as well as avoiding social stigmas of working outside the home.

The regional, socio-economic disparity related to the status of women in Turkey is of great importance. As a mainly rural country, there are significant inequalities between the challenges faced by urban and rural women (Kandiyoti 1975; Fallers and Fallers 1976). The women living in squatter settlements (*Geckondu*), usually migrants, who move from the rural east to the urban settings, represent a large portion of the population. They are generally uneducated and are relatively unimportant in the urban labour force. However, they make up the heaviest concentration of female workers in the agricultural sector. These women usually get married and have children at a much younger age than middle class women, and are more likely to adhere to traditional values. The lower and traditionally middle class women, however, are the most home bound. They, too, have little formal and relatively low labour skills, occupying themselves mainly with domestic affairs. Rural women are least likely to be affected by legal reforms concerning gender equality. These "traditional" women represent the vast majority of women in Turkey. On the other hand, the urban woman is more likely to embody the image of the "Westernized", liberated woman, even though she represents a small percentage of the population (Müftüler-Bac 1999, 309).

Factors Affecting Changing Gender Roles in Turkey

Contrary to what might be believed, the presence of this "emancipated" Turkish woman is a hindrance to actual change regarding gender equality. In order to Westernize, the Kemalists needed to take into account the woman as a major actor in the state. Women's emancipation and legal equality was a means, not an end for Kemalism. The secular state led the process of feminism and activism to implement modernization targets (White 2003, 155). The Turkish woman did not win her liberation; rather, it was allocated to her as she became a symbol for modernization. The status of women, for the Kemalist, is limited to her role in creating a secular reform for the state, but very little concern is given to the liberation of women (Ilkcaracan 1996, 5). By creating legal equality, it would further Turkey's Westernization and secularization, and created a "emancipated" woman who was not yet liberated. For example, in 1923 women attempted to create a Republican Women's Party, however, it was refused by the government claiming that it would "distract from the Republican People's Party that state leaders were establishing" (White 2003, 155). It is important to note that the reforms led by the republican government reflected attempts and initiatives made by men. Women were not yet an active part of their own emancipation. It is true that strides were made towards legal gender equality. However, this redefinition of women in society is equally restrictive, while maintaining the traditional apprehension of female presence in public. As Müftüler-Bac points out, Kemalist reforms defined women as "self-sacrificing, sacred creatures whose integration into public sphere as teachers, nurses, and professionals does not threaten morality or order" (Müftüler-Bac 1999, 307). This modest definition of the Turkish women allowed her to be 'emancipated,' but not liberated.

Kemalism is often credited for emancipating the Turkish woman, however in actuality, it undermines true liberation (Tekeh 1986). The mere existence of the "emancipated, working" Turkish woman is enough to placate the forces demanding reform favouring women, what Jenny White refers to as a "patriarchal bargain" (White 2003, 156). That is to say, the lack of full rights awarded to women is justified with a sense of security and respect given to them. Since legal equality is awarded, a fight for

true liberation could be seen as dangerous or pointless, so complacency is preferred. This suggests that there are relatively few problems affecting Turkish women, while overlooking the vast differences between women of different demographics. The illusion that emancipation and liberation have already been accomplished is dangerous, in that it implies that there is no longer a need for work towards equality (Müftüleri-Bac 1999, 304). While the reforms taken by the government ensure legal gender equality, they can be out of touch with society and problems can be disguised by rhetoric of equality. Rather, there needs to be more emphasis on an “increase [of] awareness of the general public, and of men in particular, concerning gender issues” (Official Journal of the European Union 2008, 9).

Having presented the historical, political, socio-cultural, economic and geographical context that shapes the general Turkish understanding of gender issues in Turkey, it is worth turning to the examination of how the application and implementation of EU conditionality has impacted gender policies and practices in Turkey.

The Impact of EU Policy on Gender Relations in Turkey

For a better understanding of the impact of EU conditionality on governmental policies and public attitudes in Turkey regarding gender equality, this section will be divided into three separate albeit inter-related parts. The first part will examine governmental responses to EU request for policies aiming at improving the status of women in Turkey. The second part will discuss how the Turkish Government has responded to EU calls to address violence against women. The third part will focus on how the Turkish Government has responded to EU calls for improvement in the area of equal opportunities.

