FRAMING RIGHTS-CLAIMS: COLLECTIVE IDENTITY GROUPS IN THE TURKISH PUBLIC SPHERE

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This dissertation investigates how collective identity groups frame their rights claims in the public sphere by exploring what types of framing processes specific groups of activists adopt. My empirical focus is on how certain social movements in Turkey has framed their rights claims in the restrictive nature of the public sphere. What types of frames characterize these movements? This research explores three empirical case studies from Turkey - looking at an Islamic, a women's rights and an LGBT organization. The main empirical finding of the dissertation is all three organizations endorse a liberal/universalistic frame to be accepted in the Turkish public sphere. The thesis of this dissertation is based on the analysis of the implications, consequences, and tensions that come out of this finding for democratic theory, theorizing Turkey, and social movements. In my analysis, I highlight a paradox in making rights-claims in Turkey. Collective identity groups demand group rights, but they frame these demands in terms of universal human rights language. The reason for the emergence of such paradox – I argue- is because groups want to fit in by adopting the universal language of rights used by the state in its Constitution and laws. Rights-based language could be necessary for certain groups as it is located "within the accepted discursive field resonating with the values of a secular society" (Barras 2009). Using macroframes, such as 'human rights', enable groups to appeal to international organizations, as well. This 'postnational' approach to rights-claiming can be part of the groups' mandate to appeal to universal human rights beyond the borders of state sovereignty (Soysal 1998). The implication of this analysis is that social groups' acts of

citizenship conform to dominant frameworks of claims-making. This, in turn, limits their ways of claims-making. For instance, they do not make multicultural claims or challenge the universal citizenship of the liberal state. While each civil society organization under study challenges the secular, the patriachal and the homophobic nature of Turkish citizenship, they conform to the definition of Turkish citizenship which is liberal, universal and individualistic. The dissertation uses the qualitative case study method based on in-depth interviews with the members of the groups.

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CHAPTER 1

INTRODUCTION

The Turkish Republic was established in 1923 as an ambitious project based on Western Republican tradition. Indeed, the Western perception of Turkey as a model of democracy in the region persists.[1] Ataturk drew on the ideas of French republicanism, German scientific materialism and Western positivism in order to construct the new nation-state.[2] It should be noted, however, that this project was also a nationalistic one. Ataturk tried to unify the different ethnic groups living in Turkey under one dominant cultural group – namely, the Turks (Hanioglu 2011). The strong nationalistic underpinnings and the separation of religion from state affairs have had important consequences for Turkey. As many scholars point out, modern Turkey represses particular expressions of difference in order to construct, unify and universalize a distinct Turkish identity (Birtek 2007; Baban 2007; Kanra 2009; Donmez 2011). However, Kurds and other minority groups reject the idea of a singular definition of Turkish identity and demand state recognition of their particular identities. Furthermore, Islamic groups demand more visibility in the public sphere. Thus, the secular structure of Turkish democracy is paradoxical. While it upholds the ideals of Western modernity (see Donmez 2011), it diminishes plurality in the public sphere.[3] In other words, Turkey adopts the ideals of a secular, pluralistic, democratic state but at the same time, difference cannot be enjoyed in the public sphere because it is seen as divisive rather than unifying the nation.

[1] For instance, Pankaj Mishra writes in a 2005 New York Times article that the West "often upholds Turkey as an example of a Muslim society embracing secular democracy. Turkey's apparently ongoing enlightenment underpins its claim to be considered part of Europe", accessed in March 2011 on http://www.nytimes.com/2005/12/16/opinion/16mishra.html

[2] See Hanioglu's "Ataturk: An Intellectual Biography" (New Jersey: Princeton University Press, 2011) for a discussion on the foundations of Ataturk's intellectual and ideological development.

[3] I specifically qualify the term 'plurality' to mean differences in religion, ethnicity, race, language, gender, sexual orientation etc.

This dissertation focuses on how collective identity groups frame their rights claims in the public sphere. I explore what types of framing processes specific groups of activists adopt. Related, what are the consequences of relying upon specific framing processes and the collective action frames that they produce? With these questions in mind, my empirical focus is on how certain social movements in Turkey has framed their rights claims in the restrictive nature of the public sphere. What types of frames characterize these movements? The main finding of the dissertation is that groups adopt a universalist frame to be accepted in the public sphere. The thesis of this dissertation is based on the analysis of the implications, consequences, and tensions that come out of this finding for democratic theory, theorizing Turkey, and social movements. In the analysis, I would highlight a paradox in making rights-claims in Turkey. Collective identity groups demand group rights, but they frame these demands in terms of universal human rights claims. This, in turn, limits their ways of claims-making. For instance, they do not make multicultural claims or challenge the universal citizenship of the liberal state (which will be discussed in detail below). The implication of this analysis is that social groups' acts of citizenship conform to dominant frameworks of claims-making. This research explores three empirical case studies from Turkey - looking at an Islamic, a women's rights and an LGBT organization.

Collective identity groups are strategic in their ways of dealing with the state. They assume that the state is repressive to difference and they interpret that their rights claims will be recognized only within the framework of liberal rights language. The language and strategies they use aim at being accepted in the public sphere as a group by employing a liberal human rights discourse. My research shows that groups under study have very different claims against the state. Yet, they all demand an expansion of freedoms and recognition in public. In light of

these findings, the research will use insights acquired through interpretive analysis of the activities, statements and interviews of the selected social groups. These insights include how groups understand rights claims and the paradox of rights-claiming inherent in their activities and statements.

The contribution of this study will be to understand how social groups make claims to be part of the public sphere in societies where the public sphere excludes difference. More specifically, how claims are made, and why groups pursue particular strategies. I highlight the relationship between individual rights and group rights. They have a paradoxical relationship. Even though, there has been theoretical studies on this paradoxical relationship (i.e. Soysal), there is no empirical study on the paradox. Also, the three case studies in this dissertation have been put together for the first time. Furthermore, there has been no empirical study on LGBT rights-claims in Turkey (although there have been studies on LGBT individuals' social problems). I also connect "framing processes" from social movements literature with "rights claims" in political thought.

Through this research, I aim to explore Soysal (1998)'s analysis of identity, rights and claims-making. She argues that identity is codified as a right in the postwar era. Because of this, collective identity groups frame "their assertions and claims in the categories and language of rights" (309). Studying immigrant groups in Europe, Soysal (1998) states that "while the claims and mobilization of immigrant groups aim to further particularistic identities and solidarities, paradoxically, they make appeals to the universalistic principles of human rights and connect themselves to public spheres" (310). Human rights became the dominant discourse in postwar Europe:

> the codification of "human rights" as a world-level organizing principle in legal, scientific, and popular conventions signals a significant shift in the conceptualization of rights. Individual rights that were once associated with belonging to a national

> community have become increasingly abstract and legitimated within a larger framework of human rights. (…) while collective groups increasingly rally around claims for particularistic identities, they connect their claims to transnationally institutionalized discourses and agendas. Immigrant groups in Europe advance claims for group-specific provisions and emphasize their group identities. Their claims, however, are not simply grounded in the particularities of religious or ethnic narratives; they appeal to the universalistic principles of equality and individual rights. (Soysal 2012:386)

In other words, "the claims immigrants advance and the identities they mobilize, though particularistic, derive their legitimacy and authority from universalistic discourses of personhood and human rights" (Soysal 1998: 310). I argue that the same can be a valid argument for other collective identity groups within a national state. Indeed, research reveals that framing of rights claims by Turkish collective identity groups are paradoxical. My analysis explores the paradoxical nature of the claims. While collective identity groups demand group rights, they frame these demands in terms of individual rights-claims.[4]

Turam (2012) argues that collective identity groups seek to advance their own agendas instead of truly and genuinely defending all liberal rights and freedoms equally:

> Turkish public life is full of people who advance various rights claims, but these typically concern *their own* special agendas (religious, ethnic, sexual, or otherwise) and belong less to the realm of classical liberalism than to that of identity politics. (To give an example, one can defend the freedom of Muslim women to wear headscarves without necessarily advocating freedom of religion for everyone.) From this perspective, most of the polarized partakers in neighborhood debates, including politicians and scholars as well as ordinary people, are not liberal democrats but rather special pleaders of one sort or another. More than anything else, the pervasiveness of this "special pleading" mentality and the concomitant shortage of principled liberals explain why effectual civil-liberties guarantees that cover everyone (including minorities of various kinds, women, and youngsters) are having trouble becoming standard fixtures of Turkish life. (Turam 2012: 115)

This is an important point because it highlights the paradox in rights-claiming in Turkey. While collective identity groups seek to expand particular rights in relations to their group, they use a universalist language to achieve it. The selection of the use of the term 'collective identity group'

4 Individual rights are based on human rights which are inalienable and universal to each individual. Group rights are collective rights based on group identities and affiliations.

is intentional. The concept of a collective identity group has become "politically important" in recent social movements because these "emancipatory and leftist social movements have mobilized around *group identity* rather than exclusively class or economic interests" (Young 1989:256). Through the works of the United Nations, UNESCO, and the Council of Europe, collective identity has been redefined as a category of human rights. Soysal (1998) argues that "codified as a right, identities have become important organizational and symbolic tools for creating new group solidarities and mobilizing resources (as in the case of women's movements, environmentalists, gays and lesbians, regional identities and interests, indigenous groups, and immigrants)" (308). Thus, this dissertation will focus on three empirical case studies studying three distinct collective identity groups - Islamist, feminist and LGBT.

Mazlumder (The Association of Human Rights and Solidarity for Oppressed People) is an Islamist human rights organization which was founded in 1991 in Ankara. It appeals to universal human rights while demanding group-rights and group recognition in the public sphere (i.e. wearing the Islamic headscarf in public universities, religious lessons in high schools.) *KA.DER* (Association for the Support and Training of Women Candidates) is women's rights organization that was established in 1997 in Istanbul. KA.DER's objective is to increase the number of women in politics, and to work for women's right to equal representation in political and public office. KA.DER invokes universalist arguments while defending women's political rights. *Pembe Caretta* is a grassroots LGBT organization established in 2013 in Antalya to combat homophobia and transphobia and defend the rights of LGBT individuals. Similarly, this group appeals to the human rights of LGBT members. All three groups seek to advance their particularistic identities in the public sphere but they use a universalistic language to appeal to

the state. Following Soysal's argument on immigrant groups in Europe, this dissertation seeks to show that a similar approach is utilised by other identity groups in Turkey.

1.1 REVIEW OF THE LITERATURE

In order to ground this research in perspective, we first need to look at political theories on rights. Traditionally, the literature on rights has focused on the human rights discourse with its emphasis on the individual. Today, we can talk about a multitute of rights like civil, economic, cultural rights; rights of groups, women, children, immigrants etc. It is paramount to remember as Zivi (2012) puts it that "different [rights] claims reference different conventions and resonate in varied ways" (p.6). Therefore, the activities within the act of rights claiming will have different effects on different institutions. Why is this important? It reminds us to distinguish between different types of rights and different types of rights claiming in terms of the effects they have on the corresponding state. Since my focus is the social groups in Turkey, I will briefly review the rights literature and the public sphere in Turkey.

1.1.1. What are rights?

The concept of rights and their use as political claims are at the forefront of this research. First, a definition of rights is paramount. Isiah Berlin (1969) describes rights as 'frontiers of freedom' which no one is allowed to cross (164). Rights are rules that are so widely accepted, deeply grounded in human nature and history and are an essential part of being a human. Thus, Berlin sees rights as the guarantor of liberty. Berlin (1969) identifies two types of liberty: positive liberty is defined as freedom *to* achieve self-realization and autonomy, and negative liberty means freedom *from* constraints. In other words, negative liberty is

absence of interference from pursuing one's own good as Berlin (1969) argues that "since justice demands that all individuals be entitled to a minimum freedom, all other individuals were of necessity to be restrained, if need be by force, from depriving anyone of it" (127). Positive liberty is about freedom to be "the instrument of one's own acts of will" and "to be conscious of [oneself] as a thinking, willing, active being, bearing responsibility for [one's] choices and able to explain them by reference to [one's] own ideas and purposes". (131)

In addition, Isin (1999) points out to a third form of liberty addressed by Berlin (1969) which incorporates recognition and status for social groups. This third form of liberty is about "assertion of self and agency" by which groups enjoy recognition by the state as an independent source of human activity (Isin 1999:32). As a third freedom, groups can demand various rights to be enjoyed by that specific group. These social groups have a strong sense of group identity. Group identity can be defined as "a process whereby individuals recognize in each other certain attributes that establish resemblance and affinity" (Isin 1999: 19). He also draws parallels between citizenship and identity: both are group markers. Citizenship is associated with legal membership status of a person within a polity; identity marks out group membership as well as helps designate groups "as targets of assistance, hatred, animosity, sympathy or allegiance" (p.20). Identity carries 'social and cultural weight' whereas citizenship carrier 'legal weight'. This is an important distinction because groups can claim different rights on the basis of their distinct group identities with the same framework of citizenship (i.e universal citizenship).

Donnelly (2013) defines rights as composed of elements of rectitude and entitlement. Rectitude means "the right thing to do" or righteousness, while entitlement means something which is "owned to you" or someone being entitled to enjoy a right. Exercise, respect,

enjoyment and enforcement are four aspects of the practice of rights (Donnelly 2013:8). Human rights are rights that someone has "simply because one is a human being" (Donnelly 2013:10). Human rights are equal, inalienable, and universal rights. Human rights are universal because they have been accepted by almost all states "as establishing obligations that are binding in international law" (Donnelly 2013:94). Human rights claims seek to "challenge or change existing institutions, practices or norms – especially legal practices" (Donnelly 2013:12). Donnelly argues that collective entities (groups) have many rights but these are not categorized as 'human rights'. Human rights (with the exception of the rights to self-determination) –as outlined in UN Universal Declaration of Human rights and the Covenants- are all "rights of individuals" not groups (Donnelly 2013:29-30). Group rights, on the other hand, are rights "held by a corporate entity that is not reducible to its individual members" (Donnelly 2013:48). Examples of corporate entities include states, families, trade unions, business corporations, NGOs etc. Donnelly's distinction between individual and group rights is important for the purposes of this study because it is important to stress that these concepts are distinct.

Here is how this dissertation identifies whether a right claim by a group is a group right or an individual right. A group right is a collective right enjoyed by all the members of a specific group based on shared identity, history, culture and lifestyle. Group rights are deemed necessary by the group members for purposes of self-preservation and group recognition by the state and society. Group rights are rights held by a cultural entity that "are not reducible to its individual members" (Donnelly 2013:48). A good example of a group right would be the language right. For example, in the Canadian province of Quebec, the language of instruction in public schools is French whereas in the rest of the country, it is English. Usually, group rights are claimed by

groups that have been historically disadvantaged, marginalized and underrepresented in society. Individual rights, on the other hand, are defined by the UN as rights enjoyed by each individual regardless of their group affiliation. Therefore, they are universal. For instance, the right to life is an individual right that should enjoyed equally by all people on earth. This is the basis on which I determine the difference between a group right and an individual right.

Dworkin (1978) proposes the 'rights-as-trumps' argument which argues that "individuals have rights when, for some reason, a collective goal is not a sufficient justification for denying them what they wish, as individuals, to have or to do, or not sufficient justification for imposing some loss or injury upon them"(xi). In other words, the very language of trumping signals that, when in conflict, rights "override other values and ideals" and put a restraint over state power (Zivi 2012:28). In other words, if rights are denied to someone, special claims can be made that "trump utility, social policy, and other moral and political grounds for action" (Dworkin 1978:90). A political rights is a "individuated political claim" (Dworkin 1978:91). A person has a right to "some opportunity or resource or liberty if it counts in favor of a political decision" if that political decision is likely to "advance or protect the state of affairs in which he enjoys the right" (Dworkin 1978:91). This is an important statement because as will be discussed later, groups like LGBTs make the point that sexual rights trump other values such as 'public morality'. LGBT groups also aim to put a restraint over state power for discriminating against sexual minorities by making addendum to the equality clause of the current constitution.

Wenar (2005) argues that all assertions of rights can be understood in terms of four basic elements, known as the Hohfeldian incidents: the privilege (rights of exemption or discretion), the claim (rights of protection, provision, performance), the power (authority to change a

normative situation), and the immunity (rights to protect against harm). Elements of power and claims can be actively engaged and enacted while privilege and immunity can only be enjoyed by the right-holder. Wenar's list of four elements outlines how a right can be used. In this study, right is not used as a priviledge to have exemption. For instance, Muslim groups do not demand the headscarf to be worn in public as a exemption of laws. They do not frame their claims in terms of exemption. Women's groups demand the power to change the percentage of political representation for women. LGBT groups claim the right to protection from sexual violence and discrimination. However, they do not frame their claims in terms of immunity.

I think all these definitions of rights are useful for this study. Both positive and negative liberty are aspects of human rights. Donnelly's definitions of human rights and group rights make their distinction clear. Dworkin highlights how a right can be used (i.e. to trump other values or restrain the state). Also, Wenar discusses how a right can be used (i.e. as priviledge, as power, as immunity).

1.1.2. What are rights claims?

As we have defined what a right is, we need to define right claims. A claim can be defined as "a unit of strategic action in the public sphere that consists of the purposive and public articulation of political demands, calls to action, proposals, criticism, or physical attacks, which actually or potentially affect the interests or integrity of the claimants and/or other collective actors" (Koopmans et al. 2005:24). Koopmans et al. (2005) breaks down the structure of claims into 7 elements which is useful for this study as well (254-255).

1. Location of the claims in time and space (when and where is the claim made?)
2. Claimant: the actor making the claim (who makes the claim?)
3. Form of the claim (how is the claim inserted in the public sphere?)

4. The addressee of the claim (to whom is the claim directed?)
5. The substantive issue of the claim (what is the claim about?)
6. Object actor: who is or would be affected by the claim (for/against whom?)
7. The justification for the claim (why?) – frame

Right claims are claims made against a sovereign authority to expand the scope of rights for a specific group or individual. Jacob Levy (1997) outlines the typology of cultural (group) rights-claims in Table 1.

Table 1: Levy's Typology of Cultural Rights Claims

Category	Examples
a)Exemptions from laws that penalise or burden cultural practices	Sikhs and motorcycle helmet laws; Indians and peyote; hunting laws; Amish and schooling
b) Assistance to do those things the majority can do unassisted	Multilingual ballots; affirmative action; funding ethnic associations
c) Self-government for ethnic, cultural or 'national' minorities	Secession (Slovenia); federal unit (Catalonia); other polity (Puerto Rico)
d) External rules restricting non-members' liberty in order to protect members' culture ('external restrictions' in Kymlicka's terms)	Quebec (restrictions on English language), American Indians (restrictions on local Whites voting)
e) Internal rules for members' conduct enforced by ostracism, excommunication ('internal restrictions' in Kymlicka's terms)	Mennonite shunning; disowning children who marry outside the group
f) Recognition/enforcement of traditional legal code by the dominant legal system	Aboriginal land rights; traditional or group-specific family law
g) Representation of minorities in government bodies, guaranteed or facilitated	Māori electoral roll and reserved seats in Parliament; United States Black majority congressional districts
h) Symbolic claims to acknowledge the worth, status or existence of various groups	Name of polity, official name of ethnic groups, national holidays, teaching of history, official apologies.

Source: Bromell (2008) Ethnicity, Identity and Public Policy: Critical Perspectives on Multiculturalism

While this classification offers a variety of rights-claims, the following case study focuses on the last rights-claim which is the claim about the nature of the polity (that it is restrictive and should be more inclusive) and representation of different groups within the public sphere. Thus, the groups studied in this dissertation seek recognition of their cultural identities by the state.

These two approaches to rights-claims are complementary. Koopmans et al. offers a general framework of how a claim is made by incorporating the location, form, actor, addressee, issue and frame of a claim. This works as an analytical tool to categorize each claim. Levy discusses the types of group claims that can be inserted into the public sphere (land claims, representation claims, cultural exemptions etc.).

1.1.3. Major Approaches to Right Claims:

This section will discuss the major approaches to rights claims, their differences, and where my work fits in. There are three major approaches to rights discourse: liberal, communitarian and multiculturalist. This is an extension of a larger debate between liberals and communitarians in political philisophy. Liberal (or universalist) approach argues that individuals are primary to society, and they have a "value prior to, and independent of, society" (Morrice 2000:235). For instance, Nozick argues that individuals possess rights prior to any political society, "which can emerge legitimately only if it does not violate these natural rights" (Morrice 2000:235). Liberals emphasize the significance of individualism, self-interest of the individuals, limited government which protects individual rights and liberties, liberty of the market and consumer autonomy (Morrice 2000). Liberalism seeks to establish neutral universal principles (like universal human rights) that all individuals can adhere to. Liberalism "puts a strong

emphasis on the individual, and most rights involve liberties that adhere to each and every person" (Isin and Turner 2002:3).

Communitarians, on the other hand, argue that "individuals are constituted by the communities in which they live, and that the values which influence individuals' behavior, together with the meanings by which they make sense of their lives, derive from their community" (Morrice 2000:235). In other words, individuals are embedded in their communities and individuals rights are not priori to society. Michael Sandel argues that "the individual can have no identity and value prior to, and independent of, his or her community" (Morrice 2000:236). Communitarian philosophy finds liberalism (and the concept of human rights) too individualistic which destructs social cohesion and not concerned with the common good of the community (Freeman 2002:107). Communitarians, like Charles Taylor, argues that there is "a common good or community interest which is greater than individual goods or interests, and that the state should uphold this common good rather than remain neutral" (Morrice 2000: 237). Communitarianism criticize the universalist approach of liberalism and intead focuses on the shared values and meanings of the community which differs for each community.

Liberalism emphasizes the universality of human rights. Even when it comes to issues of group difference and group rights, scholars like Donnelly (2013) argues that individual rights are capable of accomodating the interests of oppressed groups (46). According to universalists, principles of nondiscrimination, equal protection and equal treatment can remedy the systemic discrimination some groups face. Universalists are skeptical of group rights because a) it is problematic to identify a group that will legitimately hold rights as minorities; b) what particular rights should groups have?; c) how do we handle conflict of rights if a universal right is in direct

tension with a cultural right or practice?; d) are group rights the best way to protect the interests of a group? (Donnelly 2013:50-51).

The third approach to rights discourse is multiculuralism. Multiculturalist theoriest Bhikhu Parekh (1992) argues that "liberal democracy is specific to a particular cultural context and cannot claim universal validity" (p.160). Notions of rights, the individual, property etc. mean different things to different cultures. Multiculturalists question the issues of "whether cultural survival will be acknowledged as a legitimate goal, whether collective ends will be allowed as legitimate considerations in judicial review, or for other purposes of major social policy" (Taylor 1994: 64). Multiculturalists want the recognition from the state that different cultures have equal value and acknowledge their worth. They argue that individuals make choices within particular cultural contexts which in return should be protected. In some circumstances, cultures can only be proctected through recognizing group rights (Freeman 2002:117). For Kymlicka, minority rights are separate from human rights. Principles of human rights can be mute on the unfair disadvantages suffered by minorities. In such circumstances, collective rights such as land ownership and language rights can be granted to minorities in order to protect them from forms of oppression. Minority rights are protected under Article 27 of the International Covenant on Civil and Political Rights which states that in states where ethnic minorities exist, "persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language" (Freeman 2002:115). Section 1.1.5 will discuss multicultural political theory at length.

My main research is to show how groups choose to use universalist arguments in their rights claims while they really demand particular (multicultural) rights.

1.1.4. Framing Claims

Frames provide a structure through which claims are introduced and voiced by social movement actors. Frames "help to render events or occurrences meaningful and thereby function to organize experience and guide action … by simplifying and condensing" (Snow and Benford 2000:614). Frames are understood as meaning construction which means they are culturally mediated and context specific. They are "intended to mobilize potential adherents and constituents, to garner bystander support and to demobilize antagonists" (Snow and Benford 2000:614). Social movement actors are the ones who construct frames to be able to resonate with the demands of a segment of society. These actors have the agency to "actively engage in the production and maintenance of meaning for constituents, antagonists, and bystanders or observers" (Snow and Benford 2000:613). There are different types of collective action frames that social movement actors use.

Master frames are those that are sufficiently flexible, appeal to a broader audience, have cultural resonance and inclusive enough so that any number of other social movements can successfully adopt and deploy it in their campaigns (Snow and Benford 2000:618). A master frame is a generic type of collective action frame that is wider in scope and influence (Benford 2013). By utilizing these frames, social movement actors engage in 'consensus mobilization' and 'action mobilization' (Snow and Benford 2000: 615). Some of the master frames are rights frames, choice frames, injustice frames, environmental justice frames, culturally pluralist frames etc. (619). One of the major frames that is important for this research is 'injustice frames' where frames "call attention to the ways in which movements identify the 'victims' of a given injustice and amplify their victimization (…) generated and adopted by those who come to define the actions of an authority as unjust" (615). Another collective action framing that actors use is

called ‘boundary framing’ or ‘adversarial framing’ which sets boundaries between ‘good’ and ‘evil’ and create movement protagonists and antagonists (616). Yet another framing important for this research is the ‘sexual terrorism’ frames which LGBT movement “strategically selected and adopted” from the women’s movement that indicates violence against gays and lesbians is a social problem and that all LGBT members are at risk of violence all the time (628). Each group in this dissertation uses a major frame in order to make claims. Mazlumder uses ‘injustice frames’ to contest the public sphere by creating ‘victims’ (*mazlum*) and ‘unjust authority’. KA.DER, on the other hand, uses ‘adversarial framing’ in which they frame patriarchy as the ‘evil’ and feminist approach as the ‘good’. Lastly, Pembe Caretta uses ‘sexual terrorism frames’ when they discuss antiviolence and antidiscrimination campaigns for LGBT members. These frames will be discussed at length in each chapter.

1.1.5. Rights claims in Political Theory

There are different approaches to rights claims and recognition. These approaches look at who makes the claims, what these claims are and how they are made. For the purposes of this study, I have selected several scholars which study rights claims/minority rights and included the debates among them. Kymlicka, Parekh, Kukathas, Brown, Young, Barry and Fraser study rights claims and cultural recognition in Western political thought. Parekh and Kukathas respond to Kymlicka’s liberal theory of multiculturalism. I have selected Kymlicka because he discusses minority rights and how group rights can co-exist with liberal human rights. Parekh –as a multiculturalist- finds Kymlicka’s arguments limited. Kukathas argues that individual rights are enough to protect minority cultures. It is important to discuss Young because she is critical of the notion of universal citizenship. Instead, she suggests ‘differentiated citizenship’ for the inclusion of oppressed groups into society. Barry –as a liberal thinker- responds to Young’s arguments on

'opportunity of outcomes' and argues that the liberal institutions are sufficient enough to accommodate some cultural diversity but not all. Fraser talks about the importance of economic equity as well as cultural recognition which is important for the women's chapter. Brown is critical of the 'rights talk' because she argues it regulates the subjects of rights and victimizes them further. These scholars (except Kymlicka) are critical of the universalist approach and discuss the challenges of rights claims and recognition in the context of a liberal democracy. In this section, I will review these scholars' theories on group rights and cultural recognition. Political theory provides us a framework and presents the major debates on group rights and rights claims.

Kymlicka (1995) seeks to develop a liberal theory of minority rights and cultural recognition. He argues that cultures are "the necessary bases" for human development, individual autonomy, and capacity for choice (Parekh 1997:55). He asserts that respect for minority rights is compatible with liberal equality (Kukathas 1992:107). In his study, Kymlicka looks at multicultural states (Canada being his major example) and the difficulties these states face in terms of accommodating minority cultures. Cultural communities are "necessary to good individual lives" and under certain conditions, granting group rights is the only option to protect these communities (Freeman 2002:117). Kymlicka identifies two types of states which contain cultural pluralism: multinational states and polyethnic states. Multinational states consist of the co-existence of multiple nations or cultures historically present in a given territory. Their incorporation into a federation might be either voluntary or involuntary. Canada is Kymlicka's (1995) example of a multinational state with English, French and Aboriginal nations living together (p.12). Citizens of multinational states might feel patriotic towards their country but it is hard to think of them as having a single national identity. Polyethnic states, on the other hand,

are made of immigrants. U.S and Canada would again be examples of polyethnic states (p.11-13).

