

CRITICAL ANALYSIS OF THE AKP'S GENDER POLITICS: TOWARDS
WITHDRAWAL FROM ISTANBUL CONVENTION

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ABSTRACT

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This thesis examines the withdrawal of Turkish state from the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, known as Istanbul Convention (IC), by a Presidential Decision published on March 21st, 2021. Assuming that the case of IC can be an indicator of the transformation of political power and its gender politics in Turkey, this study aims to understand the processes leading to the signing of the Convention, and the withdrawal decision with a focus on the state. Based on the materialist-feminist theoretical and conceptual framework, this study critically analyzes the gender politics of the AKP government in Turkey, by focusing on neoconservative and neoliberal processes that resulted in withdrawal from IC. The main argument of the thesis is that The Presidential Decision on withdrawal from IC is a result of the consolidation of selective patriarchy in post-2010 era Turkey which, from 2018 onwards, found itself in a political-economic crisis and consequently tilt the direction of gender selectivity of the new Turkish state towards anti-genderist/anti-feminist social forces. In conclusion, based on the recontextualization of the materialist-feminist state theory, this study finds out that the change in political power towards withdrawal from IC is not exclusively the misuse of political power, but change in the historical form of the capitalist state as a historical-relational structure with gender selectivities.

Keywords: Critical, AKP, Gender Selectivity, Istanbul Convention, Withdrawal

ÖZ

İSTANBUL SÖZLEŞMESİ'NDEN ÇEKİLME'YE DOĞRU AKP'NİN TOPLUMSAL CİNSİYET SİYASETİNİN ELEŞTİREL ANALİZİ

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Bu tez çalışması, Türkiye Devletinin, kısaca İstanbul Sözleşmesi adıyla bilinen Kadına Yönelik Şiddet ve Aile İçi Şiddetin Önlenmesi ve Bunlarla Mücadeleye Dair Avrupa Konseyi Sözleşmesi'nden 21 Mart 2021 tarihinde alınan Cumhurbaşkanlığı Kararı ile çekilmesini incelemektedir. İstanbul Sözleşmesi örneğinin Türkiye'de siyasi iktidarın ve ilgili toplumsal cinsiyet siyasetinin dönüşümünün göstergesi olabileceğini varsayarak, bu çalışma Sözleşme'nin imzalanması ve geri çekilme süreçlerini devlet odaklı anlamlandırmayı amaçlamaktadır. Materyalist-feminist teorik ve kavramsal çerçeveye dayanarak, bu çalışma Türkiye'deki AKP iktidarının toplumsal cinsiyet siyasetinin İstanbul Sözleşmesi'nden çekilmesiyle sonuçlanan muhafazakar ve neoliberal süreçlerini betimleyerek eleştirel bir şekilde analiz etmiştir. Bu tezin ana bulgusu, İstanbul Sözleşmesi'nden çekilmeye ilişkin Cumhurbaşkanlığı Kararı'nın, 2010 sonrası dönemde seçici ataerkilliğin konsolide edildiği Türkiye'nin, 2018'den itibaren içinde bulunduğu siyasi-ekonomik krizde toplumsal cinsiyet seçiciliğinin toplumsal cinsiyet karşıtı/anti-feminist güçlere doğru pekişmesinin bir sonucu olduğudur. Sonuç olarak, bu çalışma materyalist-feminist devlet teorisinin İstanbul Sözleşmesi örneği ile yeniden bağlaştırılmasına dayanarak, sözleşmeden geri çekilme yolunda siyasi iktidarda meydana gelen değişimin sadece iktidarın siyasi gücünü kötüye kullanması değil, toplumsal cinsiyet seçiciliklerine sahip tarihsel-ilişkisel bir yapı olarak devletin değişimi olduğunu savunmaktadır.

Anahtar Kelimeler: Eleştirel, AKP, Toplumsal Cinsiyet Seçiciliđi, İstanbul Sözleşmesi, Çekilme

To my beloved newly born nephew and family,

and all strong women.

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LIST OF ABBREVIATIONS

AKP	<i>Adalet ve Kalkınma Partisi/ Justice and Development Party</i>
ASAGEM	<i>Aile ve Sosyal Araştırmalar Genel Müdürlüğü/ Presidency of Family Research Institution</i>
AYM	<i>Anayasa Mahkemesi/ Constitutional Court</i>
CAHVIO	The Ad Hoc Committee for Preventing and Combatting Violence against Women and Domestic Violence
CEDAW	The Convention of Elimination of All Forms of Discrimination Against Women
CHS	<i>Cumhurbaşkanlığı Hükümet Sistemi/The Presidential Government System</i>
DEVA	<i>Demokrasi ve Atılım Partisi/ Democracy and Progress Party</i>
DEVAW	Declaration on Elimination of Violence Against Women
ECHR	European Court of Human Rights
EU	European Union
FED	Federal Reserve System
FETÖ	<i>Fethullahçı Terör Örgütü / Fethullahist Terrorist Organization</i>
GDP	Gross Domestic Product
GREVIO	Group of experts on action against violence against women and domestic violence
GONGO	Government-Organized Non-Governmental Organizations
GP	<i>Gelecek Partisi/ Future Party</i>
HDP	<i>Halkların Demokratik Partisi/ People's Democratic Party</i>
IC	Istanbul Convention
IMF	International Monetary Fund
KADEM	<i>Kadın ve Demokrasi Derneği/ Women and Democracy Association</i>
KHK	<i>Kanun Hükmünde Kararname/ Decrees Having the Force of</i>

	Law
KSGM	<i>Kadının Statüsü genel Müdürlüğü</i> / General Directorate on the Status of Women
LGBTQ	Lesbian Gay Bisexual Transexual Queer
MHP	<i>Milliyetçi Hareket Partisi</i> / Nationalist Movement Party
MP	Member of Parliament
MUSIAD	<i>Müstakil Sanayici ve İşadamları Derneği</i> / Independent Industrialists' and Businessmen's Association
NGO	Non-Governmental Organization
PKK	<i>Partiya Karkerên Kurdistanê</i> / The Kurdistan Workers' Party
PWC	Post-Washington Consensus
PPL	Public Procurement Law
RP	<i>Refah Partisi</i> / Welfare Party
SMEs	Small and Medium Sized Enterprises
SSCPA	<i>Sosyal Hizmetler ve Çocuk Esirgeme Kurumu</i> / Social Services and the Children Protection Agency
SSR	Security Sector Reform
TDV	<i>Türkiye Diyanet Vakfı</i> / The Turkish Diyanet Foundation
TRY	Turkish Lira
TVF	<i>Türkiye Varlık Fonu</i> / Turkey Wealth Fund
TURAP	Turkish Family Platform/ Türkiye Aile Platformu
UN	United Nations
USA	United States of America
VAW	Violence Against Women

CHAPTER 1

INTRODUCTION

On July 1st, 2021, Turkey's withdrawal process from The Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence, an international human rights treaty to curb unproportionate violence experienced by women, has been officially finalized. A decade ago, the Convention was opened for signature on 11 May 2011 in Istanbul (the reason why it is referred to shortly as Istanbul Convention, IC). As the first European instrument that sets binding obligations on the states that ratify the Convention (Niemi et al., 2020, p.3), the IC goes beyond previous international tools developed to combat violence against women (VAW). Furthermore, The Convention is the first legally binding international instrument that defines the difference between violence against women and gender-based violence and it gives a comprehensive account of the legal provisions relating to the measures of prevention and protection of victims, and prosecution of perpetrators (Simonovic, 2014, p.602-3).

As the first international document that defines gender (Bakırcı, 2015, p.135), IC urges states to "... promote changes in the social and cultural patterns of behavior of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women..." (Council of Europe, 2011, p.11). While gender is defined as "the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for women and men", gender-based violence is explained as "violence that is directed against a woman because she is a woman or that affects women disproportionately" (Council of Europe, 2011, p.8). Referring to unequal power relations, thus, the Convention is an important feminist tool that openly takes on a gender approach to the issue of VAW (Kaymaz Bahçeci, 2012, p.71).

As the host country and the term chairman of the Committee of Ministers of the Council, the AKP (*Adalet ve Kalkınma Partisi*/Justice and Development Party) government had a catalyzer role in the initiation of such a convention and was the first country to sign it without any reservations (Ayhan, 2017, p.143). Accordingly, the Convention was ratified by the Turkish parliament on November 25, 2011, and it has become effective on August 1, 2014, when enough signatures by the members was reached (Ayhan, 2017, p.143). Paradoxically, ten years later, Turkey's position as a catalyzer ceased to exist, and it has become the first country to withdraw from the IC with the declaration of a Presidential Decision on March 20th, 2021. Such a decision at time of escalating violence against women caused significant protests by women's groups (Deutsche Welle, 2021). Indeed, between 2008 and 2019, a total of 3185 women have lost their lives in Turkey due to male violence (Kav, 2020, p.39). Among those women, one of the seminal cases in 2019 belonged to Emine Bulut who was stabbed by her former husband in front of her 10 years old daughter only couple of hours after her application to the police in fear of her own and her daughter's life (Hürriyet, 2019; Kav, 2020, p.21). As the video recordings of her daughter saying "mom, please do not die", and herself saying "I do not want to die" went viral all over the country, Emine Bulut had become the most searched person in Turkey on Google search engine in 2019 (BBC, 2019). Indeed, it was after her murder in August 2019 that the hashtag "Istanbul Convention Keeps Alive" started to be used by women organizations such as *Kadın Cinayetlerini Durduracağız Platformu*/We Will Stop Femicides Platform.¹

Including this platform, many women's rights organizations see IC as the most advanced guide to women's emancipation from violence and believe that full implementation of the provisions would stop preventable gender-based killing of women such as Emine Bulut (Kav, 2020, p.124-5). This is the main reason why women called out slogans such as "We Do Not Give Up on the Convention" after

¹ As a form of extreme physical violence against women, the term "femicide" was coined by a female activist Diana Russel in 1976 in order to emphasize systemic, gender-based killing of women.

Turkey's decision to withdraw, at a time of escalating domestic violence cases amidst the Coronavirus lockdown (Deutsche Welle, 2020). As such, women's groups came together under *Eşitlik için Kadın Platformu* (Women's Platform for Equality) and started a campaign to reverse the decision. The result of the campaign was the hearing held at the Council of State on 28th April 2022 against the decision to withdraw (Özkazanç, 2022a). For the first time in the history of the Council of State, the 550-seat courtroom was filled with the case's lawyers and women's rights defenders (Özkazanç, 2022a). At the end of the hearing, the Prosecutor of the Council of State declared that the decision to withdraw was unlawful (Cumhuriyet, 2022). However, the final decision of the Council asserted that the Presidential decision was in accordance with the law, and the case was dismissed (BBC, 2022). As the last hopes for the reversal of the decision faded, women in Turkey have lost an important tool to combat gender-based violence in the country. However, the decision has certainly accelerated women's movements' mobilization against the ruling AKP in Turkey (Göztepe, 2022).

1.1. Rationale of the Study

As the magnitude and prevalence of the problem is self-telling, this study is a critical attempt to understand the paradoxical position of Turkey in the IC, and in this study, it is assumed that the case of IC is indicative of the transformation of political power and its gender politics in Turkey. In this respect, the Convention depicts a twofold puzzle in the history of gender politics in Turkey under the AKP: first is the adaptation of an international instrument with an openly gender equality agenda in 2011 by a Prime Minister who openly expressed his disbelief in the equality between women and men (Milliyet, 2010). Second, is the paradox of Turkey, once being an eager political actor to adopt the Convention, becoming the first country to withdraw from an important tool against VAW despite long-standing demands of women's organizations from the state to protect women against male violence (Berktaş, 2020, p.19). Accordingly, understanding the rationale behind this twofold puzzle necessitates problematizing the process leading to the signing of the Convention on the one hand, and the process leading to Turkey's withdrawal from it on the other.

1.2. Purpose and Research Question

When we look at the still-emerging literature attempting to make sense of Turkey's reversal from Istanbul Convention, political periodization is the focus of analysis (see Chapter 2, Section 3). The general conviction in the literature is that, with a high concern for political legitimacy and survival, the AKP took a liberal/reformist stand in politics in its early years in power. With the driving force of the EU accession process, this early period is regarded as a burgeoning time in terms of human rights and gender equality. The years 2010-2011, however, are commonly referred to as a turning point in the Party's politics to an era of open conservatism/illiberalism/authoritarianism. From this perspective, while the signing of the IC by Turkey is evaluated as a residual effort to protect the AKP's liberal image, the withdrawal is attributed to the Party's authoritarianism. This perspective is based on individualistic/liberal methodology which conceives of developments such as withdrawal from the IC as a voluntary decision of the President Recep Tayyip Erdoğan based on his political interests and desire to protect his power, for instance, in consideration of the upcoming general elections in 2023. Thus, an undemocratic decision such as withdrawal from an international treaty is not a surprising development in the AKP's authoritarian era. Such analyses are based on regime change in Turkey, and the so-called "the authoritarian turn" argument that has proliferated in the literature to understand the changing character of the state following the events from the 2010s onwards such as the Gezi protests of 2013, the end of the peace process with the Kurdistan Workers' Party (PKK), and the failed coup attempt of 2016 that directly challenged the political power (Çağatay, 2018, p.50-51). What is meant by the "authoritarian turn" is that the AKP's initial conservative-democracy project ceased to exist, and contrary to expectations, the democratic transformation reforms taken in the Party's early years did not naturally drive the AKP to "continue playing the game" of democracy (Hülagü, 2021a, p.5).

Accordingly, different attempts to define the changing regime in Turkey have been made such as "new authoritarianism" Somer (2016), "hard totalitarianism" Tuğal (2016) or "competitive authoritarianism" (Esen& Gümüşçü, 2016). Against this line

of analysis, I share Hülügü's four reservations (2021a, p.6-8): First, such interpretations disregard the centrality of gender to the new state project in Turkey; they also do not conceive of gender as intrinsically related to political transformation. Secondly, they contend that democratization steps were abused in practice; this implies that, if they were not abused, they would have worked smoothly. However, for Hülügü (2021a), the reforms themselves might include anti-democratic potentials. Thirdly, disregarding the state's relation to the social, they conceive of state power as voluntary, an agency at the top acting on the masses below. Thus, adopting an isolated and power-centered state analysis, studies with a liberal methodology take the political periodization of 'liberal versus authoritarian' for granted and do not take into consideration the political and social struggles shaping the state's capacity to act. Lastly, this line of analysis, in Hülügü's (2021a, p.8) words, "end in correctionalism", meaning that "as if once this excess violence is taken aback, the democratic order would be restored...". Thus, liberal studies disregard broader global socio-economic processes affecting state practice. Social problems such as poverty, violence against women etc. emanates not only from state neglect but its crisis under the conditions of neoliberal capitalism.

Distancing itself from the studies which focus on political actors and their deployment of political power, i.e., institutionalist regime analysis, this study follows those analyses that underline the changing political form of the Turkish state within the AKP-managed neoliberal transformation processes (Hülügü, 2021a; Bedirhanoğlu et al., 2020). While it is convincing that the first two terms of the AKP governments were accompanied by democratic achievements, such as legal changes in the field of gender equality, one cannot disregard the fact that the liberal era of the AKP also included serious contradictions especially in the field of gender. Thus, departing from regime change analyses, this study emphasizes continuities between the so-called different eras of the Party. As also argued by Bedirhanoğlu et al. (2020, p.3): "The novelty of the 2010s... lies not in the change in the attitude of political power, but in the changing political form of the state as the culmination of the four decades-long neoliberal social transformation in the country.". In other words, what

has been taking place in Turkey is not a change in the governmental system but a reconfiguration of the political foundations of the state.

There are mainly three reasons why a pure regime analysis stays short on conceptualizing such a transformation in state in Turkey: first, although useful for short-term analysis of political change, any reform understood as a strategy to increase power/ control undermines the magnitude of ongoing transformation in Turkey (Bedirhanoglu et al., 2020, p.3). Secondly, an isolated regime analysis disregards the global rise of authoritarianism which signals that similar factors are at work in different national contexts. However, emphasis on global determinants is not to discount the historical particularities of Turkey, most importantly, the reality of the two decade long rule of the same political party in power (Bedirhanoglu et al., p.4). Thus, acknowledging also the specificities of Turkey, the structuralist perspective² argues that states are constrained by social and economic processes (Bedirhanoglu et al., p.3):

A focus on neoliberalism – understood as the restoration of capital’s private power over the public – has its own merits for it warns us not to reduce historical political transformations to the interventions of single actors such as the AKP, Erdoğan and/or the Kemalists, but to locate their agency within wider social relations. Such a starting point would help retrieve the global social determinants of the ongoing state transformation in the country.

What about gender? Indeed, there exists a rich literature depicting AKP-gender nexus with various academic focuses that examine conservative / authoritarian / illiberal turn of the Party and implications for gender equality (e.g., Coşar & Yeğenoğlu, 2011; Yazıcı, 2011; Acar & Altunok, 2013; Cindoğlu & Ünal, 2017; Güneş-Ayata & Doğançün, 2017; Akkan, 2018; Aksoy, 2018; Doyle, 2018; Koyuncu & Özman, 2019; Doğançün, 2020; Yarar 2020; Arat, 2021). These studies focus on the Party’s policies and discourse regarding gender and many of their

² What is meant by ‘structuralist perspective’ is not a technical-economistic reading of the political but one that problematizes the historically-specific constraints defined by globally-operative class struggles for the political field at different scales.

conceptualizations have been used to capture changing characteristics of the AKP's gender politics such as "neoliberal patriarchy" (Coşar & Yeğenoğlu, 2011), "masculinist restoration" (Kandiyoti, 2016), "religio-conservative gender climate" (Güneş-Ayata&Doğangün, 2017), "neoconservative feminism" (Yarar, 2020).

Some of these studies acknowledge that, as a party with Political Islamist roots, the AKP has always been conservative vis-à-vis women (Coşar & Yeğenoğlu 2011; Yazıcı, 2011; Yarar, 2020). This study shares the argument that, despite progressive reforms in first terms, there is consistency in terms of the AKP's conservative approach to gender issues and this study benefits from these studies to understand the details and historical background of different gender policies of the AKP throughout its rule. However, this thesis diverges from the studies which depict gender developments as if they exist in a social vacuum, and rather underline the contradictions that are in a constitutive relationship between the different eras of the Party.

Although they do not particularly study the Convention, based on the liberal methodology of these studies, it can be inferred that, for them, the reversal of gender equality developments can be easily explained by the conservative/authoritarian/illiberal identity of the political power. Signing of the Convention, from this perspective, was a pragmatic move to protect the liberal image of a conservative Party (see for instance Arat, 2021). Women rights are, therefore, easily instrumentalized for the political aims of the political power. However, the picture from a critical perspective seems more complicated. In opposition to these studies, this thesis contends that signing of the Convention was not liberal/democratic/reformist in nature either and that the factors at play determining the position of the political power vis-à-vis women are more important than short-term political interest such as elections or concern for political image. Thus, one of the sub-arguments of this study is that, although *de jure* adopted, Istanbul Convention was never ideologically embraced by the Party and its *de facto* effect was non-existent at worst and inconsistent at best (chapter 4, section 2). Even though the political calculation argumentation for the signing and withdrawal of the

Convention is important, it does not account for the crucial role gender plays in the governance of the social and economic order in Turkey as a whole.