Status of Women in Turkey

The first Annual Progress Report submitted by the European Commission acknowledged that the status of women in Turkey was increasingly in line with that prevailing in most EU countries and that “remaining legal discrimination is being done away with” (CEC 1998, 17). In December 2004, the European Council decided that Turkey fulfilled the Copenhagen political criteria and had introduced enough gender equality-oriented reforms that accession negotiations could begin on 3 October 2005. Despite the satisfactory status that the Commission cited regarding gender equality, it laid out guidelines for the Turkish government to reach in order to fully meet the EU accession requirements. The first requirement was for the government to bring into force six pieces of legislation enhancing human rights, especially those regarding women.

However, a brief discussion of the reforms introduced prior to the accession decision in 2004 is necessary in order to situate and assess the progress made after accession discussions had begun. In July 1999, Turkey lifted all restrictions against the UN Convention for the Elimination of All Forms of Discrimination against Women (CEDAW). However in 2000, legal discrimination of women persisted. The Commission noted that “the current regime foresees that the husband is the head of the family and is then the one that holds the right to legal custody of minors” (CEC 2000, 19). Consequently in October 2001, Article 41 of the Turkish Constitution was amended with a view to establish the principle of equality between spouses as a basis for the family, and the concept of the ‘head of the family’ was abolished. However, the stipulation that “goods acquired during marriage shall be shared equally between the spouses,” was to apply only to marriages entered into after the adoption of the new Civil Code (CEC 2002, 40). In addition, in May 2002, the Directorate for Religious Affairs announced a series of “clarifications” on the Moslem faith, aligning the right of women to attend public religious services with men. Moreover, the regulation, which allowed students at public nursing schools to be subjected to virginity tests, was abolished in February 2002, however, there was concern that these practices persisted (CEC 2002, 40).

Turkey introduced a new Penal Code in 2004, responding to concerns of the Commission regarding penalties for crimes against women. The new Penal Code envisages life imprisonment for crimes against life that are motivated by “tradition and customs” and it is foreseen that this provision will be applied in cases of so-called ‘honor killings.’ Sexual assault within marriage can lead to legal investigation and prosecution if the victim lodges a complaint. The code foresees slight increases in prison sentences for polygamy and non-registration of religious marriages. As regards virginity testing, the new Code foresees a prison sentence for those ordering and conducting such tests in the absence of a court order. However, contrary to the request of women’s NGOs, the consent of the woman on whom the test is to be conducted is still not required (CEC 2004, 45). The Law on Municipalities,

adopted by Parliament in July 2004, requires municipalities where the population is greater than 50.000 to provide shelters for women and children.

In its 2004 Annual Report, the Commission found that a number of reforms had actually strengthened the principle of equality between men and women (CEC 2004, 45). For example, Article 10 of the Constitution now included the provision that men and women shall have equal rights and that the state has the duty to ensure that this equality is put into practice. The new Penal Code was found to be generally progressive in terms of women's rights, addressing such crimes as 'honor killings,' sexual assault, and virginity testing. However, as of 2004, despite the new Penal Code and its legal and practical initiatives to tackle the problem of discrimination and domestic violence, this remained a major problem (CEC 2004, 45).

The Commission showed concern that women remain vulnerable to discriminatory practices, due largely to a lack of education and high illiteracy rate of 19 percent (CEC 2004, 47). In the Southeast region this figure was considerably higher where in some parts 62 percent of girls were reportedly enrolling in primary education and 50 percent in secondary (CEC 2004, 27). The widespread practice of the non-registration of girls is a contributing factor in this. Moreover, the portrayal of women in school textbooks was found to be chiefly responsible for such discrimination (CEC 2004, 47).

While the new Penal Code has profoundly improved women's fundamental rights, full transposition of the directives on gender equality was, according to the Commission, still required (CEC 2005, 96). Particular concern was given to parental leave, equal pay, and access to employment, burden of proof, as well as statutory and occupational social security. The Commission pointed out that the Equality Body required by the *acquis* still needed to be established and that further efforts were needed to improve gender equality in economic and social life and to ensure effective enforcement of the relevant legislation (CEC 2005, 96).

Turkey's Response to Violence against Women

According to the European Commission's data, between 1990 and 1996 1.259 women were interviewed, of whom 88.2 percent said that they were living in a violent environment and 68 percent claimed to have been beaten, and 34 percent of married women were subjected to violence by their spouses in 1995 (CEC 1998, 18). 58 percent of women in east and southeast Anatolia reported having experienced a physical assault in 1998. 23 percent of high- and middle-income women had been assaulted or beaten by their husbands in 1998. 86.1 percent of the victims of domestic violence were women. 39.2 percent of women agreed that a husband is justified in beating his wife; 63 percent of young women between the ages of fifteen and nineteen agreed that beating could be justified. In January 1998, TGNA passed legislation making spousal abuse illegal. In reality, however, domestic violence remained widespread.