Kymlicka (1995) proposes three forms of group-differentiated rights: self-government rights, polyethnic rights and special representation rights (p.26). He identifies self-government rights as nations having their autonomy and control over a specific territory and making decisions in regards to the issues of education, immigration, resource distribution etc. (p.27); polyethnic rights are about recognizing and protecting immigrant groups' cultural practices and funding minority languages (p.30); and special representation is about incorporating disadvantaged groups into the political decision-making process (p.31).). However, for him, the right to full cultural membership belongs only to the national minority within the multinational state because they are "territorially concentrated", have a "complete cultural structure" and are often "protected by treaties" (Parekh 1997:56). Therefore, they have a right to self-government, control immigration, health care, education etc. If national minorities violate basic human rights and liberties, then the liberal state should "speak out against their illiberal practices, support and encourage liberal opinions in them", and offer incentives for liberal reforms (Parekh 1997:57).The state might intervene in the internal affairs of a national minority if violations of liberal rights are systematic. Immigrants, on the other hand, are entitled to fewer rights. They have voluntarily moved from their home countries to the host county and "enter the latter in full knowledge of its values and practices and implicitly undertake to abide by these" (Parekh 1997:57). Therefore, they have no right to self-government or to provisions of public services in their native language. They can still demand not to be discriminated against, be exempt from laws that are incompatible with their cultural beliefs or retain their mother tongues. Unlike

national minorities, "their concern is or should be to integrate into the mainstream society, and these and other related measures are justified only as aids to that process" (Parekh 1997: 57).

Kymlicka also makes an important distinction between collective (group) rights and individual rights. Collective rights could be understood in terms of 'internal restrictions' (imposed conformity to cultural lifestyle by the group) and 'external protection' (protection from the dominant political/economic culture) (p.35). He develops this notion of "external protections" in order to allow minority groups to guard themselves against the dominant cultural groups in the society (p.35). In other words, "external protection" legitimizes the differential treatment of a minority group (i.e. group-differentiated rights, affirmative action, etc.)(p.35). Kymlicka (1995) states that external protection mechanism of collective rights is acceptable as long as it does not impose "internal restrictions" on individual group members, and thus supersede or hamper their individual rights and freedoms (p.36). In other words, internal restrictions are problematic because they put a restriction on the individual rights of group members. For instance, 'honor killings' of young women by their male family members in the name of 'family honor' indicate the internal restrictions of the male-dominant community taking away the most basic individual rights of the female members of the society – rights such as right to life. Parekh (1997) argues that every political community limits the autonomy of its citizens (thus, imposing internal restriction): "if we deny a religious or a cultural community the right to restrict the autonomy of its citizens, even when it might be democratically or at least consensually governed, it is difficult to see how the political community can be allowed such a right. And yet all political communities, including the liberal, do so all the time" (p.61).

According to Kymlicka (1995), some national minority cultures (i.e. Native Americans, Quebecois) which he names 'societal cultures' are protectors of individual freedoms (p.75, 82-

83). Individual rights are at the forefront. Freedom of choice provides people of the same group with a possibility of differing conceptions of the good and a reduction in differences with other liberal cultures (p.83). Cultural membership provides members with meaningful options, self-identification and a sense of belonging which are individual choices (p.84). By freedom of choice, he means, practices such as distancing oneself from certain cultural roles, choosing the worthiness of certain cultural practices etc. (p.83). Kymlicka asserts that the national culture creates a meaningful framework for people to choose to challenge or revise their cultural values. Parekh (1997) argues that Kymlicka stresses only a culture's "autonomy-fostering function", leaving aside other functions such as building a community or structuring one's world (p.59). Furthermore, Parekh (1997) argues that Kymlicka considers those cultures without such function inferior and "worries about how that can be changed" (p.59). For Parekh (1997), the function of the autonomy of the individual need not be shared by all cultures and to require all cultures to conform to it is "to violate their integrity" (p.59). Also, Parekh criticizes Kymlicka for homogenizing "all cultures and reducing their diverse modes of self-understanding and self-appropriation to a single liberal model", and therefore not truly appreciating cultural diversity (p.60).

Furthermore, Kymlicka (1995) claims that all national minorities should have the opportunity to maintain their distinct culture and language. He makes a similar argument for immigrant groups when they demand polyethnic rights. Hence, group rights are needed to accommodate their cultural needs and to achieve equality and fairness. Kukathas (1992) objects this assertion stating "there is no need to depart from the liberal language of *individual* rights to do justice to [groups]" (p.107). He argues that;

> [Liberalism's] very emphasis on *individual* rights or *individual* liberty bespeaks not hostility to the interests of communities but wariness of the power of the majority over minority. There is thus no need to look for alternatives to liberalism or to jettison the individualism that lies at its heart. We need, rather, to reassert the fundamental importance of individual liberty or individual rights and question the idea that cultural minorities have collective rights. (P.107)

Kukathas (1992) rejects the idea of group rights "as the basis of moral and political settlements" because, he argues, groups (and particular interests) are not static entities but ever changing, "constantly forming and dissolving in response to political and institutional circumstances" (p.110). Group formation is the product of political institutions (i.e. colonial rule) that can change. In addition, group composition changes over time and groups are not homogeneous. Conflicts of interest can endure within cultural communities. Therefore, liberal theory deals with the fundamental political questions from the perspective of the individual rather than the perspective of the group or the community. Groups do matter to the extent that they affect the well-being of individuals. Kukathas (1992) rejects the idea that groups have any right to self-preservation or perpetuation but since 'the right of association' is a fundamental right for individuals, this right gives the power of non-intervention into groups' practices. Thus, according to this liberal individualist view, wider society cannot intervene in the cultural practices of groups but do not actively grant them collective rights either.

According to Kukathas, cultural communities' legitimacy comes from the principle of individual freedom of association. Kymlicka, on the other hand, puts an emphasis on group interests and bases groups' legitimacy on choice and equality. Kymlicka aims to reconcile minority rights with the principle of 'liberal equality', thereby "providing an individualistic justification of differential (cultural) rights" (Kukathas 1992:118). For Kymlicka, cultural minorities face disadvantages and inequalities compared to the majority culture, therefore they need special rights. Kukathas (1992) objects to this argument stating that not *all* members of a

minority group suffer unequal treatment. Furthermore, some members of the dominant culture can face disadvantages such as born with disability or born into poverty (p.123).

When it comes to notions of 'special representation rights' at the political level, the issue gets complicated. These rights are about the demand for guarantee of group representation in political institutions in order to eliminate systematic disadvantages suffered by some groups. As an example, Kymlicka discusses the Canadian constitutional guarantee that three of the nine Supreme Court judges will come from Quebec. Questions on what constitutes a national or disadvantaged group, how many seat they will hold and issues of accountability come to the forefront. These decisions are very complicated and hard to resolve. It might be even more complicated to resolve tensions between liberal and illiberal cultures (i.e. The Amish, some Islamic religious groups) (p.163). Kymlicka suggests that dialogue is the key to reach resolutions in order to be able to live together. Liberal groups cannot impose their values to illiberal cultural groups. Nonetheless, as a liberal, Kymlicka puts a strong emphasis on the priority of individual rights and the importance of the existence of a liberal state which regulates and implements group-differentiated rights. These rights can only be allowed and established as long as they do not jeopardize the individual rights and the liberal state.

Kymlicka (1998) also discusses the importance of new social movements as a third type of group (besides multinational and polyethnic). These new social movements include "non-ethnic identity groups" and there are similarities between their rights claims and the claims of national minorities and immigrant groups (Kymlicka 1998: 9). These non-ethnic movements which include women, lesbians and gays, religious minorities, and people with disabilities, constitute "a broader movement towards a 'politics of identity', in which a wide range of previously disadvantaged groups seek public recognition of their distinctive identities and needs"

(Kymlicka 1998: 90). Kymlicka (1998) tries to extend his multicultural argument to non-ethnic social groups. For instance, he argues that the rights of gays and lesbians also can be justified in cultural terms because "like ethnocultural groups, gays and lesbians create culture-bearing communities that provide their members with a context of choice and group identity". Kymlicka (1998) asserts that gays and lesbians not only share a "medical condition or biological disposition," but are bound by a shared "'identity', 'history', and 'way of life'" (p.91). Similar to ethnocultural groups, gays and lesbians seek "recognition for their community and cultural identity," as well as their "cultural differences" (Kymlicka, 1998: 91). Therefore, Kymlicka concludes that non-ethnic social movements "that have developed a common culture" and, therefore, provide group members "with valuable cultural practices and group identities" can make claims for public recognition in the form of group-specific rights (p.97). For Kymlicka, non-ethnic social movements are "on a par with immigrant groups" in terms of what claims they can make. They cannot make group claims like national minorities. However, they are entitled to group-specific provisions that serve to fight discrimination and fully integrate group members into mainstream society (Kymlicka, 1998: 100-103). Dick (2006) asks why gay and lesbian communities are not assigned rights similar to national minorities if these groups "create cultures that are important to the identities of their members and provide them with a context of choice in determining how to lead their lives". Also, if the sexual identity of lesbians and gays is a matter of circumstance rather than choice, why should their rights claims be placed on a par with voluntary immigrants? (Dick 2006:7). Kymlicka responds to this objection by arguing that "membership in a national minority culture is more fundamental than membership in gay culture" because belonging to a societal culture is primary. He argues that individuals are "inextricably linked to the culture and society in which they were raised, creating an allegiance

that ‘secondary socialization’ into the gay community is unlikely to displace” (Kymlicka 1998: 98).

Wendy Brown (2000a) criticizes this strong emphasis on rights-based discourse. She argues that rights-based discourse is limited because granting rights can redress certain violations, but they fail to “articulate or address the conditions producing or fomenting that violation” (239). Furthermore, it is not only about having rights as a social group but the “ability to enact the power that a right potentially entails” (Brown 2000a:232). In other words, Brown argues, socio-economic resources play a role in exercising a right. Kymlicka is silent on this relationship between rights and power. Furthermore, Brown (2000b) argues that right claims made by identity groups, such as women, gays and lesbians etc., “potentially reifies and regulates the subject produced by social powers largely taken for granted by that discourse” (p.471). Rights entrench and naturalize rather than redress and reduce this condition [of exclusion and lack of recognition] (Brown 2000b:471). In other words, rights claims “often reference and reinforce that idea that claimant is a victim of the state or society and implicitly presume that winning that right is the solution to the problem” (Brown 2000b:472).

As Brown explains, when we call attention to the specific injuries that the denial of certain rights has on particular individuals, we codify understandings of gender and sexuality that then “imprison us within the subject positions [rights] are secured to affirm or protect” (Brown 1995: 120, quoted by Zivi 2012:76). Rights claiming, in other words, “reinforces our investment in our own status as victims as well as marks our participation in the creation and perpetuation of norms of victimization that become extraordinarily difficult to challenge” (Zivi 2012: 76).

Using a rights-based language can be limiting for identity groups. Brown (1995) warns us that rights are not actually ahistorical and universal; they emerge in specific political and

historical contexts, and that "liberatory and egalitarian force of rights is always historically and culturally circumscribed" (p.97). Rights that empower those in one social location may disempower those in another. "Political efficacy of rights shifts according to which social group is wielding them and what social powers situate them" (Brown 1995:98). Furthermore, according to Brown, rights can become the production and regulation of identity through law and bureaucracy and legal recognition "become an instrument of regulation, and political recognition become an instrument of subordination" (p.99). Here, Brown presents a Marxist critique of rights as masking the inequalities and social powers in society. In this sense, rights "depoliticize" rather than emancipate citizens. Brown (1995) argues that "they construct an illusory politics of equality, liberty and community in the domain of the state, a politics that is contradicted by the unequal, unfree and individualistic domain of civil society" (p.114).

Young (1989) proposes a group-differentiated citizenship where difference will not just be recognized by the state but also institutionalized through certain legal mechanism. For Young (1989), the establishment of group-differentiated citizenship is about bringing justice to the society. Young is skeptical of the universalist claims about equality and equal treatment and she argues that only through a difference-based citizenship, justice will be served to overcome unjust treatment of oppressed groups. Young (1989) asserts that "a desire for unity [in public sphere] suppresses but does not eliminate differences and tend to exclude some perspectives from the public" (p.258). Thus, exclusion from public does not bring about the elimination of difference for good; it merely suppresses it. Universal citizenship disguises unequal treatment of different groups in society (Young 1989:251). The practice of individual universal rights discourse undermines the needs and recognition of disadvantaged groups:

> The ideal that the activities of citizenship express or create a general will that transcends the particular differences of group affiliation, situation, and interest has in practice excluded groups judged not capable of adopting that general point of view; the idea of

> citizenship as expressing a general will has tended to enforce a homogeneity of citizens. (Young 1989:251)

In other words, the desire to construct a general will of the citizenry leads to the exclusion and silencing of difference. Moreover, in a society where some groups are more privileged than others, universalizing a general will reinforce oppression by silencing underprivileged groups; and abiding by the rules of 'equal treatment' of citizens hides the inequalities among groups. Young argues that special rights are required in group-differentiated societies because universal treatment oppresses disadvantaged groups. Young's argument is significant in highlighting the current paradox in Turkey. While some groups demand 'recognition of difference', they frame it in terms of universalist rights-claims. Their demands for recognition and justice are often posed in the language of universal individual rights. Yet, for disadvantaged social groups demanding group rights, universal citizenship discourse do not lead to equality and social justice because the liberal state is difference-blind. In other words, using a universal rights language within the liberal state limits the ability of groups to claim recognition based on difference. The universal human rights regime is in direct tension with their claims - what Young (1989) calls "differentiated citizenship" (p.258).

Young (1990) defines social justice in terms of fighting against oppression and domination. Structural oppression is defined as institutional limitations on self-development; domination can be defined as limitation on self-determination. Social justice requires institutional promotion of representation and respect for group differences without oppression. Young (1989) identifies five types of oppression in a society against groups: exploitation, powerlessness, marginalization, cultural imperialism and violence against groups (p.261). Her definitions of marginalization, cultural imperialism and violence against a group best fit our case studies. Marginalization is defined as "groups being excluded from participation in major social

activities" (p.261). Cultural imperialism is how certain groups' experiences and situations are stereotyped and/or silenced and little opportunity for their expression is offered in society (p.261). In order to overcome oppression, groups should gain empowerment through certain rights and active participation. For Young, justice lies at the core of establishing and implementing these group-rights.

Thus, Young (1989) proposes a mechanism for the guarantee of group representation and recognition in a democracy: first, groups should self-organize in order to gain a sense of collective empowerment. Second, groups should generate policy proposals on issues that affect them; and third, they should have veto power over policies that affect them directly (p.261-262). These policies could be reproductive rights for women, and the use of reservation lands for Native Americans.

In response, Barry (1997) claims that multicultural arguments do not "succeed in undermining the claim that liberal institutions provide a fair distribution of rights, resources and opportunities" (p.11). When it comes to demanding differential treatment for different cultural groups, Barry argues that people cannot reasonably complain about the burdens placed on them by their own beliefs. For example, if bus drivers have to wear caps, this will probably stop Sikhs from working as bus drivers. if motorcycle riders have to wear crash helmets, Sikhs will be unable to ride motorcycles. According to Barry, these rules do not mean the law is unfair. What makes a law fair is that it strikes a fair balance between interests of different kinds. He stresses that

> …to the extent that there is a principled rationale for [laws], it is not that they instantiate some deep principle of equal treatment according to which there is something *prima facie* illegitimate about a law that has a differential impact on people according to their beliefs, cultural traditions or personal proclivities. Rather, what we have is a balancing of interests: how important is the purpose served by the law, and how does it compare to the cost that (as a result of their religious beliefs) it imposes on some people? (P.6)

Thus, for Barry (1997), the rationale for requiring motorcyclists to wear crash helmets seems "sufficiently compelling" to suggest that no exemptions should be made for it, so Sikhs "will have to choose between some reinterpretation of their religion and riding a motorcycle" (p.6). Furthermore, Barry (1997) asserts that

> there is nothing inherently unfair in having general rules that apply to everybody in a society, regardless of their inclinations or beliefs. It is an unavoidable consequence of a uniform system of laws that some people will find compliance with certain laws more burdensome than will others. But this does not constitute a legitimate complaint against such laws so long as there are good reasons for having them (P.6).

Barry also directly responds to Young's argument about the importance of "equality of outcomes" rather than "equality of opportunity" for women. Young argues that 'equality for women' would require "that all positions of high status, income and decision-making power ought to be distributed in comparable numbers to women and men". Barry puts the burden on women by arguing that Young's statement would be just only if women are determined to achieve those positions, acquire relevant qualifications, and put the time and the effort for success. Young argues that equal opportunity in a culturally diverse society will bring about different distribution of outcomes for different groups - some will succeed but other will fail because of their disadvantaged status in society. Accordingly, equal outcomes can be secured only by departing from equal opportunity so as to impose equal success rates for all groups. Barry responds by arguing that not everyone is "trying equally hard to achieve the same goals. People with different aspirations and priorities may not all be equally willing to make whatever sacrifices are needed in order to win them" (p.8). Therefore, he argues, even after all barriers have been removed, some people will achieve "low level of occupational achievement" (p.8).

Fraser (2009) understands rights as claims to justice. She discusses a three dimensional theory of justice which incorporates cultural recognition as well as economic distribution, and

political representation in the public sphere. A good example of this model would be the second and third wave feminist movements which not only address the economic disparities between men and women but also call for recognition of difference among women in a post-colonial era and political representation in decision-making. These claims could be achieved through struggle in such European campaigns as 'Women's rights are human rights'. Of course, claims for rights almost always engages the state and therefore, should be understood with the framework of citizenship (Arendt's assertion of 'right to have rights').

Fraser's (1992) argument for counterpublics is useful in understanding creating alternative spaces for subordinated groups and understanding the coalition-building efforts. Groups which are excluded from the public sphere create their own *counterpublics* which are "parallel discursive arenas where members of subordinated social groups invent and circulate counter-discourses to formulate oppositional interpretations of their identities, interests, and needs" (Fraser 1992:123). Since they are excluded from the public sphere and the public discussion on matters of common concern, they either form alliances with ideologically like-minded groups, or work with ideologically different groups around issues of mutual concern. These counter-publics can be understood as a way to counter the bourgeois public space.

To sum up, Kymlicka and Young discuss the importance of group-differentiated rights and citizenship in multicultural societies. While Kymlicka positions his theory within the liberal state and proposes a number of multicultural rights that are compatible with liberalism and individual rights, Young critiques the liberal state as imposing universal citizenship and disguising difference. Instead, Young proposes a 'veto' system where minority voices will be protected and institutionalized through a veto voting system as political representation. Barry claims that liberal institutions are fair in balancing different interests. He argues that the

liberal state cannot accommodate all cultural diversity and minority demands because it is good to have general rules that apply to everyone. Parekh critiques Kymlicka's liberal theory of multiculturalism arguing that there can be different versions and definitions of multiculturalism. On the other hand, Kukathas defends the liberal individual rights discourse arguing it is comprehensive enough to protect minority cultures and that there is no need to construct a liberal theory of multiculturalism. Fraser combines the issues of multicultural recognition and political representation with economic welfare for the minorities. She argues that all three issues are salient in achieving recognition and justice in society. Fraser also discusses the importance of counterpublics as a way to overcome the lack of recognition in the public sphere. Brown critiques the overemphasis of the 'rights' language because she argues that rights do not address the core of the issues that rights aim to remedy (i.e. patriarchy causing sexual violence). Also, rights language can further reify the victimization of groups (women as sexual violence victims). All these arguments contribute to the debate on group-differentiated citizenship.

I believe Kymlicka's argument for group-differentiated rights is compelling but it has its shortcomings because he tries to construct an argument which is compatible with liberalism. I agree with Parekh that there are different (liberal and illiberal) versions of multiculturalism that are not mentioned in Kymlicka's theory. For instance, not all minority cultures foster individual autonomy but focus on community and communal life instead. Also, it is a valid argument, I believe, that almost all cultural groups do (and should) impose internal restrictions to their members in order to preserve the cultural unity. Furthermore, Kymlicka's liberal theory of multiculturalism creates a 'hierarchy of rights' which grants national minorities more rights than immigrants. This, he argues, is because national minorities are

historical communities that occupy a territory and have a societal culture within a multinational state. Immigrants, on the other hand, come to the host country voluntarily and therefore, have to integrate into the culture of the host country. Therefore, the measures Kymlicka proposes for the accommodation of immigrant groups are for the purpose of integration. He does not mention any mechanisms to include them into the political decision making processes or deliberate on issues that are of concern to them. I support Young's argument that 'equality of outcomes' is more important than 'equality of opportunity' in a society that has unequal distribution of power. In such societies where there are disadvantaged groups, group rights could be necessary to remedy the injustices and recognize cultural identities. I also agree with Fraser that issues of cultural recognition cannot be separated from issues of political representation and economic equality.

1.1.6. The Turkish public sphere

Issues of identity and recognition hve gained importance in recent years in politics and fields of political studies. Why is Turkey and Turkish public sphere important for this study? It has been argued that difference is eliminated from the public sphere with the establishment of the Turkish Republic in 1923 (Ozbudun 2012). Traditionally Islamic values are practices are seen as incompatible with the liberal values of the state such as secularism – the separation of the state and the Church. Therefore, secularism, in countries like France and Turkey, historically pushed religious paractices are symbols into the private sphere.

According to Habermas, public sphere is where people have the right to assembly and speech and where the public opinion is formed collectively by individuals who come together; it is separate from a state-sponsored space. However, as will be discussed below, the Turkish state

takes a bigger role in structuring the public sphere, and the borders of inclusion/exclusion is drawed by the state itself on lines of public/private identity.

Habermas (1964) defines public sphere as

> a realm of our social life in which something approaching public opinion can be formed. Access is guaranteed to all citizens. A portion of the public sphere comes into being in every conversation in which private individuals assemble to form a public body. They then behave neither like business or professional people transacting private affairs, nor like members of a constitutional order subject to the legal constraints of a state bureaucracy. Citizens behave as a public body when they confer in an unrestricted fashion- that is, with the guarantee of freedom of assembly and association and the freedom to express and publish their opinions – about matters of general interest. (P.49)

Within this famous definition lies two important distinctions: the distinction between public and private, and the distinction between the state and public interests. The public body is formed to discuss issues of general interest rather than private and/or business interests. In this way, the public sphere is constructed in relation to but separate from the state. The public sphere is ideally accessible to all citizens.

Here, my dissertation draws attention to the notion of a public sphere which is constrained by the state and thus, limited in allowing the access and formation of a public opinion. In this regard, Turkey presents an ideal case study where a 'monological public sphere'[5] is structured and maintained by the Turkish state since 1923. The case of Turkey shifts our thinking regarding Habermas' understanding of the public sphere because the Turkish public sphere involves the role of the state. In Habermas' definition, access is granted in an unrestricted fashion to all citizens. In Turkish public sphere, state restrains this access because differences are not allowed to enter the public realm. Instead, a singular public identity is sought to be constructed. Therefore, a true public opinion is unable to form.

[5] Faruk Birtek uses this term in his discussion of the evolution of the public sphere from the Ottoman Empire to the Turkish Republic. He argues that a homogeneous public is created by the state where only the secular and Republican values are allowed.

As many scholars point out, modern Turkey represses particular expressions of difference in order to construct, unify and universalize a distinct and 'modern' Turkish identity (Birtek 2007; Baban 2007; Kanra 2009; Donmez 2011). Minority groups reject the idea of a singular definition of Turkish identity, and demand state recognition and more visibility of their particular identities in the public sphere. Thus, it can be argued that the secular structure of Turkish democracy is paradoxical. While it upholds the ideals of Western modernity, it diminishes cultural plurality in the public sphere.[6] Within the recent political climate of AKP government, it should be acknowledged that Islamic groups are allowed more visibility in the public sphere. However, the way they frame their claims has not changed since AKP came to power. They still use individual human rights discourse to make claims. It is also interesting to note that some religious scholars claim the incompatibility of Islamic norms with the human rights discourse (Karasipahi 2009: 77). Also, the human rights discourse has been associated with the classic liberal thought, positivism and secularism (Barras 2009). Therefore, it is a puzzling issue to note the way Islamic groups use human rights language in their claims-making.

Many Turkish scholars has pointed to the exclusionary nature of the Turkish public sphere. While there has been a 'homogenization' of cultural identity by the Turkish state (Birtek 2007), the Republican version of Turkish modernity removed 'tradition' in the form of religion and ethnic identity from the public sphere (Baban 2007).

In the newly established Turkish state, political rights and citizenship duties came before individual liberties and self-identity, and Turkish citizenship is understood as intolerant of group identity (Birtek 2007). Therefore, the reasonably pluralistic nature of Turkish society is "not

[6] For further discussion on Western modernity, see Donmez. 2011. "Beyond State-led Nationalism: Ideal Citizenship for Turkey." In *Societal Peace and Ideal Citizenship for Turkey*. eds. Donmez and Enneli. London: Lexington Books.

sufficiently recognized by or reflected in the political structure of the country" due to the incompatible founding philosophy of the Turkish Republic (Ozbudun 2012:61). Clear boundaries are drawn between the private and the public realm in Turkey. It is created by the Republican elites and modernists in order to enable the transformation to a modern society. Norms of this public sphere, defined as "communitarian and regulatory public sphere" (Donmez 2011:5), is identified as secularist, nationalist, republican and rational which ultimately marginalize the representation of different identities (Baban 2007). In relation to Islamic identities, state-controlled religion[7] led to the repression of Islam and suppression of Muslim identity in the Turkish public sphere (Gol 2009). Any attempt for public visibility of Muslims has been regarded as a divergence from the secular system and seen as a threat.

There are many advocacy groups with different concerns and demands which criticize the Republican model of Turkish democracy. Atasoy (2011) stresses that these groups "situate their criticism within the universalized individual rights and freedoms discourse of liberal democracy" and they frame their claims in terms of a "particular ethico-normative framing of rights" (p.120). She argues that republican citizenship is being replaced by an emerging 'ethical citizenship' where citizens demand not only legal and political recognition from the state but also demand normative things such as respect and trust. Today, there are around 3000 civil society organizations in Turkey, "whose activities involve a number of issues , ranging from human rights to democratization, from peace to environment, from issue-specific problems to even meta-societal visions such as Westernization, Ataturkism, nationalism, and Islamization" (Keyman and Icduygu 2003:221). The role of the civil society can be defined as the following:

[7] Even though the state does not have an official religion stated in the Constitution, it established a "Ministry of Religion" to regulate Islam and train imams.

> Whereas the members of the political society opt for power and members of the economic society opt for money, civil society is distinguished as a realm that opts for a voice. Civil society organizations, unlike political parties, for instance, are not there to garner more votes from the citizens but rather carry certain underrepresented voices into the public realm. Hence, they challenge the very definition of the notion of citizenship. (Kadioglu 2005:24)

However, in Turkey, while each civil society organization under study challenges the secular, the patriachal and the homophobic nature of Turkish citizenship, they conform to the definition of Turkish citizenship which is liberal, universal and individualistic. Civil society organizations play an important role in "articulating and representing the various ideological interests and political demands voiced by different segments of society" (Keyman and Icduygu 2003:221). Civil society organizations are political actors, which focus on specific issue areas, such as human rights, gender, sexuality, ethnicity etc. Thus, these organizations "promote a discourse of politics, founded upon the 'language of rights' which involves the protection and the expression of civil rights that the process of democratization reqires" (Keyman and Icduygu 2003:226).

Isin (1999) claims that historically, marginalized groups initially wanted to be included in the "nation" and its institutions via struggles for property and suffrage rights but there has been a shift from political/civic rights struggle to social justice of recognition. It was the same story at the end of the Ottoman era when different cultural groups wanted to belong in the newly formed Turkish Republic. As discussed above, the modern nation-state repressed particular expressions of difference in order to construct, unify and universalize a "Turkish identity." Today, like an echo of the forefathers of the nation-state, some critiques in Turkey argue too much diversity will lead to fragmentation and disappearance of a common culture.

Murat Akan (2005) mentions, in both France and Turkey, Muslim girls make an appeal to individual rights (based on liberal norms) stating that the Constitution guarantees religious freedom and freedom of choice (based on liberal ideals of individual autonomy and individual

freedom) in society. Muslim groups in both case studies make an appeal to liberal norms and use a rights-based discourse based on individual rights and freedoms.