Thus, in this study, I share the argument that gender is not incidental/instrumental but *intrinsic* to the processes leading to political decisions such as withdrawal (Kandiyoti, 2016; Hülügü, 2021a; Hülügü 2021b; Şahin, 2021; Özkazanç, 2022a). From this perspective, the two eras of the Party, reformist vs. authoritarian, is different, *but not discrete* and a focus on gender is revealing about the constitutive relationship between two. Thus, this study is a contribution to critical approaches which emphasize the structural forces at work in such decisions. In sum, the main argument in this study is that the change taking place in the political power on the road to the withdrawal is not the AKP's misuse of power, but a change in *the gender selectivities of the new state* form throughout the rule of a political party that have always embodied an essentialist/religious approach to gender. Thus, this argument is based on two sub-arguments:

1. Gender is *intrinsic* to the formation of a new state form in Turkey.
2. The Presidential Decision on withdrawal from IC is a result of the consolidation of *selective patriarchy* in post-2010 era Turkey which, from 2018 onwards, found itself in a political-economic crisis, and consequently tilt the direction of gender selectivity of the new Turkish state towards *anti-genderist/anti-feminist social forces*.

1.3. Theoretical and Conceptual Framework

The argument stated above is based on the re-contextualization of Turkish state's withdrawal decision from Istanbul Convention based on Funda Hülügü's (2021a) feminist-materialist attempt to make sense of the so-called authoritarian turn of the state under the AKP. In her book, Hülügü (2021a) specifically seeks to understand the post-Gezi eruption of lethal police violence against politically active women in Turkey. Based on a critical revisit of AKP's security sector reform (SSR) experience, Hülügü (2021a, p.10) proposes that SSR, in particular the police reform, have laid

the ideological and strategic grounds for the emergence of a new state form in Turkey with deep rooted gender selectivities.

According to this understanding, post-Cold war era security sector reform-which emphasized the transition from state security to a human-first security understanding-might not have contributed to non-violent state culture. In other words, it might be the case that this human security conception itself might be responsible for state violence. Thus, the origins of lethal police violence against politically active women dates to Turkey's SSR experience which led to the formation and expansion of police powers as an important apparatus of the centaur state to apply its gender selectivities. While the post-Gezi eruption of gendered state violence after years of state transformation is paradoxical for the studies that adopt a liberal methodology, Hülügü (2021a, p.6) contends that the characteristics of the security reform process which was built on a liberal foundation might be the link between the reformist and authoritarian phases of the AKP governments. To understand the dialectics of coercion in between the two periods of the AKP rule, Hülügü (2021a, p.15) develops a feminist-materialist state theory which is based on the following argument:

...the different dimensions of a state, however contradictory they may be, share a historically and socially determined political direction and certain correlated limits of action disciplining the disparate state powers towards a common aim: the reproduction of the capitalist society in its entirety.

Although the detailed theoretical and methodological premises of this theory will be given later (chapter 3), in short, this theory argues that the state form is "a historical-relational structure, with deep-rooted gender selectivities" (Hülügü, 2021a, p.2). "Gender selectivity" is a term Hülügü borrowed from Jessop (2004) to denote a set of institutional, legal and discursive strategic practices actualized by the capitalist state apparatuses to govern not only the relations between women and men in a specific political-economic context but also between women and women and between men and men (Hülügü,2021a, p.19-20).

The capitalist state³, from this perspective, is determined by the two contradictory tasks to reproduce the social: safeguarding the labour force while ensuring profitability for capital (Hülagü, 2021a, p.18). To sustain social reproduction, the capitalist state adopts policies, e.g. minimum wage, and institutions, e.g. male-breadwinner family (Hülagü,2021a, p.19). However, as these policies or institutions necessitate the reproduction of certain gendered dependencies/privileges, they are also not free from contradictions. As such, they have been historically contested. In short, the two contradictory tasks-social reproduction on one hand, and capital accumulation on the other- condition the gender selectivities of the capitalist state.

Thus, within the necessities of the existing regime of capital accumulation, state privileges certain gender groups/policies/institutions/state apparatuses over others. Indeed, the term gender selectivity does not refer to a fixed form of gender hierarchy but instead an abstract one to expose the gendered nature of the capitalist state. “For the gender selectivities of the state should be constantly reproduced in a time- and space-bound manner, they are not once and for all determined” (Hülagü, 2021a, p.20). For instance, when we look at the repercussions of the liberal reform process in the post-Gezi era, Hülagü (2021a, p.126) argues that gender selectivity of the Turkish state sharpens. Hülagü (2021a, p.126) calls the new strategy as *selective patriarchy*, i.e., the differential treatment of the female population which “denotes a governmental logic used by the state apparatus to manage – but also to construct – different gendered identities and divisions through distinct administrative apparatuses.”

Accordingly, Hülagü (2021a, p.151) terms the new gendered political form of state in Turkey as “the centaur state”: “a state which adopts hybrid mechanisms of administration for different social groups”. Based on her exegesis from Wacquant (2010), a scholar in the field of criminology studies, the analogy of the centaur state

³ The term “capitalist state” is used by Hülagü in an abstract sense to denote the historical change and continuity between different forms of modern state (2021a, p.19).

is adopted by Hülügü (2021a) to emphasize the historical change in the modern bourgeoisie state form in terms of its political foundation. While the modern state was erected on egalitarian foundations, the centaur state is a post-modern form whose political foundation is built on the differential treatment of its citizens.

Centaur is a half-man/half-horse creature from the Greek mythology and Wacquant uses it antithetical to Leviathan in the Global North context (Hülügü, 2021a, p.11). Hülügü uses this analogy to highlight different faces this new state has towards different social groups: the humane form versus violent form. Thus, the centaur state is a hybrid executor before which nobody is equal to the other and can simultaneously govern population under its jurisdiction by different political regimes (e.g., both liberal and illiberal), each selectively designed for different social classes. Yet, the social class hierarchy is also built at the intersection other inequalities, and this quality is what separates the operation of centaur state in the Global South from the Global North (Hülügü, 2021a, p.11):

The main architecture of the centaur state appears to be different in the Global South. For the centaur state in Turkey appears to be functioning very selective vis-à-vis the social classes, groups and sections it deals with – as are the states in the advanced capitalist core – and yet this selectivity is determined not only after social class hierarchy but also and indeed at the intersection of social class, ethnic background, sex and political affiliation/intention/activity/militancy.

While the bourgeoisie state has always been operating on the principle of differential treatment of its citizens, what is new about the centaur state is that this discriminatory attitude is applied undisguisedly to a point where the state, for instance, “...accuses secular women of being puppets of the Western powers...” (Hülügü, 2021a, p.12). This “selective operation and valorization system” informing the state practice is legitimated through different material and discursive strategies (Hülügü, 2021a, p.12). Overall, the centaur state in Hülügü’s words “... is the state whose modern contradictions are offset in disfavor of the dependent classes and groups, including women.” (2021a, p.12).

All in all, this thesis rethinks the theoretical and conceptual toolbox developed by Hülügü (2021a) in the context of Istanbul Convention. The reason why this study focuses her theory of state is that while there are studies that examine political economic processes with a gender lens, they do not investigate the state question but rather negative effects of neoliberal restructuring of the Turkish economy and welfare regime on women's labor with different academic focuses (see, for instance, Acar-Savran, 2008; Elveren, 2008; Kılıç, 2008; Coşar & Yeğenoğlu, 2009; Buğra, & Yakut-Cakar, 2010; Dedeoğlu & Elveren, 2012; İlkaracan 2012; Özar & Yakut-Çakar, 2012; Candaş & Silier, 2013; Çavdar & Yaşar, 2019). Thus, Hülügü's study is an important one to compensate for the lack of understanding of gender in the Turkish context with a focus on the state because it acknowledges that state and its apparatuses are complicit in the persistence and perpetuation of VAW. Furthermore, Hülügü (2021a, p.14) herself resorts to developing a feminist-materialist theory based on the interpretation of critical state-theorists such as Claus Offe (1994), Bob Jessop (2004), Elisabeth Prügl (2009) and Sylvia Federici (2009) due to the lack of state as an object of study among feminist theories.

1.4. Organization of the Study

Accordingly, in the next chapter, a brief historical background will be provided in order to understand the evolution of the Convention in international law, its difference from the preceding tools against VAW. Following that, to locate Turkey's withdrawal within the global context, international opposition to the Convention's understanding of violence and its principles will be highlighted. Having placed Turkey on the global rise of anti-gender equality forces, the differences of the Turkish context will be highlighted which will also serve as a descriptive story of Turkey's withdrawal from the Convention to understand the domestic social forces at work affecting state decision. Followed by a short discussion on the legitimacy and the legality of the decision, the section will end with a critical overview of the literature interpreting the withdrawal decision of the Turkish state.

The third chapter will provide the reader with the historical roots of the AKP rule in Turkey with a focus on the changing political form of the Turkish state throughout the years. Then, based on the above-mentioned feminist-materialist state theory, this new political form will be rethought through a gender lens and be problematized on the basis of Hülagü's theoretical framework. To state shortly now, this chapter will elaborate on the open and defensive differential treatment of citizens by the state in Turkey based on the needs of the capital and social reproduction of society on the one hand, and political legitimation needs of the ruling power on the other.

Chapter four will provide a critical reading of the AKP's gender politics by building theoretical connections with the materialist-feminist state theory discussed. Specifically delineating simultaneous conservative-normative and neoliberal-material processes culminating in the withdrawal from Istanbul Convention, the analysis is based on a periodization from 2002 to 2021: the section on the first period, 2002-2007, will emphasize contradictory approach of the AKP to women's issues and consistency in terms conservative approach. The second period, 2007-2011, is important as the context leading to signing of the Convention despite lack of genuine ideological support of the ruling Party. The section on the third period, 2011-2018, will give the details of: the family as a serious policy area of the state at the intersection of neoliberalism and neoconservatism, the importance of women's labor in the reproduction of capitalism and retreat of welfare, institutionalization of political Islam with the exclusion of gender equality as a norm and suppression of social actors embracing it, and the consequent hegemony of gender complementarity understanding. Lastly, the discussion on the 2018-2021 period will highlight the deepening social and state crisis, and the centrality of gender as a governmental apparatus of the new form of the state. While the first three periodizations are based on the government terms of the AKP except for government of 2015, the last period of 2018-2021 is chosen to signify both the transition to a presidential system and the rise of anti-gender equality social movement in Turkey. Lastly, in chapter five, some concluding remarks will be provided.

CHAPTER 2

ISTANBUL CONVENTION AND ITS CONTESTATION

2.1. Istanbul Convention: A Brief Historical Background

It was not until the 1990s that violence against women gained increasing international attention (Niemi et al.,2020). Precedent to Istanbul Convention, two UN documents were the tools utilized against violence experienced by women: CEDAW and DEDAW (Kaymaz Bahçeci, 2012, p.29-41). The Convention of Elimination of All Forms of Discrimination Against Women (CEDAW), which entered into force in 1989, has not directly referenced the relationship between discrimination and gender-based violence until the adoption of General Recommendation No. 19 in 1992 (Kaymaz Bahçeci, 2012, p.29-34). The United Nations (UN) Declaration on Elimination of Violence Against Women (1993), DEVAW, on the other hand, resulted from the impetus gained by General Recommendation No. 19 (Kaymaz Bahçeci, 2012, p.37).

While DEVAW is the first global instrument directly referring to violence against women, it is not legally binding (Kaymaz Bahçeci, 2012, p.38-39).⁴ Building on international developments, VAW was also echoed in Europe as a growing social problem. As such, the Council of Europe adopted the Recommendation Rec (2002)5 on protecting women against violence (Kaymaz Bahçeci, 2012, p.65-68). As it was

⁴ Two regional human rights documents are legally binding tools utilized against violence against women (Kaymaz Bahçeci, 2012, 64-65). One is the Inter- American Convention on the Prevention, Punishment and Eradication of Violence against Women “Convention of Belem Do Para”, adopted in 1994 in Brazil. This Convention was ratified by all member states of the Organization of American States, except the USA and Canada. The second document is the Protocol to the African Charter on Human and Peoples Rights of Women in Africa, adopted in 2003 in Maputo. While the African Charter does not directly address the issue of VAW, the Inter-American Convention points out the issue. However, as these documents are only open for regional members, they are not widely recognized.

the first strategy to prevent violence against women in all Council of Europe member states, this recommendation was a significant development before the evolution of a convention.

Another action which revealed the weight of the problem in Europe was the campaign agreed in the Third Summit of Heads of State and Government of the Council. This campaign on VAW was based on Rec (2002)5 and monitored by a Task Force between 2006-2008. At that time, European Committee on Crime Problems was also working on domestic violence. As the need for a binding human rights treaty became apparent throughout the campaign, The Council of Europe Committee of Ministers asked the two independent groups to prepare a convention together. To this end, the Ad Hoc Committee for Preventing and Combatting Violence against Women and Domestic Violence (CAHVIO) was set up in December 2008. After a series of meetings held throughout 2009-2010, the Istanbul Convention was adopted by the Committee of Ministers in April 2011, opened for signature on 11 May 2011 in Istanbul, and came into force in 2014 following the tenth ratification by member states.

Building on these developments, the Convention became the first instrument in Europe to set clear legal obligations on states that ratify the Convention to protect women against violence (Niemi et al., 2020, p.3). Consisting of 12 chapters and 81 articles (Council of Europe, 2011), the Convention is the first legally binding international treaty that gives an extensive account of measures to prevent violence against women, protect victims, prosecute the perpetrators and devise policies to empower women against violence (Simonovic, 2014, p.602-603). As Article 1 of the IC puts, the purpose of the Convention is to: prevent women from all forms of violence; elimination of all forms of discrimination against women; design of policies for the protection victims and to promote international cooperation. Violence against women “is understood as both a violation of human rights and a form of discrimination against women...”.

At this point, Simonovic (2014, pp.602-3) argues that the Convention goes beyond CEDAW General Recommendation No. 19 by adding that violence is not only an act of discrimination but also a violation of human rights. Further, the Convention asserts that violence against women includes all kinds of gender-based violence "that result in, or likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life" (Article 3). Article 4 ensures that the Convention equally applies to all victims of violence regardless of the person's identity. Article 5, on the other hand, calls for party states to "exercise due diligence to prevent, investigate, punish and provide reparation for acts of violence...that are perpetrated by non-State actors".

As such, the Convention takes on a three-step approach to end violence. Firstly, the Convention aims for the prevention of violence. The Convention focuses mainly on a gender-sensitive transformation of society to such an end. Secondly, if unable to prevent violence, the Convention requires Parties to provide adequate protection and support to victims while avoiding secondary victimization. Lastly, the Convention details concrete legislative requirements to be adopted by Parties and asks for effective prosecution of offences within the scope of the Convention. While these provisions mentioned are to be ensured by the Party states, they are recommendatory in nature. Because, at the concrete level, it is the party states that give content to those policies. As monitoring of the Convention is based on a reporting mechanism, the Convention has low power of sanction. The monitoring body is composed of two bodies: the Group of experts on action against violence against women and domestic violence (GREVIO) and the Committee of the Parties comprised of representatives of the party states. The GREVIO comprises a minimum of ten to a maximum of fifteen members nominated by the party states and elected by the Committee of the Parties. As of December 2022, there are 37 countries that have ratified the Convention (Council of Europe, 2022).

2.2. Opposition to Istanbul Convention in Global Context

The Convention contends that “the key element in the prevention of violence against women” is the “de jure and de facto equality between women and men” (Council of Europe, 2011, p.5). Further, it is highlighted that violence against women “...is a manifestation of historically unequal power relations between women and men...” (Council of Europe, p.5) and “...one of the crucial social mechanisms by which women are forced into a subordinate position compared with men” (Council of Europe, p.6). Explaining the Convention’s understanding of violence is important because the gender transformative agenda of the Convention constitutes the core of its opposition. Starting from its drafting process (Acar & Popa, 2016, p.304) to its ratification across Europe (Krizsán& Roggeband, 2021, p.2), the gender perspective that is intrinsic to the Convention is fiercely opposed by actors composed of groups such as “...ultra conservative organizations, men’s rights groups, church authorities and related organizations, family protection groups advocating for traditional family models and new grassroots initiatives” (Krizsán& Roggeband, 2021, p.2).

Before the drafting process of the IC (2009-2011), the Ad Hoc Committee for Preventing and Combatting Violence Against Women and Domestic Violence (CAHVIO), composed of representatives of each member states, was set up by The Council of Europe in 2008 (Niemi et al., 2020, p.6). During the CAHVIO delegations’ preparatory meetings, there was disagreement over the scope of the Convention (Acar & Popa, 2016, p.304).⁵ While majority of delegates defended a convention which covers all forms of violence against women, others defended to focus on only domestic violence regardless of the victim’s gender (Niemi et al., 2020, p.6). Theoretically, this disagreement emanates from the main contesting

⁵ Some of the other issue areas of contestation included the definition of terms “violence against women”, “domestic violence”, “gender”; domestic violence in same-sex couples; inclusion of “sexual orientation” and “gender identity” as impermissible grounds of discriminations (Acar & Popa, 2016, p.304).

frames that challenge feminist theories.⁶ These frames do not conceive of gender inequality as a structural reason of violence (Acar & Popa, 2016, p.297):

Instead, anti-gender-equality approaches would accept a “natural order” of women’s difference from men. These frames often reject the notion of gender altogether because the fluidity implied in the social construction of gender roles unearths the notion of inherent differences between sexes. This perspective often leads to viewing domestic violence as women’s obligation to bear when they transgress traditional gender roles.

To say the least, opposition to the IC constitutes only one side of the global attack on gender equality that gained impetus since the late 2000s (Krizsán & Roggeband, 2021, p.33). This phenomenon is variably conceptualized in the literature either broadly, for example, as “anti-gender mobilization” (Kováts & Põim, 2015); “the war on gender” (Korolczuk, 2014); specifically, as “anti-feminism” (Szelewa, 2014); or opposition to gender equality (Hankivsky & Skoryk, 2014) for different national contexts. What unites this diverse set of actors acting in different national and international contexts is their opposition to feminist and sexual politics (Krizsán & Roggeband, 2021, p.33-34).

Although they do not constitute a unified movement in a direct sense, these different actors come together at the transnational level at the events such as the World Congress of Families (Krizsán & Roggeband, 2021, p.34). These different conservative actors oppose gender on three level: as a concept, as an ideology/theory and as a social practice and political project (Korolczuk & Graff, 2018, p.801).

For the purposes of this study, I prefer to use the conceptualization of anti-genderism by Korolczuk & Graff, denoting a political movement opposing gender at these three levels (2018, p.799). Historically, the anti-gender movement’s main rhetoric is based

⁶ Roughly, a frame usually is an interpretation scheme that structures the meaning of reality (Verloo & Lombardo, 2007, p.32). Main frames used in opposition to gender equality are Family Protection Frames, Child’s Best Interest Frames, Perpetrator’s Rights Frames, Fathers’ Rights Frames, Men’s Rights Frames, Relativizing Frames, and Cost frames (Acar & Popa, 2016, p.297-99).

on a supposed “gender ideology”, a term which originates from the Vatican (Corredor, 2019, p.615):

In 2002, the Vatican’s Pontifical Council for the Family asserted that a “feminist ideology ... known as ‘gender’” has led to a misunderstanding of the complementary difference between man and woman and “a growing confusion about sexual identity.”