In 2003, Article 462 of the Penal Code, allowing for reduced sentences for so-called 'honor killings,' was repealed. However, according to the Commission, the more general provisions of Article 51, related to crimes committed under "extreme provocation", remained applicable for offences traditionally viewed as being against 'virtue.' Article 453 of the Penal Code was amended to increase the sanctions for the 'honor killings' of out-of-wedlock children. In 2006, The Law on the Protection of the Family was found to be only partially applied. While in some cases courts imposed maximum sentences (life imprisonment), in others they opted for lighter sentences, especially if a minor had committed the murder (CEC 2006, 54). As of 2007, the Commission had reported no progress.

Nevertheless, crimes in the name of honor and suicides committed by women due to the influence of the family continued to occur, especially in the regions of the East and Southeast. There was still a lack of reliable data on such events as well as on domestic violence more generally. It was noted that in parts of the South East girls were frequently not registered at birth. This was seen as hampering the fight against forced marriage and crimes in the name of honor since these girls and women could not be properly traced. In February of 2008 the Council of the European Union called for Turkey to "pursue measures to implement current legislation relating to women's rights and against all forms of violence against women, including crimes committed in the name of honour" (Official Journal of European Union 2008, 8).

The increasing awareness of violence against women produced some positive results. In March 2004 a judge sentenced the perpetrator of an 'honor killing' in Sanilurfa to life imprisonment and implicated

family members were given long prison sentences. In February 2004, the Diyanet instructed imams and preachers to speak out against 'honor killings' during the Friday prayers. This followed a previous Diyanet instruction in January 2004 to no longer conduct unofficial religious marriages without a prior civil marriage. Diyanet started also actively trying to promote the role of women within Islam and appoint women as Muftis. In addition, the interior design of mosques was altered to facilitate women's participation in religious ceremonies.

In April 2005, the Minister of State for Women's Affairs issued a circular aimed at improving security for the residents of women's shelters by guaranteeing confidentiality. The thirteen shelters that were in operation should have ensured that their functioning was in line with this circular and, more generally, with international standards. While the number of women's shelters increased, there remained an urgent need to further increase the provision of such shelters. According to the official sources, there were seventeen shelters for women established under the Social Services and Child Protection Institution; thirty if those established by other institutions are included. However, these figures remained tentative. In this regard, it was hoped that the provision in the Law on Municipalities, adopted by Parliament in July 2004, obliging all municipalities with a population greater than 50.000 to provide a shelter, would be fully implemented with adequate financial and technical support from the central authorities (CEC 2005, 33). The shelters for women who have been victims of violence that exist in Turkey do not meet the needs of a population of approximately 70 million, while even the modest possibilities offered by the law in force, i.e. a shelter in all municipalities with over 50.000 inhabitants, are not being sufficiently realised. In 2007 the Commission reported a positive development, citing that the number of women's shelters increased to 33 (CEC 2007, 18). In February of 2008 the Council of the EU recommended that Turkey make "strengthen[ing] efforts to establish shelters for women at risk of violence in all larger municipalities" a short-term priority, along with an increase in overall "awareness of the general public" (Official Journal of the European Union 2008, 8).

In 2005, in cooperation with the United Nations Population Fund (UNFPA), the Turkish Government launched a nationwide awareness campaign regarding violence against women. Moreover, a Parliamentary Committee on 'Women's Rights and Gender Equality' and a "Committee on Violence against Women and Children" were established. The latter was to focus on the causes of, and means of preventing, 'honor killings.' The report of this committee put forward practical recommendations, which received wide media coverage. A circular by the Prime Minister's Office in July followed up on these, by giving priority to the fight against violence, listing the activities to be undertaken and naming the state bodies responsible. The Directorate General for the Status of Women was given the task of overall co-ordination of activities. The campaign "Stop domestic violence" also entered its second phase in 2005, after being launched in October 2004 by the daily *Hurriyet*, in cooperation with the Foundation of Contemporary Education and the Istanbul Governor's Office.