Using a rights-based discourse could empower them in terms of getting support from other national and international human rights organizations. Turkey has tried to accommodate a multinational, multiethnic society within the constraints of a secular nation-state. Therefore, groups try to work within the framework of the liberal discourse to be accepted and achieve their ends. I agree with Barras (2009) that groups utilize the rights-based discourse because human rights framework is international and helps groups make claims and receive support at the international level and form transnational networks with other groups.

Faruk Birtek (2007) draws attention to the emergence of this monological public sphere, after the establishment of the Turkish Republic. He offers a historical argument that Ottoman citizenship was described as multi-ethnic, cosmopolitan, political identity where recognition and protection of religious and ethnic differences were granted. However, the transformation from the Ottoman Empire to the Turkish Republic had important consequences in relation to citizenship and identity. Birtek (2007) suggests that political rights arise from membership to a political society (thus, they do not exist *a priori* to the political community); they underline the universal equality of citizens, define the boundaries of membership and the degree of availability depending on the political regime (p.33). Birtek (2007) claims that the political society can displace liberties but cannot determine or negotiate their degree of social validity; it can only determine their degree of public (ir)relevance (p.21). This means that liberties are inherent to an individual, they cannot be changed but their relevance in public can be negotiated. He places liberties initially emerging in the private sphere because they are inherent in the self-identity of an individual. According to him, liberties enjoyed by ethnic groups during the Ottoman era have

been destroyed and replaced by political rights confined to the public space (p.35). Thus, the development of the modern, secular republic opened participation to all 'Turkish citizens' but excluded cultural, religious and ethnic heterogeneity from public life. This created, what Birtek (2007) calls, a monological public sphere:

> …citizenship in the nation-state is a political institution built on a rigorously *exclusionary* public space, and because of its standardizing logic, which the volitional core almost requires; it is intolerant of any sub-groupings that might presume to exist within the national society. It cannot accommodate bases of identity that could be created *outside* of the republican space. (P.41)

Birtek (2007) asserts that the Turkish Republic has been hostile to liberties[8]; and individual cultural identities have been destroyed through the homogenization of the identity by the centralism of the Republican tradition. Thus, in the newly established Turkish state, political rights and citizenship duties came before individual liberties and self-identity. Turkish citizenship is understood as intolerant of group identity, and is based on political institutions built on an exclusionary public sphere.

Baban (2007) supports Birtek's argument about the disposition of the public sphere in Turkey arguing that the Republican version of Turkish modernity removed 'tradition' in the form of religion and ethnic identity from the public space. In Turkey, the public sphere is a communitarian project where clear boundaries are drawn between the private and the public. It is created by the Republican elites and modernists in order to enable the transformation to a modern society. Norms of this public sphere is identified as secularist, nationalist, republican and rational which ultimately marginalize the representation of different identities. Baban (2007) asserts that:

[8] Birtek distinguishes between rights and liberty as such; rights arise from membership to a political society, liberties are natural rights that exist a priori to a political community. Liberties are inherent in the self-identity of an individual.

> One of the reasons why the modern public sphere failed to realize its emancipatory potential as a site of plurality and dialogue is that [Turkish] national identities established themselves as dominant identity positions in the public sphere by marginalizing other identities and groups and preventing them from representing themselves. Any representation of identities and groups, not in harmony with the principles of nation-building [and the modernization project], was excluded from [the public sphere]. (P.85)

This clearly violates Habermas' definition of the public sphere because freedom of expression is restricted. A good example of such exclusion from the public sphere is the headscarf issue in Turkey. In 1990s, it was prohibited for female Muslim students to wear the headscarf in public universities. Also, Merve Kavakci, the first Muslim MP to wear the headscarf in the Turkish parliament, was kicked out of the parliament in 1998.

Echoing similar views, Ozbudun (2012) claims that the reasonably pluralistic nature of Turkish society is "not sufficiently recognized by or reflected in the political structure of the country" due to the incompatible founding philosophy of the Turkish Republic (61). The founding philosophy is consisted of six principles adopted by the single-party system of the early Republic: republicanism, nationalism, populism, statism, revolutionism, and secularism (Ozbudun 2012). These principles emphasized the unitary and central role of the state as having created a monolithic state structure. This structure is not favourable to the full development of a pluralist democracy where voluntary associations and public professional organizations can flourish.[9] The closure cases against LGBT organizations (i.e KAOS GL, LambdaIstanbul) in Turkey are a good example of this attempt to construct a monological public sphere. Amnesty International calls these cases against LGBT civil society as "judicial harassment of LGBT organizations in Turkey" (Hurriyet Daily News 2010). Many offices of Mazlumder were also

[9] Donmez (2011) supports the views of Birtek (2007) and Baban (2007) in stressing the exclusionary nature of the public sphere in Turkey by defining it a "communitarian and regulatory public sphere" (5). The nation-building process through secularism, Republicanism and rationalism created the modern Turkish citizenship while at the same time excluding the ethnic and religious identities from the public sphere.

searched and shut down by the police and members arrested in 1990s for participating in protests for the headscarf ban in universities (Ataman and Yamak 2009). Moreover, between the years of 1968-1998, 22 political parties and their leaders had been banned from politics by the Constitutional Court (Aliefendioglu 1999). For instance, the first Islamic party in Turkey, the National Order Party (*Milli Nizam Partisi*) which was established in 1970 by Necmettin Erbakan, was shut down by the Constitutional Court during 1971 military coup (Cinar and Duran 2008). The Islamists re-established the party under a different name, National Salvation Party (*Milli Selamet Partisi*) in 1972 which was shut down in 1980 military coup (Cinar and Duran 2008). The third party of political Islam, Welfare Party (*Refah Partisi*) emerged in 1983 and managed to come to power in 1995 as part of a coalition government where Erbakan became the prime minister (Cinar and Duran 2008). In 1997, known as the 28 February Process, the military forced the government out of power by putting political pressure. In the meantime, Welfare Party and its successor, Virtue Party (Fazilet Partisi) were closed by the Constitutional Court on the grounds that "they violated the principle of secularism" (Cinar and Duran 2008: 30). Furthermore, civil society organizations are subjected to "government interference and control" especially with respect to human rights organizations which report and criticize the state violence and misuse of power over its own citizens (Keyman and Kanci 2014). The CIVICUS Civil Society Index Report for Turkey (2006) mentions that government interference and control leave civil society organizations "feeling uneasy in expressing opinions that challenge the state in fear of sanction" (p.8). This is reflected in "low levels of civil society activity in holding the state accountable and promoting state transparency". Thus, in 2000s, with the help of EU reforms, Turkey has begun to transition out of an era of "state control over civil society", but there is still "a long road ahead in achieving a fully enabling environment" (CIVICUS Report 2006: 8).

Since the early days of the establishment of Turkey, pro-Islamic groups have criticized the secular nature of the republic. In terms of state's relationship with Islam, Turkey presents a complex and interesting case. Many scholars argue that "Turkish secularism controls but also promotes Islam".[10] Turkish secularism is not about the separation of state and religion, but instead about the creation and promotion of an acceptable 'state Islam' and about "submission of religion to the reason of the state" (Cinar and Duran 2008:22). The state has supressed the elements of Islam that were deemed to be "backwards, superstitious, or pro–ancient regime (the Ottoman empire)", but at the same time, it has tried to reform Islam and "promote it for nation-building, public morality, and bolstering state legitimacy" (Somer 2013). In fact, Berna Turam (2012) argues that Turkish version of secularism "establishes and promotes a version of Sunni Islam that the secular state deems to be reformed, enlightened, and 'correct'." Thus, state officials aspired to create selected versions of Islam in public that were civic. Sinem Gurbey (2012) argues that the Turkish military "actively nurtures religious sentiments to encourage nationalism and self-sacrifice for the homeland" (p.50) as well as the educational institutions. It is important to note that the Turkish state does not have an official religion mentioned in its constitution. Moreover, Turkish constitution forbids "even partially basing the fundamental social, economic, political and legal order of the state on religions tenets" (Cinar and Duran 2008: 22). Yet, the state agency, Directorate of Religious Affairs (*Diyanet*), "actively supports an official version of Sunni Islam at the expense of other religions, interpretations, and sects", trains and employs imams (Sunni Muslim preachers), subsidizes only the building and functioning of

[10] Umit Cizre Sakallıoglu, "Parameters and Strategies of Islam–State Interaction in Republican Turkey," International Journal of Middle East Studies 28 (1996):231–51; Andrew Davison, "Turkey, a 'Secular' State? The Challenge of Description," South Atlantic Quarterly 102, nos. 2–3 (2003): 333–50; Sinem Gurbey,"Islam, Nation-State, and the Military: A Discussion of Secularism in Turkey," Comparative Studies of South Asia, Africa, and the Middle East 29, no. 3 (2009):371–80; and Sultan Tepe, "Moderation of Religious Parties: Electoral Constraints,Ideological Commitments, and the Democratic Capacities of Religious Parties in Israel and Turkey," Political Research Quarterly 30, no. 10 (2012): 1–19.

Sunni mosques (but not the other Islamic sanctuaries such as the Alevi cemevi), runs Qur'an courses (Qur'an reading schools), and publishes religious material. In 1982, the military government (after the 1980 coup) made religious instruction as part of the mandatory curriculum in all primary and secondary schools (except for schools of non-Muslims) (Denli 2007:93). However, political use of religion was banned in 1961 Constitution which was adopted by the 1982 Constitution. The Constitution of 1982 (which is the current constitution of Turkey) also reiterated the importance of Ataturk's eight "Principle Reform Laws" which included: establishing secular education, instituting civil marriage, adopting the Turkish alphabet, using the international numerals, introducing the Western hat, closing the dervish (religious) convents, abolishing religious titles, and prohibiting the wearing of certain garments (Denli 2007: 94). Thus, the Turkish state has an integrationist and interventionist approach to state-religion relationship. According to Somer (2013), the outcome is "a weakly democratic and weakly secular model that publicly promotes majority religion in many contexts and restricts both religious and secular freedoms in many other contexts". The major example of such restriction is the ban on Islamic headscarves on university campuses from 1982 onward. In recent years under the AKP rule, even though the women have become freer to wear head scarves on college campuses, Somer (2013) argues that "they are not guarded by any formal, legal protection." Thus, secularism in Turkey has tried to create its own version of a civic Islam while pushing aside the visibility of most religious indicators (like the headscarf) deemed incompatible with Turkish secularism from the public sphere. Therefore, I argue that Turkey's public sphere remained highly restricted to Islamists and various other identities because the state regulated the nature of the public sphere.

Hazama (2014) argues that there is escalated polarization between pro-Secular and pro-Islamic groups in Turkey since 1990s. Hazama asserts that

> Secularists framed the public sphere as a politically neutral arena that must be protected by the state. By contrast, pro-Islamists initially counter-framed the public sphere positively, in line with the Habermasian definition. Yet, in the face of stiff opposition from the secularists, the pro-Islamists came to adopt a negative counter-frame implying that the public sphere impinged on the freedom of wearing a headscarf. As a result, both the secularists' and pro-Islamists' frames entrenched the general recognition of the state-centered public sphere in Turkish society. (P.163)

In other words, Hazama argues, pro-Islamists end up accepting the dominant definition of the public sphere and get caught up in the dominant discourse instead of generating their own discourse of public sphere. According to Hazama (2014), "dominant frames in society significantly affect the course of discourse by circumscribing, while not determining, the possible option for the establishment of counter-frames" (p.168). Similarly, Steinberg (1999) emphasized "the dialogic and recursive nature of public discourse between power-holders and challengers and demonstrated that 'challengers seek to de-legitimize hegemonic genres within a field while appropriating pieces to inflect it with their own subversive meanings'. However, 'challengers generally remain captive within hegemonic genres.'" (Steinberg 1999:753). This means that dominant frames are strong and hegemonic that the challengers of these hegemonic frames get caught up in using the same frames themselves. This is an especially important point for this dissertation because I argue that social actors get caught up in the same 'liberal' and 'universal' frames in Turkey while they set out to 'de-legitimize' these frames/ genres.

Since Turkey's candidacy to EU in 1999, major transformations took place in terms of institutionalizing a human rights framework. Discussions of women's rights, Islamists grievances, workers' claims are understood and analysed within the framework of individual human rights by these groups. The Kurdish struggle for recognition, on the other hand, has been understood as a security issue by the state rather than a human rights or group rights issue.

Aforementioned Turkish scholars and many more discuss the exclusionary public sphere and the pressures of the state structure to expression of diverse groups. Thus, the nature of the Turkish public sphere is restrictive and the state resists the recognition of certain rights-claims and demands. The social groups which advocate their rights-claims engage with the Turkish state in the backdrop of this type of a public sphere. My dissertation will look at groups' claims and actions within this historical and social context. Contribution of this research will be to understand the ways in which claims are formed and enacted within a specific public sphere where difference has been restricted. I aim to show the limitations of right-claiming in democracies such as Turkey.

1.2. CHAPTER OUTLINE

In Chapter 2, I present the research method I use for this research as well as my selection of the cases. In Chapter 3, I study my first case study – Mazlumder. I will briefly talk about the foundation of this organization, its aims, strategies and activities. I will present the data collected from the interviews and analyze these interviews. I will highlight the paradoxes present in Mazlumder's claims to be included into the public sphere and how they frame their claims. In Chapter 4, I discuss KA.DER's aims, methods, and activities in the public. I will present the data collected from the interviews and analyze these interviews. I argue that feminists adopt a liberal framework to contest the exclusionary nature of the public sphere for women. I also highlight the feminist claims in the public sphere such as equal representation and quota system in politics. In Chapter 5, I study Pembe Caretta as an LGBT organization. In my concluding chapter, I present an overview of my research question and findings. I discuss the commonalities of the empirical

case studies in terms of frames and framing rights-claims. A religious group, an feminist group and an LGBT group have rights-claims against the state based on liberalism.

CHAPTER 2

RESEARCH METHODS

This study is essentially an area study. Area studies are best understood as a combination of the following academic activities: "in-depth field research in the local language(s); close attention to local histories, viewpoints, materials, and interpretations; testing, elaborating, critiquing, or developing grounded theory against detailed observation; and (5) multi-disciplinary conversations often crossing the boundaries of the social sciences and humanities" (Szanton 2004).

My research question is how collective identity groups make rights claims in the public sphere. I use a logic of inquiry called *abduction* which will be discussed in detail below (Schwartz-Shea and Yanow 2012:27). *Abductive* logic of inquiry starts with a puzzle or tension and aims to find possible explanations for it. The puzzle in this research is why groups use universalist frames in order to make particularistic demands when universal citizenship disguises difference under the notion of 'equality'.

A research design includes a methodology and various methods (two different things). Methodology is based on ontological assumptions ("the reality status of the thing studied") and epistemology ("the know-ability of the thing studied") (Schwartz-Shea and Yanow 2012:4). Methodology is the *logic* of inquiry whereas the methods are the tools used within a methodology (the *conduct* of the inquiry). A researcher can conduct interviews based on the belief that she will expose "what really happened" in a setting (4). This points us to a positivist methodology. This is an ontological issue which argues that there is an objective reality out there that humans can discover. Or a researcher can conduct interviews based on the belief that there are multiple social truths which will vary depending on the perspectives of the interviewees (4). This points us to an interpretive methodology which orients towards multiple, inter-subjective truths about the social world.

This study is informed by interpretive approaches to social science inquiry. Interpretive research design stresses the importance of situated and contextual meaning(s) of a term or an object for the people who create and use those terms/objects. Positivist approaches define the meaning of a term to be studied in advance, operationalize them into testable variables before arriving in the research setting (Schwartz-Shea and Yanow 2012:17). Interpretive research designs only develop a "sense of how those concepts or roles are discussed in the established literature" (Schwartz-Shea and Yanow 2012:17). Interpretivist researchers do not bring their own definitions of these concepts to the field in order to test the accuracy of their understandings (18). Instead, they want to understand how these concepts are used in the field. They want the meaning of concepts/terms/roles "emerge from the field" (Schwartz-Shea and Yanow 2012:18). Here, they aim to understand how these meanings emerge in their specific context and shaped by their situational use and lived experiences of the interviewees. This is a key difference between positivist and interpretivist research design. Interpretivist scholars want to understand what a thing 'is' by learning what is 'does' and how it is used in a specific context. Thus, they focus on 'context-specific' meanings rather than generalized meanings (abstracted from particular contexts) (Yanow and Shea 2012:23). This is important because understanding a concept will reveal "assumed, unspoken or taken for granted ideas" about certain values or beliefs (23). There are three data generation methods common to both positivist and interpretivist methods: observing (with degrees of participation), interviewing, and close-reading of materials.

Where does a research question come from? It can come from places familiar to a scholar where they previously worked, lived etc. and where they accumulated some cultural knowledge or know the spoken language. Prior knowledge emerges in these settings and potentially shape the research interest and could play a key role in the conduct of the research. The authors ask

"how does prior knowledge translate into a research question?" (Schwartz-Shea and Yanow 2012:26) This question leads us to different ways of knowing. Every researcher begins with a "substantial base of experience and theoretical knowledge, and these inevitably generate certain questions about the phenomena studied. (…) These initial questions are generally the *result* of an interactive design process, rather than the starting point for that process" (Bickman and Rog 2009:229).

Interpretive research uses a logic of inquiry called abduction (Schwartz-Shea and Yanow 2012:27). *Abductive* logic of inquiry starts with a puzzle or tension and aims to find possible explanations for it. In abductive inquiry, "the researcher's thinking is led in an inferential process from the surprise toward its possible explanations" (Schwartz-Shea and Yanow 2012:28). Thus, the researcher tries to come up with interpretation that makes sense of this puzzle. The puzzle in this research is why collective groups appeal to universal values. Unlike the inductive reasoning, abduction starts with a puzzle and continues with a search for possible, context-specific explanations (not general laws). Also, deduction and induction follow a linear, "first this, then that" logic, whereas abduction follows a more "circular- spiral pattern" (Schwartz-Shea and Yanow 2012:28).

Shea and Yanow (2012) assert that puzzles emerge from the expectations researchers bring to the field based on prior knowledge and what they observe in the field. So, if there is a discrepancy between experience and expectations, we face with a puzzle or surprise. When a research design is based on pre-developed concepts (based on literature), the research may fail in the face of lived experiences in the field. The puzzle may also emerge in the field itself with two or more contradictory events or conversations. In that case, the researcher may refer to the literature for answers. Thus, tensions between expectations and lived experiences in the field will

direct the researcher to theorize based on prior knowledge and other sources in an effort to explain the puzzle. There needs to be a level of "strange-ness" and "familiarity" in generating knowledge. Being a stranger to a setting is needed in order to expose the puzzle (and not take it for granted or commonsensical). In order to understand the puzzle, the researcher should develop familiarity to the settings similar to natives. The key question to pose should not be "what is your research plan?", but "where are you going to start looking for answers to your puzzle?" (Schwartz-Shea and Yanow 2012:29-30). In seeking for explanations, researchers move outward from familiar literature/setting to other settings, expanding their realm gradually.

A metaphor that could explain abductive ways of knowing is skipping a stone over a pond's surface. The stone creates ripples in the water; even after the stone disappears, we continue to see the ripples (p.31). Interpretive research tracks the ripples after certain events impact people, places and acts. Human actions and events continue to ripple even after the stone disappears. "The intersubjective sense that various people make of a stone-surprise [event] – their agreements certainly, but especially their contested interpretations – reverbate through time, manifested in diverse ways, from memorials and museums to debates over national identity and origins" (Schwartz-Shea and Yanow 2012:31). Abduction explains well how my research addresses the foundation of the Turkish Republic based on Kemalist/Republican ideals which still draws a lot of contestation by numerous groups which try to challenge the foundational ideals of the country (ripples). In other words, Kemalist/Republican reforms and the modernization process are criticized and challenged by many collective identity groups that claim that these reforms excluded them from the public sphere. The empirical puzzle is why these groups use a liberal language to make claims when the liberal state undermines their differences?

Where do concepts come from? Concepts emerging from the field in a bottom-up fashion – concept development occurs during field research, rather than a priori concept formation. Concepts that "emerge from the field" do not mean researchers enter the field as *tabulae rasae* with no prior knowledge, but signals the production of context-specific, situated (bottom-up) concept development (Schwartz-Shea and Yanow 2012:38-39). But at the same time, the researcher is always situated within certain position of seeing and knowing rather than being located external to the studied world and capable of external observation.

Interpretive researchers assert that we live "in a world of potentially multiple, intersubjective social realities in which the researcher is also an interpreter of events" (Schwartz-Shea and Yanow 2012:41). If different interviewees give different accounts of an event, that is normal and expected. The role of the researcher is to expose these differences and interpretations and analyze intersubjective attitudes towards a concept. For example, different members of Mazlumder gave different definition of democracy. One interviewee was very critical of democracy. How political actors construct their world and give meaning to different concepts have political consequences. Questions posed by Wedeen such as "what terms like *democracy* and *religion* mean to political actors who invoke or consume them, and how these perceptions might affect political outcomes" is especially fitting for this study (Schatz 2009:83).

After establishing the initial research question, researchers then look for sources of evidence to conduct their study (archives, events, actors, settings). Interpretive methods seek knowledge about how human beings make sense of their particular worlds (Shea-Schwartz and Yanow 2012:46). Interpretivists understand human beings not as objects but as agents who actively and collectively construct their social worlds, societies, cultures. At the same time, these contexts "frame agents' possibility for thought, discourse and action" (Schwartz-Shea and

Yanow 2012:46). This argument fits well with my discussion of the constraints of the liberal state and how it shapes actors' actions. This method can also be used to understand how group (communities, polities, organizations) members share 'artifactual' meaning which separate one group from another and could potentially cause conflict (Schwartz-Shea and Yanow 2012:47).

Interpretivists seek to understand how actors understand their contexts, and why they conduct themselves in particular ways. This 'why' question takes the form of *constitutive causality* which "engages how humans conceive of their worlds, the language they use to describe them, and other elements constituting the social world, which make possible or impossible the interactions they pursue" (Schwartz-Shea and Yanow 2012:52). (i.e. Anderson's 'Imagined Communities' can be understood in constitutive causality –why millions of people are willing to die in the name of nationalism.) In other words, constitutive causality seeks to explain events in terms of actors' understandings of their contexts.

What sort of evidence should interpretivists look for to address the research question? Evidence is generated rather than collected as well as co-generated between researcher and participants. Interpretive researchers see the researcher and the research world as connected with evidence generated through the framing of a research question and actions in the field (Schwartz-Shea and Yanow 2012:79).

I adopt the systematic generation of data through the collection, coding and analysis of interviews. I use interviews as a tool of qualitative methods. Interviews "record more fully how subjects arrive at their opinions" (Gerring 2007:45). In order to check the honesty and the accuracy of the information the informants provide, the researcher has to cross-check the data by either enlarging the sample or refer back to the previous theories in the literature to verify the

results. It is important to remember that the interviews can be affected by the researcher-respondent interaction and the political context of the country (Barrett and Cason 1997).

Interviews are a good method to achieve this goal because it is an "active process where interviewer and interviewee through their relationship produce knowledge" (Kvale and Brinkmann 2009:17) Thus, I conduct interviews based on the belief that there are multiple social truths which will vary depending on the perspectives of the interviewees (Schwartz-Shea and Yanow 2012:4). This points us to an interpretive methodology which orients towards multiple, inter-subjective truths about the social world (Schwartz-Shea and Yanow 2012:4). Wedeen (2009) provides some key points in clarifying the definition of interpretive social science: "1- interpretivists view knowledge, including scientific knowledge, as historically situated and entangled in power relations; 2- interpretivists are also constructivists in the sense that they see the world as socially made" [ex: how race/ethnicity is constructed]; 3- interpretivists are always interested in language and culture and the 'meanings' they generate (Schatz 2009:80-81). Wedeen defines meaning as "the economy of signs and symbols in terms of which humans construct, inhabit, and experience their social lives (and thus act in and upon the world)"(Schatz 2009:81).

My analysis of each case study is based on one-on-one interviews I conducted with several members of each organization in Istanbul, Ankara (via phone) and Antalya in 2013-2014. I found some participants for this research through help of friends who are activists in Istanbul and Antalya. I found others through cold calls and email correspondence. A total of 28 people participated in this study. The interviews took place in organizations' offices, café shops, a bookstore. Interviews usually lasted 45 minutes to 1 hour. During the interviews, I asked the participants questions about their involvement with the organization, the difficulties the groups

face, and the broader difficulties of activism in Turkey. Prior to data collection, the SIU IRB reviewed and approved my research protocol. At the beginning of each interview, I informed the interviewees about the research protocol, and the interviewees orally agreed to the consent form. I conducted the interviews in Turkish, and all the quotes from the interview data are my translation.

The interviews were coded in a process of open coding which refers to "the process of breaking down, examining, comparing, conceptualizing and categorizing data" (Kvale and Brinkmann 2009: 202). Coding involves attaching keywords to a text in order to identify a statement (201). The goal of coding is to develop categories "that capture the fullness of the experiences and actions studied" (Kvale and Brinkmann 2009: 202). When coding takes the form of categorization, themes emerge where "the meaning of long interview statements is reduced to a few simple categories" (Kvale and Brinkmann 2009: 203). Lastly, the essential themes of the entire interview are "tied together into a descriptive statement" (Kvale and Brinkmann 2009: 207).

I used narrative analysis as an interpretive strategy in this dissertation. I use narrative analysis to "focus on the meaning and the linguistic form of text" which addresses "the temporal and social structures and the plots of interview stories" (Kvale and Brinkmann 2009:222). Narrative analysis includes the collection of many stories told by different subjects "into a 'typical' narrative as a richer, more condensed and coherent story than the scattered stories of single interviews." (p.222)

2.1. CASE SELECTION

I pick Turkey as a case study because issues of recognition are highly salient in this multi-ethnic, multicultural country. It is also the only secular democracy with a Muslim population in the Middle East since 1923. Secularism and Islam has been in tension since the establishment of the country. Turkey is also seen as a 'model of democracy' in the Middle East. Geographically located between Europe and Asia, Turkey has been influenced both by the West and the East. As Huntington argues, Turkey arguably has an 'identity crisis' about where to belong. Turkey presents a unique case study as it does not conform to the Western, liberal understanding of accommodation of difference (as evident in Will Kymlicka's categories of group difference). For instance, Turkey is arguably the only Muslim majority society in which Islamic groups are seen as a 'minority' given the secular structure of the state and the public sphere. According to Dryzek, Turkey is an example of a 'divided society' with "mutually contradictory assertions of identity" between secular and religious groups (Dryzek 2005:219). The problem in divided societies is that "one identity can only be validated or, worse, constituted by suppression of another" (219).

A case study is "the intensive analysis of a single unit or a small number of units (the cases), where the researcher's goal is to understand a larger class of similar units (a population of cases)" (Gerring and Seawright 2008; 296).Case study research is a qualitative approach "in which the investigator explores a real-life, contemporary bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information, and reports a case description and case themes" (Creswell 2013; 97).
I selected each group with diversity of rights claims in mind. Each case represents an example of a particular discourse (Islamist, feminist, queer). My goal was to select groups with more differences than similarities in terms of the claims they make and the discourses they represent.

For instance, I picked an Islamic organization, as well as an LGBT group to study. Diversity of rights claims are paramount to show that even though groups make very different claims, they all use a universalist language. I also had to take into account pragmatic considerations such as time, access and availability. Some groups I aimed to include in this study were unavailable at the time of my scheduled field research in Turkey or I had difficulty accessing their members for interviews.

I initially looked at a variety of civil society groups, educational groups, separatist groups and saw common patters throughout – all use univesalist claims (except Kurdish groups).