The alarm felt by the Global Right (e.g., Catholic church, Evangelical Christians, conservative Muslims, right-wing politicians, conservative organizations) dates to the 1990s, the years marked by the feminist and queer⁷ attempts to introduce new understandings of gender and sexuality into international politics (Corredor, 2019, p.619). It is in this sense that Corredor (2019) claims the emergence of anti-genderism as a counter movement to feminist movement. Accordingly, the author claims that gender ideology is a counterstrategy developed by Vatican: to discredit feminist claims of gender as a hierarchically constructed notion; to delegitimize feminist and queer theories of gender; to jeopardize feminist and LGBTQ+⁸ political efforts; and to reassert essentialist conception of gender. As Catholicism is based on God-given sexual differences that complement each other in the union of man and woman, i.e., family, whose harmony also reflects the harmony of society, feminist mainstreaming and success “holds the potential to dismantle the Church’s core belief system and undermine its global position of power” (2019, p.621). Thus, the panic felt by the Holy See⁹ due to international organization of women, turned into a transnational countermovement as the Vatican mobilized other actors with its gender ideology terminology.

⁷ The 1970s and 1980s were the decades that feminists questioned the normalizations of the “European male subject” bias that the scientific theory is based on. Questioning the heteronormative understanding of sexes and the political systems built on it, these ideas provided the ground for the emergence of Queer Theory in the 1990s, which defended the recognition of non-traditional gender and sexual identities (Corredor, 2019, p.619-620).

⁸ Lesbian, gay, bisexual, transgender, queer, in short, LGBTQ+, the plus referring to other terms used to describe a person’s sexual orientation or gender identity.

⁹ “Holy See” refers to the jurisdiction of the Pope.

Accordingly, the Holy See first raised concern in Cairo at the UN International Conference on Population and Development in 1994, “together with other conservative NGOs and coalitions formed with Muslim leadership” (Corredor, 2019, p.623). Since then, Vatican mobilized these groups at other UN conferences as well, and thus increased the social base of the countermovement (Corredor, 2019, p.622-24). Following Cairo, the Fourth World Conference on Women in Beijing in 1995 (the others were in 1975, 1980 and 1985) was the conference that marked the acceleration of attack on feminist and LGBTQ efforts (Corredor, 2019, p.623-626). “Its leading tactic was to manufacture gender ideology terminology and couple it with provocative rhetoric that exploits deep divisions within feminist and LGBTQ+ movements” (Corredor, 2019, p.625).

Across Europe, the same terminology of a supposed “gender ideology” is applied against the IC. Contestations against Istanbul Convention are particularly strong in the post-socialist states of the Central and Eastern Europe (Krizsan & Roggeband, 2021, p.1). As such, since 2012 religious and political actors launched campaigns against the signature and ratification of the Convention in national contexts (Krizsan & Roggeband, 2021, p.55). For instance, while Croatia and Poland signed and ratified the IC despite protests, protests in Bulgaria and Hungary blocked ratification (Krizsan & Roggeband, 2021, p.1-2). Even the European Union (EU) signed the Convention as late as 2017 and has not ratified it yet (Council of Europe, 2022). The main basis of opposition is the Article 3 of the IC which defines gender as socially constructed notion and the Articles 12-16 which requires member states to “promote changes in the social and cultural patterns of behavior of women and men” on the grounds that these statements lay the ground for the decay of traditional family structure and the roles defined within it for different sexes (Krizsan & Roggeband, 2021, p.2-3). The opposition to the IC copies the two main arguments of anti-gender campaign: one is attack on gender policies and second is the conception of gender policies as a foreign imposition (Krizsán & Roggeband, 2021, p.34-37). For example, in the Polish context, the Istanbul Convention is depicted as “Ebola from Brussels”, a foreign virus diffusing into the nation to destroy families and national unity (Korolczuk & Graff, 2018, p.811).

The essence of the twofold argument is further explained by Korolczuk & Graff as the ideological core of anti-genderism (2018, p.807): an essentialist understanding of the nature of man based on Christian dogma and opposition to social constructivism; pessimistic interpretation of Western history; and an alarmist vision of the global distribution of power. Thus, anti-colonial discourse goes hand in hand with opposition to gender. Indeed, Korolczuk and Graff (2018, p.807) identify the anticolonial frame as a central theme in the recent waves of opposition to gender equality as follows:

This sinister global force, supposedly funded by transnational corporations such as Amazon and Google, is described as a new form of colonialism [...]. Eastern Europe is accorded a special place in this geography of gender, as a part of the world that was largely untouched by the sexual revolution.

Indeed, Korolczuk & Graff (2018) argue that anti-genderism is a response to the 2008 global economic crisis. In this sense, as an ideology, anti-genderism often combines cultural arguments based on morality and gender conservatism with an anti-capitalist discourse. Thus, regarding themselves as the protector of the colonized and exploited, gender conservatism of the anti-genderist actors go hand in hand with critiques of neoliberalism. Depicting themselves as the defenders of the poor against the greed of global capital (corporations, international institutions, super rich individuals etc.), which, while profiting the “abortion industry”, try to reduce world population through family planning and reproductive policies (Korolczuk & Graff, 2018, p.807-809). In short, the link between anti-genderism and neoliberalism is established by the authors as the men who lost economic hopes seek to restore their masculinity through joining anti-gender forces such as fathers’ groups (2021, p.802-803). Thus, what authors observe in essence is that the contemporary wave of anti-genderism is different from conservative backlash of the 1980s and 1990s led by the Vatican in the sense that it has become the new site of expression of discontent with neoliberalism. Özkazanç adds to this argument that anti-gender movement has become a political space of articulation for, not just economic, but other themes as well (2022b):

Gender politics in general and the “gender ideology” rhetoric used by the countermovement, of course, have many different functions in the political arena, but they do not function alone and are intertwined with other authoritarian and populist themes such as xenophobic, anti-immigrant, racist, anti-liberal, anti-global, local nationalist. So, gender politics is not an agenda-shifting space, but it doesn't work on its own, either.

This articulation can be based on the post-2010 global political context, which has witnessed the rise of the rightist and nationalist-populist movements (Özkazanç, 2022b). The precariousness that the neoliberal restructuring of the global economy created since the 1980s, has been fueling popular discontent that reached a peak especially after the 2008 economic crisis. The critiques of neoliberalism played out as popular protests of economic inequality such as the Occupy Movement that started in the USA, or as the Arab Spring in the Middle East.

Repercussions of this global wave of discontent have been the Gezi resistance in 2013 in Turkey, which had a determining role for the future politics of the country. Thus, it was in this global context that the anti-gender movement has gained a transnational strength combined with processes such as: the Vatican’s prominent role for dissemination of the “gender ideology” in other Catholic countries; the effect of Russia in the rise of anti-gender voices in Central and Eastern Europe; and the activities of organizations such as the World Family Congress. Thus, the anti-gender propagation has been materialized in an international context of the crisis of liberal democracy and the consequent rise of right-wing, nationalist, populist movements. It is also contradictory in this sense that Istanbul Convention, as a concrete gain of global women’s movement, has faced serious challenges worldwide, as it was also adopted within this harsh global context.

From 2010s on, thus, not just in Turkey, but global women’s movement and its historical gains has been on attack by the anti-gender actors worldwide, and the rise of polarization in the politics of gender went hand in hand with rise of global discontent with neoliberalism and the liberal democracy. All in all, it can be argued that any analysis of anti-gender developments is inadequate without taking into

consideration the global and national structural forces that are at work. What follows is the rise of anti-genderism as a popular movement in the Turkish context.

2.3. The Rise of Anti-Gender Movement in Turkey

Unlike Europe, anti-genderism in the form of popular mobilization was absent in Turkey until around 2019 (Özkazanç, 2019). However, this is not to say that anti-gender demands have been non-existent by then or the policies implemented by the AKP for the last decade cannot be conceptualized as anti-genderist. As such, the efforts of the Party to replace gender equality with gender justice based on the complementarity understanding like the Holy See is indeed anti-genderism under a different banner (Ayhan, 2019). Thus, the anti-gender politics in Turkey was under the monopoly of the AKP until very recently (Özkazanç, 2019). The second strand of anti-genderism in Turkey is the lower echelons of the AKP composed of more religious/conservative politicians, and some Islamist writers in the pro-government media, who have long been discontent with the-questionable-gender equality mainstreaming of the Party. A third strand of anti-genderism is composed of online organized men's groups and the ordinary men who perform vigilante violence on the street against feminist women, young people, or LGBT or who attack these groups online¹⁰ (Özkazanç, 2020).

Still, it was not until 2019 that pro-government Islamist writers started their discursive attack on gender equality with the same “gender ideology” vocabulary applied by the global anti-gender movement (Özkazanç, 2022c; Ünal, 2021, p.77). For instance, opposition to Istanbul Convention was not a popular issue until 2019, “when some pro-government journalists found out that some Eastern European countries were protesting against it” (Özkazanç, 2020). Since then, opposition to Istanbul Convention and its gender perspective started to constitute one of the most important narratives of the anti-gender movement in Turkey (Gümüç, 2021; Ünal,

¹⁰ For more on the online presence of anti-gender actors in Turkey, see: Bekki, 2020; Elmas, et al., 2021; Eslen-Ziya, 2022.

2021, p.74-76). Other issues such as family law, child custody, and women's alimony rights have been all problematized by the claim that the state and its laws privilege women and victimize men (Özkazanç, 2019).

Thus, the rise of a popular anti-gender movement in Turkey is closely related to the politicization of Istanbul Convention, and indeed rather recent compared to Europe. Another difference of the Turkish anti-gender movement from global counterparts is that it is “mediated through authoritarian and populist ways of governing, institutionalized Islamism and Sunni-Turkish nationalism” (Çağatay, 2019). Particularly, conservative critiques of the IC in Turkey revolve around two usages of the terms in the Convention and the related law No. 6284 on VAW adopted by the Turkish government (Gümüş, 2021, p.45-48). Firstly, IC is denounced “...for embracing the concept of gender and forcing it into Turkish national law, as a Trojan horse aiming to destroy the natural order of the sexes and promoting homosexuality” (Özkazanç, 2019). These groups contend that the concept itself is a Western invention and do not conform to the cultural and moral path that God has drawn for women and men to follow (Keleş & Onay Çöker, 2021, p.374).

Relatedly, another term problematized by the conservative groups is the term “sexual orientation” stated in Article 4 of the Convention. For these groups, the term creates anxiety over future generations, and description of LGBT individuals as “humans” constitutes a threat of degeneration (Gümüş, 2021, p.45). Similarly, the term “partnership” is also opposed on the grounds that it is a “sexless term” which gives freedom to LGBT individuals (Gümüş, 2021, p.45-46). Secondly, Law No. 6284 on Protection of Family and Prevention of Violence against Women, which has entered into force since 2012, is also strongly opposed by anti-gender actors in Turkey (Gümüş, 2021, p.46). Unlike the name of the law suggests, for these groups the law destroys families. By granting more rights to women, the law is believed to subvert the nature of women and provoke men to be violent.

Successfully utilizing a discourse built around “male victimization”, anti-gender groups have even argued argued that, by unjustly favoring women, these policies

cause increasing violence against women (Gümüő, 2021, p.47; Ünal, 2021, p.76). Consequently, based on these reasons, the Convention has been declared a “War Against Family” and brought into the agenda of Islamist press with demands from the government to withdraw from the Convention (Gümüő, 2021, p.46; Keleş & Çöker, 2021, p.375). The press outlets such as Yeni Akit, Milli Gazete, Yeni Şafak, “the areas where Islamist/religious ideology is produced continuously and systematically”, thus, has become a site of anti-gender activism against the IC, highlighting slogans such as “Istanbul Convention Kills”, or “Stop the Istanbul Convention” (Dursun, 2003, p. 59; Ünal, 2021, p.74). In resonance with these demands, at the National Will Platform meeting in June 2019, President Erdoğan stated that “Istanbul Convention is not the word of God and the Prophet. It is not a measure for us. (İstanbul Sözleşmesi nas değildir. Bizim için ölçü değil.)” (Yeni Akit, 2019). Furthermore, in May 2020, the publication of a report demanding the withdrawal from the Convention by a conservative platform called Türkiye Düşünce Kuruluşu (Turkey Thought Platform) has further intensified the debates surrounding the Convention, especially within the ruling AKP (Güneő & Ezikođlu, 2022, p.8).

This debate was mainly spurred by the support for the Convention of the pro-government, Association for Women and Democracy, KADEM (Ünal, 2021, p.75). As President Erdoğan’s daughter was one of the founders, KADEM has close links with the ruling AKP (Bodur Ün, 2019, p.841). Defending the principle of “equality in existence and justice in responsibilities”, KADEM was established in 2013, and has served to the institutionalization of complementarity understanding of the AKP (Bodur Ün, 2019; KADEM, 2022). However, due to their support for the Convention, KADEM has come under the attack of the religious media (Ünal, 2021, p.75). Indeed, KADEM even published an informative text about the Convention answering questions like: are there any articles in the Istanbul Convention that open the door to orientations such as LGBT? or does the argument that women can use the Istanbul Convention and Law No. 6284 for their own benefit reflect the truth? (KADEM, 2020). However, this text and so KADEM’s support for the Convention, is ironical. Because in practice, as an association that regards feminism a Western

ideology, KADEM's family-oriented solutions to VAW is antithetical to the IC's vision (Chapter 4).

As put by Ünal (2021, p.75): “[w]hile feminist groups criticize [KADEM] for not being feminist, anti-gender actors target its policy agenda for being feminist”. However, it seems that increasing and assertive demands for male privilege aim to dismantle even this seemingly women-friendly, conservative justice vision of KADEM (Ünal, 2021, p.75). Therefore Ünal (2021, p.75), re-contextualizing the argument of Kandiyoti (2013, 2016) in the case of new anti-gender actors, argues that the rhetoric of anti-gender movement is a “masculinist restoration” project at a time when patriarchy and the privilege it confines to men can no longer be utilized due to women's increasing demands for equality.

Nevertheless, the anti-gender campaign against the Convention successfully resulted in a Presidential Decision to withdraw from the Convention published on March 20, 2021. Based on this decision, Turkey's Communication Directorate released an official statement, contending that the Convention “...was hijacked by a group of people attempting to normalize homosexuality—which is incompatible with Turkey's social and family values. Hence the decision to withdraw.” (2021). In detail, the main reasons for Turkey's withdrawal from the 'Istanbul Convention' were listed under seven headings (Yeni Şafak, 20 March 2021):

1. The Istanbul Convention was reduced to LGBT ideology advocacy. The imposition of LGBT as a legitimate universal legal norm by some segments will be prevented.
2. The discomfort caused by LGBT propaganda in the national and moral values and the Turkish family structure will be eliminated.
3. The diplomatic and political pressure to be built on the LGBT ideology will be prevented.
4. The issue of women's rights will be freed from the domination of LGBT-oriented discussions.

5. The parts of the Convention that are incompatible with the values of society will not overshadow Turkey's fight against violence against women and its steps on women's rights.
6. It will be ensured that the support of those who are uncomfortable with the expressions pointing to LGBT will be consolidated against violence against women.
7. The element of "sexual orientation", which hinders the mental paradigm change necessary to focus on the improvement of domestic law-based practices in the fight against violence against women, will be eliminated.

As seen above, the withdrawal has been justified by appealing to the arguments of anti-gender actors: dismantling of family unity due to supposed gender ideology of the Convention defending homosexual perversity. Indeed, this decision was made without relying on strong social support. As a KONDA (2020) research underlines attacks on the convention had difficulties in forging a larger social recognition (Özkazan, 2022c). Based on the data collected from interviews on the Convention with 3569 people in 32 provinces, KONDA research conducted in August 2020 found out that “more than half of the society stated that they did not have an opinion on this issue...” (KONDA, 2020, p.27) and while 7 percent of the sample population supported withdrawal, 36 percent defended Turkey’s being party to the Convention (KONDA,2020,p.9). Unlike Europe where women's participation in the countermovement is ensured through a women’s rights discourse articulated with the rhetoric of gender ideology, upper-level participants of the countermovement in Turkey have rather stayed masculine-centered (Özkazanç, 2022d). Thus, unlike “the moral panic” created in Europe, withdrawal decision was taken in Turkey in the absence of such an environment (Özkazanç, 2022d).

Unlike Turkey, there have been three main issues that determine the agenda of the countermovement in Europe: same-sex marriage, reproductive rights, and sex education. Gender politics in Turkey has never been advanced enough to discuss these three issues. Instead, mainly violence against women have been the top agenda in Turkey’s gender politics. Therefore Özkazanç (2022c) argues that the anti-gender

actors had to make their arguments around homosexuality rather than violence against women as the prevalence of the phenomenon is self-telling. As issues related to homosexuality such as same-sex marriage are not widely discussed in Turkey as in Europe, anti-gender actors have had difficulty in establishing the social legitimacy of the decision to withdraw from the Convention. She observes that (Özkazanç, 2022d):

The main tool that gained partial support for the campaign, which started after 2019 in Turkey and resulted in the withdrawal from the Istanbul Convention, was not a climate of moral panic created by concerns about children or fantasies of extinction, but rather masculine reactions towards women.

While the legitimacy of the decision is questionable, from a legal perspective, conformity of this decision with Turkish law is also questionable. When we look at the provision of the Convention, Article 80 allows any party state to denounce the Convention by giving notice to the Council of Europe. However, Presidential Decision No. 3718 to withdraw from the Convention, published in the Official Gazette on March 21, 2021, was widely discussed by legal circles in terms of its compliance with domestic law. The decision was taken based on Article 3 of the Presidential Decree No.9, which states that (Official Gazette of Turkey, 2018):

The ratification of international treaties, extending the validity period; making necessary declarations for the implementation of certain provisions of an international agreement binding the Republic of Turkey, detecting that the application area of international treaties has changed, suspending the implementation of their provisions, and termination takes place with the decision of the President.

While Article 3 seems to give the President the authority to terminate an international agreement on behalf of the Republic of Turkey, the opinion that such an authority is unlawful is common among Turkish legal experts. For instance, Kemal Gözler (2021) states that ratification and termination of international treaties by law cannot be regulated by a Presidential decree as it is a matter within the scope of legislative power. Because, as he states, in the first sentence of the 17th paragraph of Article 104 of the Turkish Constitution, which gives the President the authority to issue a Presidential decree, it is stated that "The President can issue a Presidential

decree on matters related to executive power". Thus, the President does not have the authority to issue a presidential decree on a matter related to his legislative power.

Therefore, the provisions of Presidential Decree No. 9 on the ratification and termination of international treaties are crippled provisions in terms of treaties whose ratification must be approved by law. Therefore, according to Gözler (2021), Presidential Decree No. 3718 on the Withdrawal from Istanbul Convention is unlawful, as Presidential Decree No. 9, which is the basis of this Decision, is itself unlawful. According to this perspective, the ratification and termination of an international treaty is a matter of legislative power, according to the Turkish Constitution, not a matter of executive power. Thus, in line with the opinion of Prosecutor Aytaç Kurt, who decided that withdrawal was unlawful in the initial court case of women rights organizations against the decision of the President-, Kemal Gözler concludes that since the Istanbul Convention was approved by the Grand National Assembly of Turkey with the Law No. 6251 of 24 November 2011, unless a law regarding its annulment is enacted, Turkey cannot withdraw from an international agreement only by the decision of the President. How has the withdrawal from the Convention been interpreted in the literature? The next section looks at this question.

2.4. Literature Review on Turkey's Withdrawal

The general conviction in the literature is that the AKP, with a high concern for political legitimacy and survival, took a liberal/reformist stand in politics in its early years in power. With the driving force of the EU, this early period is regarded as a burgeoning time in terms of human rights and gender equality. The years 2010-2011, however, are commonly referred to as a turning point in the Party's politics towards an era of open conservatism. Departing from reformist politics, the signing of the IC in 2011 by Turkey is evaluated as a residual effort to protect the Party's liberal image and credibility.