As regards violence against women, the Commission did not report any progress in its 2006 Report, while it noted that the provision in the Law on Municipalities, adopted by Parliament in July 2004 was not yet fully implemented (CEC 2006, 18). In 2007, however, the Commission reported that there had been an increase in implementation of legislation to combat honor killings and domestic violence (CEC 2007, 18). In addition, the Commission cited that "cooperation between public institutions and civil society has improved and regular meetings are held with public institutions and women's NGOs to monitor the implementation of the circular" (CEC 2007, 18). However, domestic violence continues to be widespread, and the Commission noted that there is still a lack of data and statistics regarding violence against women (CEC 2007, 18).

Overall, the 2007 Commission Report on Turkey concluded that little overall progress had been made to protect women from violence. Even though the "legal framework guaranteeing gender equality is in place, further efforts are needed to translate it into social reality" (CEC 2007, 18).

Creating Equal Opportunities

For a comprehensive understanding of what the policy of "equal opportunities" entails, one should focus on four interrelated issues: women's education, employment opportunities, participation of women in political life, and participation of women in labour force. It is worth noting that this categorization follows the structure of the Commission's Annual Reports on Turkey.

Education

In 2000, the Commission found that gender disparity in Turkey was still high, with an illiteracy rate of 25 percent for women and 6 percent for men, due to low school enrolment rates for girls, particularly in eastern Turkey (CEC 2000, 18). In terms of equality of treatment, the Commission argued that conformity with the EC *acquis* was not yet ensured (CEC 2000, 18). Specifically, more than half a million girls do not attend school each year, even though eight years of education is compulsory. There were several reasons for this. To begin with, families did not attach enough importance to girls getting an education. Especially in the Southeast Turkey the number of girls not attending school was disproportionately large, where only 75.2 percent of girls were enrolled in primary education, while this figure is 91.8 percent for the whole country. Regional conflicts had also destabilised society in this region. Many families were afraid to send their children to school owing to the insecurity surrounding transport.

In 2004, the Turkish Government set up a programme together with UNICEF, which provided children with safe transport. It is estimated that around 700.000 children could be transported in this way. This was part of the plan to get 100 percent of children in school by the year 2010. This also included rewarding the poorest families for registering their children with a school, giving more for girls than for boys. The "Human Rights in Textbooks" project, which aimed to remove discriminatory and patriarchal references from school textbooks, was completed but the revised textbooks were not yet in use (CEC 2004, 19).

In 2005, the European Commission reported that the girls' education campaign conducted by the Turkish Ministry of National Education and UNICEF ensured the enrolment in primary schools of 62.000 girls, which would otherwise have been out of school (CEC 2005, 33). Further to the 2003 UNICEF campaign aimed at promoting education for girls, approximately 113.000 girls returned to primary education (CEC 2005, 33). In 2006 the campaign was extended to all eighty-one Turkish provinces. Private sector campaigns to increase school enrolment and to improve the physical condition of schools have continued (CEC 2006, 18). The private sector, including some national newspapers, also started to organize similar campaigns.

However, the Turkish government had not yet concluded negotiations with the European Commission concerning participation in the Daphne II Programme on combating violence against women, and seemed unwilling to make any financial contributions of its own. The Commission made reference to UNICEF estimates that each year between 600.000 and 800.000 girls who have attained the mandatory age for going to school are either prevented by their families from doing so or do not have the infrastructure available to enable them to attend the available rural schools (CEC 2006, 19). Despite a primary school enrolment of 90%, the 2007 Commission report noted, "more efforts are needed to reduce regional disparities in schooling rates. Girls' enrolment in primary education has increased, but the gap in secondary education remains wide" (CEC 2007, 19).

Employment

The new Labour Law of May 2003 recognised the principle of equal treatment in employment between persons irrespective of gender, as well as racial and ethnic origin, religion and ideology. However, legislation did not guarantee the effective prohibition of discrimination in employment, and further efforts are needed to promote gender equality, as laid down in EU legislation and implied in Articles 1(2) and 20 of the European Social Charter (CEC 2003, 36). In its 2003 Annual Report, the Commission noted that Turkey had not yet accepted Article 8 of the European Social Charter on the right of employed women to protection of maternity (CEC 2003, 36). No major change was recorded for the year 2004.