The why of the puzzle was somewhat self-evident—that only universalist claims would be considered by the state— one cannot make claims in terms that the state does not acknowledge. What is more interesting are the consequences and implications of how and why groups make these claims—both for the respective groups and the Turkish public sphere. In exploring claims, I wanted variety, so I picked three different domains of discourse and hoped that differences would reveal larger tensions, then I had to switch two organizations because of access. I was going to investigate *Democratic Society Congress* (DTK) which is an umbrella organization for pro-Kurdish political parties and NGOs. DTK advocates for Kurdish autonomy in the Southeastern region of Turkey and K-12 education in the native Kurdish language. DTK clearly appeals to group rights of Kurds instead of individual rights, but in a recent declaration by the organization's Kurdish Language Commission, they make an appeal to the universal right to speak in one's native language[11] (Evrensel Newspaper, March 4, 2012). Another group I wanted to use is a women's rights group called *Amargi* which is a progressive feminist organization which publishes a feminist journal and engages in activism to promote women's and LGBT rights. However, issues of access and my limited field time in Turkey (I could only be there in

[11] I discuss this issue in detail in the Case Study section of this paper.

the summer) prevented me from reaching these groups. Thus, I ended up using these three organizations – Mazlumder, Ka.Der and Pembe Caretta - as my cases.

Case selection and access are interrelated issues for interpretive researchers. Random selection and substitution of one case for another are problematic (Schwartz-Shea and Yanow 2012:70). Researchers seek those cases that matter to the agents under study and related to the research question. The language of 'case selection' is problematic as selection of cases or their accessibility is not always in researcher's control. Access might be contingent upon researcher's identity or positionality (Schwartz-Shea and Yanow 2012:70). We need to understand that we do not have control over the participants or unfolding events (and the social world in general) so the research design should be flexible and open to revisions (Schwartz-Shea and Yanow 2012:72). Flexible design is central for two reasons: 1) research is built on "successive phases of learning" with new insights, experiences and sense-making in the field; and 2) researchers lack control over participants' settings and activities which may disrupt initial design of the research project (i.e. denying access, participation in different ways that the researcher anticipate) (Schwartz-Shea and Yanow 2012:74). At the same time, the researcher should be open to change and learning, show willingness to revise thinking, and show "high tolerance to ambiguity" (Schwartz-Shea and Yanow 2012:74). For instance, I had to be flexible about changing the two groups that I had initially planned to interview. DTK is located in Diyarbakir which is in the southeastern part of Turkey. As a woman, it is not advised to travel alone to that region of the country so I had to switch that group. I had to change the women's group as well, from Amargi to Ka.Der because due to summer hours, there was nobody to contact in Amargi.

George and Bennett (2005) argue that case studies can be deployed to develop theory. A case study (small-n) as opposed to a large-N research design is useful because "only case studies

provide the intensive empirical analysis that can find previously unnoticed causal factors and historical patterns.....a task essential to theory construction and testing" (George and Bennett 2005:214). Case studies offer a depth of analysis – a more detailed, rich, complete analysis of the research question and description of events. Observational studies are based on collecting in-depth interviews, focus groups and narratives.

The field research in Turkey consists of in-depth interviews with the members of Mazlumder, KA.DER and Pembe Caretta. Mazlumder is an organization which associates with the Islamist social movement. Their demand is individual-based universal citizenship and they want equality of representation and recognition in the public sphere. Therefore, we can say, that they want to join the polity and be part of the public sphere. The organization, which was founded in 1991 in Ankara, currently has 21 local chapters and more than 5000 thousand members (Mazlumder 2013). Main issues of interest for the organization are the headscarf restriction in public universities, structural human rights violations, the need for a constitutional reform in Turkey; the regulation of religious duties in the workplace; Qur'an education for Muslim children; freedom of expression and religious freedom; and the treatment of prisoners (Tomen 2011).[12] The word 'mazlum' means "wronged, aggrieved, downtrodden or oppressed" (Mazlumder 2013). The emphasis on the word 'oppressed' is intentional; their slogan is 'on the side of the oppressed, against the oppressors" (Mazlumder 2013). The organization believes in the natural, God-given rights of every individual human being, which are inalienable, inseparable and absolute (istanbul.mazlumder.org). However, unlike organizations such as the Human Rights Watch or Amnesty International, Mazlumder is more selective in which human rights issues or violations to take on and what claims to make against the state. For instance, in March 2010,

[12] I used both the organization's website and the interviews I conducted in 2011 with members of Mazlumder to collect the main issues of interest for the organization.

Mazlumder was part of a coalition of organizations which signed a declaration stating that homosexuality is a disease and should be prevented in society (Ozgurder 2013). On the other hand, the organization strongly advocates for Muslim female students' right to education with the headscarf in both high schools and universities. Therefore, I claim that they are making efforts in claiming collective rights of particular groups in the society, namely the Islamist groups. However, they are using a universal rights language in their strategies, press releases and events. Mazlumder prepares reports, books and press releases about human rights violations in Turkey as well as organizing weekly/monthly protests, seminars, and conferences (Mazlumder 2013).

According to an Amnesty International report, Özkan Hoşhanlı, former president of Mazlumder's Malatya office was arrested and charged in 1999 with "having tried to create public unrest with the aim of forcibly changing the constitutional order of Turkey" for participating in a protest about the headscarf ban in universities (Amnesty International 2003). Also, many offices of the organization have been searched and shut down by the police and members arrested in 1990s (Ataman and Yamak 2009). I pick this group because it is a human rights association which predominantly protects the rights of Muslims and make claims against the state demanding recognition for the Muslim population.

My second empirical case study is a liberal feminist organization, KA.DER (Association for the Support and Training of Women Candidates) which works to highlight the gender inequality in politics and demand equality and inclusion into the political sphere. I pick this group because, traditionally, feminist groups have been the most vocal critiques of male-centred state policies as women have been a historically disadvantaged group in society. KA.DER makes claims against the state for political representation of women. The organization was established in March 1997.

The organization has 7 branches which are in Istanbul, Ankara, Izmir, Adana, Bursa, Eskisehir, and Istanbul-Kadikoy (mostly located in the Western part of the country), and 9 representatives and initiative groups in Turkey. KA.DER's 1000 members and executives are all women (including political party members and non-members) who "accept KA.DER principles, and the feminist outlook" (KA.DER 2013). KA.DER's objective is "to increase the number and percentage of women in elective political and public duties, and to work for women's right to equal representation and thus to strengthen democracy and the entire society" (Caha 2013, 97). The organization argues that political equality among men and women will lead to equality in other areas of life (economic and social equality) (KA.DER 2014). KA.DER, is "the only association in Turkey which works to encourage women to participate in the decision making bodies, such as parliament, local administration or syndicates" (ENACT 2010). The organization has a liberal mandate (which highlights the significance of secularism, human rights and democracy) and a European outlook to women's issues. They also work to establish gender neutrality in legal documents, lobby for female political candidates and promote gender equality. Following a liberal feminist approach, KA.DER frames its claims based on the equality principle (equal number of male and female MPs, equal representation in the parliament, equal representation in the public office), while they try to better the status of women as a particular group in society. This is the paradoxical relationship between rights claims and framing. While KA.DER aims to advance the status of women, they use a universalist frame.

The third group I study is Pembe Caretta in Antalya province of Turkey. *Pembe Caretta* was established in September 2013 by some students in Akdeniz University in Antalya. In their mission statement, they state that they aim to achieve equality for LGBT individuals, raise awareness for LGBT rights, show that homosexuality is not a disease,

and to combat homophobia and transphobia. They declare that their mandate is to fight discrimination which is the main causes of hate crimes in Antalya, in Turkey and the world, and to protect human and animal rights. Pembe Caretta organizes events such as film screenings, talks, panels, and the pride march in Antalya. The group frames their claims in terms of 'equality'. This is in line with the master frames LGBT organizations use such as 'human rights' and 'equal treatment' for LGBT individuals. They focus on the LGBT individuals' "right to life, right to accommodation, and right to education." I picked this group because they represent a group of 'difference' which are part of alliances that make claims against the state for the protection of sexual minorities.

CHAPTER 3

THE PARADOX OF RIGHTS-CLAIMING: THE CASE OF MAZLUMDER

Introduction

Many social groups engage in acts of rights claiming in Turkey today in a broad spectrum of issues such as self-determination, identity, education, religion, the environment etc. A rights-focused discourse is utilized by many minority groups because rights are believed to be guarantors of freedoms (Berlin 1984). Rights are tools to redress violations or grievances and may also be used to establish recognition of difference (Brown 2000; Kymlicka 1995; Young 1989). There are many types and categories of rights but they can all be collected under the rubric of human rights as defined in the UN Universal Declaration of Human Rights.

There are also claims of group rights attending to the specificity and protection of cultural groups. UN International Covenant on Economic, Social and Cultural Rights designates "right to one's own culture" and "right to self-determination" as rights which all individuals should equally enjoy. Of course, enforcement of international conventions is a big issue since there are no enforcement mechanisms at the international level. Rights, if they have any meaning at all, are operationalized within nation state. So even if the UN declares a right to culture, there is no reason why a state would need to adopt it.

Although human rights, in general, are universal and generally oriented towards individuals, group rights claims are specific to a group. However, group claims that invoke universalist discourses are paradoxical. While some groups in Turkey demand group rights, they frame these demands in terms of universalist claims. This chapter highlights this paradox by looking at the dynamics of making group rights claims using individual rights discourse with an empirical case study from Turkey. The group, which I chose to study in my research, uses a

rights-based language in its claims based on individual rights while they claim group rights. Barras (2009) argues that a rights-based language could be necessary for certain groups as it is located "within the accepted discursive field resonating with the values of a secular society." Steinberg (1999) argues that challengers of the dominant genres of public discourse usually end up remaining "captive within hegemonic genres." Similarly, Soysal (1997) asserts that Islamic immigrant groups in Europe which mobilize in their host countries "appeal to universalistic principles of human rights" in their claims (511). The reason for this kind of rights-claiming is that groups "attach themselves to available macroframes and repertoires of making claims and devise strategies of participation. Such narratives, be they personal or collective, are means for partaking in and contributing to the realization of public spheres" (Soysal 1997: 518). In other words, as discussed in Chapter 1, groups utilize master frames to build consensus and mobilization. They are strategic in their claims-making because even though their demands may be particularistic, their public claims are universal in order to be accepted in the public sphere.

Kymlicka (1998) acknowledges non-ethnic groups as collective identity groups which are part of the new social movements. These non-ethnic movements include women, lesbians and gays, religious minorities, and people with disabilities, constitute "a broader movement towards a 'politics of identity', in which a wide range of previously disadvantaged groups seek public recognition of their distinctive identities and needs" (Kymlicka 1998: 90). Kymlicka (1998) attempts to extend his multicultural arguments to these non-ethnic social groups. He argues that these groups create cultural communities based on history, identity and a common lifestyle that provide their members with a context of choice and group identity. In this sense, they are similar to ethnocultural groups which seek recognition of their cultural identity and cultural differences (Kymlicka, 1998: 91). Therefore, Kymlicka argues that non-ethnic social movements can make

claims for group rights (p.97). For Kymlicka, the non-ethnic groups can ask for group rights in order to be protected from discrimination and to be integrated into the dominant culture (i.e. affirmative action, exemptions). However, he supports groups' right claims as long as the groups first protect individual rights and foster an environment for choice and individual autonomy. His liberal theory would not work well with Islamic groups which hold community above individuality. Islamic groups, like Mazlumder, care about building an Islamic community and structuring one's world according to Islamic rules that come from God, not from individual choice.

This chapter is organized in five sections. The chapter will first discuss the nature of the public sphere in Turkey as a case study as a multicultural, multiethnic society where the public sphere has always excluded difference. Turkey presents a unique case study as it does not conform to the Western, liberal understanding of accommodation of difference (as evident in Will Kymlicka's categories of group difference). Turkey is arguably the only Muslim majority society in which Islamic groups are seen as a 'minority' given the secular structure of the state and the public sphere. Furthermore, members of these religious groups are not immigrants, thus Kymlicka's category of 'polyethnic rights' could not apply.[13] The next section briefly discusses the emergence of the Islamic movement in Turkey. The third section investigates the paradox of rights-claiming by looking at an Islamist human rights organization, *Mazlumder*, as an example. Themes that emerge from the in-depth interviews with ten active members of Mazlumder will be analyzed and interpreted in the fourth section as claims to group rights while the group declares to be making individual human rights claims. The last section will conclude with a summary of the themes.

[13] Polyethnic rights are rights granted to immigrants by the host country.

Turkey is an example of a 'divided society' with "mutually contradictory assertions of identity" between secular and religious groups (Dryzek 2005:219). The problem in divided societies is that "one identity can only be validated or, worse, constituted by suppression of another" (219). Focusing on the specific needs of groups such as security or education can be a way to resolve conflict rather than fighting over general values. Dryzek (2005) presents Turkey as an example of achieving this resolution by appealing to individual human rights: "Beginning in 2002, a reframing of the issue in terms of the education needs of young women and the character of education as a basic human right gained ground, and the issue looked less intractable. Avoidance of head-on confrontation means the other side is less easily accused of a hidden agenda to capture the state, and one's own side cannot so easily claim alone to represent "the people" or safeguard the polity" (p.225). As stated above, the Turkish state structures a monological public sphere which marginalizes difference (Birtek 2007). The minorities in return struggle for recognition in a "plural society and a monolithic state" (Ozbudun, 2012:61). It is in this backdrop, that civil society organizations struggle to make rights claims in Turkey.

3.1. The Islamist Movement in Turkey

The Turkish Islamic movement is a "community- and value-centered political process" which means a "general mobilization of people around cultural, political and social issues that are presented and interpreted through an Islamic idiom" (White 2002: 6). The Islamist movement emerged after the founding of the secular republic in 1923. It was led by religious sheikhs, "who lost their status and economic power when secular reforms abolished religious institutions" (Narli 1999:38). These religious sheikhs tried to stage revolts against the secular state in the 1920s and 1930s, but failed to gain wide support and was crushed by the authorities. During one-

party regime, Islamic movements were suppressed and banned. Their activities were harshly penalized.

Governments of the one-party era led the "forcible imposition of secular ideology" on the religious populace (Akyesilmen and Ozcan 2014:30). That is because Islamic practices have been seen as a threat to the westernization project of the secular Republic (Gurbuz 2007). Therefore, the Islamist groups stayed underground during the era of one-party rule, between 1923 and 1950 (Narli 1999:38). In order to remove the Islamic influence from the society, Ataturk and the secularists launched several important reforms in 1920s and 1930s such as abolishing the caliphate in 1924; outlawing the *fez* (traditional Ottoman hat) and other religious garment in 1925; abolishing the Islamic law, *Sharia'a* in 1926; taking out the statement "Islam is the official religion of the state" of the Constitution; adopting the Latin alphabet in place of the Arabic one in 1928 and making Sunday a holiday instead of (the holy day) Friday in 1935 (Akyesilmen and Ozcan 2014).

After the inception of multiparty politics in 1950 in Turkey, number of associations around special interests groups like Islamism, has grown (White 2002). During 1950s, when the Democrat Party (DP) was in power, "Islam re-established itself in Turkey's cultural life" (Akyesilmen and Ozcan 2014). Public call to prayers were re-established in Arabic and religious education in high schools were allowed. Akyesilmen and Ozcan (2014) argue that DP represented "the people of the periphery, including peasants and provincial bourgeoisie" as well as "Islamic and religiously conservative people dissatisfied with secular policies" (31).

The first political party with religious undertone is established in 1970 under the direction of Necmettin Erbakan – the National Order Party (NOP). The NOP was shut down by the Constitutional Court in 1971 on the grounds that "it violated the principles of laicism laid down

in the Constitution" (Akyesilmen and Ozcan 2014). Since then, the same Islamist party has endured under different names (due to party closures): NOP (1970-1971), National Salvation Party (NSP) (1972-1981), Welfare Party (1983-1998), and Virtue Party (1998-present).[14] The successor of Virtue party, the Justice and Development Party (AKP) was founded by the progressive wing of Virtue Party, under the leadership of Recep Tayyip Erdogan. In 2002, AKP came to power and still is the party in power in Turkey.

After 1980s, religious associations have worked to provide "food to the needy, scholarships and hostels to university students, a network to young graduates looking for jobs, and credit to shopkeepers, industrialists and merchants" and the financial assistance came from a "newly formed Islamist business elite" (Narli 1999:40). In 1990s, the Islamic movements became "more active in social, political and economic spheres" after Prime Minister Turgut Ozal changed Articles 141 and 142 of the Turkish Panel Code that prohibit Islamic activities in the public sphere. With the lift of the ban, there was an increase in the number of publication of monthly journals, and emergence of religious networks and associations (Akyesilmen and Ozcan 2014). The movement drew support from larger segments of the population which were moving from rural to urban areas (Narli 1999). According to Delibas (1999), in 1990s, with the effect of globalization and urbanization, Islamic movement emerged as "a popular grassroots organization of the urban poor in conditions similar to those giving rise to Hamas in Palestine, Hezbollah in Lebanon, and Jamaat-i-Islami in Pakistan" (92). Furthermore, during 1990s, it emerges as

> a political movement expressing the grievances of the poor and the disadvantaged in both rural and urban areas in a social democratic guise. The appeal of political Islam as a viable alternative to secular social democracy arises not only from the strength of its moral argument in favour of equity but also from specific and concrete anti-poverty

[14] It is important to mention here that political activities are hampered by party closures in Turkey. Between the years of 1968-1998, 22 parties and their leaders had been banned from politics by the Constitutional Court (Aliefendioglu 1999).

> projects designed to improve the material conditions of the disadvantaged, albeit on a highly target-orientated, selective and visible basis. (Onis 1997:748)

Today, they are many different strains of the Islamic movements in Turkey such as the Gulen movement, Nurcu movement, Milli Gorus movement, Haydar Bas movement etc. (Kuru 2005). They are not homogeneous in their attitudes towards issues of modernization and globalization. For instance, Gulen movement has supported globalization whereas others have opposed it (Kuru 2005; 254).

The Islamic movement not only draws support from the urban poor but also from other socio-economic groups such as "large university student population, especially upwardly mobile youths", "members of the unskilled young urban sub-proletariat whose number has increased with the migrations", "the state-employed petite bourgeoisie" and "new middle and upper classes" in Anatolia (Narli 1999:42). One of the salient issues of grievance for this movement has been the headscarf ban in the public sphere in 1990s. Another issue has been the repression of religious individuals, journalists and political prisoners after the 1997 coup. These issues and more have been on the agenda for Islamic associations. AKP came to power in 2002 and for the last three consecutive national elections (2002, 2007, 2011), the party has increased its vote share. In 2002, all the mainstream center-right and center-left parties lost popular support and the AKP – as a newly established party- emerged as "the main political force" (Delibas 2009). Turam (2012) argues that Turkey is seen as offering the Muslim world "a model for how to integrate a potent Islamist movement into the framework of a secular constitutional democracy" but on the other hand, the country is "divided over issues of minority and human rights, freedom of speech, and media and academic autonomy, and beset by contestation between Islamists and secularists severe enough to suggest that this is a society torn between Western and Muslim civilizations" (p.109). Despite several cases of Islamic party closures by the Constitutional Court

through the 1990s, AKP managed to come to power with a fair and free election in 2002. The AKP government promised democratic reforms and an expansion of individual freedoms in its early years in power, but failed to achieve these. In recent years, about seventy journalists and an increasing number of academics are imprisoned or detained for critiquing the government officials (Turam 2012; 111). There are more than a thousand cases currently before the European Court of Human Rights which are about freedom of expression issues in Turkey (Turam 2012). Furthermore, Turam argues that ironically many groups advance various rights claims, but "these typically concern *their own* special agendas (religious, ethnic, sexual, or otherwise) and belong less to the realm of classical liberalism than to that of identity politics. (To give an example, one can defend the freedom of Muslim women to wear headscarves without necessarily advocating freedom of religion for everyone)" (Turam 2012: 115). This is a great point which highlights the paradox of rights-claiming in Turkey. As will be argued below, Mazlumder is one of these groups which appeals to liberal values to advocate for their own special agenda.

3.2 Case Study: Mazlumder

This chapter presents the analysis of research conducted with a human rights organization in Turkey called *Mazlumder* (The Association of Human Rights and Solidarity for Oppressed People). It is a human rights association with an Islamic undertone. Kadioglu (2005) argues that Mazlumder "has an Islamic image due partly to the impact of its founders, and partly to the increasing polarization of society in Turkey in the early 1990s around Islamic and secularist camps."

The organization, which was founded in 1991 in Ankara, currently has 21 local chapters and more than 5000 members (Mazlumder 2013). The word 'mazlum' means "wronged,

aggrieved, downtrodden or oppressed" (Mazlumder 2013). The emphasis on the word 'oppressed' is intentional; their slogan is 'on the side of the oppressed, against the oppressors" (Mazlumder.org). The organization refers to Islamic texts and the Ten Commandments, as well as the UN Universal Declaration of Human Rights, EU Human Rights Code, Magna Carta, the French Declaration of the Rights of Man and of Citizen, and the European Convention on Human Rights in their mission statement. Mazlumder also makes references to Hilf al-Fudul (Alliance of the Virtuous) in their mission statement and several reports.[15] Being influenced by Islamic ethics, Mazlumder believes that human beings possess basic inalienable rights that cannot be taken away by any individual or authority, regardless of the pretexts that are used to legitimate such violations. The organization prepares reports and press releases about human rights violations in Turkey as well as organizing protests, seminars, and conferences.

The headscarf restriction in public universities and public offices; structural human rights violations by the state; the need for a constitutional reform in Turkey; the regulation of religious duties in the workplace; religious education for Muslim children; freedom of expression and religious freedom; and the treatment of prisoners are the key issues of interest for the organization.[16] The organization believes in the natural, God-given rights of every individual human being, which are inalienable, inseparable and absolute (Istanbul Mazlumder 2013). These rights include the right to life, liberty and security and right to be free from inhumane treatment and discrimination. However, unlike organizations such as the Human Rights Watch or Amnesty International, Mazlumder is not impartial to all human rights issues or violations. They are selective about which issues to take on and what claims to make against the state. For instance,

[15] Alliance of the Virtuous is a 7th-century pact established by various Meccans, including the prophet Mohammed, which draws attention to respecting the principles of justice, and collectively intervening in conflicts to establish justice. This pact holds significance in Islamic ethics.

16 I used both the organization's website and the interviews I conducted in 2011 with members of Mazlumder to collect the main issues of interest for the organization.

in March 2010, Mazlumder was part of a coalition of organizations which signed a declaration stating that homosexuality is a disease and should be prevented in society (Ozgurder 2013). In my interviews with members of the organization, I asked them about the group's stance on LGBT issues, the police violence against sexual minorities in Turkey and why they oppose to LGBT rights as a human rights organization as will be discussed below. On the other hand, the organization strongly advocates for Muslim female students' right to education with the headscarf in both high schools and universities. Therefore, I assert that they are claiming the collective rights of particular groups in the society, namely the Islamist groups. However, they are using an individual rights language in their strategies, press releases and events.

I explore the dynamics of making group rights claims using individual human rights discourse which is often associated with the secular discourse**.** The human rights discourse has been associated with the classic liberal thought, positivism and secularism (Barras 2009). Therefore, as mentioned above, it is strategic how an Islamic organization utilizes the rights-based language to seek recognition in the public sphere.

I conducted face to face and phone interviews with ten active members of the organization (eight of whom are male) including former and present presidents from Istanbul and Ankara offices. I coded and read the interviews according to themes that emerge during the interviews. I use narrative analysis to "focus on the meaning and the linguistic form of text" which addresses "the temporal and social structures and the plots of interview stories" (Kvale and Brinkmann 2009:222). Narrative analysis includes the collection of many stories told by different subjects "into a 'typical' narrative as a richer, more condensed and coherent story than the scattered stories of single interviews" (p.222).

3.3. Discussion of Emergent Themes

Mazlumder uses 'injustice frames' which refer to "the evaluation of a situation as unfair or unjust" (Klandermans et al. 1999:135). Evident in the association's name, *mazlum,* signals a victimized person. Injustice frames have an element of collective identity as "we" vs. "they". "We" refers to a specific group in an unjust situation, and 'they' refers to authorities who are responsible for the adverse situation (Klandermans et al. 1999:136). Through the interviews, it is evident how interviewees used "we" vs "them" rhetoric.

I find that the major themes that emerge in the interviews are the organization's emphasis on the individual rights-based discourse, anti-state rhetoric, and members' interpretations of democracy. The following section will be a discussion of these themes.

3.3.1 Individual Rights-based Discourse:

One of the main themes that emerges from the interviews is the repetitive focus on the 'individual human rights' and 'equality of rights'. Whether we would be discussing their members' role within the organization or the goals of the organization, the interviewees repeatedly make an emphasis on individual human rights. This theme might seem self-evident since Mazlumder is a human rights association but the nature of the organization is geared towards defending the religious freedom of Muslim students who wear the headscarf or other Muslim minorities who wants to be integrated into the workforce etc. As mentioned earlier, a group right is identified as a right specific to a group's needs for self-preservation and recognition. Thus, while the organization declares to be focusing on individual rights which are universal, the rights they defense in practice are group rights because they are specific to a certain (religious) community. In their mission statement, the organization makes references to Islamic texts and Islamic ethics. Nonetheless, the focus on individual human rights is a major

theme in the interviews: "Being sensitive and careful is paramount as people do not have to share the same religion, same sect as you. This doesn't mean those people do not possess *natural, inalienable human rights*," says one of the directors of Ankara office. He also discusses how Mazlumder evolved from being a human rights organization with an emphasis to "protect the rights of Muslims" to defending everyone's rights: "you begin to realize people have inherent rights from birth, everyone regardless of race or religion has these rights. Hence, Mazlumder quickly evolved from being a Muslim organization into becoming a human rights organization." Another significant theme, in connection to the 'rights' discourse, is the discussion of 'equality of rights'. The director talks about the importance of understanding the equality of rights and equal treatment of individuals in order to gain respect as an organization: "As long as you are not hypocritical, and defend everyone's rights equally, you get accepted in the public." He also takes pride about the fairness of his organization as treating each right equally: "anyone can easily say that Mazlumder is a fair organization. It doesn't make preferences among rights, doesn't privilege one over the other, doesn't bargain one right for the other." However, the chairperson of Istanbul branch admits that the founders of Mazlumder and the members for the first ten years were people with strong religious sensibilities. In that sense, at least initially, the organization was a brotherhood of solidarity against the repression of the secular state in 1990s against Muslim scholars, journalists and students.[17]

I posed the question whether the organization sees universal human rights language as compatible with their Islamic beliefs or a cultural imposition from the West. One active member mentions that the age of industrial revolution created certain moral values such as human rights

[17] In February 28, 1997, the military forced the Islamic coalition government to resign. What followed was a witch hunt to imprison and punish people and organizations which supported this government. During this period, Mazlumder's offices were raided by the police.

that are important. According to him, these values do not contradict with Quranic verses which guide human rationality and lifestyle. Thus, they seek the compatibility of individual rights frames with the Quran. "We consider human rights within these moral [Quranic] values and norms." He asserts that Quaranic verses help guide human beings to act rationally, understand, and interpret the problems of the day. Another member states

> we have had debates over the notion of human rights. Let us borrow this notion. We need it today. We have an opportunity to use this notion to eliminate unjust treatment. So let us use it and borrow this concept until we find a better one. It is possible to see human rights as a tool of the West, of imperialism. But we don't care about that. What we care about is whether I can talk back at the state, discipline the state by using this [rights based] model. Can I resolve grievances by utilizing this model? I am interested in that.

This is a pragmatic approach which focuses - not on what kind of a language is used to make claims - but what the outcomes are of using this human rights framework. As Wendy Brown (2000) reiterates that rights are those that we cannot *not* have in a liberal state. So the foundation of rights language can be based on the Western thought but its utility as a tool is effective in overcoming injustices. This approach of Mazlumder is important in interpreting why they make rights-based claims. They get results when they use this kind of language especially in litigations by winning the cases. They get results when they 'resonate the values of the secular state' as Barras (2009) claims even if they do not believe in the core values of the Western liberal thought.

One member at the Istanbul office discusses the lack of understanding of the human rights discourse by the Turkish society: "There is no awareness to seek rights/justice in the society. Therefore, there is a resistance towards organizations like Mazlumder. People who suffer from injustices seek the help of Mazlumder or IHH [Humanitarian Relief Foundation]. Other people are not interested in helping out. We wish that this becomes a mass movement with high participation from all citizens." This indicates the state of the public sphere in Turkey.