For instance, Güneş and Ezikoğlu (2022) argue that Turkey's withdrawal from the Convention reveals Turkey's shift from liberalism to conservatism after 2011. According to the authors, in its reformist period, the AKP supported the Europeanization process with its "conservative democratic identity" which emphasized its difference from National View Movement's Islamism. Within this context, AKP had established good relations with women's organizations, and many amendments were made to the Turkish Constitution, and Turkish Civil Code in accordance with the EU Acquis in the field of gender equality. However, as its concern for political survival ceased and an anti-Western approach started to dominate, the AKP's concern for women's rights decreased. The rupture from the Europeanization process was followed by a more conservative women's policy by the AKP. The Istanbul Convention was signed by Turkey in 2011 at a time when many women's issues such as abortion were being problematized from a conservative perspective. Similarly, Bodur Ün & Arıkan's study (2021) evaluate withdrawal as a case of de-Europeanization of gender equality policy in Turkey. Hence, authors make sense of the decision to withdraw based on "...the weakening or loss of the EU/Europe as a context and as a reference point in domestic political debates and as a 'withdrawal from' EU policies and reversal from European norms..." in Turkey (Bodur Ün & Arıkan, 2021, p.3). Stalling EU-Turkey relations coupled with the authoritarian turn of the government, reform reversals were enabled in a political environment where "...the ruling elite devalued and delegitimized gender equality as a Western/European import..." (Bodur Ün & Arıkan, 2021, p.12).

Adding to the transformation of political power, political calculation in consideration of next elections is also commonly argued. As such, according to Cerami (2021, p.191-192), the signing of the Convention was possible in an environment in which the AKP was proud of its ability to synthesize Islam with democracy. However, with the confidence of its increasing political power, the Party diminished its initial enthusiasm for internal democratization. Growing distrust of Europe coupled with some internal events challenging his political power, Erdoğan followed an increasingly authoritarian path. As dissatisfaction with authoritarianism also manifested itself as decreasing support, "...[w]omen's rights have become the latest

battleground in Erdoğan's war to obtain the support of the more conservative electorate" (Cerami, 2021, p.192). Therefore, in consideration of the presidential and legislative elections in 2023, it is argued that the Party used the controversy about the Convention as a "bargaining chip" to gain support from its ultra-conservative electorate (Aksoy, 2021):

With a potential electoral defeat in mind, Erdoğan is looking for new allies. He thus made an overture in January 2021 to the Islamist Felicity Party (SP), which is in oppositional alliance with secularist, nationalist, and conservative parties. With its 2.5 per cent of the vote in the 2018 parliamentary elections, the SP shares the same Islamist roots as the AKP and is popular among ultraconservative voters, who enthusiastically back the withdrawal from the Istanbul Convention. In his meeting with the SP, Erdoğan used the withdrawal as a bargaining chip for a possible electoral alliance in the future.

Thus, withdrawal from the Convention is interpreted as a political move largely fed by the Party's anxiety over decreasing support after the June presidential elections. Other sources of analysis follow a similar line of argument: Yetkin (2020), a news analyst, argues that President Erdoğan was even blackmailed by Islamic sects with their votes. According to him, as the political ally of the AKP, the MHP (Milliyetçi Hareket Partisi-Nationalist Movement Party) also lacks full internal support for this alliance. Moreover, both the MHP and AKP voters have alternative political parties such as the GP (Gelecek Partisi-Future Party), and DEVA (Demokrasi ve Atılım Partisi-Democracy and Progress Party) at their disposal. Thus, all these factors add to the fact that the withdrawal is a political attempt to secure AKP's support base. Overall, the common argument in the research mentioned above is that the AKP had supported gender equality initiatives until it had consolidated its power. The withdrawal, from this point of view, is an extension of a political process where a more conservative way of doing politics started to dominate the Party. Hence, it could be argued that there is a shortage of studies highlighting continuity in terms of the conservative approach of the Party, especially in the field of gender.

Moreover, this line of analysis not only fails to emphasize continuities among different periods but is also excessively involved with regime analysis which attributes withdrawal from the IC to the illiberalism/ authoritarianism of the AKP, in

other words, misuse of power by political actors. The critical perspective, on the other hand, enables us to depart from what can be called the “the rupture analysis” dominating the literature and to contextualize anti-gender developments within socio-political and economic transformation that state practice has been taking place. Despite the common interpretation that Istanbul Convention was signed to preserve the AKP’s liberal image -the liberal era of the Party was not deprived of contradictions as well. Thus, “liberal versus conservative era” understanding ignores the continuities between the two eras of the Party. While liberal methodology conceives of anti-gender developments (e.g., withdrawal from the IC) as democratic failures of political power, the structuralist perspective acknowledges that states are constrained by political-economic conditions and social struggles.

Thus, rejecting an isolated political calculation argument, Şahin’s study (2021) also brings back the structuralist perspective to contextualize the Presidential Decision to withdraw from Istanbul Convention. Based on social conflict approach which assumes that state, its institutions, policies, and capacities for action are never neutral, Şahin (2021, p.3) argues that “male biased” decision to withdraw from Istanbul Convention reflect the “hierarchical social relations of gender that protect the economic and politic interests of some male elites”. In other words, the opposition of conservative groups, such as MUSIAD, to Istanbul Convention was related to “... the material costs the elimination of certain discriminatory and exploitative practices (justified as customs or traditions) entails” (Şahin, 2021, p.14).¹¹ As gains in terms of women’s rights entails change in the existing gender relationships and structures to the disadvantage of men who benefit from unequal status of women in the household, in employment, and in politics (Şahin, 2021, p.12), religious groups were dissatisfied with such improvements. That’s why they used Istanbul Convention and the related Law No 6284 on preventing domestic violence as a means of political blackmail.

¹¹ Although there will be more information given on MUSIAD later, it is now sufficed to state that it was founded in 1990 to promote the interests of the ‘provincial bourgeoisie’ against the ‘Istanbul bourgeoisie of TUSIAD’ (Şahin, 2021, p.7).

Looking at the political landscape that allowed concessions to the demands of ultra-religious groups, there were various domestic and international hardships that the AKP faced (Şahin, 2021, p.12-13): deteriorating economy on the brink of a currency crisis due to tense relations with the USA; loss of Istanbul mayoral elections; declining internal cohesion within the AKP which resulted in the establishment of new political parties; increasing political competition among different religious communities to fill the positions left by the purge of Gülenists in business, education and state bureaucracy. Thus, the declining popularity of the AKP rule due to deteriorating economy coupled by the Coronavirus pandemic has increased the political leverage of ultra-religious groups who were dissatisfied by feminist improvements. Thus, the change of balance in social relationships in favor of anti-gender equality forces enabled the withdrawal process.

The argument that submitting to the demands of the anti-gender movement is an effort to regain control within the ongoing cumulative regime crisis is also pointed out by Özkazanç (2022c). While drawing attention to the fact that the decision to withdraw from the IC was taken at a time when the social base of the government weakened and the administrative crisis intensified, nevertheless, it should be considered together with other authoritarian moves that accompanied the Presidential Decision published on March 20th, 2021 (Özkazanç, 2022a): HDP's representative Ömer Faruk Gergerlioğlu's arrest, the lawsuit against HDP, the dismissal of the President of the Central Bank, and the transfer of many historical buildings, including Gezi Park, to foundations. According to Özkazanç (2022c), these simultaneous developments not only point out the increasing arbitrariness of the ongoing regime but also that the current presidential system in Turkey is in constant denial of the principle of popular sovereignty. Similarly, while recognizing its important short-term effects, Aşan (2021) argues that it would be misleading to evaluate the withdrawal only in terms of political alliances and negotiations. Instead, she proposes to think of this process in relation to the new society and state intended to be created in Turkey. Political power has long been denying equality between women and men and defines women only in relation to the family which is the center of focus in policymaking. In Aşan's words (2021):

In the new society vision of the new Turkey, equality and equal citizenship do not take place as a founding value even on paper. Therefore, this withdrawal attempt should be considered as the beginning of a series of coups on gender equality that will continue.

Although what is meant by “New Turkey”, or “authoritarian turn of Turkish state” differs within the literature based on the theoretical underpinnings and the focus of the analyses (e.g., regime analysis vs. state analysis), I will mention Hülal’s (2021a) conceptualization because she captures not only the above-mentioned anti-equality tendencies but also does it with a focus on gender.

CHAPTER 3

THE AKP IN CRITICAL-HISTORICAL PERSPECTIVE

3.1. The Birth of the AKP

The AKP is the first political party with Islamist roots that has managed to become a major political actor in Turkey. According to Çayır (2008, p.64-74), the emergence of the AKP, and so the transformation of Islamist movements in Turkey, can be explained by the changes in the Islamic actors' conceptions of democracy and modernity. To this end, the author separates the 1970s and 1980s, a period characterized by an oppositional and collective understanding of Islam, from the "self-reflexive" period that starts with the 1990s. The Islamism of the 1970s and the 1980s was the reinterpretation of Islam by the newly urbanized families and can be defined by three common features: an opposition to Western capitalism and socialism, an essentialist understanding of Islam, collective Islamist identity of "us" defined against the secular "other". The confrontational stance against the West and the Kemalist elites in Turkey was justified in terms of the ill effects of modernization on morality.

As an alternative to Western modernity, Islam was adopted as the ideology of *Milli Görüş Hareketi*-National Outlook Movement (NOM). Despite this confrontational discourse, the acquisition of new social positions by the Islamic actors and the formation of an Islamic middle class comprised of modern professionals in the 1990s, however, brought about the willingness of the Islamic actors in Turkey to participate in modern forms of life. The new, worldly experiences led by the enlargement of the public spaces available to the Islamic actors led to a re-evaluation of the Islamism of the 1970s and 1980s. And this re-evaluation became more obvious when the enlargement of public spaces was reversed by the 28 February process. The Islamic actors -intellectuals, literary figures, politicians- started to attain a self-reflexive attitude and revisited their Islamic past in their works. Eventually, a group

of these Islamic actors who drew lessons from these experiences, particularly from the failure of the political parties of the National Outlook Movement to stay in power in a secular establishment, led to the foundation of the AKP. What differentiates the AKP's new Islamism from the traditional Islamism of the RP (*Refah Partisi*-Welfare Party) is its secular and consensual approach to politics and its claim that Islam can be harmonized with democracy and modernity.

However, although the failure of Islamic parties to stay in power was certainly influential in the transformation of political Islam, one should not disregard the broader factors that shaped this transformation in Turkey. This transformation was led more by structural changes that reconfigured the socio-economic environment of the Islamic actors. Political Islam and its support base in Turkey, according to Gülalp (2001, p.435-44), have become prominent in the 1980s and 1990s, the years which were marked by the openly Islamic, populist RP. Rejecting the modernization claim that religion will decline because of economic development, Gülalp argues that "the rise of political Islam in opposition to Kemalism can be linked to globalization and post-modernization" (2001, p.435). The RP's strategy was to address class-related issues to change Turkish society along religious lines. According to Gülalp (2001, p.438-39), after 1980, there was a continual state intervention in the economy through the distribution of rents to the business on a selective and personal basis. So, while corruption scandals in Turkish politics was common, the RP presented itself as the representative of the peripheral industrial class, the only true pro-private-enterprise party deprived of any corrupt dealing.

These small and medium sized enterprises (SMEs) that were threatened by the big capital (represented by TUSIAD since 1970s) through subcontracting links collaborated under the pro-Islamist MUSIAD in 1990. What united MUSIAD and the RP was the complementary natures of the utopia of an egalitarian petit-bourgeois society of the RP and the claim of MUSIAD that Islamic values can be synthesized

with post-Fordism¹². Additionally, both depicted the big capital that is close to the Kemalist bloc as conflicting with the interests of the decent and hardworking entrepreneurs. However, when the RP came to power in 1996, it could not respond to the diverging interests of the capitalists and the workers on the one hand, and the capitalists and the Islamist intellectuals on the other. Among these classes, the devout bourgeoisie that is largely represented by MUSIAD became crucial in the transformation of political Islam and the formation of the AKP.

According to Gümüşçü & Sert (2009, p.963-64), divisions within this group led to the emergence of a moderate wing within the NOM movement in the early 1990s. Thus, the transformation of the devout bourgeoisie from a composition of marginalized provincial middle classes and the lower-class immigrant urbanites into upper and middle classes due to economic liberalization in the 1980s also showed itself in the transformation of Islamism. The new bourgeoisie that benefited from the integration with the world economy was now alienated from the “Just Order” agenda of the RP that required heavy state intervention. As the devout entrepreneurs wished to minimize political costs and business risks, tense relations of the RP with the secular establishment when it was in power in 1996 added to the alienation of this group. Additionally, the business relationship of the devout bourgeoisie with the EU that was established through the Customs Union in 1996 was also threatened by the RP’s distanced position towards the EU and the West.

Consequently, the 28 February process was the event that marked the shift of support of the devout bourgeoisie to the moderates. The devout bourgeoisie provided the financial, human, and political resources for the formation of a new conservative democratic political party. What is emphasized by Gümüşçü & Sert, (2009, p.965-66) is that the AKP followed the ideological blend in line with the aspirations of the

¹² While Fordism has denoted the combination of mass production with mass consumers' markets regulated by the state; post-Fordism denotes flexible forms of capital accumulation such as a rise in smaller-scale manufacturing, self-employment, and subcontracted production which allows employers to by-pass trade unions and restrictions in firing workers and lowering wages (Gülaip, 2001, p.436).

devout bourgeoisie: economic liberalism, social conservatism, and democracy. According to the authors, the centrality of economy in the party programme and policymaking is clear in the Party's stress on macroeconomic stability, economic growth, and expansion of private investment. What is remarked by the authors is that the AKP is a pro-business, right-wing party with conservative values. Similarly, Özbudun (2006) argues that the AKP has more in common with the centre-right parties than with the previous Islamist parties. According to Özbudun, (2006, p.546-47), the AKP represents the transformation of political Islam into a moderate conservative democratic party, and it has rebuilt a coalition based on the support of the rural population, artisans and small traders in the cities, the urban poor, and the devout bourgeoisie. Placing themselves at the center-right of the Turkish political spectrum, the Party successfully appealed to a larger constituency and increased its votes gradually.

3.2. The AKP's Conservative-Democracy Project

As explained above, the AKP did not put itself in the realm of a religious party block. Rather, it has constructed a neoliberal dimension which consists of conservatism, Islamism and democracy (Bozkurt, 2013, p.372-375). In 2002, the Party came to power with pledges to tackle with poverty, distorted income distribution, income and social inequality. At the same time, the Party's commitment to macroeconomic stabilization agenda of the IMF after the 2001 crisis underlined the AKP's neoliberal ideological preferences. This neoliberal dimension benefited the bourgeoisie class with policies introduced in the economic field such as flexible labor law, weakening welfare and subcontracting welfare to the private sector. The AKP also created an ideological sphere in order to identify itself with the common sense in Turkey, i.e., neoliberalism with a human face.

Despite negative effects of neoliberal policies, the Party has increased its votes gradually leading up to 50% of the votes in 2011 general elections in spite of the 2008 crisis that created a misfortunate economic situation for the society (Bozkurt, 2013, p.373). According to Bozkurt (2013, p.374), this support could be explained by

the neoliberal populism of the AKP and also with the ideological sources of the Party. The term neoliberal populism has been employed by Yıldırım (2009 p.77-79) to characterize AKP's rule in Turkey. The Gramscian term indicates that the AKP leadership, by relating to the masses in an exploitative, insecure working environment, aims to build supremacy of the bourgeoisie over the subordinated classes. For instance, in the aftermath of the 2001 crisis with the Industrial Policy for Turkey prepared by the State Planning Organization, new international competitiveness agenda has been set (Bozkurt, 2013, p.379). This agenda brought about important changes upon the working conditions, as effected by the 2003 Labor Law No. 4857, which focused on flexibility in industrial relations and subcontracting. As a response to the harmful consequences of the neoliberal policies, the AKP continued to build a human face by attributing to the symbolic content of conservatism in the form of Sunni Islam to create a common sense. The Party referred to Islam in maintaining institutions and values (Bozkurt, 2013, p.382).

Thus, the AKP emphasized family, religion and Islamic community as important elements for society, and though refrained from identifying itself as a religious party, Erdoğan's use of his symbolic capital -his urban poor past, jail experience and his activities such as fasting with the poor people- created a sympathy for the Party from the urban poor. The ideological sources of the AKP contributed to a common sense which also constituted the social hegemony of the Party (Bozkurt, 2013,p.382). As the National Outlook tradition referred, the AKP also embraced losers of the economic policies implemented at the time. However, unlike its ancestors, the AKP added second generation bourgeoisie (Islamic oriented Anatolian capital groups), which was mentioned in the previous section, to its traditional support base.

Since the budget austerity became a necessity under neoliberal policies instructed by the IMF packages, the welfare state has declined in the world generally, hence in Turkey as well. Thus under the AKP rule, social assistance programs, charities, philanthropic groups and NGO's such as *Deniz Feneri* aimed to substitute the welfare policies of the state to give a hand to the poorest parts of the society (Bozkurt ,2013, p.387). The AKP's neoliberal populism meant attracting attention of the

marginalized sections of the working class against the organized sections of the working class and petty bourgeoisie (Bozkurt, 2013,p.388). This was achieved by social assistance funds and transfers to meet with the short-term demands of the society to expand its support base. Though neoliberalism harms the lower and middle class society in Turkey, AKP assured great amount of support from these segments.

According to Öniş (2009, p.22), the AKP was successful in extending its base and electoral success thanks to its ‘conservative globalism’, an unusual synthesis of liberal and conservative elements. In terms of liberal elements, the term denotes favouring attitudes of the Party toward global markets, democratization reforms, progress towards EU membership, and an anti-nationalist vision in foreign policy. On the other hand, the conservative part of the term reflects defensive position toward traditional values and includes appealing to the conservative values of large segments of voters. Thus, according to Öniş (2009) the AKP sought to create a moderate and pragmatist politics and a marriage between conservatism and liberalism. The economy program introduced by Kemal Derviş, the minister responsible for the economy during the coalition government in the aftermath of the 2001 crisis, was already available for the use of the AKP in its first years in power (Öniş,2009, p.23-24).

The Party also managed to achieve high rates of economic growth by 7.5 per cent per annum during the 2002–2006 period. Hence, the poor and less privileged segments of society benefited from the high growth and single digit inflation. As another factor, AKP’s neoliberal commitment in social policies created the conditions of neoliberalism with a human face. For, the AKP provided charity based distributions rather than the state based ones, and the sustained and systematic character of these charities helped the Party to capture the winners and the losers of neoliberalism at the same time (Öniş, 2009, p.24). The AKP was active in seeking conciliation with minorities, too. Its position for tackling the Kurdish issue enabled the Party to get mobilized in the predominantly Kurdish south-eastern regions of the country which enabled the AKP to attract support from the people who are concerned with the issue (Öniş, 2009, p.25).

Another important factor for the Party to gain internal as well as external support was its commitment to the EU reforms and democratization. The lack of an effective opposition was also helpful in expanding its electoral base (Öniş, 2009, p.24). Also the ‘e-intervention’ on the Party of the military during a presidential election process and the subsequent ‘Republican rallies’ that were held in a number of Turkish provinces in spring 2007 to protest against the alleged antisecular activities of the AKP proved to be rather counterproductive in the electoral sphere; what was striking in the context of the 2007 elections was that even liberal elements which would have normally voted for other parties chose to vote for the AKP (Öniş, 2009, p.25).