Despite of various legal and practical initiatives, the problem of discrimination on the basis of gender remained a cause for concern in 2005. Female employment was recorded to be still low as just lower than 25 percent, while male employment picked up slightly from 62.9 percent in 2003 to 64.7 percent in 2004 (CEC 2005, 95). Due to lack of education, women remain vulnerable to discrimination. Many women however, worked in the informal sector and were therefore not covered by social security. However, women's participation in certain professions was found to be relatively strong as approximately 30 percent of lawyers, academics and doctors were women (CEC 2005, 33).

With reference to equal opportunities, in its 2006 Report, the Commission noted that no progress could be reported in the area of labour law and that shortcomings in the transposition of some directives

remain (CEC 2006, 52). As of 2007 the Commission noted that women's participation in the labour market remains generally low (CEC 2007, 18).

Political Participation of Women

Political participation by women in Turkey's decision-making bodies is disconcertingly low, with women constituting only 4.4 percent of the Parliament and around 1 percent of representatives in local assemblies, with weak numerical participation by women in economic and political centres of decision making (CEC 2004, 46). In the 2004 local elections only twenty-five female mayors were elected in comparison to 3.209 male mayors. The alignment of the internal code of the Parliament with the provision lifting the ban on the wearing of trousers by female civil servants had not yet taken place (CEC 2004, 47).

The European Parliament welcomed the Turkish proposal to establish a Committee on Women's Rights and Gender Equality with full legislative powers in the Turkish parliament and urged that the necessary legislation be adopted as soon as possible. It also invited this committee to liaise regularly with the European Parliament's Committee on Women's Rights and Gender Equality. Moreover, it called on the Turkish Parliament to ensure the presence of women MPs in the Delegation to the EU-Turkey Joint Parliamentary Committee.

Nevertheless, in 2006, the Commission recorded that the level of participation of women in the parliament and in local representative bodies remained very low (CEC 2006, 54). As of 2007, the Commission reported that almost double the number of women was elected to Parliament in the recent elections, raising the number to 51 (CEC 2007, 18).

Participation of Women in the Labour Force

According to the European Foundation for the Improvement of Living and Working Conditions, only 27 percent of women in Turkey currently participate in the labour market, whereas in 1998 the figure was still 35 percent. As a result of the conditionality pressures, legislation and the availability of childcare infrastructures have already been improved. However, the fact that the number of women in the labour force is still dropping is worrying, since women are doing well in some sectors, with around 30 percent of lawyers, academics and doctors being women. This may be partly explained by migration from rural areas to urban areas and the relatively high participation of women in the so-called informal sector, but it may also be due to negative public perception of women in the labour force. Trade unions could play an important role in organising women already in the labour force and those seeking to be gainfully employed, so that it becomes easier for women to take part in the labour market.

In 2006, the Commission recorded that prevailing discrimination still existed, as there was an ongoing decrease in the participation of women in the Turkish labour market and emphatically pointed out that the participation by women in the workforce was among the lowest in OECD countries (CEC 2006, 52). In 2007, little progress had been reported, as women's participation in the labour market remains low, despite the presence of women in high profile, professional positions (CEC 2007, 18).

Conclusion

As regards to women's rights and gender equality, EU conditionality aims at altering gender attitudes in the candidate countries prior to the offering of EU membership. Therefore, the adoption of the *acquis communautaire* is obligatory for candidate countries, such as Turkey. During the period 1998-2008, the legal reforms in Turkey in the area of women's rights and gender equality went a long way in implementing the *acquis*, though translating those reforms and changes into practice and achieving practical results remained a major problem. There is a serious lack of accurate data on the situation of women in Turkey, especially concerning violence against women, and existing data does not yet cover all problems relating to women's rights.

The EU has imposed legislation on the Turkish government to comply with their policy of gender mainstreaming and the promotion of a gender sensitive society. Yet, ultimately it can be said that the legislation proposed by the EU does little more than extenuate circumstances of legal emancipation, without engendering social change. As the discussion regarding liberation and emancipation is

concerned, it is evident that EU policy acts to mandate emancipation, without necessarily “liberating” women. In fact, as this paper seeks to argue, women cannot be liberated, rather, they must liberate themselves. It must be an active, rather than passive, act. Therefore, there is a discord between the policy of the EU and what it hopes to achieve. Rather than stimulate social change, the stated objective of gender mainstreaming, policy implementation simply creates a legal atmosphere that *could*, with the right social conditions, foster liberation.