According to Mazlumder, citizens are not fully aware of their rights as citizens and there is wide apathy among people towards civil society organizations.

The director argues that in Turkey, human rights discourse is understood as following the criteria given by the European Union. The state fulfills these criteria. This is another key place where the public sphere is being constructed:

> We look at human rights from a more fundamental point of view, the state doesn't. In this sense, we clash with the state's perspective. The state claims that they take care of the violations but the violations continue in different ways. The state sees us – human rights groups and their lawyers- as an obstacle. There is a tension between the state's understanding of "rights" and civil society's. For the state, it is following certain standards of human rights – mostly on paper. You need to internalize these rights. There are serious problems in the implementation of these human rights standards. The problem stems from the state's view on the citizen: the state comes first, the citizen comes second.

The strong emphasis on '*we*' is stressed all throughout the interview. Instead of speaking in first person 'I' or third person 'the organization', he chooses to use the plural 'we'. This linguistic choice, I believe, is not accidental. As he mentions in another part of the interview, Mazlumder is founded by an Islamist *community* to defend the rights of Muslims in Turkey and abroad. This signals a *collective* rights approach rather than a universalist one. The members are all like-minded people. Using 'we' instead of 'I' gives the interviewer or the listener as sense of community and collective identity about the organization. Also, by selecting 'we', I think, the interviewee tries to counteract the power of the status quo by signaling a collectivity against the state. This point can be clearer when he talks about the headscarf issues as a 'right'. He takes a more radical stance on this issue compared to the other interviewee from Ankara: "Headscarf is a right and a responsibility for a Muslim woman. As Muslims, *we* demand this right. It is a natural right. Freedoms cannot be limited by the constitution. It is a basic right. Basic rights come from the Creator." Thus, one of the things that set them apart from the state is their belief that rights naturally come from God. The state cannot establish a monopoly on rights or decide who should

have rights and who shouldn't. By establishing rights as God-given, the director seeks to diminish the role of the state to control the rights discourse. Obviously, the state has great power over rights discourse in the sense that it allows claims to be contested and adjudicated but the interviewee assigns a bigger role to God in establishing basic rights than the state. He defines the headscarf issue (which is a group right) within the framework of freedom of religion and freedom of expression and therefore it is an individual rights. He argues that this is not a Muslim issue and that "devoted Christians and Jews also wear the headscarf, although in Turkey, it is a problem faced by the Muslims." He says they do not evaluate the headscarf issue as a group right. According to them, it is a basic right that needs to be protected under constitution. This is the paradoxical stance which illustrates how they frame their claims. The headscarf issue cannot be a *universal* human right because it does not apply to all human beings equally. It is a specific right claim voiced by Muslim women (and men).

The emphasis on 'individual rights' instead of group rights is not accidental. It is clear from the interviews that Mazlumder is established as part of the Islamic community to defend the rights of Muslims. It has evolved to defend the rights of refugees, Kurds and Palestinians. However, it is still mute when it comes to defending LGBT rights, for instance. That is the scope of their notion of rights which is selective. Although, the public relations officer admits that Mazlumder receives complaints of rights violations from LGBT groups, they remain hesitant to help them. They admit that they see homosexuality as a sin. A member of the board of directors acknowledges that Mazlumder does not sign declarations or reports (as a symbol of support) written by LGBT-based groups. This member says he disagrees with Mazlumder's attitude towards homosexuals and that they should be treated as human beings first and foremost.

> being a homosexual is not a human right; it is a way of being human like being a woman, a child, a man. Mazlumder cannot recognize homosexuality as a right. Me neither. [These groups want us to] recognize homosexuality as a right. Why would I do that? You are a human being! I do not see same-sex marriage as a right. In the private sphere, two men or two women can live together and have sexual freedom. It is none of my business. It is their right to do so. But it becomes something else if you talk about a societal institution as marriage. What happens? They would want to adopt. A kid would be adopted by a homosexual couple. The same goes for foster parenting. This would lead to major problems in the Turkish society.

When asked about this matter on protecting homosexuals' rights, one active member says that they would protect those people's "right to work, right to life or any other rights – except right to change sex" as long as Mazlumder is informed that their rights are violated because "they are human beings after all." However, in 2010, Mazlumder was one of many civil society organizations to sign an open letter to the government declaring homosexuality an illness and urges the government to make cure accessible to those affected. Mazlumder's position against LBGT members is very telling about how selective the organization is in its claims, and exposes the contradictions in their framing of claims (upholding human rights for all) and their activities in specific areas (upholding human rights for *some* humans).

So what is the motivation for Mazlumder to use a rights-based language? I would argue that the strong emphasis on the rights discourse allows them to be acknowledged by the state to the extent that they stress individual rights instead of group rights. By using this universal human rights language, Mazlumder aims to achieve three points: 1) they level with the state which means they speak the same liberal language of rights; 2) they become less threatening to the status quo when they appeal to the universality of individual rights. By using this type of language and approach, they try to overcome the power relations and ideology of the state; 3) rights discourse's appeal to universality transcends state borders, therefore rights-claims can be acknowledged and supported by international groups, organizations and international courts.

3.3.2. Anti-state and Anti-Kemalist Rhetoric:

Another theme that emerges from the interviews is Mazlumder's oppositional stance against the state and the status quo. Mazlumder pursues and writes reports on lawsuits that are about *state violations* on human rights, the right to self-defence, freedom of expression, and on litigations of 28 Subat.[18] Therefore, the organization's stance against the state can be observed through the lawsuits they follow or bring about. For instance, Mazlumder Diyarbakir office brought a lawsuit against the state to abolish the 'pledge of allegiance' (student oath) in public schools because they believe the oath was propagating nationalism and Kemalism.[19] These litigations also shape and limit the way Mazlumder makes right claims. Since the laws and the constitution are based on individual human rights, Mazlumder appeals to individual rights claims, in other words, works "within the *accepted* discursive field resonating with the values of a secular society."[20]

The chairperson in Istanbul defines rights as "the protection against the suppressive force of the state." One active member asserts that the organization is only concerned with the rights violations of the state. The member from Ankara office discusses the dissidence of the organization when we talk about his role as a director, the role of the civil society, and the obstacles they face as an association. He mentions in a few places during the interview that engaging in dissent is a risky task. His dissent initially becomes clear as he criticizes the current

[18] 28 Subat is a 1997 military memorandum which ended up imprisoning many Islamic journalists, thinkers and scholar. Also, see *Turkey Human Rights Report 2011*, http://www.mazlumder.org/webimage/turkiye_raporu_24tem%281%29.pdf (accessed 20 June 2014) ; and http://istanbul.mazlumder.org/main/faaliyetler/basin-aciklamalari/1/av-kaya-kartal-turkiyede-350yi-askin mahpus-islami-icerikli-davalar-sebebiyle-cezaevlerinde/11094 (accessed 20 June 2014)

[19] The English translation of the student oath: "I am a Turk, honest and hardworking. My principle is to protect the younger to respect the elder, to love my homeland and my nation more than myself. My ideal is to rise, to progress. O Great Atatürk! On the path that you have paved, I swear to walk incessantly toward the aims that you have set. My existence shall be dedicated to the Turkish existence. How happy is the one who says "I am a Turk!""

[20] http://www.nasname.com/a/mazlumderden-anlamli-dava (accessed 6 January 2013)

education system in Turkey as "is ultra-nationalistic, Kemalist and even fascist. We are indoctrinated with false information on ethic identities and religions." While we are discussing the obstacles they experience as a group, he points out that the field of human rights is risky because you are in direct opposition to the state: "Human rights is a dangerous area, area people are reluctant to. Because you are dealing with the state – not the good side of the state- because state is the one who commits crime. You are saying the state is committing crime; that the state is wrong. This involves risk."

The chairman in Istanbul office defines the state as Kemalist and ethno-nationalist. The state bureaucracy is still controlled by the Kemalist elites that excludes Islamic, Kurdish and other minority groups in society. Furthermore, when a member defines what civil society means for him, he makes a distinction between other organizations such as unions and chambers of commerce, and organizations like Mazlumder. For him, civil society means "oppositional organizations to the state." He draws the limits of civil society by indicating, "the area of civil society is risky and discomforting both for you and for your counterparts. (…) We do not accept a movement as civil society unless you take the state as our interlocutor and willing to address its sins, flaws and failures. A group who is willing to negotiate with the state is not civil society." The notion of dissent is strengthen by the argument against receiving funding from states. Chairperson of Ankara office is critical about organizations which receive EU funding to support projects and claims this monetary relationship with a state defeats the purpose of grass-roots activism and more importantly, not moral:

> As Mazlumder, we refuse to receive funds from the state, EU, other countries or private companies. We are a human rights organization and our interlocutor is the state – Turkey, USA, France, Saddam Hussain or Syria. It doesn't matter. While fighting against a state which commits crimes, receiving money from the same countries/structures, continuing your presence as a group by the help of a criminal mechanism/organization is not moral.

This quote indicates the way Mazlumder understands how a civil society organization should be. It should be independent from external funds to maintain neutrality. His mention of EU is important because another member has a similar point about the guidelines given by EU to the Turkish state. It seems like Mazlumder is discontent with state's links to EU or EU imposing certain values (through funds or through human rights agreements) on the state and Turkish civil society.

When asked how Mazlumder envisions a free and inclusive public sphere in Turkey, a member says he envisions the public sphere as being free of state intervention.

> First of all, this is what we demand: when I step out to the public, I should see the state's presence as little as possible. The more visible the state, the more visible the system, the more problems we have. The state should keep itself in check. This is a very modern understanding of the state. Nation-state is based on the understanding of this type of [visible] state that constantly intervenes. The state intervention is present from the education system to the institution of marriage, from the issues of property ownership to mandatory military service, to lifestyle choices. It coerces through state institutions. The situation is similar in all nation-states, not only in Turkey, but the other states may compensate this domination with certain freedoms. We think that though it may seem to allow freedoms, this type of state in fact eliminates freedoms.

This is a critique of the modern nation-state. This member envisions a public sphere without the visibility of the state. According to him, the family should decide on the issues of education, marriage and lifestyle. In this sense, he reflects the importance of family values as a conservative.

This quote is important not for the things he mentions but for the things he does not. There is no mention of inclusiveness or recognition in his vision of the free public. He mentions 'freedoms' at the end of his response (and by freedoms here, he means freedom of religion, freedom to choose a certain lifestyle etc.) but he does not explain who will regulate these freedoms if not the state. For that answer, we need to turn to his view on democratic citizenship.

Although criticizing the police violence during Gezi Park protests in May-June 2013, chairperson of Istanbul office also condemns some of the protestors demand for the resignation of the government. He mentions that while the Gezi protests began as a very civil protest, the group that demanded resignation of the current government was a group with Kemalist ideology, which has coerced that ideology upon the Turkish people "like a straitjacket" for the last hundred years. He states that despite the 12 year reign of the Islamist government in power, state institutions still operate under the influence of Kemalist ideology.[21]

3.3.3. *Interpretation of Democracy:*

This is a key theme because it shows how the members of Mazlumder define democracy and democratic society. Dahl defines democracy as providing "opportunities for 1) effective participation, 2) equality in voting, 3) gaining enlightened understanding, 4) exercising final control over the agenda, and 5) inclusion of adults." The political institutions that are necessary to pursue these goals are "1) elected officials, 2) free, fair and frequent elections, 3) freedom of expression, 4) alternative sources of information, 5) associational autonomy, and 6) inclusive citizenship" (Dahl 1998: 38&85). Members of Mazlumder stress the importance of inclusiveness, effective participation and associational autonomy in the interviews. However, there is also a critique of democracy in some of the responses. One interviewee defines democracy as an imposition of secularism:

> There are practical and philosophical definitions [of democracy]. We agree upon the practical definitions of democracy in a society. It is important for a society to develop democratically. However, the philosophical definition of democracy carries an imposition with it, a secular imposition, a civilizational imposition. However, the percentage of people living a secular lifestyle on earth is 3-5%. Rest of mankind shape their lives based on values of faith. We, as Muslims, look at life like this. For us, the words of God are primary. Human mind is a means to understand that and build one's life on it. However,

[21] Kemalism is a set of ideas and norms that are attributed to the founder of Turkey, Mustafa Kemal Ataturk. For a detailed description of this ideology, see Hanioglu, "Ataturk: An Intellectual Biography", Princeton, 2012.

> the foundation of democratic thought lies on humans' endless desire to satisfy their wants, freedoms, and self-indulgence. This phenomenon promotes capitalist consumption. The world is being consumed by this imposed upon secular and hegemonic lifestyle of capitalism.

She criticizes secularism and understands democracy as promoting greed and self-interest. She stresses that the commonality of all mankind is 'conscience' and 'remorse'. When I asked another member how he envisions a fully democratic society, he was very honest about his dislike of a democratic system:

> I do not respect democracy. I understand democracy as a value-ridden concept. I see it as a mechanism of "making everyone identical." Instead of democracy, we believe in a sphere of freedoms. It should exist but not without limits. It should not be limitless or without constraints or responsibilities. Because we are human beings who live together, we need to abide by and maintain certain mutual limits. We understand 'rights' as an exchange between man to man, man to society, and man to God. In this sense, people should respect the rights of his Creator. For example, the era of industrialization and Enlightenment is a period of erasing God from earth. The man who makes constant production and profit during this era, who rejects God, has become God himself. As a result, this corrupted the world. Our relationship to 'things' [nature] became corrupt. We see [nature] as the state sees citizens: as things we own. We destroy rivers, fish, animals; we produce without limits. We violate animal rights. As our relationship gets corrupted with nature and other objects, it negatively affects our relationship with God, too. That is why people should know their own limits. We do not want to make the state invisible so that the freedoms will be unlimited and man will become God. We don't have that understanding. I object to democracy because I believe it corresponds to this kind of understanding. If democracy and democratic society determine citizens as the decision-makers, then the human beings overstep limits and end up destroying the world, the universe and eventually themselves. Therefore, I don't respect it. The people have the right to voice opinions/make decision in issues that concern them but it should not be without limits.

Thus, the question about who will regulate the freedoms is answered in this quote above. The society will be governed by the rules of God. The interviewee defines democracy as 'a system without limits or rules.' Furthermore, he understands democracy as a process of making everyone the same through imposing a certain value system. He does not elaborate on what kind of values democracy imposes on people. Instead of democracy, he proposes a sphere of freedoms limited by the rule of God. His criticism of the Enlightenment era resonates with the Nietzschean critique: God is dead. I think he is concerned with the moral limits of the humans. He associates

democracy with limitless freedom which will lead to destruction of the nature and the human world. His critique of industrialization, mass production, consumption and the Enlightenment also targets the Western way of living – a life where science and reason replaces the place of God. His tone of critique follows from the dislike of EU funds and EU standards of human rights criteria. Linguistically, he has a problem with the word and meaning of democracy; he refrains from using it when defining an ideal public sphere. He believes that democratic society makes humans too powerful (almost God-like) when they become sole decision-makers on Earth. I think he wants people to acknowledge and follow the will of God and live accordingly (without overstepping the rule of God). This is of course a highly dogmatic way of living.

I posed the same question of democracy to the chairperson in Ankara, and in response, he discusses the importance of citizen participation for social change:

> What make an organization an organization is the people behind you. It should be like this for all civil society organizations. We are guided by truths like not being hypocritical, being principled, keeping the same distance to everyone and being able to defend everyone's rights. We are aiming to make these people a part of the change.

He mentions that they want their member base to embrace and accept this change. For example, they do not want their member base to be concerned about the Kurdish people getting education in their mother tongue. Everyone should think of it as a natural right. In the left of political spectrum, people should comprehend that headscarf is a preference by which people can become doctors, work in public offices, attend universities, and do all social activities without a problem. What all civil society groups should do is this transformation of the masses. He points out that this transformation is what Mazlumder is aiming to achieve. There will not be any problems when a world where everyone respects each other's rights, and the fight for others' rights is established:

> This [democracy] is an ideal – possibility of realizing it is zero – if you ask me. A completely happy world will never happen but what should be done is working towards that ideal. It is important for people to acknowledge the rights of people beyond their member base. When you can transform the masses – it is these masses that make up the political and social body- call it democracy or another regime- it will be a healthy regime. Healthy as well as tolerant and respectful of each other's rights. What I can envision is a world where each person accepts and respects the existence of the others living together.

This definition of democracy sounds closer to a Western understanding of democracy where public participation of all citizens is desired. Notions of tolerance and respect are highly valued in this type of regime and differences are accepted. These accounts of democracy shows that there are a variety of definitions of the notion within the organization.

3.4 CONCLUSION

As mentioned in the introduction, the main objective of this research is to investigate the dynamics of making rights claims by a human rights organization located in Turkey. While examining these dynamics, the chapter exposes a paradox in acts of rights-claiming. While invoking individual human rights, the group actually claims group rights. Being selective on issues of human rights is indicative of this actuality. The organization does not defend all rights equally.

There are several conclusions that I can draw. First, the organization emerged as a reaction to the headscarf ban in public universities and offices in mid-1990s and I think it still continues this legacy of protecting a specific group's rights. They quickly realized that the only way to be accepted into society as equal members is to use the Western language of universal human rights because the state (as the public sphere as an extension of the state) is built upon the Western values of secularism, democracy and human rights (at least in theory. In reality, the

application of these values is problematic). In this regard, they signal a desire to be integrated into and be visible in the public sphere. Second, the strong emphasis of individual rights serves a function: to be effective and accepted by the state. By asserting that rights are God-given, the organization tries to take away the power of the state to establish and control the rights discourse. Yet, the organization's choice of framing indicates that the dominant secular discourse is adopted. Third, they strongly oppose the Kemalist ideology and critique the Turkish nation-state for imposing a certain ideology and lifestyle upon its citizens. Lastly, members' definitions of democracy and democratic citizenship vary. Some are very critical of the Western definition of democracy even though human rights is a Western concept and Western societies are those that human rights are fostered. Despite the various criticisms, Mazlumder chooses to frame their group claims in terms of individual human rights.

CHAPTER 4

FRAMING FEMINISM: THE CASE OF *KA.DER* AS A WOMEN'S ORGANIZATION

Introduction

Women's rights have been a prominent topic since the establishment of the Turkish Republic in 1923. Women's organizations make claims in terms of political, civil, social and economic rights. The case of Turkey is "particularly important because it incorporates Islamic and secular, modern and traditional and democratic but authoritarian tendencies that shape the status of women around the world" (Erturk 2006: 79).

This study will assess the underlying dynamics of rights claiming by looking at a women's civil society organization named KA.DER (Association for the Support and Training of Women Candidates) which works to encourage women's political participation for office at the local and national levels in Turkey. Following a liberal feminist approach, KA.DER frames its claims based on the equality principle (equal number of male and female MPs, equal representation in the parliament, equal representation in the public office).[22] KA.DER's approach towards women's emancipation is an extension of the liberal framework of the state. By liberal framework, I mean, a system of thought which highlights gender-neutrality, equality before the law, secularism, human rights, universal citizenship and democracy. The evolution of women's rights in Turkey and the women's movements' close proximity to Europe indicate the framing of issues in a liberal rhetoric. In other words, "feminists upheld the secular liberal contract the state

[22] Liberal feminism is first wave of feminist theory that "focused on the importance of equality [and similarities] between men and women." Liberal feminism has fought for" the removal of discrimination and bias and the implementation of equality laws. Organizations are viewed as gender neutral, because it is assumed that if they are properly developed and structured then gender equality can be achieved." As a result of liberal feminism, gender equality legislation such as the Equal Pay Act (1963) and Civil Rights Act (1964) to prevent discrimination against women, were introduced in the U.S. Critiques of liberal feminism argue that liberal feminists offer a weak vision of gender equality as inequality is structural and systematic. Even after formal equality, women are required "to succeed in masculine organizational structures on male terms. Critical and postcolonial feminists argue that liberal feminism is made up of predominantly white, middle class, heterosexual women who ignore the interests of women of different color, race and class. (Mills et al. 2010:525-527)

formally adhered to rather than contesting it" (Arat 2005: 109). They are making claims against the state for more equal representation of women which is a group right. As both Kymlicka and Young argue, special representation rights can be granted to disadvantaged/underrepresented minorities so they can be a part of the political decision-making process. For instance, Kymlicka suggests a quota system for underrepresented provinces of Canada in the parliament and a certain number of supreme court justices from Quebec, while Young suggests a veto system for underprivileged groups when making decisions. So even though KA.DER is not making formal rights claims, their efforts are to give the already granted rights substance. They believe that more women in the parliament will be able to protect women's rights. This also exposes another paradox: even though KA.DER is keen on adhering to the secular liberal state, equal rights discourse (which is a liberal approach) may not bring progress (in terms of substantial equality). Also, it can be argued that women have not been making gains that they should have given the history of early Turkish advocacy for women's rights. Using the liberal language imposes certain limitations to the organization's mandate as will be discussed below.

Women in Turkey are used as a symbol of modernization but as Kandiyoti (1987) claims they are "emancipated but unliberated." They are emancipated because the initial reforms (i.e. the right to vote, run for office, right to divorce etc.) for women have been very progressive but traditional gender roles and the patriarchal society left them unliberated. Participation of women in social and political life is very low in comparison to other OECD or EU countries. The percentage of women (15 years of age or higher) in the workforce is 30.9% which is the lowest among EU and candidate countries (Turkish Statistical Institute 2014). The female labor participation rates in some Muslim countries like Morocco, Egypt, Tunisia and Lebanon are higher than Turkey (Caha 2013: 54). The percentage of women in the current national parliament

is 14.4 %. (Turkish Statistical Institute 2014). They have remained 'unliberated' because the modernization project "failed to transform the traditional values and attitudes in Turkish society" so that the traditional attitudes towards women still persist (Caha 2013:56).

This chapter is divided into four sections. The first section will review the history of the women's movements in the Ottoman Empire and Republic of Turkey while the second section looks at how feminist thought and political theory will fit into the case study in Turkey. The themes that emerge from the in-depth interviews with members of KA.DER will be analyzed in the third section. Lastly, the findings will be summarized and connected to the idea that KA.DER is a liberal feminist organization which is a continuation of the liberal framework set up by the state.

4.1 A BRIEF HISTORY

In order to understand the issue of women's rights in Turkey, we first need to look at the evolution of these rights from the times of the Ottoman Empire to the modern day Turkey. The 'woman question' first appeared during the reforms of *Tanzimat* (1839-1876) which were attempts to westernize and modernize the state bureaucracy and society (Kandiyoti 1991:23). For instance, in 1858, the new Land Law extended women's rights of inheritance (Caha 2013:36) In 1880, female slavery is banned in the empire after the white and black slavery, which were banned in 1854 and 1857 respectively (Kandiyoti 1991: 27). Also, in 1858, secondary schooling for girls began, followed by a teacher's college for women in 1870, and university education for women was allowed in 1914 (Caha 2013: 36). There are several women's associations founded between 1908 and 1916 that were working for the advancement of women's rights (Kandiyoti 1991: 29): *Teali-i Nisvan Cemiyeti* (the Society for the Elevation of Women) founded by Halide

Edib in 1908; the Islamic Association for the Employment of Ottoman Women founded in 1916; *Mudafaa-i Hukuk-i Nisvan Cemiyeti* (the Society for the defense of Women's Rights) which was the "best known and the most militant" association working to get women to work in paid professions (p.29). There were about 40 of those women's associations in the Ottoman Empire (Caha 2013: 41). There were also women's magazines such as *Mahasin, Kadin* (Woman) and *Kadinlar Dunyasi* (Women's World) during this period (Kandiyoti 1991). In fact, between 1908 and 1920, there were 27 magazines which dealt with women's issues and stressed the importance of equality between men and women in all aspects of social life (Caha 2013: 44).

After the collapse of the Ottoman Empire in 1918, Anatolia was occupied by Greek, British, French and Italian forces. These occupations triggered a nationalist protest and mobilization among Turks including women. The Anatolian Women's Association for Patriotic Defense was founded in 1919 which was made up of the wives, daughters and sisters of local political elites (Kandiyoti 1991: 37). In Istanbul, 10 out of 50 associations, established as national fronts by 1918, were founded by women (Caha 2013:42).

After the success of the Turkish Independence War (1919-1922), the republic was founded in 1923. Women's emancipation in early Turkish Republic was a state project. Women were seen as the secular, modern face of the Republic and their modernization signaled the disappearance of religion and tradition from the public sphere. The new Turkish Civil Code which was adopted from the Swiss Civil Code in 1926, banned polygamy and granted equal rights to marriage partners in divorce and child custody (Kandiyoti 1991: 22). While the new civil code was revolutionary for the time, it "restored and legitimized the patriarchal structure; it set the grounds of "familial citizenship" with husband as the head and the provider of the family, and wife as his helper" (ENACT 2010).

More importantly, Kandiyoti (1991) argues that "the current parameters of the 'women question' were shaped by the historically specific conditions of the rise of Turkish nationalism, starting with the Second Constitutional period (1908-1919) and leading to the Kemalist republican regime" (p.23). Kandiyoti (1991) asserts that "the decisive actions of Kemalism with respect to women's emancipation were the evacuation of Islam from the legislative and broader institutional sphere, and the inclusion of women into a new notion of 'citizenship' dictated by the transition from a monarchy to a populist republic" (p.39). Indeed, women's emancipation became "one of the *pawns* in the Kemalist struggle to liquidate the theocratic remnants of the Ottoman state" (Kandiyoti 1991: 38). Women's rights were "taken as a symbol of being westernized and as an indicator of a radical break from traditional life" (Caha 2013: 46). As previously discussed, the republican regime engaged in a nation-building effort where the Turkish women is identified as the modern face of the Turkish Republic and women were seen "as an instrument which enabled the government to reach the aims put forward by the state elite" (Caha 2013: 49).

Women were granted the right to vote in local elections in 1930 and granted vote and representation at the national level in 1934 (Kandiyoti 1991: 23). This was a very progressive move as there were only 27 countries in the world in which women had the right to vote for parliament earlier than Turkey. In comparison, France granted women the right to vote in 1944, Italy in 1945, and Belgium in 1948 (Kasapoglu and Ozerkmen 2011:98).

18 women representatives were elected to the national parliament in 1935 general elections which made up 4.5% of the parliament (Kandiyoti 1991: 41). This was the highest percentage of elected women representatives until 2007 (9.1%). Currently, female parliamentarians make up 14.4% of the national assembly (see Appendix B). Ironically, state

sponsored emancipation of women was not stretched to women's own agency. In June 1923, a women's party was established, called, *Kadınlar Halk Fırkası* (Women's People Party), which was closed down by the authorities. Instead a women's association, *Türk Kadın Birliği* (Turkish Woman's Union) was founded on February 1924 by the same members of the party with a similar purpose of asking for suffrage rights (ENACT 2010). The organization dissolved itself in 1935 after full suffrage rights were granted to women, "claiming that it was not necessary any more to struggle for women's emancipation in Turkey" (ENACT 2010: 7).

Furthermore, gender roles in Turkey are defined by the state, religion and the family (Arat 2009). Religion and the state together help maintain traditional gender norms even after the modernization process in the Turkish Republic. The Turkish adoption of the Swiss Civil Code in 1926 improved women's lives as it eliminated polygamy, unequal inheritance rights and men's right to divorce by repudiation (Arat 2009: 82). However, the Swiss code itself was patriarchal; it designated husband as the head of the family who decides the place of residence and provides for his family (Arat 2009: 83). Also, the wife had to assume the husband's last name after marriage and could take a job after the "explicit or implicit permission" of the husband (Caha 2013: 48). The Penal Code adopted from Italy in 1926 included clauses on abortion and adultery that were discriminatory towards women. Adultery was considered a criminal act and grounds for ending a marriage but there were different penalties for men and women (Arat 2009: 83). This provision of adultery was annulled in 1996. Abortion was also banned under the 1926 Penal Code until 1965 and women who had an abortion could be charged. Furthermore, women's role is defined as a role within the family. Her primary responsibilities are to her husband and children which also includes the "preservation of the family honor" (Arat 2009: 86) that depends on the "purity (especially sexual purity and virginity) of its women." The new Civil Code in 2002 replaced the

1926 Civil Code which promotes gender equality within the family. A new Penal Code is enacted in 2004 which criminalizes several offenses against women such as marital rape, domestic violence, and sexual harassment in the workplace. Under the new Penal Code, adultery is no longer a criminal offense (Arat 2009: 97-98). Both the Civil Code and the Penal Code are revised according to the demands of the European Union as part of the negotiations for Turkey's accession to EU (Kasapoglu and Ozerkmen 2011: 98).