However, after the 2007 elections, democratic advocations of the Party gradually decreased. In this regard AKP’s political history is majorly read with a “rupture and continuity” framework, which highlights the transformation of the Party from liberal conservatism to authoritarianism in the literature (Özsel et al., 2013). For instance, Özsel et al. (2013, p.557) argue that, in its first five years of rule, the Party presented a liberal-Islamist alliance to create its cultural hegemony over the Kemalist ideology. Its popularity gradually increased and with Erdoğan’s advocations to present a moderate Islam by co-charing the Greater Middle East Project and liberalism against fundamentalism attracted support from the US and the EU (Özsel et al., 2013, p.560). Accordingly, the Party “emphasized importance of democratization and the expansion of human rights and urged the integration of Turkey to the EU as a moderate Islamist country” (Özsel et al., 2013, p.561).

As such, democratization and steps for enhancing human rights were taken such as the abolishment of the death penalty, emphasizing gender equality in the amended Constitution and the restriction of the authority of the military courts (Özsel et al., 2013, p.560). However according to Özsel et al., the presidential elections in the year of 2007 had produced crucial repercussions over the AKP in leaning towards authoritarianism (Özsel et al., 2013, p.561). As put by Öniş (2009, p.32), “the disappointing performance of the party immediately post-election helped to alienate elements of liberal public opinion which had been quite impressed by the party’s

moderate and reformist stance in its early years.” Accordingly, several factors are identified by Öniş (2009) which increased social polarization. Contrary to liberal expectations, the Europeanization and democratic reform process faced a decline (Öniş, 2009, p.32):

Following the golden age period of 2002–05, the AKP government had lost some of its early momentum and was unable to withstand the strong resurgence of nationalism, particularly from the beginning of 2005 onwards.

It was already before the 2007 elections that the AKP’s and its larger nationalist constituents have lost enthusiasm for European membership due to several developments (2009, p.32). The setback in the negotiation process was also fueled by tense relations between Turkey and the Republic of Cyprus whose membership to the EU in 2004 contributed to rise of anti-EU public sentiments in Turkey. Adding to these was the disappointing decision in 2004 of the European Court of Human Rights for the AKP on the case of Şahin v Turkey, which stated that the ban on headscarves at universities did not constitute a breach of freedom of religion (Öniş, 2009, p.39). The discontent felt due to the election of Abdullah Gül as a conservative president in August 2007, the secular establishment was further triggered with the constitutional amendment involving the removal of the headscarves ban in the universities (Öniş, 2009, p.32-33).

Throughout this process, thus, the Party leaned on the support of its religious conservative electoral core which was consolidated with the steady support of the nationalist MHP, both in 2007 elections and the constitutional amendment. While eager to extend religious freedoms, “the party leadership appeared to have very little interest in extending the frontiers of democratization in other areas such as a democratic resolution of the Kurdish conflict... and extension of freedoms for both Muslim and non-Muslim minorities and so on” (Öniş, 2009, p.33).

Consequently, the discontent felt by the secular establishment played out as a closure case by the Constitutional Court against the Party due to alleged violation of secular principles, specifically the headscarf amendments the Party undertook (Öniş, 2009,

p.34). However, the leaders of the AKP, in response, used their authority to appoint conservative people to various posts especially in jurisdiction and the universities; to undermine the secular military power with serious investigations such as Ergenekon and Balyoz; and to increase the number of Islamist bureaucrats in the ranks of public offices (Özsel, p. 564). Thus, the year 2007, symbolized “the rupture” in the AKP’s rule, as the conservative-democracy project endorsed by the Party in its early years dismantled. Such a process of secular-religious polarization mentioned above continued with more intensity in the post-2010s, as discussed below.

3.3. Towards a New Political Form of State in Turkey

As mentioned, after securing its second term in office, the Party’s efforts to extend religious freedoms increased, the EU process slowed down, and the secular-religious divide started to show itself which led to the questioning of the AKP’s democratic credentials at the Constitutional Court’s closure case in 2008. From 2010 onwards, such a trend accelerated. In 2010, the Party’s attempts to restrain the military power continued, and a referendum was conducted on a set of constitutional amendments. In 2011, Erdoğan was re-elected as Prime Minister and started to follow an expansionist foreign policy in relation to emerging uprisings in Syria. Internally, defensive policy was followed vis-à-vis the Kurdish problem, as the peace process with *Partiya Karkerên Kurdistanê* or PKK was replaced with armed conflict.

However, one of the most remarkable events which can be conceived as the culmination of built-up discontent with the regime since the 2007-08 economic crisis, was the 2013 Gezi Uprisings. The Gezi event brought together many protestors demanding the resignation of the AKP government (Bedirhanoglu et al., 2020, p.13-15). The general elections in 2015, on the other hand, was important in the sense that the majority of the AKP in the parliament was weakened with the entrance of the pro-Kurdish People’s Democratic Party (*Halkların Demokratik Partisi* or HDP) to the parliament (Bedirhanoglu et al., 2020, p.15). Furthermore, in July 2016, a coup attempt against the government was organized by the Gülenist factions within the military and police forces.

To manage the events challenging its power, the AKP followed increasingly oppressive policies against political opposition, especially by making use of KHKs (*Kanun Hükmünde Kararname*/decrees having the force of law) which were enacted after the coup attempt and lasted until June 2018. The emergency decrees laid the ground for the restructuring of the state as “the *sui generis* presidential system” (*Cumhurbaşkanlığı Hükümet Sistemi* or CHS), as they have become “a decisive instrument for the AKP to instigate a major restructuring of the political decomposition and institutional architecture of the state” (Bedirhanoglu et al., 2020, p.16). Accordingly, in 2018, coalition between President Erdoğan and the Nationalist Movement Party formed the new power bloc in the country.

To make sense of the authoritarian ways that the AKP government dealt with the events in post-2010 period, scholars attempted to identify the political regime of the government and different categorizations such as “competitive authoritarianism” (Esen and Gümüşçü, 2016), “electoral authoritarianism” (Kaya, 2015) or “authoritarian neoliberalism” (Tansel, 2018) have been used. Thus, based on a set of regime characteristics identified, conceptualizations based on authoritarianism has proliferated. However, as stated by Hülagü (2021a, p.9-10), “[e]ven if [authoritarianism] tries to challenge the ...idea of the early 1980s about the positive correlation between economic liberalization and democratization, it risks becoming another buzzword devoid of any real explanatory power.” While the term authoritarianism has become so generalized that the properties it proposes for the state form is taken for granted, and its variations (competitive, electoral etc.) based on the response of the political power to political events only sheds light on the short-term qualities of the state (Ercan & Oğuz, 2020, p.97). As mentioned in the introductory chapter, this study does not follow institutionalist-regime analyses but rather follow a critical line of argumentation that emphasizes the changing historical form of the state to manage the contradictions of neoliberal transformations.

Accordingly, bringing back structural perspective to state analysis in the Turkish case, Ercan & Oğuz (2020, p.98) argue that the AKP’s resort to authoritarianism, and thus changing the state form, emanates from the contradictions of capital

accumulation process, particularly the failure to secure the conditions of relative surplus value¹³ production. The reproduction of conditions of accumulation in late capitalist countries such as Turkey is realized in two phases: the creation of the conditions for surplus value, and the acceleration of the same process by making the transition to relative surplus value production (Ercan & Oğuz, 2020, p.97-98). The detail of this process is important to understand because it explains the roots of state and economic crisis of 2018-19 and it is no coincidence that the rise of anti-genderism as a popular movement in Turkey and state's alignment with the movement corresponds to this period.

To understand the structural contradictions and the form of state as a response to these contradictions of capital accumulation, authors analyze the changing phases of capital accumulation: structural change and change within structure. While structural change refers to transition from agricultural to capitalist mode of production, change within structure refers to differentiation of accumulation processes within capitalist society (2020, p.98-99). In late capitalist countries, production is concentrated in labor-intensive sectors and dependent on the import of capital goods. Thus, for more production, more foreign exchange is needed for the import of capital goods. Breaking this dependency on foreign exchange necessitates the "...transition to increased relative surplus production, which in turn necessitates a series of structural changes such as a transformation of the education system for the training of qualified labour power" (Ercan & Oğuz, p.99). However, instead of undertaking costly changes necessary for transition to relative surplus production, acting in short-term interests, the ruling power opt for temporary solutions to crisis dynamics.

Unlike established capitalist countries, different phases of accumulation occur simultaneously in late capitalist contexts and affected by global accumulation

¹³In short, improvement of productive forces for rapid expansion of surplus value. "...selling at or close to the social average while producing at a rate of productivity far higher than the social average. This gap is crucial and yields a form of relative surplus-value to the individual capitalist." (Harvey, 2010, p.167).

processes. While state-capital relationship is established in this context, if not able to sustain foreign exchange necessary for production, the state is faced with crisis dynamics. These dynamics, i.e., contradictions of capital accumulation, become visible through, for example, the price of commodities, interest rate, wages which result in poverty, unemployment, increase in producer and consumer debt etc. (Ercan & Oğuz, p.100-101). To manage contradictions of capital accumulation and related social outcomes which signal failure of total social reproduction, as it threatens reproduction of political power itself, states resort to crisis management strategies to maintain political rule. As put by authors, Turkey constitutes a case of late capitalist country where capital accumulation “...takes place in the context of a changing global accumulation process as well as pre-capitalist relations of production” and this “leads to problems not only in the sphere of accumulation but also in the total reproduction of society” (Ercan & Oğuz, 2020, p.99).

The AKP came to power after the 2001 crisis, when Post-Washington Consensus (PWC) reforms were launched as an attempt to correct the chronic failure of the transition to relative surplus value production in the country in post-1980 period. The AKP, indeed, undertook some structural changes as part of the PWC such as relieving itself of financial stress thanks to generous funding provided by the IMF and the World Bank (Ercan & Oğuz, 2020, p.103). The PWC reforms also accorded the AKP with increasing room for domestic political actions, as the institutional changes led to, for example, the establishment of independent regulatory agencies. Making use of institutional reforms, the AKP also strengthened the existing institutions by concentrating power in the executive, which enabled to adopt alternative mechanisms that served -albeit contradictorily- for material reproduction of its rule.

However, instead of a full commitment to structural change necessary for the transition to the relative surplus production which would benefit internationalization of big domestic capital, the AKP shifted its emphasis to those sections of capital which could not yet keep up with global accumulation processes, and thus would be harmed by transition to a relative surplus value production. As mentioned in the

previous sections, this section of capital is the newly growing SMEs that helped the AKP's rise of power. As these SMEs are dominated by sectors such as textile and construction, a shift away from labor-intensive sectors such as these, that the transition to relative surplus value production necessitates, is to the disadvantage of this sections of capital. As the AKP's short-term interests were in alignment with this section of domestic capital, the Party opted for other economic options to secure clientelist relationship established with the SMEs which provide employment for AKP's support base (Ercan & Oğuz, 2020, p.103). Between 2002-2011, these options yielded positive economic growth, but rather with a negative balance of payments and unemployment (Ercan & Oğuz, 2020, p.103). Moreover, the Party failed to accelerate the transition to relative surplus value demanded by the established capital, the major surplus value was still yielded by these groups whose interests are against the newly growing SMEs. Bypassing the transition, the AKP opted for high interest rate policy to attract foreign capital necessary for production, and an overvalued Turkish lira. Following the adverse effect of this policy on SMEs, the Party decreased interest rates and, after 2011, the Party opted for re-politicization of economic matters, which meant political control over the regulatory mechanisms by their respective ministries.

Amidst conflict within capital, to reproduce its own rule, the AKP made use of the institutional reforms of PWC, not for change within structure, but for new sources of revenue to appeal to all sections of capital. Thus, making use of the PWC reforms, the AKP restructured "the relations between ideological and repressive state apparatuses as well as by an increase in the relative autonomy of the state and economic apparatuses so as to create revenues and control the sphere of production and circulation" (Ercan & Oğuz, 2020, p.105). Thanks to this restructuring, the AKP acquired necessary autonomy from 2010 onwards to undertake several postponement mechanisms to create revenue for the total reproduction of society. To sustain the material reproduction of its social base through social assistance programs, i.e., neoliberalism with a human face, these mechanisms has served the AKP as an emergency aid, but in a crisis-prone way, particularly 2018 onwards (Ercan & Oğuz, 2020, p.106).

One of such mechanisms that the AKP resorted to, was the domination of labor classes. As the orientation of production to exports to obtain foreign exchange dissolved pre-capitalist mode of production, the AKP promoted the employment of former agricultural laborers in labor-intensive sectors such as construction. The inflow of Syrian refugees to Turkey, also played into the hands of capital, as the informal employment of Syrian workers lowered the cost of labor (Ercan & Oğuz, p.107). Such a process was also supported with crack down on trade unions, and the low cost of labor served to increase the global competitiveness of domestic capital (Ercan & Oğuz, 2020, p.107-108). The reserve army of precarious labor provided the AKP with another postponement mechanism, i.e., “construction-based or finance-led growth regime”. To this end, the AKP made use of decree laws and regulations such as Urgent Expropriation (UE) and the Public Procurement Law (PPL) (Ercan&Oğuz, p.107):

These regulations provided the state under AKP rule with two important resources (the promotion of labour-intensive sectors and the commodification of nature) and two mechanisms (transformation of the delivery of public services through public–private partnerships and the creation of new spheres of commodification, such as land, energy, mining, water and housing).

Specifically, many arbitral amendments were made in the PPL between 2003 and 2013 to the advantage of SMEs, which created new sources of revenue for the Party as well as new pro-AKP capital groups functioning in the growing construction sector (Ercan & Oğuz, p.108). As the growing construction sector required new spheres of commodification, the AKP issued governmental decree laws to subordinate natural resources to the needs of capital. The UE law, which is normally a wartime procedure against foreign invasion, was used to confiscate private lands for energy-related projects to the detriment of rural settlements and its local population (Ercan & Oğuz, p.109-110).

Nevertheless, the “construction-based growth” did not yield much value, and without increased relative surplus production/improvement of productive forces, the need for

foreign exchange was constant (Ercan & Oğuz, 2020, p.110). At this point, the AKP's turned towards international finance as a crisis management strategy aiming to compensate for the insufficiency of the construction-based attempts to attract foreign exchange. Accordingly, the AKP made use of high interest rates and an overvalued Turkish lira for the internalization of international money capital which depends on the US Federal Reserve System's (FED) policies. While the low interest rate policy of FED served the AKP to secure support from different capital sections, it also served to socially reproduce the population as provision of cheap consumer credits substituted for low wages. As such, there was a sharp rise in household indebtedness "from 3 per cent of GDP in 2003 to 23.8 per cent in 2013" (Bedirhanoglu, 2020, p.30), which is demonstrative of inner contradictions of capital accumulation.

While served to decrease the public debt burden of the state, the shift from public to private indebtedness led to the inclusion of more people in financial market in favor of capital groups and, more importantly, has refined state-capital relations to the advantage of the latter (Bedirhanoglu, 2020, p.30). These policies favoring the Anatolian SMEs were also important for "the lives of the poor laboring masses" who are largely employed by this section of capital and constitute the Party's support base (Bedirhanoglu, 2020, p.31). Combined with Erdoğan's post-Gezi discourse appealing to the 'long-neglected' religious masses, the reproduction of early AKP rule depended on cheap credits a means of subsistence to masses while securing labor for pro-AKP companies.

However, this method of social reproduction based on financialization reached its limits due to changing global context, defined by "the Eurozone crisis in 2009, the US Federal Reserve's cautious steps in rising interest rates after 2013, and the election of Donald Trump as the new US President in November 2016" (Bedirhanoglu, 2020, p.32). In this context, the outflow of capital from the Global South had serious repercussions for Turkish economy in the shape of "...a threefold devaluation in the Turkish lira (TRY) from 2013 to 2019, reaching sky-high levels during the August 2018 crisis..." (Bedirhanoglu, 2020, p.32). Deteriorating global

financial conditions combined with diminishing credit channels in domestic markets, compelled the AKP to search for a way out of this financial deadlock.

As it became difficult to reproduce its rule, Erdoğan's initiated "...a sovereign wealth fund (*Türkiye Varlık Fonu*/Turkey Wealth Fund or TVF) with the declared aim of increasing the state's financial capacity." (Bedirhanoğlu, 2020, p.33). However, in an economy with a negative current account balance, the problem of establishing such a personalized fund was solved through transferring established state-owned companies such as Ziraat Bank and Turkish Airlines to the TVF, which is basically "a private management corporation" (Bedirhanoğlu, 2020, p.33). Bypassing the option of international funds based on neoliberal conditionality to avoid its disturbing effects on its social base, the AKP chose to manage the post-2013 repercussions of finance-led growth in its early years by creating an alternative material source of survival, the CHS. After transition to CHS, Erdoğan became the chairman of the TVF and "the Fund enjoyed tax exemptions and was audit-free, as well as being used for financing giant construction projects carried out by pro-AKP companies" (Ercan & Oğuz, p.111). As Bedirhanoğlu (2020, p.33-34) states, "[i]t would be futile to draw up long and detailed analyses of the new administrative architecture of the CHS, as practically it has meant the centralization of all power and state money in the hands of President Erdoğan."

Consequently, the historical developments since 2010s instigated the emergence of a new state in-the-making in Turkey characterized by the tendencies such as "...the privatization and personification of state power, the rise of coercion, discretionary economic management, and the crippling of basic modern state institutions through processes such as deconstitutionalization and Islamization..." (Bedirhanoğlu et al., 2020, p.3). From a political economic perspective, there is a constitutive relationship between the so-called reformist and authoritarian eras of the AKP: thanks to the institutional capacity the structural reforms provided early rule of the Party with, the AKP had the relative autonomy to reproduce its rule, with repercussions on the political form of the state.

Materially, the new form of state has introduced “hierarchy in state–society relations” basically by redefining state-capital relations to the advantage of the latter (Bedirhanoğlu, 2020, p.30). And as the state ceased to be a rational entity acting in public interest, the new state form also altered state-society relations on the ideational terrain through processes such as deconstitutionalization and Islamization. In this sense, from a critical perspective, authoritarian governance in Turkey signals not just the changing political attitude of the political power, but “dismantling of ‘public power’ as the historical legacy of modern state formation in Turkey” (Bedirhanoğlu et. al., 2020, p.12). Indeed, demonstrative of such a change is role of the *Diyanet*, Directorate of Religious Affairs, as a domestic instrument of Islamisation under the AKP. Since 2010s, The *Diyanet* has become an agency “...that not only regulates and controls but also promotes religion in complete subordination to the whims of Erdoğan’s regime” (Çıtak, 2020, p.181).

Underlying such a transformation, according to the Çıtak (2020, p.172-173), is the expansion of the institution’s social and legal presence, change in its role into a religious authority and its disassociation from the principle of secularism. Looking at the legal and social expansion of the institution, Çıtak identifies two factors that have facilitated such a change: the Law No. 6002 enacted in 2010 and the KHK No.703 of 9 July 2018 respectively. While the 2010 law promoted the status of the institution in state hierarchy from the general directorate level to the level of the Undersecretariat (*müsteşarlık*/the highest hierarchical rank after the minister), with the transition to the presidential system in 2018, the institution was connected to the Presidency. The 2010 law expanded the range of activities that the institution can undertake legally “outside the mosque” in the name of enlightening society about religion. Accordingly, the social presence of the institution has increased through, for example, mass media, educational programs, organizing activities in partnership with relevant state institutions, civil society, media, and local municipalities. Additionally, the 2010 law has also increased the financial capacity of the institution through legally binding the *Diyanet* with the Turkish *Diyanet* Foundation (*Türkiye Diyanet Vakfı* or TDV) which financially supports all the institution’s activities (Çıtak, p.173-176).