This paper sought to provide an analysis and critique of gender mainstreaming policies, as a whole, in creating changing social environments regarding gender relations. While it is possible to enforce laws that limit the amount of discrimination that takes place, it is much harder to stimulate fundamental changes in society solely through legislation. This becomes even more complicated when dealing with a subject as culturally engrained as prescribed gender roles. It is impossible to ignore social, cultural, and historical factors and values when considering gender equality.

However, what can be said about gender equality policies, both on the national and European level is that they create a legal environment that allows liberation movements to flourish and challenge traditional roles. In this way it is a necessary step towards women’s liberation, but is certainly not a complete solution to gender inequality.

The paper has shown how policies, undertaken by both the EU and Turkey, have affected gender relations, while maintaining that there exist persistent obstacles towards women’s liberation. The fundamental question posed by this paper was whether the EU’s policies produce emancipation or liberation, and whether any changes have occurred in Turkish society regarding gender equality because of EU legislation. In other words, how strong the impact of EU conditionality has been in shaping gender policies and changing gender attitudes in Turkey. Despite the major shortcomings that still exist in Turkish legislation and the relative inability of the Turkish Government to achieve practical implementation of its enacted policies, one should acknowledge that the actions of the Turkish Government have been particularly significant given the political, socio-cultural, historical, and geographical context in which these reforms take place. This context helps one to understand the relative low speed, lack of depth, and the implementation weaknesses of the introduced reforms.

The Turkish case highlights the important distinction between “enacting legislation” and “implementing legislation”, as well as questions a fundamental of European gender policy. Turkey has indeed enacted comprehensive legislation to deal with the application of the EU “political conditions” as they apply to gender equality and women’s rights. The problem, however, lies with the implementation of the relevant legislation, and the social translation of said changes. This brings into the surface the question of the effectiveness and practicality of such policies, which is to a significant extent determined by the political, economic, and social conditions facing the Turkish Government. But as it has already been said, historical and cultural inheritances determine to a considerable extent the speed and depth of reforms.

Lastly, the Turkish case has illustrated that institutional arrangements are not always easy to implement, while some “political conditions” cannot be satisfied merely by institutional or legislative changes. With reference to gender equality in Turkey, satisfactory conditions include, ultimately, changes in human behaviour, which are much more difficult to bring about. It is worth mentioning that even some existing EU Member States may also score very low on gender issues. This is why a clear distinction should be drawn between institutional and societal levels. Public prejudice, in particular, is a very difficult situation that governments are faced with and it usually takes a long time to deal effectively with it. It requires a great commitment from the government to education the public on issues where prejudice against the position and role of women in society is central.

The factors that shape modern Turkish society inevitably affect women’s position in the country. Despite the claims that Turkey has gained strides in regard to gender equality, there has been little evidence that the social situation has changed significantly. It is true that the Kemalists introduced legal reforms that suggested gender equality in an attempt to secularize the country. However, the reforms seen in the Penal Code and other areas today, like the ban placed on headscarves in universities, do not reflect the social atmosphere of the country. These reforms were made in a top-down manner. That is to say that the underlying features that create the foundation for the patriarchal system were not affected by the legal reforms. There is a discrepancy between what is legally stated and what is actually practiced. The reforms were, for the most part, not accompanied by social change, or for that matter, much social awareness. There was no attempt to educate the population on women’s issues. This creates the problem of efficacy of the laws promoting gender equality. In a similar manner, there is the problem of enforcement. For example, the continued practice of killings of women in the “name of honor” is a

reflection of society and the continued importance placed on the concept of honour. Even though "honor killings" are explicitly illegal, and the state has removed any difference in sentencing for these crimes, they continue to persist. Legal reforms do not translate, necessarily, to social changes in the domestic sphere. The patriarchal system, which defines women as mothers and housewives alone, fundamentally sustained by Mediterranean culture and Islam, is so collectively understood that laws cannot reverse it. Instead, the social change must first take place, so that the laws can reflect society, not vice versa. Laws enforcing equality will do nothing if the culture does not first embrace change and reform.

Until women cease to be the "transmitters and protectors of dominant social values and norms", there cannot be fundamental change (Müftüleri-Bac 1999, 305). This cannot happen without social awareness, for the whole population. The main factor inhibiting women's liberation, therefore, is this deeply engrained cultural value of patriarchy. As long as women are culturally understood to possess a fundamental role as a sexual being, whose dominant place is the domestic sphere, their societal role cannot change. Gender roles must be redefined, but the reform must necessarily occur socially and not only being reflected in laws and regulations.

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