The second wave of feminism in Turkey began in the 1980s and Western feminism had a significant impact on this movement. Sirman (1989) argues that "[n]on-hierarchical and independent forms of associations, consciousness-raising groups, issue-oriented ad hoc committees are clearly reminiscent of the Western experience" (19). KA.DER is one of these issue-oriented organizations. In 1986, Turkey became a party to the UN Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) which is also the treaty which focuses on women's rights as human rights. (Arat 2009: 92). Women's organizations embrace CEDAW and use it as a "human rights instrument" to put pressure on the state to improve women's conditions (Arat 2009: 93). In 1990s, there was a fragmentation of the feminist movement as it is divided into three separate feminist movements: secular feminists, Islamic feminists and Kurdish feminists (ENACT 2010: 8). The Kurdish movement began to challenge the unitary and nationalistic nature of the state. At the same time, the Islamist movement challenged the Kemalist interpretation of secularism (Diner and Toktas 2010: 47). Both of these movements had feminist mobilizations within the movement. Kurdish women's groups pointed out "the dual exploitation that Kurdish women have experienced in the patriarchal tribal system dominant in Kurdish culture and the imperialist system that the centralist Turkish state has imposed on Kurdish people" (Diner and Toktas 2010: 42).

Islamist women's movement sought to complement feminist politics with Islamist values. Their major issue of mobilization has been the ban on wearing headscarves at universities. Islamic women's organizations took an active part "in protests on the streets and at university gates" (Diner and Toktas 2010: 42).

4.2 FEMINIST THOUGHT AND POLITICAL THEORY

Nukhet Sirman (2005) argues that a rights discourse is not adequate for understanding 'gendered citizenship' in Turkey. Turkish citizenship appeals to be universal yet "many of the rights associated with citizenship cannot be enjoyed by the majority of the population" (Sirman 2005:167). The state is unable to provide equal access to "the rights defined by law" due to economic instabilities or unequitable distribution of resources (Sirman 2005: 167). Through the nation-building process, ideal citizen's identity is constructed as "sovereign husband and his dependent wife/mother rather than an individual with the result that position within a familial discourse provides the person with status within the polity" thus constructing a gendered citizenship which she calls as "familial citizenship" (Sirman 2005: 148). In other words, women are defined not as individuals but members of families that make up the nation. Women were constructed as representatives of the family in the private sphere which "relates primarily to the family domain" whereas the public sphere relates to the political domain (Yuval-Davis 1997: 12).

Yuval-Davis (1997) argues that rights discourse is important as long as it connects difference with social need. For instance, she claims "sexual and reproductive (or any other) rights, understood as private 'liberties' or 'choices', are meaningless, especially for the poorest and most disenfranchised, without enabling conditions through which they can be realized"

(p.18). The same could be said for political participation. Women legally have the right to be elected to office but unless social, economic, and cultural conditions to realize that right are not improved, those rights are meaningless. Ka.Der is mute about this relationship between social welfare and rights.

There are two paradigms in the feminist thought in terms of how to integrate women into the public sphere. One paradigm promotes 'politics of equality' while the other promotes 'politics of difference' (Caha 2013). Liberal feminists seek to achieve "full equality of opportunity in all sphere of life [among women and men] without radically transforming the present social and political system" (Caha 2013: 15). Civil equality that undermine the differences among the two sexes is desired. Thus, they want to establish gender equality in society. Liberal feminism asserts that "the rules and the policies of the state and rules of private institutions ought to be blind to race, gender, and other group differences" (Caha 2013: 17). The state should treat all citizens equally.

The second feminist approach objects to this difference-blind approach asserting that a differentiated citizenship can only guarantee inclusion and participation of all citizens. These feminists critique the universal aspect of modern law (Caha 2013: 18). Young (1989) critiques universal citizenship arguing that difference-blind equal treatment of universal citizenship puts certain groups in a disadvantaged position by not attending to their group differences. Therefore, instead of universal rights and rules, some groups deserve to have special rights such as pregnancy and maternity leave, special treatment for nursing mothers etc. (Caha 2013: 18)

The notion of universal citizenship silences oppressed group and therefore, there needs to be special mechanisms for these marginalized groups to represent themselves (Young 1989). Yuval-Davis (1997), however, argues that such an approach could be essentialist where "the

groups are constructed as homogenous and with fixed boundaries, the interests of specific individuals within groups constructed as representing the interests of the whole group and the advancement of the specific group becomes primary."

As discussed in the Introduction, Young (1997) argues that a principle of special representation is necessary in political decision-making for oppressed and disadvantages people (349). Special group representation allows marginalized voices to be heard and it "relativizes the expression and perspectives of the dominant groups so that they are less able to assume that their ideas and policies are impartial and universal" (Young 1997: 350). Women as a group have been excluded from the decision making power (Young 1997: 351). Therefore, women should participate in political decision making so that their interests be represented. However, the problem with representation is that one female representative cannot represent all women and their interests. Differences of race and class cut across gender which means that needs and interests of women vary (Young 1997: 350-351). For Young (1997), inclusive democracy implies that "every structured social group perspective in the polity should be represented" in order to reach fair and wise decisions (p.370). In societies where group privilege and disadvantage prevail, perspectives of the privileged group dominates the political discussion and decision making. Young suggests that disadvantaged social groups should have special representation seats in political mechanisms and veto power over issues affecting their lives (p.372).

Fraser (1992) argues that subordinated social groups like women "usually lack equal access to material means of equal participation." She critiques Habermas' definition of the bourgeois public sphere by arguing that it does not eliminate social structural equalities but merely brackets them to enable participation parity in the public sphere. Moreover, where there

is social inequality, the deliberation process in the public sphere "will tend to operate to the advantage of dominant groups and to the disadvantage of subordinates." Also, social inequalities make participation inaccessible for certain social groups. For Fraser (1992) substantial social equality is needed to achieve democracy.

Gender is a bivalent collectivity which may suffer both socioeconomic inequalities and lack of cultural recognition where neither of these injustices is an indirect effect of the other, but where both are primary and co-original (Fraser 1995: 78). Bivalent collectivities need both cultural recognition and economic redistribution remedies. According to Fraser (1995), affirmative remedies to economic and cultural injustices support group differentiation. For instance, "redressing gender injustice requires changing both political economy and culture, so as to undo the vicious circle of economic and cultural subordination" (Fraser 1995: 80).

Arat (2005) argues that feminists try to "reformulate the principle of equality which shapes the prevailing conception of citizenship, so that it could promote substantive equality in practice. They upheld the principle of difference as opposed to sameness in defining the criteria for equality" (108). Thus "claims of equality which ignored differences or particularities were deemed to be insufficient to accommodate needs for equal recognition" by feminists (Arat 2005: 104). This approach is a critique of universal citizenship that highlights equality (or equal treatment) as the key norm among individuals without taking into consideration their status/disadvantaged positions in society. For instance, the Islamist feminists in Turkey highlight their headscarf as a particularity that needs to be recognized by the state to accommodate them in public universities. Secular feminists in Turkey propose "special family courts with specially trained judges be set up to adjudicate over issues concerning domestic violence" (Arat 2005: 109).

Substantive equality is different from formal equality. For instance, even though women have had the political right to vote and be elected to office since 1934 in Turkey (which established formal equality between men and women), the percentage of women in politics has always been low. Despite the fact that men and women have equal rights, it is the women who are disadvantaged in society. According to statistics, 78% of property owners are men, and 76% of women living in southeast Anatolia experience violence 'from time to time' (Arat 2005: 107-108). Principle of equality is a prerequisite for democracy[23] but it is not enough to achieve substantive equality among men and women. According to Arat (2005), substantive equality can only be achieved when women's rights are extended to include positive discrimination[24] and the state takes responsibility towards women's issues (p.113).

However, as Arat (2005) realizes, the feminist movement in Turkey is paradoxical. In Turkey, "where communal priorities had traditionally stifled individual prerogatives, feminists upheld the secular liberal contract the state formally adhered to rather than contesting it in principle, working instead to realize its full potential" (p.109). This happened by appealing to individual rights and working within the secular legal framework to accomplish women's rights rather than highlighting women's difference, their different needs and interests. One of the women's groups that work within this 'liberal contract' is KA.DER.

4.3 CASE STUDY: KADER

KA.DER (Association for the Support and Training of Women Candidates) was established in March 1997 headed by Şirin Tekeli, "an eminent Turkish socio-democrat feminist scholar" (ENACT 2010). The organization has 7 branches which are in Istanbul, Ankara, Izmir, Adana, Bursa, Eskisehir, and Istanbul-Kadikoy (mostly located in the Western part of the

[23] The idea that everyone is equal before the law.

[24] Positive discrimination demands that women are treated differently, specially and 'unequally' so that substantive equality can be accomplished. (i.e. affirmative action policy)

country), and 9 representatives and initiative groups in Turkey. KA.DER's 1000 members and executives are all women (including political party members and non-members) who "accept KA.DER principles, and the feminist outlook" (KA.DER 2013). KA.DER executives can be members of political parties but they do not involve/impose their party's views in KA.DER activities. KA.DER president cannot be a party member. No elected member in any KA.DER board can serve more than two terms. KA.DER projects include women's rights trainings, lobbying and advocacy activities all over the country and cooperating with other women organizations (KA.DER 2013). The media represented the establishment of the organization as "girls of the Republic who will shoulder modern/secular Turkey" (Caha, 2013: 97). However, KA.DER manages to remain at an equal distance to all political parties. In its mandate, it is indicated that it supports women candidates of political parties who "have a feminist perspective; are against all gender discrimination; support the *secular* Republic, human rights and democracy; and support the civil society initiatives" (KA.DER 2014). It is mentioned in its statute that KA.DER would cooperate with "all kinds of organizations, including governmental agencies and political parties that have the aim of advancing women's rights" (Caha 2013: 97). KA.DER is a member of the *European Women's Lobby* (EWL) and "acted with a sense of Europeanness to affect the policies of the European Union" (ENACT 2010). KA.DER is managing the secretariat of the National Coordination of European Women's Lobby, and coordinates the bonds between EWL and women's NGOs in Turkey (p.27).

KA.DER's objective is "to increase the number and percentage of women in elective political and public duties, and to work for women's right to equal representation and thus to strengthen democracy and the entire society" (Caha 2013: 97). The organization argues that political equality among men and women will lead to equality in other areas of life (economic

and social equality) (KA.DER 2013). The organization is making claims against the government for greater representation as a vehicle to protect rights. They have other claims such as eliminating sexist language from legal documents and lobbying for laws that protect women's rights (laws against violence against women).

Objectives/Activities of KA.DER are;

- Raise awareness for gender equality in the patriarchal social and political life
- Eliminate the economic, social, cultural and legal obstacles against women's political participation
- Implement temporary affirmative action measures for establishing gender equality in political parties and political structures
- Eliminate sexist language from legal documents
- Lobby for laws that protect women's rights and freedoms
- Promote women's political candidates in their parties
- Enable activities of lobbying, campaigning, training and networking among women in political parties (KA.DER 2013)

Not all of these objectives are rights claims. However, lobbying for laws that protect women's rights and working to eliminate sexist language from legal documents can be considered rights claims. As stated above, formal rights are granted to women for political participation but substantial equality is lacking. KA.DER, is "the only association in Turkey which works to encourage women to participate in the decision making bodies, such as parliament, local administration or syndicates" (ENACT 2010). The organization has benefited from the EU funds with the MEDA Education Project (May 2000-July 2001) which consisted of educating women on gender and politics. The ENACT report states that KA.DER and some other

women's organizations in Turkey have used "the European norms and standards as reference points for realizing changes in gender related issues, and enhancing women's rights." KA.DER published booklets such as "The Positions of Women in Turkey and the EU: Gains, Problems and Hopes" and "Social Politics and Gender Equality Politics in European Union" (ENACT 2010). The organization also organized projects such as "Enhancement of Women's Knowledge on European Union" and "Establishing the Network of 'National Coordination' for European Women's Lobby Membership." The ENACT report mentions that these projects and publications indicate "the embodiment of the acts through which the women activist of KA.DER introduce and *demand rights* that are granted to formal European citizens" (p.29-30).

The organization has a liberal orientation (which highlights the significance of secularism, human rights and democracy) and a European outlook to women's issues. They also work to establish gender neutrality in legal documents, lobby for female political candidates and promote gender equality.

4.3.1 Frames:

The notion of framing is used in social movement research "primarily as a way to discuss the challenges of strategy formation and implementation that activists face" (Knight and Greenberg 2011). Framing includes "the definition of issues and their causes, movement demands for corrective measures, repertoires of action that movement organizations develop, and the creation and reproduction of collective identity on which movement solidarity and mobilization hinges" (Knight and Greenberg 2011). Framing is also 'critical' because "in their efforts to promote or resist change, social movements challenge governments, industries, and individual corporations that are typically richer in capacity and resources, including institutional claims to legitimacy (Knight and Greenberg 2011).

Gamson (1995) argues that collective action frames are adversarial. There is a clear distinction between "we" (protagonists) and "they" (antagonists) which stand in opposition to each other. Protagonists include the movement itself and its constituent organizations, as well as allies while the antagonists are composed of those "who stand in opposition to the movement, its aims and ideology, and these are the objects of adversarial framing" (Knight and Greenberg 2011; 324). "They" are responsible for some objectionable situation and have the power to change it by acting differently in some fashion. While it is possible to have a "clear and collective" "we", "they" may remain vague "because it is so elusive"(Gamson 1995; 101). This is especially likely to be true when the main targets of change are cultural more than political and economic" (Gamson 1995; 101). As discussed in Chapter 1, Ka.Der uses adversarial framing. In their framing of the claims, "we" is the women and "they" is patriarchy (or sometimes "men").

4.4. DISCUSSION OF EMERGENT THEMES

In June and December 2013, I conducted seven in-depth interviews with the active members of KA.DER who are directors or former directors of the organization. There are several themes that emerge from the in-depth interviews. The themes that emerge from my interviews with members of KA.DER are; the need to increase the number of women in Turkish political life, the issue of representation, the framing of parity vs. the quota system, and significance of a women's perspective in politics.

4.4.1. "We want to see equality in numbers": Increasing the Number of Women in Politics

The members I interviewed stress the importance of women's presence in the political venues. They emphasize increasing the number of women in politics but rarely do they discuss the *participation* of women or how women will contribute to the consolidation of democracy.

When asked about the main objectives of the organization, the former chairwoman responded, "first, raising *the number* and quality of women in decision-making mechanisms; second, [to change] legislation which is a big area. Weeding out discriminatory laws, preventing the potential legislation that are discriminatory and work in favor of the laws for women."

Another interviewee, when asked about the main objective of KA.DER replied, "The ultimate objective of KA.DER is to establish 50% women in elected and appointed [political] positions. To make 50% women in elected seats the parliament, in municipal governments etc. Equality! Equality between women and men. In appointed positions as well. To increase women's numbers at every level." Yet another interviewee states that "first of all, we have a very male-dominant parliament. We haven't reached the desired [numbers] yet. The current female MPs do not have the sufficient presence inside [the parliament]. The numbers need to go up."

However, Anne Phillips (1991) argues that "strict equality legislation may abstract from the real conditions of women, giving them the formality of equal opportunity, but in practice leaving them stuck in a subordinate role" (p.37). Instead, sex-specific legislation "that will acknowledge and meet women's different needs" like "employment rights for pregnant women" is proposed by some feminists (Phillips 1991: 37). Mouffe (1995) argues that liberal feminists fail to challenge the liberal mode of citizenship:

> Liberal feminists have been fighting for a wide range of new rights for women to make them equal citizens, but without challenging the dominant liberal model of citizenship and politics. Their view has been criticized by other feminists who argue that the present conception of political is a male one and that women's concerns cannot be accommodated within such a framework. (P.320)

According to Pateman (1988), to demand equality means accepting "the patriarchal conception of citizenship which implies that women must become like men" (Mouffe 1995: 321). Einstein (1989) claims that male has been "the reference point" in our discussions of the individual. "When men and women are treated the same, it means women are treated as if they were men;

when men and women are treated differently, the man is the norm, against which the woman is peculiar, lacking and different" (Mouffe 1995: 37).

Another member, when asked about the parity system, replied, "As the number of women increases, so does examples of successful women." Yet, another member commented, "In Turkey, there aren't many women in politics. That is why women's rights are not recognized enough. As women's number increase in politics, their rights will be granted more easily." They are making claims against the state—claims for more equal representation. This is an instrumental goal—that more women in parliament will better be able to protect rights. This means that the organization sees a correlation between number of women in politics and level of influence over policy decisions. As the number of women increase in the political sphere, so will their ability to influence policies and legislation for women. However, as will be discussed below, some feminists argue that elected women do not necessarily represent the interests of women and that more women in politics does not grant more rights for women.

Another member, when asked about increasing women's representation in politics said:

> It is difficult. There really is a cultural problem. Today, we have been talking to a *muhtar* [25] to convince him to nominate his daughter as the next candidate. There is an embedded cultural problem of patriarchy based on power and position. It is the same in political party structures and non-political structures. Also, there are prejudices that women can't do [the job]. Therefore, to move up the numbers [of women] 5-10% means changing the society.

This statement sounds like numbers matter more than qualifications. Some of the members told me an anecdote about how they go about trying to increase the number of local officials:

> For the local elections, we have met with the city officials of parties, municipal officials, and written letters to the party leaders and members of their board of directors. So we have been doing the lobbying activities [within parties]. But it is so hard to change the workings of political parties. For instance, it looks like they will support women [in local elections] but when the [candidate] lists are announced, there is no women on the lists. So we have decided to start from the bottom in order to increase the number of [female] *muhtar*. If the male *muhtar* is old and decides to leave his position, we want to put a

[25] The elected head of a village or of a neighborhood within a town or city.

> female *muhtar* in their place. We have met with former and current *muhtar* and federation of *muhtar*. We received the name of a few [female] candidates. We encourage women to become candidates and call male candidates and ask them to nominate their daughters, daughters-in-law, wives or female assistants as a candidate. Some of them cooperate with us. But as mentioned above, in the previous example, the male *muhtar* does not support his daughter. He says "when I announced that I'm leaving this position, there appeared other male candidates. I will be ashamed towards them. It seems like I'm leaving to support my daughter." Manhood! "They might say something against my daughter. If they say something against my daughter, I might have to fight."

This might be a reasonable expectation as there is a tradition of fathers supporting their daughters among the more Westernized segments of Turkish society. However, for select KA.DER interviewees, it looks like qualifications of the candidates do not really matter as long as there are female candidates for the position. This again goes back to the issue of numbers: the more number of female candidates means equality is achieved between men and women. However, as some scholars argue, formal equality does not necessarily mean substantive equality where women's needs, interests and preferences are served (See Arat 2005; Young 1989).

4.4.2. "It is a democracy problem": Issue of Representation

It has been argued that women's political representation "is directly related to equal citizenship rights and consolidation of democracy" (Marshall 2010:575). In order to achieve political equality, Anne Phillips (1996) argues that 'a politics of presence' is necessary to "deal adequately with the experiences of those social groups who by virtue of their race or ethnicity or religion or gender have felt themselves excluded from the democratic process" (p.141). Therefore, the question of who will do the representing of political ideas in politics becomes a major issue. Women have traditionally been excluded from the political sphere and women representation is generally low in national parliaments. Phillips (1996) claims that "the range of political ideas and preferences is seriously constrained by the characteristics of the people who convey them" (p.147). So for feminists, it makes a difference if women represent themselves and

their own interests and preferences. Thus, the demand for the representation of women is a particular claim which could be categorized as a group right since this demand for representation does not apply to all people universally. The official website of KA.DER states that "men cannot represent women in political decision-making organs because their problems, interests, and priorities are different [than women's]." When asked why women's representation is so important, one interviewee answered;

> Because this means democracy. Women make up half of the society. (…) the needs of men and women are different – politically. Decisions (which can only be made in political spaces) about how much the bread should be, where the road will be constructed, should we have a park, what the school age should be etc. These are decisions that govern our lives. There are no women among [the decision-makers]. In this sense, there is no space for women to address their needs and use their rights. Therefore, it is a democracy problem that women are not involved in the decision-making mechanisms. If women were in positions of decision-making, they could object to the decisions made by men [on issues mentioned above] and they have to object because those decisions govern their lives. Therefore, women's representation is very important.

There is an assumption in this statement that female representatives will serve the interests of women and will bring "different set of values, experiences and expertise" into politics (Phillip 1991: 63). Phillips (1991) comments on the issue of representation;

> Increasing the proportion of women elected need not increase the representation of women *per se*, for it is only when there are mechanisms through which women can formulate their own policies or interests that we can really talk of their 'representation'. Many of the arguments for increasing the number of women in politics have blurred this key issue of accountability. (P.19)

In other words, women can enter politics but mere increase in number of women in politics does not change the structure of patriarchy and male-dominant politics. Unless women are in a position to make policies that benefit women and thus, are accountable to other women, we cannot truly talk about representation.

I also asked whether a woman representative can represent all women. One interviewee responded:

> No, of course a woman representative cannot represent all women – neither theoretically nor in practice. But there is something else called the 'critical threshold' in politics which is 30%. If you want your voice to be heard, you need to have 30 people in a crowd of 100 people. Otherwise, you don't stand a chance. Therefore, we focus on the *quantity* [of women] first and foremost. If we can't get results after establishing the quantity [of women] which we probably won't, then we can focus on the quality of women. This is the 30% quota system. An elected women in municipalities or the parliament cannot represent all women but can represent a particular group of women that are like her. This is one kind of representation. We all realize that this kind of representation is not sufficient for women.

It is remarkable to see that the interviewee acknowledges that the organization focuses on the quantity of women in politics rather than quality. She also points out the challenges of representation of women stating a threshold of 30% is critical. However, if it is only the number of women that matters, then we cannot truly talk about representation because mere presence of women in political arena does not necessarily mean actively engaging in politics of women.

4.4.3. "This might seem unrealistic but we raise the bar": Parity vs. Quota

The percentage of female representatives in the Turkish parliament is 14.4 which is lower than the worldwide average of 18.4 (Marshall 2010, 574). In 2000s, feminist groups in Turkey embarked on campaigns to establish an official quota system for women in politics. These campaigns coincided with the EU reforms in Turkey that are necessary for "opening of accession negotiations with the EU." As part of these reforms, the government passed amendments to the Constitution in 2004 and a coalition of feminist groups and women MPs "pushed for the establishment of a legal quota system by including a clause in the revised Constitution." (Marshall 2010, 576). KA.DER was part of this coalition of women. The clause on gender quotas failed after the members of the governing party, AKP, voted against it.

Since its establishment, KA.DER has pushed for the establishment of a quota system for women in elected positions. However, for the past 2 years, they stressed the importance of 50%

parity instead of a quota system for women. Thus, the association does not use the language of quotas anymore but emphasizes the parity system.

When I asked why there has been a shift in framing the representation issue, I received similar answers. First of all, they use the phrase "equal representation" which they say should be part of the new constitution: "If the constitution can guarantee equal representation, then the laws can be regulated accordingly" says one member. Of course, they demand this phrase to be added to the constitution especially and specifically for women. While the emphasis seems to be on the 'equality' of representation, the real concern is establishing the representation of women institutionally through the constitution. So what is equal representation for Ka.Der?; One interviewee states:

> Equal representation does not exactly mean the quota system. It is 'parity' which is based on the ratio of your presence somewhere so we are talking about 50% representation and is based on rights claims. The idea of the quota comes from being disadvantaged in society. If a group cannot compete in equal conditions, quota opens up opportunities for that group in order to overcome obstacles. Parity is different. It is based on rights consciousness. 'If I'm here then I have this right so half of it is mine' kind of a logic.

Publicly, it looks like KA.DER takes the 'politics of equality' approach instead of a 'politics of difference' approach. They oppose the idea of being treated as a 'disadvantaged' group in society by receiving preferential treatment therefore they reject the quota system. However, their stance is paradoxical since they push for the institutionalization of 'equal representation' for women which is a group right.

Another interviewee responds;

> Recently, we have been discussing parity which means equal representation. Asking men for quota [for women] seemed a bit insulting. It seems like begging for something which feels insulting. At the beginning, this [quota] approach was right because there was no women's participation. It was fitting for those times. But today, we demand equal representation dubbing parity which means 50% equality or 50% quota which is the same thing. Without using the word 'quota', we say equal representation for democracy as the slogan of this year. From now on, we want to see equal representation in both local and national governance and in all decision-making positions. This might seem unrealistic but we raise the bar. This is our target.

In other words, the organization frames their claims for increased representation in terms of 'equal representation' instead of 'gender quotas'. Furthermore, they find the notion of 'gender quotas' demeaning because they feel like it is asking the male-dominant system for a favor.

4.4.4. "If nothing, she brought elegance to politics": Women's perspective

Members of KA.DER also emphasize the importance of bringing in women's perspective to politics. They believe women are more compassionate and peace-loving compared to their male counterparts. Thus, they make claims that women are different. Therefore, this is a 'politics of difference' which underlies their constitutional claims—that men cannot represent women. One interviewee argues that;

> Women's perspective…If you ask me, mayors should be women. Also, in the parliament, if we talk about equality, half of it should be made up of female representatives. Then, I think, first of all, decisions for war would not be made so easily. Violation of human rights would not be so easy.

KA.DER wants to increase women's presence in local politics by increasing the number of mayors and local politicians. They believe that local politics indicate a bottom-up approach to politics and local politicians understand the needs, interests and preferences of the citizens better.

Another interviewee states that women bring elegance to politics;

> Women's perspective cannot fully enter [politics] overnight. The system is patriarchal which established over thousands of years ago. It takes time to break and modify this system. (…) even the presence of women is enough to break this system. For instance, the example of [former female prime minister] Ciller. People say "she became the prime minister but what did she do for women?" If nothing, she brought *elegance* to politics. [Electing women] can bring a change of image, inducing self-confidence.

Here, there is an assumption that women's approach to politics is significantly different than men's. They are indeed making claims for a politics of difference. They are making claims that

women are different than men. This politics of difference underlies their constitutional claims—that men cannot represent women. However, they invoke liberal discourse to make particular claims.

4.5. CONCLUSION

KA.DER publicly promotes a 'politics of equality' in their mandate and activities which is a liberal approach to feminism. However, if you read the interviews closely, it is clear that they do demand a group right which is representation of women in politics. In the interviews, they also claims that women are different than men in terms of political decision-making. Thus, they invoke a 'politics of difference' approach in practice. While highlighting the importance of equality, they rarely talk about the women's disadvantaged status in society. The organization works within the liberal framework of the state. From the Ottoman era to the Turkish Republic, there have been many efforts to westernize the society and the women. Women's emancipation is linked to the modernization of the state and vice versa.

This chapter looked at the underlying dynamics of rights claiming by KA.DER. Four themes emerge from in-depth interviews: 1) increasing the number of women in politics, 2) issue of representation, 3) parity/equal representation instead of the quota system and 4) promoting women's perspectives in politics.

Numbers matter for the organization maybe more than the active participation of women in policy-making. Women's representation means democracy because for KA.DER, men cannot represent women in political decision-making organs because their problems, interests, and priorities are different. This is a 'politics of difference' approach that they actually have. They believe women are different than men.

However, there is the open question of whether or not female representatives truly represent the interests of female constituents. The organization frames their claims of equal representation in terms of 'parity' instead of pushing for the quota system. Finally, they want to bring female points of view to the politics in hopes of making politics more peaceful and compassionate.

KADER pushes for representation parity at the parliamentary and party levels without paying much attention to the *conditions* necessary to achieve political equality such as economic autonomy. Furthermore, granting equal rights might not remedy the problems women face. Young (1997) argues that a principle of special representation is necessary in political decision-making for oppressed and disadvantages people. Women as a group have been excluded from the decision making power (351). Therefore, women should participate in political decision making so that their interests be represented. However, the problem with representation is that one female representative cannot represent all women and their interests. Differences of race and class cut across gender which means needs and interests of women vary (Young 1997, 350-351). Inclusive democracy implies that every structured social group perspective in the polity should be represented in order to reach fair and wise decision (Young 1997, 370). In societies where group privilege and disadvantage prevail, perspectives of the privileged group dominates the political discussion and decision making. Therefore, merely granting equal representation rights to women may not solve the problem of domination and privilege.