Thus, having assumed the mission of Islamisation of society under the AKP, indeed, the Diyanet has ceased to become a secular bureaucratic body (Çıtak, p.179-180). On the other hand, the post-2010 period have witnessed not just the erosion of secularism, but also separation of powers since the transition to CHS meant in practice the elimination constitutional control mechanisms. In this sense, Kaygusuz & Aydın, (2020, p.47) conceptualize the change in Turkish state as “political deconstitutionalization”, denoting a particular type of deconstitutionalization, which cannot “be reversed by the reactivation of constitutional norms”. Accordingly, authors claim that deconstitutionalization in the classical legal sense of “the violation of existing constitutional norms by making them practically ineffective” has started with the election of Erdoğan to presidency in 2014.

However, such a legal process radicalized as critical political developments eroded the fundamentals of constitutional rule in the county. Three such political developments are identified by the authors: the enactment of the Internal Security Law in May 2015; the lifting of the immunity of opposition MPs in June 2016; and the declaration of a state of emergency on 20 July 2016 (Kaygusuz & Aydın, 2020, p.42-43). Thus, in the 2014-2016 era, Turkish state entered an irreversible political route, defined by constitutional erosion which is further consolidated by relations in the political field, i.e., the inability/unwillingness of the Turkish Constitutional Court (*Anayasa Mahkemesi* or AYM) and the European Court of Human Rights (ECHR) in reversing authoritarian bypass of constitutional check. According to the authors, the inability of these legal mechanism points out that such a process is not endemic to Turkey, as deconstitutionalization signal wider crisis of the modern state (Kaygusuz & Aydın, 2020).

Accordingly, authors examine the decisions of the two constitutional control mechanism in throughout the three critical turning points that gave deconstitutionalization in Turkey a political character. “The first and most striking example that demonstrates the role of AYM and ECHR decisions in political deconstitutionalization is the enactment of the Internal Security Law No. 6638 on 4 April 2015 and the declaration of a curfew based on this law” (Kaygusuz & Aydın,

2020, p.49). Although curfew is regulated by the Turkish constitution, the basing of the curfew on the Internal Security Law unconstitutionally served to authorize local governors: to declare a curfew and “to prevent the exercise of some constitutional rights and freedoms” without being subject to parliamentary or judicial check, and with the ability to order criminal investigation without judicial control (Kaygusuz & Aydın, 2020, p.49-50). Accordingly, as this curfew was found lawful by the AYM and individual applications to ECHR to stop the violations in the regions were rejected, the curfew and the power it endowed the local governors within Kurdish populated southeastern provinces resulted in “the death, injury and forced displacement of hundreds of people” (Kaygusuz & Aydın, 2020, p.50).

Another significant turning point in the political deconstitutionalization was the provisional amendment made to the constitution in 2016, which violated the chair immunity of members of the parliament and served to exclusion of oppositional members through the arrest of parliamentarians. (Kaygusuz & Aydın, 2020, p.52). Although 70 MPs applied for the annulment of the amendment, the AHM rejected all. For example, following the amendment, one of the arrested parliamentarians was the party co-chair of HDP, Selahattin Demirtaş, who applied to the ECHR after the decision of the AYM. Although the ECtHR finally decided that there was a breach of his rights-without reference to immunity-the AKP government dismissed the decision and faced no international sanction (Kaygusuz & Aydın, 2020, p.53-54). Finally, the state of emergency declared following the coup attempt in Turkey levelled up the political deconstitutionalization process. As put by the authors (2020, p.54):

The governmental order established during the state of emergency between July 2016 and July 2018 endowed Erdoğan’s government with unlimited power, unprecedented even during coups. The government exercised its power by issuing emergency decrees, which are normally limited to issues relating to a state of emergency, in areas not related to the state of emergency, deliberately defying the constitution.

Thus, not only that emergency decrees were issued in violation of the constitution, but they permanently eroded the constitutional underpinnings of the state, as some of

the regulations were legalized to be valid even after the state of emergency (Kaygusuz & Aydın, 2020, p.54). During the state of emergency, “36 decrees were introduced with over 1,000 articles, as well as purges that dismissed over 130,000 state employees for their alleged connections to terrorist organizations.” (Akkaya, 2020, p.198). Furthermore, the constitutional amendments undertaken in 2017 set the ground for the transition to a presidential system, in other words, “the superiority of the power of a single person over all state powers.” (Kaygusuz & Aydın, 2020, p.55). Accordingly, against the emergency rule that overruled basic rights and freedoms of many citizens, applications were filed to the AYM. Following rejection by the AYM, applications were directed to the ECHR, majorly by dismissed public officers. However, the ECHR also rejected the applications on the grounds that domestic legal remedies were not exhausted. The domestic remedy the Court referred to was “State of Emergency Commission” which was specifically established for dismissed public employees as a product of communications between with the AYM due to the workload of applications (Kaygusuz & Aydın, 2020, p.56).

In short, as put by the authors, “the late rule of the AKP completely abolished the supreme norm of the separation of powers, and especially parliament’s supremacy in law making – specifically the norm that the legislature constructs the executive.” (Kaygusuz & Aydın, 2020, p.54-56). As shown in the historical line provided in the beginning of section, certainly, the AKP hardened its rule in Turkey, starting to show itself in 2007s but accelerated in the 2010s. Accordingly, the authoritarian rule was generalized in the wider polity as reflected in hierarchical social relations based on political domination strategies such as deconstitutionalization or Islamization enabled also by global determinants such as the downturn of global economy after 2013, or ineffective international sanction such as in the case of the ruling of ECHR in favor of the AKP’s state transformation project. Where does gender stand in this picture and what role gender have in the new form of state in Turkey? To answer these questions, what follows is a materialist-feminist conception of the Turkish state.

3.4. Gender Selectivities of Turkey's New State

From a critical political economy perspective, therefore, what has changed in Turkey is not simply the policies followed by the government but the change of political foundations of the state in Turkey (Hülagü, 2021a, p.10). In this section, I want to add the gender lens to the critical history of the authoritarian turn of the AKP provided above. While new state-society project of the AKP in post-2010 era consolidated class inequalities, women are even more disadvantaged in this conjuncture. Indeed, the fact that the simultaneous rise of illiberal tendencies and anti-genderism in global context point out that there are similar structural processes at work, and gender inequality is not a side-effect of this process. And Turkey is not an exception. The new form of the state in Turkey is gendered, and likewise to its far right and conservative counterparts in Europe, antigenderism function as a “symbolic” glue articulating various ideological elements such as nationalism, conservatism, Islamism, neoliberalism that form the new power block (Kováts and Maari Põim,2015; Yasar, 2020, p.129, Ünal, 2021, p.71). As Kandiyoti (2016, p.111) also put, terms such as patriarchy, Islamisation or authoritarianism fail to capture increasingly complex ways in which gender discourses and policies unfold. Thus, the politics of gender is not arbitrary but rather intrinsic to AKP's ruling ideology. In this sense, methodologically, it seems insufficient to discuss anti genderism solely as an ideological instrument.

However, when we look at the literature, the general tendency has been to disregard socio-economic processes at work in the designation of policies related to gender. Identity studies that proliferated since 1990s in the context of rising power of Political Islam in Turkey stay short to explain the alliance of seemingly opposite ideologies on gender and disregard national and global material processes affecting gender policies (Çavdar & Yaşar, 2019, p.12). Especially, since the 2000s, the literature stayed overly engaged in analysis of identity construction and the conflict between the secular and Islamic conceptions (Çavdar & Yaşar, 2019, p.12-19). As indicated in the introductory chapter, the literature on gender in the AKP era is no different as they mostly attribute the Party's policies to its religious identity and

change in its discourse and policy regarding gender to the conservative/authoritarian/illiberal turn of the Party (e.g., Coşar & Yeğenoğlu, 2011; Yazıcı, 2011; Acar & Altunok, 2013; Cindoğlu & Ünal, 2017; Güneş-Ayata & Doğangün, 2017; Akkan, 2018; Aksoy, 2018; Doyle, 2018; Koyuncu & Özman, 2019; Doğangün, 2020; Yarar 2020; Arat, 2021). I benefit from these studies to understand the details and historical background of different gender policies of the AKP throughout its rule. However, I distinguish myself from these studies which depict gender developments as if they exist in a vacuum and undermine the socio-economic contradictions that are in a constitutive relationship in the different eras of the Party.

On the other front, while there are studies that examine political economic processes with a gender lens, they do not investigate “the state question” but rather majorly focus on negative effects of neoliberal restructuring of the Turkish economy on women’s lives (see, for instance, Acar-Savran, 2008; Elveren, 2008; Kılıç, 2008; Coşar & Yeğenoğlu, 2009; Buğra, & Yakut-Cakar, 2010; Dedeoğlu & Elveren, 2012; İlkaracan 2012; Özar & Yakut-Çakar, 2012; Candaş & Silier, 2013; Çavdar & Yaşar, 2019). As the most recent one of these studies, for instance, Çavdar & Yaşar (2019, p.11-12) argue that global neoliberalism and Islamic conservatism share three common premises underlying their conception of gender: “(1) men and women are fundamentally different; (2) women’s primary domain of activity should be confined to the home; and (3) a natural division of labor exists between men and women”. Adopting a critical/feminist political economy perspective, authors observe these common convictions of neoliberalism and conservatism behind the AKP’s gender policies. Built on the critique of identity framework dominating the literature on gender, authors focus on the processes of production and reproduction affecting lives of women through an analysis of the gender bias reflected in employment, education, and healthcare policy under the AKP rule.

Therefore, indeed, there are studies paying attention to material processes taking place in the market and women’s role in social reproduction, however they do not analyze state policies by looking at the state per se. So, how do we position the state

vis-à-vis gender? In this sense, as the analytical tools Hülügü (2021a, 2020) makes use of in her study centers around the state question, it compensates for the lack of state perspective when thinking of material processes in relation to gender. Furthermore, Hülügü (2021a) herself resorts to developing a feminist-materialist theory based on works of critical state-theorists such as Claus Offe (1994), Bob Jessop (2004), Elisabeth Prügl (2009) and Sylvia Federici (2009) due to lack of state as an object of study among feminist theories (2021a, p.14). Thus, Hülügü's feminist materialist theory based on the Turkish context is a significant academic contribution to understand gender politics in Turkey with a direct focus on the state. Specifically, the term gender selectivity as an analytical tool that she borrows from Jessop (2004) academically helps reveal the gendered nature of each state. As stated briefly in the introduction chapter, this study re-contextualizes the feminist-materialist centaur state theory developed by Hülügü (2021a).

Centaur state theory is based on feminist-materialist conception of states whose aim is the reproduction of the capitalist society in its entirety. While the modern state was erected on egalitarian foundations-at least in theory- the centaur state is a post-modern form of state whose political foundation is built on the differential treatment of its citizens. Although both state forms employ similar oppressive policies, what really differentiates the post-modern state from the modern state is the political foundations upon which these two state forms are based on. Although not fully consolidated yet, the centaur state denotes a historical form of capitalist state which ceases to act in public interest, restricts the right to pursue oppositional politics and transgresses the principle of equality for all understood as similar treatment of citizens regardless of their ascribed status in a society.

In short, centaur state form as a new state form is, thus, de-rationalized, anti-Political and deviates from the republican, anti-monarchical and abstract but nevertheless egalitarian foundations of the modern state. Based on her exegesis from Wacquant (2010), a scholar in the field of criminology studies, the analogy of the centaur state is adopted by Hülügü for the case of Turkey (2021a, p.10) to understand that, though with different specificities, the centaur state is not an isolated phenomenon, but

denotes a conceptualization of the capitalist state form in the neoliberal age. Wacquant (2010) observes the role of penalty in the building of a centaur state context of advanced capitalist countries. Particularly, he attempts to understand the paternalist transformation of penalty at century's turn, following neoliberal deregulation and retreating welfare policies. He argues that the management of the postindustrial proletariat through law and order enables states to reassert its authority at a time of loose legitimacy due to the erosion of state's role as social and economic protector and control the social unrest caused by the diffusion of social insecurity in the lower ranks of the class and ethnic hierarchy.

Indeed, in the neoliberal times, despite shrinking welfare expenditure, states in the Global North-although most observable in the US- have increased expenditure for punishment in accordance with the increasing number of people incarcerated (Wacquant, 2010, p.211-215): between 1982 and 2001, in the United States, the state budget for police, criminal courts, and corrections grew by 364%; in France-parallel to increase in the number of precarious wage earners from 1.7 million in 1992 to 2.8 million in 2007- the expenditures for corrections from jumped from 1.4 billion euros in 2001 to 2 billion euros in 2009. As reflected in the numbers, according to Wacquant (2010, 218-219), workfare and prisonfare goes hand in hand "to invisibilize problem populations ...and eventually push them into the peripheral sectors of the booming secondary labor market." (Wacquant, 2010, p.199). In other words, the state disciplines the labor class by forcing them to work in precarious conditions or to be incarcerated (Wacquant, 2010, p.197).

Based on a sociological specification of neoliberalism, Wacquant (2010, p.200) argues "that a proactive penal system is not a deviation from, but a constituent component of, the neoliberal Leviathan" Accordingly, he theorizes the prison/penal apparatus as a core organ of the state whose selective and aggressive deployment in the lower social strata denotes state restructuring in neoliberal era. While the monopolization of force was central to the building of Leviathan and thus to the conceptualization of modern state, remaking of the modern state in post-Keynesian era has largely ignored the enlargement of the penal sector of the bureaucratic field,

and the economic conception of neoliberalism as market rule has rather dominated the literature (Wacquant, 2010, p.211). Against this background, Wacquant, thus, builds a sociological understanding of neoliberalism as “a transnational political project aiming to remake the nexus of market, state, and citizenship from above” based on four institutional logics (Wacquant, 2010, p.213): promoting the market for organizing human activities; welfare state devolution, to facilitate the commodification and, in particular, to submit individuals to wage labor; an expansive penal measures to contain the disorder generated by social insecurity and inequality; advocacy of moral behaviorism based on the trope of individual responsibility stressing self-reliance, commitment to paid work etc. Thus, while neoliberalism economically entails “small government”, expansion of the penal state indicates that states turned out to be “big” on the government of social insecurity (Wacquant, 2010, p.214). As put by Wacquant (2010, p.217), expansion of the penal state is not just change of policy on the part of the states but rather a central ingredient of the new Janus-faced Leviathan:

...neoliberalism brings about not the shrinking of government, but the erection of a centaur state, liberal at the top and paternalistic at the bottom, which presents radically different faces at the two ends of the social hierarchy: a comely and caring visage toward the middle and upper classes, and a fearsome and frowning mug toward the lower class.

In other words, the post-modern state can govern at one and the same time by and through different political regimes (i.e., both liberal and illiberal), each specifically tailored for different social classes (i.e., for those fully integrated to the market society and those who try to survive on its margins). Thus, what differentiates post-modern state form from the modern bourgeoisie state is its differential treatment of social classes, groups and sections it deals with (Hülagü, 2021a, p.11). Observing the building of the gendered centaur state in the Turkish context, Hülagü argues that selectivity of the state is not only determined after social class but rather at the intersection social class, ethnicity, sex and political affiliation.

The bourgeoisie state have always been selective, but the new form of differential treatment of population is implemented quite explicitly rather than implicitly, and

operates by segmenting and profiling (Hülagü, 2021a, p.11). Put into state practice, such selective strategies are legitimated through material and discursive means. Building on this theoretical context, Hülagü argues that gender has become a governmental apparatus in Turkey to prevent simultaneously, first, any radical transformation that would limit smooth functioning of the socio-economic order, and secondly, loss of popular support to the state project it tries to forge in Turkey (Hülagü, 2021a, p.92). This conception is based on a materialist-feminist understanding of state which argue that different dimensions of a state share a historically and socially determined political direction that aims at the reproduction of the capitalist society (Hülagü, 2021a, p.14). Such a conception of state is based on following inter-linked five theoretical premises (Hülagü, 2021a, p.14-32):

1. States are historical and material condensation of social struggles.
2. States operate along necessities of capitalism.
3. States are politically bounded.
4. Gender selectivities shape the final form of the feminist interventions.
5. States forms are only temporary settlements of the social conflicts.

Looking at the first premise, the capitalist state acquires different historical shapes based on the struggles between different social forces over certain institutions/rules/powers usually aiming political representation, economic redistribution, or identity recognition (Hülagü, 2021a, p.16-18). These struggles, in turn, condition the historical form of capitalist state through social demands that challenge “the rules of entitlement” and “the rules of identity” (Prügl 2009: 178, cited in Hülagü, p.16). While the rules of entitlement are related to who have access to material or non-material resources, the rules of identity, define the dominant identity character of the political establishment that build the social hierarchy accordingly (Hülagü, 2021a, p.17):

States have been using different rules of identity such as belief in the ‘male superiority’ and/or in the ‘feminine domesticity’ to govern different socio-economic conflicts. Therefore, social forces try to destabilize, circumvent, challenge and/or advance these rules of identity to re-empower themselves.

Thus, materialist-feminist state theory is a relational analysis of state which contends that states do not generate and implement policies in a social vacuum. Rather, women have long been struggling for the recognition of gender inequality and have been impactful on the modern bourgeois state form since the late 1990s thanks to feminist activism and transnational networking. Since the late 1990s and early 2000s, reforms in the field of women's rights have been reluctantly adopted by states to manage contradictions of neoliberal restructuring. Despite these reforms, gender inequality persists, and women's emancipation is not realized. As put by Jessop (2004, p.234):

...even when women win formal equality as citizens, gender regimes may prevent its realization. For example, while state action may compensate for private patriarchy or the gendered division of labour, it may also create forms of public patriarchy that bind women to men via the welfare state. In short, insofar as the modern state's operations are gender-conditioned (because they are structurally coupled to and co-evolve with patriarchal relations), its own gender-neutrality must be limited.

Therefore, the overall impact of the feminist struggles for women's emancipation has been conditioned by *the gender selectivities of the state*. To recall, "gender selectivity" is a term employed by Jessop (2004) to denote a set of institutional, legal, and discursive strategic practices actualized by the capitalist state apparatuses to govern gender relations in a specific socio-economic and political context (Hülägü, 2021a, p.19-20). To understand the final effect of the feminist struggles on the state form, we need to first understand the gender selectivities of states. Gender selectivity refers to a "strategic action framework" utilized by states, and explained by Jessop (2004, p.219) as:

the mechanisms and practices through which the state transforms, maintains, and reproduces institutionally and discursively materialized, asymmetrically structured power relations between men and women as the bearers of diverse gender identities and interests.

Jessop (2004) argues in his article that the gender biases/selectivities/specificities are contingently ingrained into the institutional structure and operation of states (p.207). In the words of Jessop, "there can be no final judgment about the state's gender

selectivities.” (2004, p.219). Any definite claim would be too abstract to capture different contexts because there are different historical forms of capitalist states and political regimes and therefore, different forms of gender-conscious mobilization against the state. From this perspective, states are not simply expression of patriarchal domination. “Although there is no ‘patriarchy in general’, forms of patriarchy do exist.” (Jessop, 2004, p.233). Thus, patriarchy contingently takes different forms based on gender regimes and states’ strategic gender selectivities other forms such as anti-genderism, anti-feminism etc. Thus, the term gender selectivity does not refer to a fixed form of gender hierarchy and is not necessarily patriarchal. And because there are “multifarious forms in which sex and/or gender are construed, constructed, selected, and reproduced”, Jessop (2004, p.233) distinguishes the gender-conditioned aspects of the state, its gendered nature, and its gender-relevance beyond the state.