CHAPTER 5

RIGHTS-CLAIMING AND LGBT ACTIVISM IN TURKEY

Introduction

The construction of sexual minorities is linked to the modernization project in Turkey (Bakacak and Oktem 2014; 819). During the making of "modern" Turkey, "well-defined gender roles were ascribed to men and women both in nuclear family and in the public sphere. Therefore, patriarchy and masculinity can be seen as the essential cultural elements in the construction of identities at both national and individual levels in Turkey" (Kandiyoti 1995). Heterosexual norms are established through patriarchy and masculinity in the society and other sexual identities (homosexual, bisexual, transgender) are cast aside and eliminated from the public sphere (Bakacak and Oktem 2014: 819).

The Lesbian, Gay, Bisexual and Transgender (LGBT) movement in Turkey has begun in early 1990s, yet there hasn't been many studies on the framing of LGBT politics. As a secular but Muslim country, Turkish case poses special challenges to the LGBT movement. As discussed in the previous chapter, issues of patriarchy, tradition and religion hinder the growth of the movement. Furthermore, the state resists the efforts to protect sexual minorities because "traditional family structure and morality embedded in the state ideology creates barriers" (Bakacak and Oktem 2014: 821). The general purpose of the LGBT movement in Turkey is not only to achieve sexual freedom but also to challenge the heterosexual male dominant structure of the society created by patriarchy. It aims to support gays and lesbians who are discriminated against by the society as well as women and other men who are marginalized by the patriarchal system. The movement aims to expose and change the sexist and heterosexist political

institutions and therefore to free both homosexuals and heterosexuals from patriarchal practices (Toktaş & Altunok 2004, s. 48).

In this chapter, I investigate the framing of LGBT politics in Turkey by discussing how groups make rights-claims. I also review the history of the LGBT movement in Turkey. Framing is important in any social movement because it helps shape the public opinion. I find that the issue frames used by LGBT group, Pembe Caretta (*Pink Caretta*), focuses on three key issues. These issues include efforts to combat discrimination and homophobia, promote equal rights (for constitutional protection) and raise awareness on sexual orientation and gender identity.

A BRIEF HISTORY OF HOMOSEXUALITY IN THE OTTOMAN EMPIRE AND THE TURKISH REPUBLIC:

During the period between 1500-1800, homosexual acts were based on several distinctions that separate them from the contemporary definition of "homosexuality". First, there was a clear distinction between active and passive partners in a homosexual act. Participants in sexual intercourse were categorized as the active or the penetrator (men, including active sodomies) and the passive one penetrated (women, slaves and passive sodomies). If found out, men who were passive sodomites were "dishonored and stigmatized" and risked being "severely punished" (Gorkemli 2014:31). Second, there was a distinction between passionate infatuation and sexual lust. This distinction focuses on "the Platonic love of human beauty", separating men's love for women and male youths from the sexual intercourse and sodomy denounced by Islamic law. Third, there was a distinction centering on what sexual acts were involved. For instance, anal intercourse between men were punishable by corporal or capital punishment by Islamic law but kissing, fondling and non-anal intercourse were seen as less serious

transgressions (Gorkemli 2014:30). During this period, poets could write poetry about falling in love with a young male which was not seen as a punishable offense. Same-sex desires and contacts were discussed explicitly with other sexual practices in erotic books, shadow theatre plays and medical treatises of the time. These practices were not seen as "deviant, abnormal or unnatural" in any way (Gorkemli 2014:31). Also, despite Islamic orthodoxy, "the expression of male same-sex desire and homoeroticism was acceptable among dervish orders and brotherhoods in the mystical Sufi tradition" (Gorkemli 2014: 34). Due to modernization and Westernization in the Ottoman Empire in the 19th century, same-sex practices and discourses gradually disappeared. Since heteronormalcy was firmly established in Europe, same-sex practices were criticized by the West. Furthermore, same-sex discourses and practices "were tied to cultural and political corruption, thus, advancing negative, Orientalist judgements about Ottoman culture" (Gorkemli 2014:32).

A prominent "same-sex institution" that disappeared with Westernization is *köçekler* which means "the boy dancer which dressed as a woman and assuming feminine gestures in his dancing" (Gorkemli 2014: 33). *Köçekler* danced in public spaces (streets, taverns, wine shops), private spaces (mostly at male social gatherings) as well as public ceremonies such as weddings, circumcision parties and royal processions. Recruited when they were seven or eight years old, *köçekler* were selected from non-Muslim subjects such as Greeks, Jews, Armenians. After trained in dancing and singing, they would start performing as they turn thirteen or fourteen years old. Some scholars argue that *köçekler* could become lovers of their male employers and even having affairs with sultans (Gorkemli 2014: 34). Due to their feminine looks and same-sex sexual activities, "the social position of the dancing boys was seen negatively and despised by the general population" (Gorkemli 2014: 34). Nevertheless, Gorkemli (2014) argues that they

enjoyed some limited acceptance in the Ottoman culture until the 19th century. The Ottoman Empire prohibited their performances in 1857 after they began to be seen as a threat to the public order.

Gorkemli (2014) argues that, after the Turkish Republic was established in 1923, nationalist state policies and modernization reforms fully instituted heterosexual gender norms in society. The language reform was introduced in 1928, which replaced the 'Arabo-Persian' alphabet of Ottoman with the Latin alphabet of Turkish. As Turkish became "the only acceptable medium" of writing and instruction, books in Ottoman alphabet were banned in 1929. The Ottoman sexual discourse disappeared with the language reform as there was no possibility of learning the Ottoman language.

Gay and lesbian activism first emerged in 1970s as part of "ecologists/greens and radicals" coalition in Izmir but the "political climate" of the time and the military interventions in politics suppressed these efforts. In 1980s, this type of activism reemerged as part of the Radical Democratic Green Party which was a coalition of anti-militarists, feminist, atheists and environmentalists. This political coalition organized demonstrations, sit-ins, and hunger strikes (mostly by transvestites) to draw attention to the "brutal oppression of the police force in Istanbul" against gays (Gorkemli 2014: 38). In 2000s, LGBTs have become more visible as a result of gay parades, lobbying and demonstrations, and community media (i.e Kaos-GL). Despite these efforts, the societal pressures persist, and the media portrayals of gays and lesbians are mostly negative. Hoscan (2007) argues that the reason for negative and harsh criticism of homosexuality comes from the central fear of Turkish society "that homosexuality has contributed to the undermining of the patriarchal structure of Turkish society and the male paradigm of control (p.91).

Since 1858, same-sex relations between consenting adults have been legal in Turkey and homosexuality has never been legally banned (although Turkish laws do not recognize same-sex marriage). But the hate crime rates against its LGBT population are the highest among European countries (Monroe 2015). Between 2010 and 2014, there were at least 41 reported hate murders of LGBT individuals in Turkey (UN UPR Report). However, exact number of hate crimes against gays and lesbians are not known because there is a lack of authority to collect and monitor the data (Human Rights Watch 2008). KAOS-GL compiles a list of hate crimes and human rights violations of LGBT individuals each year and publishes it as a report. Furthermore, there is no law which explicitly prohibits discrimination on the grounds of sexual orientation or gender identity (Fishman 2013). The 2011 World Values Survey shows that "84 percent of Turkey's population doesn't want LGBT residents in their neighborhood" (Monroe 2015). Moreover, Turkish state's stance on the issue of homosexuality hasn't been a positive one. In 2010, Selma Aliye Kavaf, former Turkish Minister for Women and Family Affairs, stated that "homosexuality is a biological disorder, an illness and should be treated" (Fishman 2013). Similarly, in 2013, President Erdogan argued that "being gay is a sexual preference that goes against the culture of Islam" (Thomas 2014).

LGBT Activism:

This dissertation chapter will assess the underlying dynamics of rights claiming by looking at a LGBT grassroots advocacy group named *Pembe Caretta* which works to combat homophobia and transphobia by raising awareness on these issues, educating the LGBT community and organizing events. They are also part of a national coalition of LGBT organizations in Turkey called "*Ayrımcılığa Karşı Gökkuşağı Koalisyonu*" (Rainbow Coalition against Discrimination) which make rights claims like legal protection from hate crimes based on sexual orientation and gender identity and changes in the Penal Code to ban discrimination

against sexual minorities.[26] The Rainbow Coalition against Discrimination engages in lobbying activities to make change in the constitution and especially are in contact with the opposition parties (CHP and HDP) to push for the necessary changes. As previously argued, collective identity groups invoke universalist claims in Turkey. Soysal (1998) argues that individual rights have dominated the discussion of citizenship rights in the postwar era:

> This authoritative discourse of individual rights has been instrumental in the formalization and expansion of many citizenship rights to those who were previously excluded or marginalized in society: women, children, gays and lesbians, religious and linguistic minorities, as well as immigrants. (P.310)

According to Soysal (1998), there are two new ways of claims-making in the postwar era. First, while collective identity groups "rally around claims for particularistic identities", they appeal to "the universalistic principles of equality and individual rights" (p.310). I observe this universalistic claims-making in LGBT rights movement in Turkey. Second, collective claims-making "acquire a transnational and subnational character" (Soysal 1998:315). In the case of LGBT groups, I find that community groups make transnational connections with international organizations such as the UN and Amnesty International to make their voices heard internationally. Soysal (1998) claims that "while drawing upon universalistic repertoires of making claims, individuals and collectivities engage with a diverse set of public spheres, and hence alter the locus of mobilization and set the stage for new contestations and conflicts" (p.316).

LGBT activism emerged in early 1990s as "a commercial male homosexual subculture began to emerge in Istanbul, concentrated in the Beyoglu district, especially the Cihangir

[26] This coalition was established in 2011 and is made up of 22 LGBT organizations: Pembe Caretta, Pembe Hayat, Kaos GL, Queer Adana, ZeugMadi LGBT, Hevi LGBT, Transsicko, Uluslararası Af Örgütü, T-Der Trans Danışma Merkezi Derneği, Spod LGBT, Keskesor, Malatya Homofobi ve Transfobi Karşıtı Gençlik İnisiyatifi, Anka LGBT, Kars LGBT Blok, Listag, Kaos GL, İstanbul LGBTT Dayanışma Derneği, Dersim Roştîya Asmê LGBTİ Oluşumu, Trans Dayanışma Ağı, Antakya Güzel Sanatlar Derneği, Siyah Pembe Üçgen İzmir, Yedirenk Mersin LGBT, Voltrans , MorEl Eskişehir, Lambdaistanbul. The coalition is supported by the European Union Turkish Delegation.

Quarter" (Murray 2004). This movement coincides with other movements of 1990s such as the Islamist movement and the fragmented women's movements in Turkey. LGBT groups began to claim their individual, political and social rights like freedom from discrimination based on sexual orientation and gender identity. The organizations began to "publicly voice these demands through demonstrations, pride parades and by setting up booths to distribute information" (Durgun and Kalaycioglu 2014: 79). These events advance rights claims by highlighting the presence and demands of LGBT groups. There has also been mobilization through the Internet as members of lesbian and gay university student groups began using Yahoo! Groups in late 1990s "to encourage the formation of similar groups in other Turkish universities" (Gorkemli 2012). These student groups organized under the name Legato, the acronym for Lezbiyen Gay Toplulugu (Lesbian and Gay Association). This online grouping led to "the formation of a lesbian and gay student culture at universities across the nation, all linked through Yahoo! mailing lists, which connected students with preexisting LGBT subcultures and with Lambdaistanbul and Kaos GL" (Gorkemli 2012).

Lambdaistanbul, the first LGBT group was established in 1993 after a gay parade was banned in Istanbul on the ground that "it would be contrary to Turkey's "tradition and moral values" and that it might disturb the peace" (Murray 2004). This is a good example of how the 'monological' public sphere is structured by the state. Lambdaistanbul opened a cultural center in 2002 and is officially recognized as an association in 2010 after being sanctioned by the state (Durgun and Kalaycioglu 2014: 79). Also, in 1995, a gay festival, which was initially approved by the Ministry of Interior, was banned by Municipality of Istanbul because it was deemed "inconsistent with public morals" (Murray 2004). Nevertheless, Turkey is the first country in the Muslim world to hold a LGBT pride march. The LGBTs first public appearance was on the May

Day 2001 in Ankara. In 2003, the first pride parade was organized in Istanbul with the participation of approximately 50 people. Since then pride parades have been organized annually (Durgun and Kalaycioglu 2014: 80). In 2007, the number of participants to the parade jumped to 1500 when the Constitutional Court supported a proposal that would block the appointment of AKP's candidate for president, coincided with the pride parade. Inspired by the slogan of independent presidential candidate Prof. Baskin Oran that society can only change when "the disenfranchised masses bust out of the confines of identity politics and act in solidarity with each other" (Oktem 2008). In 2014, some 100,000 participants marched in the pride walk in Istanbul as the largest pride event held in the country. Gezi Park protests[27] in 2014 contributed to the increase in participant numbers in parades. Turkey is also a country of refuge for LGBT individuals from other Muslim countries that flee discrimination based on sexual orientation (Monroe 2015).

Today, there are several LGBT association in Turkey including LambdaIstanbul (established in 1993), KaosGL (1994), Pembe Hayat LGBTT (2006 – first transsexual organization), Association of Social Policies, Sexual Identity and Sexual Orientation Studies (SPoD - 2011), İstanbul LGBTT Association (2007), as well as some local LGBT organizations in İzmir, Diyarbakir, Eskisehir and Antalya. LGBTI Union is established as an umbrella organization for LGBT solidarity among these associations in 2014 (LGBTyasam Blog and LGBT Weekly). These associations and groups have engaged in a wide range of queer-positive activities including pride parades and seminars/workshops with invited academics and public intellectuals in recent years and established contacts with international human rights

[27] Gezi Park protests are a collection of protests which began in Taksim in 2013, Istanbul as a protest of the government for intervening in the lifestyles of secular Turks. The protests expanded and included different segments of society such as the Kurds, leftist groups, anti-capitalism Muslims, LGBT groups, women and students who are not content with government's domestic policies.

organizations for increased support. They have also engaged in reading and discussion groups, film screenings, print and online publications, interviews with national newspapers, and demonstrations (Gorkemli 2012). Both Lambdaistanbul and Kaos GL have encouraged 'coming out' as part of their activism (Gorkemli 2012). This activism "sought to provide exposure to Euro-American LGBT identities and to introduce and disseminate the concepts of the closet and coming out in the Turkish context" (Gorkemli 2012). In 1990s, Kaos GL helped university students to organize on the campuses of Middle East Technical University (METU) and Hacettepe University in Ankara and became registered student clubs which reproduced similar activities such as screening films and organizing discussion groups.

However, "repeated court indictments of KAOS GL" and other groups under the religious conservative government have banned or disrupted these queer-positive activities (Ozturk 2011). Again, this is an example of the state structuring the public sphere. There have been several cases of closure filed by governorships in Istanbul, Ankara and Izmir against the LGBT organizations which Amnesty International calls "judicial harassment of LGBT organizations in Turkey" (Hurriyet Daily News 2010). Lambdaistanbul faced closure in 2008 on the grounds that preamble of the association threatened Turkish moral values, the sacred character of the family structure and religion.[28] Lambdaistanbul appealed the decision by invoking the liberal notion of citizenship through individual rights protection, which was annulled in May 2010 (Durgun and Kalaycioglu 2014: 80). The organization started an online petition called "Don't touch my Association! Equality in the Constitution!" In the petition, Lambdaistanbul invoke norms of equality and address the lack of terms like "sexual orientation"

[28] Article 56 of the Turkish Civil Code states that "no association can be formed for an object contrary to laws and ethics" (UN UPR Report 2014).

and "gender identity" as a protection against closure of gay/lesbian associations.[29] Istanbul Supreme Court of Appeals ruled that there are no legal provisions to close an association on the grounds of morality, stating that: "no clause exists in our laws that prohibits lesbian, gay, bisexual, transvestite and transsexual persons from assembly to form an association with aims of solidarity. As a result, it cannot be said that [these associations'] aims and purposes are unlawful or immoral" (Hurriyet Daily News 2010). However, the final decision also mentions that the organization may be closed if it "encourages, exhorts, and diffuses different sexual orientations" (Durgun and Kalaycioglu 2014: 81). Lambdaistanbul found this statement "very vague" and "open to manipulation", therefore they have taken this ruling to the European Court of Human Rights which is still pending (Lambdaistanbul 2014). Moreover, in 2005, KAOS-GL and in 2006, Pembe Hayat (Pink Life) faced closure cases as they officially became associations. According to an Amnesty International Report (2011), "concepts of morality are frequently applied in a discriminatory manner" in Turkey. Several articles in the Turkish Civil Code are used to justify the closure of LGBT associations for violating "public morals".[30]

Media coverage of LGBT issues also became an issue of contention as the state argues that it violates "obscenity and public morals provisions" (Amnesty International Report 2011).

[29] The petition reads; "The local court has decided to shut down Lambdaistanbul based on accusations that the association is working against "societal morality", "laws" and "Turkish family structure." This shows that the inequalities in society impact the implementation of laws. Morality is a subjective concept which is used against LGBT individuals' freedom of expression and freedom of association. This shows the vital need to include the terms "sexual orientation" and "gender identity" in the equality clause of the constitution. http://www.lambdaistanbul.org/s/etkinlik/imza-kampanyasi-dernegime-dokunma-anayasada-esitlik/

[30] Turkish Civil Code Article 47 – Group of persons organized to create a single body and independent property groups constructed for special object, are defined as legal entity as per the provisions contrasting its qualities, relations etc. The groups comprising persons and properties of which the object is contrary to the laws and ***morality*** may not be entitled to possess the status of legal entity.
Turkish Civil Code Article 56 – An association is defined as a society formed by unity of at least seven real persons or legal entities for realization of a common object other than sharing of profit by collecting information and performing studies for such purpose. No association may be formed for an object contrary to the laws and ***morality***.
Turkish Civil Code Article 89 – If the objects of the association are not compatible with the legislation and ***morality***, the court may give judgement for the dissolution of the association upon request of the Public Prosecutor or any other concerned person. The court takes all the necessary measures during the proceeding of the case, including suspension of activity (Amnesty International Human Rights Report on Turkey 2011).

For instance, in 2006 all copies of a magazine issue produced by Kaos-GL were confiscated "on the grounds that images were obscene and violated public morality." Kaos-GL rejected the charges and has exhausted domestic remedies and took the case to the European Court of Human Rights which still remains pending. In 2011, the Radio and Television Supreme Council (RTÜK)[31] found a TV channel guilty of showing the TV show Sex and the City because the Council found the scenes in the show "depicting gay marriage violated national and spiritual values and Turkish family structure" (Amnesty International Report 2011).

Recently, Turkey's Supreme Court passed some pro-gay ruling. For instance, in 2014, the Court acknowledged that calling LGBT members as "perverts" is hate speech (Monroe 2015). In 2013, the court ruled that "the definition of homosexuality and homosexual acts as 'unnatural relationships' is unconstitutional. Thus, "selling DVDs depicting graphic as well as pornographic LGBTQI group sex is natural and that an individual's sexual orientation should be respected" (Monroe 2015).

One of the most important rights-claims LGBT groups voice is the amendment to the Constitution and Penal Code to include the term 'sexual orientation' so that they will be recognized as a social group in Turkey. They demand this amendment as a recognition of their group. Article 10 of the Constitution acknowledges 'equality before law' regardless of "race, color, gender, language, political opinion, philosophical conviction, religion, sec or any such considerations" (Karadag 2008: 90). Similarly, Article 3/2 of the Turkish Penal Code mentions that discrimination based on "race, color, gender, language, disability, political opinion, philosophical conviction, religion, sect or any such considerations" is prohibited (Karadag 2008: 90). Since 2003, LGBT groups advocate to the state for the addendum of 'sexual orientation' to

[31] The state agency for monitoring, regulating, and sanctioning radio and television broadcasts.

this list in both cases as a symbolic recognition of their existence as a cultural group and as a legal protection from harassment. In 2011, the United Nations Human Rights Council passed a resolution supporting equal rights for all, regardless of sexual orientation (Fishman 2013).

Kymlicka (1998) recognizes the needs of gays and lesbians – as a non-ethnic social movement- to seek "recognition for their community and cultural identity" as well as their "cultural differences" (p. 91). He argues that LGBT groups can make claims for group rights in order to be protected from discrimination. However, he does not discuss the ways in which they make these claims. While these cultural groups make particularistic claims, they appeal to universalistic norms. Kymlicka misses this important point about framing.

5.1. FRAMES

LGBT organizations use 'human rights' frames to claim equality as well as 'anti-violence' and 'sexual terrorism' frames to address the issues of violence against LGBT members. Frames "help to render events or occurrences meaningful and thereby function to organize experience and guide action … by simplifying and condensing" (Snow and Benford 2000: 614). One framing which is important for this research is the 'sexual terrorism' frames which LGBT movement "strategically selected and adopted" from the women's movement. These frames indicate violence against gays and lesbians is a social problem and that all LGBT members are at risk of violence all the time (Snow and Benford 2000: 628). LGBT groups use "collective action frames similar to the contemporary women's movement's antiviolence against women campaigns and have defined violence against gays and lesbians as a social problem resulting from criminal sexual assault that stems from institutionalized sexual terrorism." (Jenness and Broad 1994: 402). Collective action frames are defined as "emergent action-oriented sets of belief and meanings

that inspire and legitimate social movement activities and campaigns" (Benford and Snow 1992:67-68).

LGBT groups utilize human rights frames in order to claim equality with other members of the society. Mertus (2007) argues that "invoking human rights talk can be an effective way of claiming the moral high ground and of asserting affinity with others throughout the world who seek to condemn human wrongs and promote human dignity" (p.1037). Given that the LGBT movement in Turkey adopts most of the strategies and tactics of the LGBT movement abroad, they would want to appeal to international organizations. Internationally, LGBT groups in general appeal to "the right to privacy in the criminal law context; the right to equality; the right to family; the right to non-discrimination; the right to freedom from torture; and the right of transsexuals to recognition of their new gender" and the right to sexuality (Mertus 2007: 1038). In Turkey, however, the groups usually adopt human rights frames that appeal to issue of equality and non-discrimination.

In the international arena, the human rights framework has been "of great strategic importance" for LGBT advocates and international NGOs (Mertus 2007: 1050). Amnesty International recognized that "the persecution of persons for their homosexuality is a violation of their fundamental rights" in 1979 (Mertus 2007: 1045). Amnesty International became the first mainstream human rights organization in 1993 "to publish a widely circulated monograph on gay and lesbian rights as human rights" (Mertus 2007: 1045). Before the 1993 Vienna Declaration and Programme of Action, there was no mention of 'sexual rights' in international documents. Since then, international human rights organizations work to promote "the human rights standards that protect the basic human rights of LGBT people; increasing public awareness of

human rights abuses based on sexual orientation and gender identity; and working in coalition with LGBT, religious, youth, and other groups" (Mertus 2007: 1051).

In Turkey, KAOS GL organizes events about the human rights of gay/lesbian refugees, the new constitution (and the equality clause for sexual minorities) and hate crimes against LGBT members by emphasizing the 'human rights' of LGBT individuals. Lambdaistanbul is a member of international bodies such as CSBR (Coalition of Sexual and Bodily Rights in Muslim Societies) and ILGA (International Lesbian and Gay Association) (Lambdaistanbul 2014). They open stands during various fairs and festivals such as Human Rights Fair etc. Lambdaistanbul and other LGBT organizations in Turkey "have formed an LGBT human rights watch platform in late 2006 and have reported and published annual LGBT human rights violations and have sent it to all members of the Turkish parliament" (Lambdaistanbul 2014).

In December 2014, KAOS-GL in Ankara, LGBTI News Turkey in Istanbul and International Gay and Lesbian Human Rights Commission (IGLHRC) in New York together submitted a human rights report to the United Nations to be reviewed under the Universal Periodic Review which is a unique process that involves a review of the human rights records of all UN Member States. Member States are allowed to make recommendations to the country under review in order to improve its human rights records (KAOS-GL 2014). Turkey accepted recommendations from Canada, Norway and the Netherlands in 2010 for the inclusion of 'sexual orientation' to the definition of non-discrimination. However, Turkey did not meet the recommendations. In January – February 2015, it is Turkey's turn again to be reviewed by the Universal Periodical Review. The report submitted to the UN presents human rights violations in Turkey based on sexual orientation and/or gender identity. These violations consist of acts of violence against LGBT individuals, discriminatory domestic laws, arbitrary administrative

measures, and hostile approach of State officials towards the LGBT community (UN UPR Report 2014). In preparing this document, the organizations relied on documentation and data from LGBT organizations and allies in Turkey; reports by national and international human rights NGOs; the European Commission's Annual Progress Report; Concluding Observations of the UN Human Rights Committee's review of Turkey's compliance with the ICCPR; recommendations from Turkey's first-cycle UPR; Turkey's Constitution and recent legislation; and media reports of violence and discrimination against LGBT individuals (KAOS-GL 2014). If we look at the reasons why they appeal to the international community, we will see that their goals and rights claims are not acknowledged by the state, thus, they are appealing to the international community. Moreover, the LGBT movement is so new in Turkey, that, the basic human right to bodily integrity is the first priority. This is a universal claim against persecution based on their status. There might be special rights later (marriage), but right now, the issues are more basic.

LGBT groups also endorse 'sexual terrorism' frames employed by the women's movement. Sheffield (1992) defines sexual terrorism as "a system by which males frighten and, by frightening, dominate and control females" (392). Sexual terrorism is

> manifested through actual and implied violence; and all females, irrespective of race, class, physical or mental abilities, and sexual orientation, are potential victims- at any age, at any time, or in any place. Sexual terrorism employs a variety of means: rape, battery, incestuous abuse, sexual abuse of children, sexual harassment, pornography, prostitution and sexual slavery, and murder. (Sheffield, 1992:393)

LGBT groups document antigay and lesbian violence in Turkey as "the majority of gay and lesbian antiviolence projects have established a documentation program to record incidents of antigay and lesbian violence" in Turkey (Jenness and Broad 1994: 408). These documentations offer evidence that violence against LGBT individuals is widespread. These acts of violence are framed as 'hate crime' against gay and lesbian individuals. In March 2014, the Turkish

parliament passed the Anti-Discrimination bill to make hate crimes punishable by law. Hate crimes based on "language, race, nationality, color, gender, disability, political view, religion or sect" are punishable from 1-3 years in prison (NTV News). However, "sexual orientation" and "gender identity" are not listed as a base for hate crimes which drew a lot of criticism from the LGBT community. Inclusion of these terms in the Anti-Discrimination bill will indicate the recognition of LGBTs as a cultural group. On the other hand, Turkey ratified the Istanbul Convention[32] in November 2011 which includes a non-discrimination article that contains the terms "sexual orientation" and "gender identity" (UN UPR Report 2014). This indicates that "Turkey must fulfill its international obligation to bring its domestic laws in line with this convention to ensure the protection of LGBT individuals" (UN UPR Report 2014). In comparison, since 1999, the European Court of Human Rights holds that the non-discrimination clause of the European Convention (Article 14), prohibits discrimination on the basis of sexual orientation. (Mertus 2007: 1050).

5.2. Case Study: Pembe Caretta

My discussion of *Pembe Caretta* in this section is based on one-on-one interviews I conducted with group members in Antalya in Summer 2014. I found participants for this research through help of friends who are LGBT activists in Antalya. Eleven people between the ages 20 to 27 participated in this study. The interviews took place in a bookstore in Antalya where they usually meet and hold their meetings. During the interviews, I asked the participants questions about their involvement with *Pembe Caretta*, the difficulties the group face, and the broader difficulties of LGBT activists in Turkey. At the beginning of each interview, I informed

[32] This is a Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) which was open to signature on May 11, 2011, in Istanbul, Turkey. See http://www.coe.int/t/dghl/standardsetting/convention-violence/about_en.asp

the interviewees about the research protocol, and the interviewees orally agreed to the consent form. I conducted, transcribed, and analyzed the interviews in Turkish (quotes from the interview data are my translation).

Pembe Caretta was established in September 2013 by some students in Akdeniz University in Antalya. Similar to other LGBT mobilizations in Turkey, they initially got together at the university and tried to establish an LGBT student club. However, their request to form a student club is rejected by the school administration on the grounds of using the words 'gender identity' and 'sexual orientation' in their mandate. Therefore, they have decided to broaden the scope of the organization to include members of the community in Antalya. They are yet to become an official association.

In their mission statement, they state that they aim to achieve equality for LGBT individuals, raise awareness for LGBT rights, show that homosexuality is not a disease, and to combat homophobia and transphobia. They declare that their mandate is to fight discrimination which is the main causes of hate crimes in Antalya, in Turkey and the world, and to protect human and animal rights. Independent of any party ideology, *Pembe Caretta* is a rights-based organization which states that "another world is possible" (Pembe Caretta facebook page). Their motto is "we are neither wrong nor alone!" Pembe Caretta organizes events such as film screenings, talks, panels, and the pride march in Antalya. The organization is also a signatory to the Human Rights Report in Turkey submitted to the UN Universal Periodical Review by KAOS-GL in December 2014 as well as a signatory to the *Ayrimcliga Karsi Gokkusagi Koalisyonu* (Raibow Coalition against Discrimination). Although they are part of national and international coalitions, they do not directly make claims against the state. Their actions are largely around raising awareness.

5.3. Discussion of Emergent Themes

Pembe Caretta emerged as a student collective at Akdeniz University in Antalya, Turkey and later became an LGBT group which is open to public. However, they face obstacles as a group in the community. For example, "when we wanted to organize a symposium or do a film screening, we organized it with recognized student clubs from the university, one with Cinema club and one with Gerontology club." They state that one of the biggest difficulties they face as a civil society organization

> is to find a place to organize a talk or symposium or workshop. We have to book as an association or foundation. When we apply, they say they are all booked up or under construction. We did not pursue [the owners] because we believe [prejudice] will break down in time and people's mentality will change over time.

For Pembe Caretta, the second biggest obstacle is mobilization. They claim that LGBT members do not mobilize because mobilization (in Turkey) is regarded as "a bad thing or dangerous thing." However, LGBT groups annually organize a Gay parade in several cities in Turkey including Antalya. The attendance is not as high as in Istanbul but still local members of gay/lesbian groups come out to celebrate gay pride. The group mentions that in the 2014 LGBT parade in Antalya, around 350 people attended where Pembe Caretta handed out masks for people who do not want to be identified. Surprisingly, during the parade, some members took out their masks: "Overall 50 masks were printed out of which a total of 10 people wore in the parade." This is encouraging given the pressure LGBT individuals live under. One member of the group adds that "people will overcome their fears in time [to attend the LGBT parades]."

Third obstacle is overcoming phobia. Societal phobia towards LGBT individuals is persistent. "People don't want to be seen with a gay/lesbian" says one interviewee. "Same goes for politicians" he says, "even though top officials in political institutions maybe accepting of the

situation, local officials are hesitant to help solve the problems of LGBTs. Probably out of ignorance, they distance themselves from LGBT individuals and issues."

When asked what their rights claims against the state are, they have a long list of issues. First, they want "to be recognized by the Constitution" as a group. This recognition will come with the mention of the phrases "sexual orientation" and "gender identity" in the equality clause of the Constitution. They also demand the addendum of "sexual identity" in the new Hate Crimes legislation. They demand new regulations in employment laws, bettering the situation of LGBT prisoners, legal protection for sexual minorities through the Hate Crimes legislation, to live a harassment-free life "where our rights are not violated." Some interviewees demand improvement of the situation for transsexuals such as getting support through the sex reassignment process.

Another interviewee list a bunch of problems faced by the sexual minorities such as the lack of legislation in the Penal Code and the Constitution for homophobia, transphobia and hate crimes against gays and lesbians, the issue of freedom of speech and freedom of association, the issue of access to health care and employment and the treatment of sexual minorities in the military and prisons. These issues will be discussed below.

In the "democratization package" in 2014, the Anti-Discrimination Bill in addition to hate crimes legislation has passed, but despite the push from the opposition, there was no mention of "sexual orientation" and "gender identity" (UN UPR Report 2014). In terms of discrimination in employment, Article 125/E(g) of Turkey's Law on Civil Servants "includes a clause that allows for dismissal if a government employee is found "to act in a shameful and embarrassing way unfit for the position of a civil servant" (UN UPR Report 2014). This clause

was used to dismiss a police officer due to his perceived gender identity in 2012 (UN UPR Report 2014).

Oktem (2008) argues that the only public body in Turkey "that explicitly discriminates against homosexuals is the military". The Turkish Armed Forces Health Requirement Regulations categorizes homosexuality as a psychological disorder. It bars people with "high-level psychological disorders (homosexuality, transsexuality, transvestism)" from the mandatory military service. In order to pass as a homosexual, military doctors subject individuals to different tests. If they are recognized as gay, "they are dismissed as unfit for service, with possible repercussions for their job prospects and employment in state institutions" (Oktem 2008).

There is also mistreatment of gay prisoners in Turkey. The government is segregating inmates that are gay. The state requires LGBT inmates to obtain a medical report verifying their "condition" and are to "be housed in units appropriate to their status with convicts and detainees in the same condition" (UN UPR Report 2014). There was at least one incident of solitary confinement of a gay inmate in Buca Prison based on his sexual orientation. The European Court of Human Rights found that the confinement was in violation of Article 3 (freedom from torture, and inhuman and degrading treatment) and Article 14 (non-discrimination) of the European Convention on Human Rights (UN UPR Report 2014).

5.3.1 Equality Frames:

Pembe Caretta frames their claims in terms of 'equality'. This is in line with the master frames LGBT organizations use such as 'human rights' and 'equal treatment' for LGBT individuals. There is a strong emphasis on the notion of 'equality' as an emerging theme in the interviews:

> First of all, we all want equality. Other than that, I personally care about the issues of [providing] schooling, work and healthcare [for LGBT members]. We all have problems but we specifically have problems over these issues. Do all homosexuals and transsexuals face difficulties? No, but majority of them do face these difficulties. These need to be remedied. The state is 'othering' and has not done anything about these issues. Although it is not reflected on the media, LGBT individuals experience bad treatment in hospitals like not being treated or kicked out. Also, people leave workplace because of bad treatment because they are bullied and change work quite often. Another issue is that transsexual individuals cannot find a job and cannot go to school. The same problems occur at schools. These are our priorities to get these problems resolved. Equality will follow. The reason why LGBT organizations are established is to get together and realize the solutions to these problems [of lack of equal treatment]. Other than that, we work to overcome the taboos in people's minds.

When asked whether they use a universalist language to make claims, one interviewee replies, "every living being in the universe has a right to live freely. Everyone has to respect that right. This right has to be extended to all segments of society, not only parts of it. The world has to give up on the heterosexist rules, respect all sexual orientations and gender identities and the laws should reflect that." Another interviewee adds, "These demands are universal rights. Every individuals has these rights naturally, and we demand these rights in our country that many countries have granted [to their LGBT population]." Yet another interviewee states, "LGBT individuals do not need a special language or special rights. Universal human rights is enough. Only for special circumstances, there can be legal regulations. Especially for transsexual individuals."

One interviewee objects the framing of LGBT rights-claims in terms of human rights:

> It is also wrong to say "we are human, too!" it means I am 'othering' myself from society, I am discriminating against myself. I am human but to say 'I'm human, too' is like asking to be acknowledged and recognized by the 'normal' (heterosexual) people. It's pitiful.

They use the 'individual rights' language to make claims. They focus on the LGBT individuals' "right to life, right to accommodation, and right to education." The fundamental right to life is paramount because gays and lesbians get killed because of their gender identity in the name of 'honor' killings.

5.3.2 Sexual Terrorism Frames:

Another frame they use is 'sexual terrorism'. As mentioned above, sexual terrorism is a system of frightening, dominating and controlling bodies. It is "manifested through actual and implied violence" such as rape, battery, sexual abuse and murder. As evident in many instances of sexual violence in Turkey, LGBT members are at risk of sexual terrorism at all times. In response to a question about the right to same-sex marriage in Turkey, one interviewee responded;

> We haven't yet gained the right not to be killed, let alone have the right to get married. We want the right to walk freely on the streets first and foremost. The right to life comes first. After we guarantee that right, [we can demand] marriage, employment, children etc. It is a bit funny to discuss same sex couples' request to adopt children, before we can deal with the problems of being bullied on the streets, to be accepted by our parents, face discrimination in the workplace…these [problems] can be related to religion or culture. As long as we have a patriarchal family structure, we won't get there [to demand same-sex marriage and adopt children].

Unlike the LGBT movement in the U.S which focuses on same-sex marriage rights, LGBT groups in Turkey do not focus on 'same-sex marriage'. They do not have a claim to same-sex marriage yet because "until we get there, we have a lot of problems to resolve!" One interviewee says,

> Actually there are similar problems [for LGBTs] around the world. But what sets Turkey apart is the fact that Turkey is becoming more conservative. In some countries, legal rights are granted [to LGBTs]. We are still not recognized by the society [in Turkey], let alone get marriage rights. Still many young people face pressure by their families and the society, and even live in fear of getting killed by their own families.

Another interviewee mentions that they have a lot of members that lose their lives or get hurt that before [having the right to] marriage, they need to solve these problems:

> If they ask me to choose between the right to marriage and these rights [to life, to have a decent living] then I would choose these rights right now. We are neither alone nor wrong! When we get together, we can empower each other. Like when we got together for the LGBT march in the 100,000s. We have a lot of supporters (including heterosexuals). Every week, we hear about LGBT individuals being beaten or getting killed. We have priorities about what needs to get done before reaching a point where we demand marriage rights.

As a solution to the sexual terrorism they face daily, they propose an amendment to the constitution: "If sexual orientation and gender identity are recognized in [the equality clause of] the constitution, our rights will be under guarantee and there will be consequences [for those who violate that clause]." They emphasize the importance of "right to life" before gaining the right to get married. One interviewee thinks about leaving Turkey to raise a family.

> We want to solve the problems we face today [before we get the right to get married]. Honestly, I think about going abroad to get married because I want to have kids. I'm going to leave my country. I am in a dilemma about it. Should I live and die single? But on the other hand, I want to realize my dreams.

They are strategic about making rights-claims. The justification for not registering Pembe Caretta as an LGBT student organization in Akdeniz University is the reference of the words 'gender identity' and 'sexual orientation' in their mandate. So in order to be accepted, they declare that they also defend the rights of animals, the environment and other marginalized groups. They claims that they are rights activists which encompasses more than just LGBT rights. We contribute to these efforts by signing collective press releases or declarations as an LGBT group. They are also in touch with an ecology group in Ankara to protect the caretta turtles in Antalya region. They are also in communication with other associations such as Women's Solidarity Association, Egitim-Sen Union, Anti-capitalist Muslims, IMC Housewives, IHAT Union, Halk Evleri etc.

Since their emphasis is to change the constitution, I asked whether the current constitution defends LGBT rights, the interviewees said no:

> We want the mention of 'sexual orientation' and 'gender identity' in the constitution but more importantly we demand that killing gays and transsexuals should be considered as a hate crime. If [the courts] give sentence reductions on the basis of provocation, that is bad. There should be consequences [for these hate crimes].

Another interviewee replied;

> There are problems in practice but there is also a problem with the constitution. For example, sex reassignment is allowed in the constitution[33] but it depends on the hospital, the doctor and finances of the patient. It is so hard to achieve in practice. In male-to-female or female-to-male reassignment, there is a problem of sterilization. If you are a transsexual, you have to be sterile [in order to get the reassignment operation]. But hospitals like Hacettepe found a solution to this obstacle. They write reports *as if* the individual is sterile regardless of his sexual fertility. People wait a long time to get this report.

Thus, there are specific problems of some sexual minorities – namely the transsexuals- that is ignored by the state institutions and laws. This suggests that the state does not acknowledge the specific needs and special attention that these people need. In order to recognize the needs of these individuals, there has to be special mechanisms at play to attend to their specific needs (i.e. special rights for transsexuals). However, despite the fact that special rights are needed, LGBT community still uses a universalist language to overcome obstacles.

5.4. CONCLUSION

Pembe Caretta is a grassroots organization in Antalya, Turkey. The organization uses two types of framing to make rights claims: equality frames and sexual terrorism frames. The organization adopts frames and tactics similar to other LGBT groups in Turkey. These frames are universal frames that connect these groups to transnational discourses and organizations. Pembe Caretta –and LGBT organizations in Turkey- engage in claims-making in two ways: first, LGBT groups adopt a transnational character in their rights-claiming by connecting to international human rights organizations. . This 'postnational' approach to rights-claiming is part

[33] Sex reassignment is allowed in the Turkish Constitution only if the person is infertile. In practice, many individuals who are not infertile get the hospitals to give them notes saying they are infertile so that they can have the sex reassignment operation.

of the groups' mandate to appeal to universal human rights beyond the borders of state sovereignty (Soysal 1998). Second, while collective identity groups "rally around claims for particularistic identities", they appeal to "the universalistic principles of equality and individual rights" (Soysal 1998: 310). I observe this universalistic claims-making in LGBT rights movement in Turkey. While they make claims specifically to protect gay/lesbian and transsexual individuals, they invoke universalistic values.

The reason why they use human rights frames is because they assume that the only way to be accepted in the public sphere is to appeal to the human rights frames as the dominant discourse. The state is not willing to listen to them (as evident in omitting the sexual orientation language in the newly updated constitution, penal code and other legal documents) so they appeal to international bodies like the UN for support. Pembe Caretta is part of a national coalition of LGBT groups even though the group itself is not making formal demands to the state. Yet the group engages in raising demands in public in their advocacy work.

CHAPTER 6

CONCLUSION

Claim-making is essentially a contestation of the boundaries of citizenship. It includes broadening the definition of citizenship by "various political and social struggles of recognition and redistribution [based on identity and difference]" (Isin and Turner 2002:2). Issues such as status of immigrants, women, sexual minorities, religious minorities have been "expressed through the language of rights and obligations and hence, of citizenship" (Isin and Taylor 2002:1). Citizenship rights include civil (free speech and movement, the rule of law), political (voting, seeking electoral office) and social (welfare, unemployment insurance and health care) rights (Isin and Turner 2002:3). Debates on citizenship focus on the expansion or protection of these rights within the nation-state which is the "source and appeal of authority" (4). More than being merely a legal status, "citizenship must also be defined as a social process through which individuals and social groups engage in claiming, expanding or losing rights" (Isin and Taylor 2002:4). This dissertation explores the contestation of citizenship in Turkey by several different groups.

Turkey is founded as a modern and secular country in 1923. However, modern Turkey represses particular expressions of difference in order to construct, unify and universalize a distinct Turkish identity in the public sphere. Therefore, collective identity groups and movements (such as women, LGBT, Islamist) raise their voices for recognition of 'difference' in the society. While theirs is a claim for difference, it is "affirmed by universalistic and homogenizing ideologies of human rights. The terms [the collective identity groups] engage are embedded in universalistic principles and dominant discourses of equality, emancipation, and individual rights. In that sense, the particular and the universal are not categorically opposed - rather the particular is interpreted by the universal" (Soysal 1997). This raises a paradox in rights-claiming. The reason for the emergence of such paradox is because groups want to fit in

by adopting the universal language of rights used by the state in the Constitution and the law because the state only recognizes such claims. Rights-based language could be necessary for certain groups as it is located "within the accepted discursive field resonating with the values of a secular society" (Barras 2009). Using macroframes, such as 'human rights', enable groups to appeal to international organizations, as well. This 'postnational' approach to rights-claiming can be part of the groups' mandate to appeal to universal human rights beyond the borders of state sovereignty (Soysal 1998).

Several authors answer the question of why groups choose to use universalist frames to advance particular rights-claims. Soysal (1997) argues that that groups "attach themselves to available macroframes and repertoires of making claims and devise strategies of participation" (518). In this sense, their framing of issues is strategic and aligns with available macroframes such as the human rights discourse that is dominant in international affairs. Hazama (2014) asserts that "dominant frames" in society limit the way groups make claims "by circumscribing the possible option for the establishment of counter-frames" (158). Also, Barras (2009) states that using a rights-based language could be necessary for certain groups as it is located "within the accepted discursive field resonating with the values of a secular society." In other words, groups utilize more acceptable frames such as 'rights language' in society.

This dissertation explores the dynamics of rights-claiming in three empirical case studies which each correspond to a difference discourse and/or social movement: an Islamic association (part of the Islamic movement); a women's association (part of the feminist movement); and a LGBT grass-roots group (part of the LGBT movement). What is shared by all three organizations is their use of universalistic discourse of rights to be accepted in the Turkish public sphere. All groups are advocating recognition in various ways, and these calls for recognition are

attached to particular demands. As a result of the interviews conducted with the members of the groups in the case studies between 2012-2014, several similar themes emerged. Three themes emerge from the interviews with Mazlumder: the emphasis on the rights based discourse, their anti-state rhetoric, and the members' interpretation of democracy. Interviews with KA.DER also resulted in four emerging themes: increasing the number of women in politics, the issues of representation, parity system instead of quotas, and inserting women's perspectives into politics. The third case study, Pembe Caretta, use 'equality' and 'sexual terrorism' frames as emerging themes from the interviews.

The contribution of this study is to illustrate the paradoxical relationship between individual and group rights in three empirical case studies. Even though, there has been theoretical studies on this paradoxical relationship (i.e. Soysal), there has been no empirical study on the paradox. Furthermore, there has been no empirical study on LGBT rights-claims in Turkey. Also, the three case studies in this dissertation have been put together for the first time.

Framing of claims by all three groups are not based on particular identities nor do they claim special rights for their own group. Furthermore, none of the groups demand "differentiated citizenship." As Young and Kymlicka argue, differentiated citizenship requires the recognition and protection of difference by the state. They do make differentiated claims, however. For Mazlumder, the differentiated claims are issues such as the headscarf issue. They want women with headscarves to enter and be accepted in the public sphere. For Ka.Der, the differentiated claim is the presence of women's voices in politics because they believe women are different than men. The organization asserts that women bring a sense of elegance and attention to women's issues, interests and preferences. For Pembe Caretta, the differentiated claim is the protection and bodily integrity of sexual minorities. They push for a change in the constitution

for the inclusion of the terms “sexual orientation” and “gender identity”. Thus differences lies below the surface of their appeals to universal citizenship which is difference-blind.

The case studies in this research do not appeal to differentiated citizenship, rather, they appeal to universal citizenship which is difference-blind. All three groups request equal treatment before the law. They claim equality of individuals with other members of the society. While groups want their particular identities to be acknowledged in society, they frames their claims in universalistic principles of equality and individual rights. Except for Mazlumder, which denies external funds (such as EU funds for projects), the other two groups acquire transnational ties with international organizations such as the UN, EU etc. Also, both Ka.Der and Pembe Caretta claim to make changes to the Constitution. Ka.Der demands the inclusion of ‘equal representation’ of men and women in the parliament and political office while Pembe Caretta demand the inclusion of the phrases ‘sexual orientation’ and ‘gender identity’ in the equality clause. Thus, they conform to the norms of universal citizenship. The paradox of universal citizenship is that it disguises and subordinated differences while being difference blind. In all three case studies, there is a strong emphasis on equality. Members of all three groups want to be treated equally in public and before the law. Formal equality is granted to all citizens but these groups want the protection of the law *despite* their differences. The important question here is whether inclusion of notions of “equal representation” or “sexual orientation” in the equality clause of the Constitution will provide substantial equality and lead to effective implementation.

As stated above, groups choose to use universalist frames to advance particular rights-claims. This creates a paradox in rights-claiming. What are the key implication of this paradox for each group? For Mazlumder, there is a tension in their rights-claiming: they call for universal human rights, but they are caught, in some respects, by their rejection of democracy

and the modern state. Thus, the very body that grants these rights (the democratic state) and the ways rights are granted (democratic processes) are suspect. This pushes their appeal to universal rights beyond the state (to God and the Islamic community). However, this push then also puts them in a bind. Their sense of universal human rights is really the rights of Islamists. Ka.der is caught by the fact that formal granting of rights has not brought substantive equality. Thus, this is a shortcoming of the liberal democracy which they firmly believe in. I think they are doubling down on the universalist frame—what matters is quantity. However, there is an underlying assumption of a politics of difference—that women will make better legislators, and they will be better advocates for women. For Pembe Caretta, what is interesting is the real need to go beyond the state, because their claims are not acknowledged by the conservative government. They are also engaging on a much more basic level of the right to exist, to have bodily integrity. The violations against this population are clear, but it is unclear if the state will react—hence the need to go beyond the state.

Lastly, I would like to highlight the structural position of each group and its relationship to rights claims. For Mazlumder and Ka.Der, the right to practice religion and women's rights to participate in politics are established. However, even though these rights are established in law, in substance both of these groups are not fully accepted. Pembe Caretta starts from a much different position. LGBT rights-claims are not yet recognized by the state. Therefore, they appeal to international bodies to pressure the state to recognize sexual minorities.

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APPENDICES

APPENDIX A

CONSENT TO PARTICIPATE IN RESEARCH

TITLE OF STUDY: Framing Rights-Claims: Collective Identity Groups In The Turkish Public Sphere

You are asked to participate in a research study conducted by doctoral candidate, Bihter Tomen, from Department of Political Science, Southern Illinois University-Carbondale.

PURPOSE OF THE STUDY

The main purpose of the study is to gain a deeper understanding of the current civil society movements in Turkey. This research aims to examine the relationships between the public sphere, participation, and citizenship in modern Turkey. The research will investigate the ways in which social groups contest the public sphere by examining their demands, rights-based claims and activities. The research will use the following civil society organizations as case-study: Mazlumder, KA.DER, and Pembe Caretta.

CRITERIA FOR SUBJECT SELECTION
Members of the selected civil society organizations are the potential subject pool for this study.

PROCEDURES
Completion and return of this survey indicates voluntary consent to participate in this study. If you volunteer to participate in this study, we would ask you to do the following things:
You will participate in a 1-hour interview to discuss your role/participation in the organization as well as your organization's role as a civil society organization. Your responses will be recorded to an audio tape which will be kept in a locked draw in the researcher's office. The recordings will be password protected on researcher's computer and will be erased upon the completion of the project.

POTENTIAL RISKS AND DISCOMFORTS
There are no foreseeable risks, discomfort or inconveniences (including physical or psychological risks) to the subjects of the study. All participants are assured that all data are kept confidential, and their names will not be associated with their comments.

POTENTIAL BENEFITS OF THE STUDY

Direct benefits of the study will include:

- A deepening of knowledge and understanding of civil society involvement in Turkey.
- An understanding of current social movements in Turkey.
- Implications for citizenship and democratization in a developing country.

PAYMENT FOR PARTICIPATION

The subjects will not receive any payments for their participation in the study.

CONFIDENTIALITY

We will take all reasonable steps to protect your identity. Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission. Audio recordings and written documentation will be password protected on the researcher's computer and hard copies will be kept in a locked draw in the researcher's office until erased. All identifying markers will be removed, and a code will be given to each recording and transcript. Confidentiality is assured during the release of findings and dissemination of information, whether on a report or journal publication.

PARTICIPATION AND WITHDRAWAL

You can choose whether to be in this study or not. If you volunteer to be in this study, you may withdraw at any time without consequences of any kind. You may also refuse to answer any questions you don't want to answer and still remain in the study. The investigator may withdraw you from this research if circumstances arise which warrant doing so.

FEEDBACK OF THE RESULTS OF THIS STUDY TO THE SUBJECTS

Research findings will be available to participants if requested. Anticipated Date when results are available: September 30, 2011.

RIGHTS OF RESEARCH SUBJECTS

You may withdraw your consent at any time and discontinue participation without penalty. If you have questions regarding your rights as a research subject, contact: Bihter Tomen via email: bihter@siu.edu or Researcher's Advisor, Dr. Roudy Hildreth, Assistant Professor, Department of Political Science, 1000 Faner Drive, Room: 3079, Carbondale, IL 62901. Email: roudy@siu.edu. Telephone: (618) 453-3184.

SIGNATURE OF RESEARCH SUBJECT/LEGAL REPRESENTATIVE

I understand the information provided for the study "Contesting the Public Sphere: Cultural Politics in Turkey" as described herein. My questions have been answered to my satisfaction, and I agree to participate in this study. I have been given a copy of this form.

_____
Name of Subject

_____ _____
Signature of Subject Date

SIGNATURE OF INVESTIGATOR

These are the terms under which I will conduct research.

_____ _____

Signature of Investigator Date

This project has been reviewed and approved by the SIUC Human Subjects Committee. Questions concerning your rights as a participant in this research may be addressed to the Committee Chairperson, Office of Research Development and Administration, SIUC, Carbondale, IL 62901-4709. Phone (618) 453-4533. E-mail: siuhsc@siu.edu.

APPENDIX B

Election Year	Total Number of MPs	Total Number of Female MPs	Percentage of Female Representation (%)
1935	399	18	4,5
1939	429	16	3,7
1943	455	16	3,5
1946	465	9	1,9
1950	487	3	0,6
1954	541	4	0,7
1957	610	8	1,3
1961	450	3	0,7
1965	450	8	1,8
1969	450	5	1,1
1973	450	6	1,3
1977	450	4	0,9
1983	399	12	3,0
1987	450	6	1,3
1991	450	8	1,8
1995	550	13	2,4
1999	550	23	4,2
2002	550	24	4,4

2007	550	50	9,1
2011	550	79	14,4

Source: Turkish Statistical Institute, 2012

APPENDIX C

Semi-Structured Interview Questions for Members of Civil Society Organizations in my Case Studies

1. How long have you been actively a part of Mazlum-der?

    a. How long have you been the director of Ankara branch?
    b. Why did you join?
    c.

2. Which issues – would you say- are the most prominent issues for Mazlum-der today?
    a. If we agree that Turkey has many social problems, why are these issues prioritized for the organization?
    b. What are your demands from the government?
    c. What do you hope to achieve?

3. What are some of the challenges and obstacles you face when acting on your demands?

4. Strategies: I recognize that in some cities, Mazlum-der is part of platforms – such as Justice and Freedoms Platform (Bursa) or Freedom of Faith Platform (Akyazi). Why is that? What kind of organizations are you building alliances with?

5. Mazlum-der and many other groups with different ideological orientations (left-wing etc.) got together to protest the invasion of Iraq in 2003. Do you make alliances with these kinds of groups/NGOs for other issues? Which groups? What kind of issues?

6. Recruitment: One of the reports mentions that one of the challenges facing Mazlum-der is the decline of public interest for civil action and work of civil society. Why is this so? Is it the result of governmental policies? Or the fact that people are simply more interested in their private lives? If so, what strategies do you deploy to recruit members? In what capacities do members help the organization?

7. I am really interested in civil society and the public sphere—how various groups organize in public to demand recognition and try to bring about political and social change. Since your establishment as a civil society organization in 1991, what are your most important achievements? Why these?
    a. What happened? Did the government accept your demands? Or did they crack down which brought about more sympathy / support for your cause?
    b. How has the civil society changed over this time?
    c. How would you define the current civil society in Turkey?
    d. Would you say the current political climate is to your advantage or disadvantage? Why?

8. How would you envision a fully democratic society? (recognition of difference?)

9. I read in the recent report that your party demands that the headscarf ban should be lifted in educational institutions and public life. I think that it is important that you demand for legal arrangements which will protect the right to wear the headscarf in public in order to prevent the arbitrary prohibitions by state/public officials.
    a. What do you mean by arbitrary prohibitions?
    b. What legal arrangements which will protect the right to wear the headscarf in public in order to prevent arbitrary prohibitions?

10. One of the demands of Mazlum-der is the re-writing of the constitution so that the law will be "neutral" and "equal" to all citizens and groups. What do you mean by neutral and equal?
    a. Follow up: But isn't this problem? How can you establish such a constitution and still ask for group-differentiated rights?

VITA

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Framing Rights-Claims: Collective Identity Groups in the Turkish Public Sphere

Major Professor: Roudy Hildreth