From this perspective, state’s operations are gender-conditioned because they shape political opportunities and constraints. Based on the political needs, “state managers and politicians may exploit gender divisions by fashioning political appeals, building social bases, etc., on gender lines.” (Jessop, 2004, p.234). Secondly, states itself is gendered because it reproduces patriarchy and patriarchal ideology in its own organization. Lastly, state activities are gender-relevant because they naturalize patriarchy through, for example, social policies supporting the patriarchal family.

Thus, states’ gender selectivities are not universal but instead, “operate tendentially, are subject to countertendencies, and are actualized through specific social practices and actions.” (Jessop, 2004, p.235). Turning back to the first premise of feminist-materialist state theory, state as historical and material condensations of social struggles, the strategic selectivities of states are not once and for all determined. As state power is exercised through politicians and bureaucratic officials, the strategic selectivities of the state is understood as a social relation (2004, p.218). In this sense, Jessop argues that gender selectivities operate tendentially because they are bound by the social relations that generate them (2004, p.208). Thus, if these social relations are modified or eliminated, i.e., change in balance of forces within the state, or the

state is reorganized, specific strategies pursued by the state also change (Jessop, 2004, p.219). In short, in a certain time and space, certain gender identities and hierarchies are privileged over others based on the strategic gender selectivities of the state.

Keeping this theoretical background on gender selectivity developed by Jessop in mind, based on her materialist-feminist centaur state theory, Hülägü (2021a, p.16) argues that the gender selectivities of the state are determined by socio-economic and political needs of capitalist states and their bureaucratic-ideological interpretation by the state cadres which carry us to the second and third premise of feminist-materialist state theory. Looking at the second premise, socio- economically, states operate along necessities of capitalism. The capitalist state, from this perspective, is determined by the two contradictory tasks to reproduce the social: safeguarding the labour force while ensuring profitability for capital (Hülägü, 2021a, p.18). While “this internally contradictory mandate forces the capitalist state to forge different rules of entitlement and identity”, the capitalist state adopts policies, e.g. minimum wage, and institutions, e.g. male-breadwinner family to sustain social reproduction (Hülägü, 2021a, p.19). Thus, within the necessities of the existing regime of capital accumulation, state privileges certain gender groups/policies/institutions/state apparatuses over others.

What Hülägü (2021a, p.22-24) pays attention to at this point is that the capitalist states are not only socio-economically, but also politically bounded (third premise): a capitalist state aims to exclude certain events in social and political relations. These “non-events” are anti-subversion (deterrence of subversive events) and the principle of anti-failure (the deterrence of state failure). The anti-subversion principle points to the responsibility of the capitalist state to prevent any structural transformation of the political order that would disrupt capital accumulation. This means, in practice, controlling opposition to the status quo. To prevent revolutionary transformation, states govern subversive potentials. As such, anti-subversion permits state to differentiate the agreeable women from the non-agreeable. For instance, if certain women’s politicization is perceived as subversive and against the existing gender

order, the state apparatuses join the anti-feminist movements (Eisenstein, 1981 cited in Hülägü 2021a). Likewise, this implies that, state gives concessions to certain women perceived as contributing to the system, and thus consolidate system-relevant gender divisions.

On the other hand, the principle of anti-failure refers to the need to prevent the complete closure of the political scene to the reformist demands. Because preventing state and system failure also depends on forging an inclusive social contract to prevent reproduction crisis. While the capitalist state needs to prevent revolutionary transformation, it also needs to “*make life possible*” (Hülägü, 2021a, p.24). In this sense, based on the anti-failure principle, states endorse policies such as welfare benefits or prevention of violence against women for smooth functioning of current production and reproduction system. Thus, political necessity of preventing two non-events further condition the gender selectivity of the capitalist state. However, the socioeconomic needs on the one hand and political needs on the other, are also interpreted by the bureaucratic personnel and in the institutional matrix of the state (Hülägü, 2021a, p.21-22).

And, based on the subjective reading of the non-event, the bureaucratic personnel determine the means through which the non-event will be managed and thus decide on the final form of strategic gender selectivities. In turn, these gender selectivities shape the final form of the feminist interventions in and against the state. This fourth premise means that, also depending on the type of feminists’ engagement with the state, the feminist demands yield to different results/power effects. For instance, depending on the gender selectivities of the state, feminist demands might result in “...refusal (complete denial of the feminist demands) and empowerment (codification of these demands into the political-legal apparatus of the state) and in between...from co-optation to compromise.” (Hülägü, 2021a, p.26).

In sum, the materialist-feminist state theory contends that states’ gender selectivities are shaped by the contradictory needs of capital on the one hand, and the legitimation needs of the political power on the other as reflected by the two non-events

mentioned (Hülagü, 2021a, p.147). While the first challenges the state to achieve a balance between capital and the social reproduction needs of its population, the political legitimation needs tell the state “Not to do and what to prevent rather than what to do and how to do” (Hülagü, 2021a, p.147). To maintain simultaneously human subsistence and capital accumulation, the states forge different rules of entitlement and identity. Thus, the two contradictory tasks-social reproduction on one hand, and capital accumulation on the other- condition the gender selectivities of the capitalist state. However, as inequalities hamper reproductive capacities of capitalist polity, contradictions are built into the structure of capitalist states. In other words, as these policies or institutions necessitate the reproduction of certain gendered dependencies/privileges, they are also not free from contradictions. As such, they have been historically contested. In this sense, specific historical forms are reflections of temporary settlements of social conflicts (fifth and last premise). As explained in the previous section, authoritarian state practices are themselves responses to contradiction to capital accumulation. As put by Ercan & Oğuz (2020, p.97):

The total reproduction of capitalist societies requires the reproduction of capital accumulation, the state and the ruling parties. Since the reproduction of all these components does not take place at the same time, contradictions among them as well as between these components and global dynamics lead to non-synchronous problems.

Therefore, the essence of these five premises is that gender selectivity is a fluid mechanism of administration, rooted in the necessities of centaur state as a specific historical form of capitalist state. Funda Hülagü traces the development of such a state in Turkey through the liberal reform process. In other words, feminist-materialist state theory is based on the global and national socio-economic developments impacting the formation of gender order in Turkey: 1. Security sector reform processes as a international liberal project that prioritized human security in theory, but turned into a form of populism and localism in practice; 2. Turkey’s security sector reform experience which resulted in Turkish-Islamist incorporation of populism and localism into policing; 3. Feminist interventions in and against the state which were mainly in three forms: equal rights feminism, governance feminism

and peace feminism and lastly, 4. The Gezi protests which resulted in oppressive reaction to social opposition as a whole and deepening gender selectivity. These processes will be summarized in the following chapter because they are relevant to trace the evolution of VAW policy followed by the AKP-led state since 2002.

Accordingly, what follows is the story of the breaking points in gender politics of the ruling AKP that heralded the transition from the modern state to the post-modern state in Turkey, specifically delineating conservative normative and neoliberal material processes, and consolidation of gender selectivities of the state in post-Gezi period which eventually set the ground for withdrawal from Istanbul Convention.

CHAPTER 4

THE AKP'S ROAD TO GENDER APOCALYPSE

4.1. 2002-2007: Reformist yet Conservative

Our Party gives importance to the elimination of women's problems to ensure, raising healthy generations and happiness in the family (The AKP, 2002)

According to Koğacıoğlu (2004, p.126), there is historical continuity in terms of the importance of the family institution in Turkish society from The Ottoman to the Republican era. Therefore, the family has long been a deciding factor for public life and the boundaries of women's social roles. As women's roles were still defined with reference to the family in the Republican era, women's participation in public life did not bring about women's empowerment as individuals vis-a-vis men (Koğacıoğlu, 2004, p.127). Similarly, the coming of AKP to power did not challenge the centrality of family in Turkey's gender politics. What is different about the AKP's gender politics, however, is that it is shaped by a particular version of family ideology (Koğacıoğlu, 2004, p.131-132). Unlike the full acceptance of all things Western and modern by Republicans, the AKP assumes separate and gendered spheres of social life. While women are defined in reference to the domestic domain, the public domain is seen to be belonging to men. In parallel, while woman's role is seen to be the depository of tradition and Muslim-Turkish identity, modernization and development is conceived to be men's concern area.

Moreover, the two domain is seen as complementary. According to this understanding, protection of the domestic domain is what enables Westernization and economic development. This way, the Party can embrace a certain set of liberal freedoms, rights, and institutions while conserving traditions that revolve around the family (Koğacıoğlu, 2004, p.132-133). By appealing to the family and tradition, the AKP reassures the perceived threat of degeneration felt by its electoral base due to

modernization and Westernization. As much emphasis is given on tradition, for the AKP, family, Islam, and morality constitute the main three components of Turkish tradition (Çıtak & Tür, 2008, p.463-65): as the social institution that transmits tradition from generation to generation, the family constitutes the building block of conservatism of the AKP; secondly, the religion of Islam is seen as a major value system inherited from the past; lastly, moral values-especially based on Islam- is seen to be a crucial element of tradition. This understanding of society is what constitutes the conservative part of the conservative-democrat identity and their discourse of tradition regarding women's issues.

The Party's solution to women's problems, then, means securing the home part of the equation. To show the repercussions of this understanding on the AKP's approach to women's issues, Çıtak & Tür's (2008) article provides an important contribution. As a key factor in the party's attempt to balance tradition and change, the authors concentrate on the party's discourse and practice regarding women based on an analysis of the party ideology, the press, and a field research based on interviews with party members. According to the authors, to distance itself from political Islam, the Party's conservatism served as an "innovative shelter" (Çıtak & Tür, 2008, p.459) and constituted the core of the Party's politics (Çıtak & Tür, 2008, p.462). As the Party believes that attaining modernity is possible while preserving social values, the conservative aspect of the Party's political identity tries to balance change and tradition on issues especially regarding the women.

Looking at the change aspect, indeed, some important changes regarding gender equality especially in the legal field were carried out in the first term of the Party (Çıtak & Tür, 2008, p.456). To exemplify some of these changes, firstly, in 2003, the AKP government established family courts to deal with issues regarding the Family Law. In 2004, the Party amended Articles 10 and 90 of the Constitution. By the amendment of Article 10, a clause affirming that women and men enjoy equal rights and the clause indicating that Turkish state is the guarantor of equal implementation of rights was added to Turkish Constitution. The amendment of Article 90, on the other hand, provided that international treaty provisions could be invoked in

domestic law if they did not directly conflict with the Turkish Constitution. For working women, the Party extended the duration of paid leave to 16 weeks after giving birth. Another change in the legal field was carried out in the Penal Code in 2004.

The new Penal Code nullified the provision that marriage would cancel criminal responsibility for the sex offender, “criminalized marital rape and introduced measures to prevent perpetrators of honor killing from receiving reduced sentences” (Bodur Ün, 2019, p.837-8). According to the new Penal Code, crimes committed against women were no longer “crimes against family/social order” but against the individual (Negron-Gonzales, 2016, p.202). The new Penal Code also changed The Law on Municipalities, requiring the municipalities with more than 50,000 residents to set up women’s and children’s shelters. Additional to legal changes, the Party also realized some of the promises it made on women’s issues in the Party Program to a certain extent. For instance, the AKP set up a parliamentary commission in 2005 to investigate the root causes of honor killings. During this period, many nationwide educational campaigns were initiated, and monetary incentives were provided to families send their children to school.

Despite the above-mentioned developments, some issues regarding women made it clear that, in practice, the Party failed to reconcile its claim of change with tradition (Çıtak & Tür, 2008). The most notable development which showed that the Party consistently preserved a conservative approach to women’s issues even in its reformist era is what is generally referred to in the literature as “the adultery debate” (İlkkaracan, 2008, p.271-72). Indeed, this debate constituted the biggest political crisis between the EU and Turkey since the start of the accession talks. During the last stage of the legislative process of the new Penal Code in 2004, the AKP government proposed a bill to re-criminalize adultery.¹⁴ While expected to issue

¹⁴ According to the old Penal Code of 1926, adultery was a criminal offense, and women and men were subjected to unequal punishment (Ayata & Tütüncü, 2008, p.380). In 1996 adultery by men and

Turkey's progress report in a month, this last-minute bill of the AKP received harsh criticism from EU officials. Although some members of the Party opposed revising the final draft of the New Penal Code to include adultery, a coalition led by the then prime minister Erdogan defended criminalization on the basis that it is a response to the demands of "the Anatolian women" (Korkmaz, 2004 quoted in İlkaracan, 2008).

Furthermore, the PM stated that this demand was an attempt to protect the Turkish family (Ayata & Güneş, 2008, p.380), and aims at protecting women whose husbands' commit adultery (Ayata & Güneş, 2008, p.381). According to the certain Islamists who supported Erdogan's claims, family represents Turkey's moral difference from the EU and that conservative concerns like this should not be a hindrance to EU integration. (Ayata & Güneş, 2008, p.381-82). What makes the debate on adultery a notable one is the Party's insistence to pass the bill despite national and international pressure. For that matter, the AKP leadership even conducted a public survey on adultery in 12 provinces (Ayata & Tütüncü, 2008, p.380). According to this survey, 83% of the people surveyed supported re-criminalization of adultery. This data, in turn, was used to further legitimize the claim that the attempt to criminalize adultery was a response to a democratic demand. The Prime Minister also commended the Party's women auxiliaries to initiate an informative campaign on the adultery question. Moreover, Erdogan paid a visit to Brussels to inform the EU leaders about the concern of their government on the issue. This insistence on the debate on adultery was even about to trigger an economic crisis in Turkey (İlkkaracan, 2008, p.248).

Eventually, after a meeting with an EU Enlargement Commissioner, PM Erdogan announced the withdrawal of the bill. Before this meeting, the Women's Platform for the Reform of the Turkish Penal Code from a Gender Perspective-the coalition of women's groups that led the three-year campaign on the Penal Code- organized a

in 1998, adultery by women was decriminalized by the Constitutional Court on the grounds that it was against the equality of men and women before the law according to Article 10 of the Turkish Constitution (İlkkaracan, 2008, p.247).

march to protest this decision. After his decision to withdraw the bill, Prime Minister accused women protesting as “marginal” women, claiming that they do not represent real Turkish women (İlkkaracan, 2008, p.248). Thus, the bill was not withdrawn due to a change of opinion but rather due to the EU’s strong and women’s opposition. Also, many other proposals such as “...designation of honor crimes as aggravated homicide, criminalization of virginity tests, ...and the penalization of discrimination based on sexual orientation...extension of the legal abortion period from 10 to 12 weeks” of the Women’s Platform were rejected (İlkkaracan, 2008, p.256). Despite the party’s political program that condemns majoritarian understanding of democracy, the debate concerning adultery has rather proved the contrary (Çıtak & Tür, 2008, p.460).

According to Çıtak& Tür (2008, p.460), the AKP’s understanding of democracy is based on two points. First, the party assumed the role of “the direct spokesperson for the people/nation” and assumed to have “a set of shared values” that have remained unfulfilled by earlier regimes. For example, the response of the PM to the protests organized by women against the bill to re-criminalize adultery showed that the party assumed to know what moral values and parallel demands in society exist. Labeling protesters as “marginal” as mentioned above, the party implied that the majority does not share the values and demands of this minority group of women. A majoritarian conception of democracy, e.g., claim to know society’s demands, is also reflected in approach to the issue of the headscarf (Çıtak & Tür, 2008, p.462).¹⁵ While the lower echelons of the party - which includes more veiled women than the upper echelons- demanded urgency to the issue of concern, the AKP did not make the ban on

¹⁵ Until the 1980s, women’s clothing was not regulated by the state and was not an issue of political debate. However, from the 1980s on, the issue became a subject of an intense political debate between the secular elite and Islamist groups. As the number of women with headscarves increased at universities, in 1981 the Council of Ministers prohibited headcovers for females working in public institutions and students in schools. A year later, the Council of Higher Education also enforced this prohibition in universities on the grounds that headscarves are an assault on public neutrality and breach fundamental principles of a secular Republic (Arat, 2001, p.36-39). The AKP government eventually lifted the ban on using headscarves in public institutions in the period 2008 to 2014 gradually (Yarar, 2020, p.130).

headscarves a priority issue even though it highly affected the lives of women (Çıtak & Tür, 2008, p.458-459). Instead, the women in the upper echelons even defended that there was no such problem and that the issue was politically exploited by the politicians. Unlike the women in the lower echelons of the party, the party leadership believed that the issue would be eventually solved naturally through social consensus after solving economic problems.

Particularly, the party members supported certain types of veiling-that of *turban*¹⁶- and excluded other forms such as *çarşaf*¹⁷, arguing that it is an extreme form of veiling and not an obligation in Islam (Çıtak & Tür, 2008, p.462). While defending that the headscarf issue should be considered as a human right, the party postponed the issue to an uncertain time of social consensus at the cost of disappointing women members who expected an urgent solution to the problem for their full participation in politics (Çıtak & Tür, 2008, p.462-463). Sketching itself as the ultimate authority to define what is and is not dictated by Islam, the party members also reflected the majoritarian attitude that claims to know what values and demands Turkish society shares.

Another important women's issue that the party lacked a clear policy on was gender quota (Ayata & Tütüncü, 2008, p.375). During the legal amendments on gender discrimination that were mentioned previously, the feminist organizations specifically demanded a gender quota for equal representation of women and men in politics and started to pressurize the government on the issue. Although the party seemed to support gender quota, later the party elite argued that "the quota is an insult to women". The deputies of the AKP argued that women should not resort to a shortcut way to political career. Instead of a "symbolic presence", as argued by the head of the women's branches of the Party, women should "climb up the ladder of politics" based on their own merits (Çıtak & Tür, 2008, p.457). Attaining an

¹⁶ A light form of veiling which includes the hair, neck, and shoulders.

¹⁷ A stricter form of veiling which covers the full body.

evolutionary stance, the party argued that equal representation in politics will be realized gradually through time by those who deserve it (Çıtak & Tür, 2008, p.457-58). Relating to this issue, what is observed by Ayata & Tütüncü (2008, p.376) in the interviews they conducted with women members of the Party is that, although the Party encouraged the organization of women in local organizations, they were not encouraged to participate in politics. While some women members complained that they only have “the responsibility but no authority” within the AKP, others stated that they have no interest in politics even though they have attained higher education (Ayata & Tütüncü, 2008, p.376).

Thus, while some women within the Party were aware of the impediments to their participation in politics, others were reluctant to respond to political questions and contended that they were rather interested in the home domain (Ayata & Tütüncü, 2008, p.377). Consequently, the anti-quota stance showed that the overall position of the government on the issue was gender-blind and did not have an alternative policy to support the political participation of women. Thus, the AKP’s conservative democracy project served to balance tradition and change however the Party’s approach to women issues revealed that tradition holds a stronger basis. Examples given in this regard above on the quota, adultery, headscarf debates, indeed show that the Party has always had conservative reservations vis-à-vis women. As Şahin states (2021, p.11)

...neither Erdoğan nor other leading AKP officials have ever hidden their views about gender roles and relations. The party’s position on women’s roles, from the beginning, was based on a family-centric definition, and its approach to women’s rights was confined to the headscarf issue...

In this sense, it is ideologically wiser to argue that the Islamist AKP in its first term was conservative yet reformist. The adoption of some of the feminist demands followed a muddy road, however, as stated above, some important liberal reforms improving legal protection for women were nevertheless adopted eventually in the legal-institutional apparatus of the state. According to mainstream studies, the success of feminist movement in the first term of the AKP despite its social conservatism was the political opportunity structures enabled mostly by the EU

process. For example, Negron-Gonzales (2016, p.198-202) argues that strong women's movement, for example in the case of campaign for penal code, was able to exploit political opportunity structure provided with the EU factor despite the AKP's attempt to recriminalize adultery. The failure of other campaigns such as a quota for equal female representation in the parliament, on the other hand, is attributed to lack of EU pressure and oppositional parties' inability to push for change (Negron-Gonzales, 2016, p.203-204).

Thus, despite strong women's mobilization, in the absence of support from the ruling power and strong political allies, campaigns fail to bring about policy change. As explained in the previous chapter, Europeanization process provided the legal framework for democratization in general in the first term of the AKP and was accordingly championed as a major success in and out. However, political opportunity structures as an analytical tool leaves the state question unanswered and does not question the illiberal potential of liberal reforms, and disregards global determinants affecting state policy. More importantly, liberal studies do not look at whether these reforms as legal promises are translated into the daily life of women for their true emancipation from gender inequality.

Translated into the vocabulary of feminist-materialist state theory, thus, there have been feminist interventions "in the state" in the reformist era. Based on the assumption of states as historical forms reflecting social struggles, feminist struggles affected state form in the early era of the AKP which was still operating as a modern state. Politically, feminists struggled for transformation of rules of entitlement and rules of identity in compensation for women's unjust position vis-a-vis men and the state had to introduce certain entitlement rights to improve gender equality and has forged new rules of identity. The responsiveness of the state to feminist demands in this period despite conservative gender conceptions of the governing Party was highly related to the need for legitimation. According to materialist-feminist theory on state, the political legitimation needs of the state operate in the form of non-events. In the reformist era, the anti-failure principle as one of the two nonevents that

a capitalist state should avoid was the dominant factor affecting state practice in the reformist era of the AKP. As Hülügü (2021b, p.30) puts:

As the AKP came to power with a mission to rehabilitate the state in Turkey, to make women live was a basic necessary condition for legitimation reasons as well. Therefore, adapting some basic requirements of the global gender regime in the field of women's rights also facilitated the state to proceed with its agenda of neoliberal transformation – large-scale privatisations, marketization of education and health, commodification of care services – in a smoother way.

The AKP came to power after a decade of coalition-ridden politics, 28 February process and the 2001 economic crisis. Moreover, in terms of its Milli Görüş past, the national and international political legitimation concern of the Party was high since its power was yet weak vis-à-vis the secular establishment and the military. Also, the AKP could not afford to ignore women as its electorate. In this respect, the Party attracted a wider social base through the strong grass-root organization of its women's branches (Ayata & Tütüncü, 2008). In this sense, women's struggles were impactful on the state form via alterations in the rules of entitlement (e.g., protection from male violence) and identity (e.g., recognition of gender differences in the making of public policies).

However, a capitalist state also operates along socioeconomic needs for reproduction of capitalist society in its entirety. As put by Yarar (2020, p.124) "... among all these official reforms, which were also assessments of the EU membership process, the most important field that the government focused on in this first period was women's participation in labor." Accordingly, several amendments were made in the Labor Law of 2003 to expand the participation of women to labor market. As such, clauses to prevent sexual discrimination at work and equal pay for equal work were added to the Law. The schooling campaign for girls as mentioned previously were also initiated to this end, and cash remuneration for lower-class women were also offered as an incentive to increase female employment. However, while encouraging women's employment seems progressive, the Party did not touch forms of private patriarchy and could not secure regular employment for women. For example, the Labor Law of 2003 excluded home workers, paid domestic workers and those who

work as temporarily or casually, majority of whom are women (Hülagü, 2021b, p.30).

For example, the then state minister responsible from women, family, and children from 2005 to 2009, Nimet Çubukçu, popularized employment as a matter of individual success and responsibility of women through neoliberal policies such as microcredit schemes, vocational training, schooling campaigns for girls (Yarar, 2020, p.124-125). Thus, instead of structural critique, e.g., sexist division of labor, and masculine mindset restricting women's decision making, or non-existence of public daycare etc., the Party rather proposed flexibility as the solution for women's employment. According to Çavdar & Yaşar's (2019, p.6) empirical study, women in Turkey "are employed in low-paying, low-status informal jobs, either in their own homes or in segregated areas and they receive no social security benefits.". And the findings of the authors also indicate that, although there is general increase in unemployment both for men and women since 2002, female unemployment is higher (Çavdar & Yaşar, 2019, p.6).

In terms of the socioeconomic needs of capitalist state, flexible labor provides capital cheap labor without disrupting women's social reproduction roles at home. In other words, while the conservative identity of the Party emphasizes women's traditional roles, neoliberal times asked for work-family balance (Coşar & Yeğenoğlu, 2011, p.566). Thus, mediocre attempts to include women in labor market did not touch women's invisible labor at home, which forms the basis of Turkey's social reproduction regime of "housewifization" (Hülagü, 2021a, p.22). In other words, based on the reading of political and socio-economic needs in the so-called reformist-era of the AKP, the Turkish state had *capitalist-patriarchal gender selectivities* (Hülagü, 2021a, p.150).

4.2. 2007-2011: Strengthening the Family

The Justice and Development Party is attaches great importance to the family institution as the kernel of society. The AK Party government which brought about many innovations to preserve and develop the integrity of Turkish

family, has followed family-centered policies to solve the problems of women, children, elderly and the disabled. The AKP is determined to continue these policies aimed at building a “strong individual, strong family, strong society” (The AKP, 2007)

The political motto of “make human beings live” propagated by Erdoğan when his party came to power was also in accordance with the human security approach, the idea that state should provide its citizens freedom from basic insecurities, developed at the UN in the beginning of 2000s. In this era, global powers also searched for ways to improve women’s lives, as it was understood that women’s oppression negatively impacts economic development in different national contexts. Thus, emphasizing the parallelism between global policies and the approach of the AKP, Hülagü (2021a, p.25) argues that the reforms in the first term of the Party was “... more than lip service paid to the dictates of global power centres like the EU or the UN but an in-design strategy to re-establish a sustainable political order in Turkey with the help of women.”. However, despite progressive reforms, since 2007, patriarchal and moral notions have become more prevalent in the Party’s rhetoric related to gender issues (Acar & Altunok, 2013, p.14). Accordingly, policies, decisions, discourses, laws, and norms related to gender relations of individuals (i.e., politics of intimate) have become increasingly subject to neoconservative regulatory mechanisms within specific programs and policies at the national level. How such mechanisms combined with the Party’s consistent dedication to neoliberal policies is illustrated by Acar & Altunok (2013, p.15) by focusing on three issue areas related to the politics of intimate: reproduction, sexuality, and family & partnership.

Looking at the politics of reproduction, in this period, the AKP government assertively followed pro-natalist stance in population planning. Such a focus was made clear by the then PM Erdogan on 8 March 2008 when he advised mothers to have “at least three children” (Acar & Altunok, 2013, p.16). The discourse of “at least three children” by the PM and other dignitaries of the Party was justified as a precautionary policy against future potential problems stemming from Europe’s

aging population (Acar & Altunok, 2013, p.16).¹⁸ With the minimum-three-children policy, characterization of women's social role within the family institution as a caregiver gained momentum (Acar& Altunok, 2013, p.17).

The discourse that made the government's view of gender equality clear and that heralded the relevant policies to be followed was the following words of the PM who made an evaluation on the motherhood role of women during his meeting with the leaders of women's organizations in 2010: "I don't believe in gender equality. That's why I prefer to call it equality of opportunity. Men and women are different, they are complementary to each other." (Milliyet, 2010). In the same year, the amendments were made to "The Regulation on Practices of Treatment for Assisting Procreation and Treatment Centers Assisting Procreation" in such a way that only married and heterosexual couples are permitted to benefit from such services and the use of donor sperm and eggs by clinics prevented.¹⁹ (Acar & Altunok, 2013, p.17). Such a policy explicitly leaves those unmarried or non-heterosexual couples or individual woman who want to have children outside marriage out from regulation and criminalizes doctors who carry out such procedures. Furthermore, issues related to sexual health- and sexuality in general- are officially avoided. Such an approach reflects the conservative norms of the political power related to pre-marital relations, LGBT community and de facto excludes related groups from sexual health services. As such, "... issues such as sexually transmitted diseases, safe sex among the youth and between adults and women's sexual rights are hardly debated openly as policy issues." (Acar & Altunok,2013, p.17). Moreover, the privatization of health services and performance-based health scheme, and closure of neighborhood Health Centers

¹⁸ Such rhetoric of "at least three children" has been consistently reiterated by Erdoğan on various occasions up until 2022: see for example, NTV, 2009; NTV,2010; CNNTURK, 2012, CNNTURK, 2013; CNNTURK, 2014; Hürriyet Daily, 2017; Birgün, 2019; Hürriyet, 2020; Sözcü, 2021. And recently, "at least 3 children" became a condition in the housing support package for widows with at least 3 children under the age of 18 (Evrensel, 2022).

¹⁹ The regulation can be accessed from <https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=20085&MevzuatTur=7&MevzuatTertip=5>

through neoliberal restructuring have further restricted women's access to low-cost reproductive and sexual health care services (Acar & Altunok, 2013, p.18).

Simultaneous application of neoconservative-neoliberal rationality is also visible in relation to the politics of family (Acar & Altunok, 2013, p.18). The AKP's neoliberalism with a human face, mostly relies on the family as institution for providing welfare and absorbing social risks (Şahin, 2021, p.9). As women are expected to perform free reproductive tasks such as childcare within the family, state's shrinking social assistance complements the hailing of the family (Ayhan, 2019; Şahin, 2021, p.9). Accordingly, the Party consistently emphasized essential characteristics specific to the Turkish family, e.g., social solidarity, as a replacement to state support system. As such, in the decisions of the 5th Council of ASAGEM²⁰ (*Aile ve Sosyal Araştırmalar Genel Müdürlüğü*-General Directorate of Family and Social Research) in 2008, family was identified as "social security institution" (Coşar & Yeğenoğlu, 2011, p.565). The Law on Social Security and General Health Insurance in 2008 envisaged flexible working conditions for women and made women face two equally problematic options: either work under insecure conditions or stay at home as dependents (Çavdar & Yaşar, 2020, p.86; Coşar & Yeğenoğlu, 2011, p.567). Such a mentality was also institutionalized with the amendment of Article 10 of the Constitution which classified women in the same group with children, elderly, and disabled persons as in need of social assistance (Hülagü, 2021b, p.31). Thus, instead of securing women's regular and formal participation into the labor market through women were declared as unpaid caretakers for the sake of family and religion (Yazıcı, 2012, p.117).

²⁰ ASAGEM was founded in 1989 with the initial title of Aile Araştırma Kurumu Başkanlığı (Presidency of Family Research Institution). In 2004 the status of the Institution was changed into general directorate. ASAGEM was affiliated to the State Ministry Responsible for Women and Family (Coşar & Yeğenoğlu, p.557). As of 2022, ASAGEM is not referred in the Ministry organization. Instead, we see the Directorate General on Family and Social Services on the Ministry website (Ministry of Family and Social services, 2022).

One prominent example of relegating social policy to the family is the “Return to the Family” project which was given top priority and implemented by the Social Services and the Children Protection Agency (SSCPA) between the years 2005 and 2010 (Yazıcı, 2012). This project aimed to send children who were institutionalized in the SSCPA's residential homes back to host families (Yazıcı, 2012, p.118). Factors driving this project, according to Yazıcı (2012, p.119), is twofold: while promoting the family ideologically, government aimed to decrease the cost of institutional childcare and it was assumed that it would decrease the number of children who are institutionalized because of their families’ economic deprivation. The assumption that it would decrease institutionalization due to financial hardships, was based on the monetary assistance the SSCPA provided to families to remove their children from residential homes (Yazıcı, 2012, p.118). Through such social assistance programs, the state in Turkey has both ideologically and materially hailed the institution of family as the best site for caretaking and channeled women’s labors into domestic care work (Yazıcı, 2012, p.115-125). In other cases, Yazıcı observed in her ethnographic fieldwork that social assistance is distributed in alignment with patriarchal gender expectations through, for example, redirecting poor women seeking state assistance back to familial sources of support.

Maintaining a patriarchal gender contract (i.e., sexual division of labor) has been a social reproduction strategy of states operating in capitalist settings to achieve two things simultaneously (Hülagü, 2021b, p.29): the reproduction of people and everyday life, and smooth business conditions for profit-based commodity production. Such a strategy has also been central in Turkey. During its first decade of rule, the AKP opted for modernizing the patriarchal gender contract by adopting women-friendly policies -which were exemplified in the previous section-which also served for a smoother neoliberal transformation (Hülagü, 2021b, p.30-32). However, these policies have always been seen as a way of strengthening the family and its role in social reproduction. Indeed, the institutional, legal, and discursive strategic practices built at the intersection of neoconservative familialism and neoliberal market rationality in relation to the politics of intimate exemplified above further reflect that, in the so-called reformist era, Turkish state operated along capitalist-

patriarchal gender selectivities which serve to sustain household-based social reproduction regime built at the shoulders of women.

The simultaneous application of “liberal” and “illiberal” mentalities in relation to gender seems paradoxical. Why did a PM who declared in 2010 that he does not believe in gender equality, a year later, signed Istanbul Convention as an international instrument embracing gender equality? In this respect, Arat (2021, p.14-15), for instance, argues that it was a pragmatic move to ratify the Convention to appeal to both the secular groups and the AKP’s pious constituency. She adds that “[u]nlike some feminist demands for quotas or freedom for sexual expression, eradicating violence against women was not a divisive goal. On the contrary, it would mask, or at least balance, the government’s increasingly conservative policies...” (2021, p.14).

However, from a materialist-feminist perspective, instead of an isolated political calculation argument, the contradictory approach of the government to VAW can be explained by the needs of capitalist state. As mentioned earlier (Hülagü, 2021b, p.29), the contradiction that comes with patriarchal social reproduction is that while it is a real threat to women who resist it, the state simultaneously must protect women because their free domestic labor is essential for the reproduction of everyday life. From a neo-conservative perspective, social problems such as domestic violence stem from decline of the family and thus strengthening the family is seen as a remedy to the wrongs of the modern social order (Acar & Altunok, 2013, p.18). Therefore, the political support of the AKP government to the Convention was not an ideological support in nature, but nevertheless adopted, because VAW is seen as a threat to the family and women’s reproductive roles within the family.

Politically, several events and increasing popular demand also pushed the government to politically act on violence against women, and Istanbul Convention provided an opportunity to tame such demands and offer public contentment in this sense. The 2011, the year that Turkey signed Istanbul Convention, reflects transition period where signs of a new political form started and yet, political legitimation

needs of the AKP was still dominant due to challenges like 2008-2009 financial crisis and closure case against the Party in 2008 by the Constitutional Court. Furthermore, as the 2008–2009 global financial crisis led to an increase in female unemployment, and the AKP’s strategy, in Hülalagü’s words (2021b, p.31), was to “...boost its promise of patriarchal protection as a way of re-convincing at least certain women into the merits of housewifization”. Istanbul Convention was enabled in a period when the liberal factions, including the feminists could still pressure their preferences “because the availability of the support by diverse social groups was crucial for the AKP’s potentially highly costly interventions” such as attempt to dismantle the Kemalist state structure through the September 2010 constitutional referendum, and the launching of the “Kurdish Opening” to solve the long-standing conflict (Şahin, 2021, p.11).

If we look other factors furthering the state’s need to prevent anti-failure, there are several reasons specific to the issue of VAW. Firstly, it is important to mention that the European Commission, on its Turkey progress reports between 2005 and 2011, consistently pointed to VAW as a major issue to be addressed (Bodur Ün & Arıkan, 2021, p.8). Secondly, it is essential to mention the ruling of the European Court of Human Rights (ECHR) on the case *Opuz v Turkey* (2009) as it was through this case that, for the first time, the Court recognized VAW as a form of discrimination against women based on gender (Tiryakioğlu, 2015, p.238). The Opuz case originates in the incidents lived between 1995-2002. In 1995, the applicant Mrs. Opuz and H.O., got married. Within this timeframe, the applicant, Mrs. Nahide Opuz, and her mother were subjected to several assaults by H.O. including death threats, aggravated bodily harm, and attempted murder. The applicant complained to the authorities on several occasions but had withdrawn her complaints due to threats by H.O. In 2001, H.O. stabbed the applicant, and she started to live with her mother. In 2002, as the applicant’s mother was planning to move to İzmir, H.O. shot the applicant's mother. Although H.O. was sentenced to life imprisonment, his sentence was then lowered to 15 years and ten months because he had been provoked to commit the offence and had shown “good conduct” during the trial. As he was released later, he continued to issue threats to the applicant and her boyfriend M.M.

In fear of her life, following these events, Mrs. Nahide Opuz applied to the European Court in 2002 and claimed that the Turkish State was not successful in protecting her and her mother from domestic violence, which had caused the death of her mother and her ill-treatment. Consequently, The Court delineated through this case that the Turkish state breached its due diligence obligation:

The Court has established that the criminal-law system...did not have an adequate deterrent effect ... the general and discriminatory judicial passivity in Turkey, albeit unintentional, mainly affected women, the Court considers that the violence suffered by the applicant and her mother may be regarded as gender-based violence which is a form of discrimination against women.

Based on these hard facts, the insistence of women's movement to recognize and act on increasing femicides in Turkey also pressured the government. For example, *Kadın Cinayetlerini Durduracağız Platformu/We Will Stop Femicides Platform* was established after the body of a 17 years old, Münevver Karabulut, was found in a garbage container in pieces in 2009 (Kav, 2020, p.34-35). Since then, the Platform have been playing a prominent role in the recognition of femicide as a form of gender-based violence in Turkey. Due to the lack of official recognition and data on the issue, the Platform has been supporting families who lost their daughters to femicide, asking for accountability at the courts, and collecting its own data and publishing monthly and yearly reports involving detailed information about femicides in Turkey ever since its establishment (Kav, 2020, p.39-40). Since 2010, the Platform has been asking for official data on the issue every year regularly, however, their applications were not answered on the grounds that there was no special concept that could be defined as "femicide".

Over the years, the only official data constituted the Minister of Justice's response to a parliamentary question in 2009 which stated that femicides have increased by 1400% in the last 7 years (Kav, 2020, p.42). Although this number indicates the increase in the rate of killing of women compared to men based on police homicide data, and not by reference to gender, it ended the silence of the government and revealed the systematic nature of femicides (Ayhan, 2017, p.145). In 2012, the second official data on femicide was announced by the Minister of Family and Social

Policies (Kav, 2020, p.43) as: “between 2009 and 2012, a total of 695 people, 396 women and 326 men, died due to violence”. Although these statements were regarded as somewhat official recognition of women-killings, they also revealed the lack of the official recognition of the fact that women, and not men, are being killed because of their gender (Kav, 2020, p.44).

Consequently, Turkey, as the member state holding the Chairmanship of the Committee of Ministers at the time (10 November 2010-11 May 2011), actively supported the drafting and adoption process of the Convention and the Convention was ratified by the Turkish parliament on November 25, 2011 (Acar & Popa, 2016, p.313; Ayhan, 2017, p.143). Furthermore, with the demands of the feminist NGOs, Law No. 6284 on “Protection of Family and Prevention of Violence against Women” was adopted in 2012 to meet the requirements of Istanbul Convention in domestic law with the aim of providing preventive measures against perpetrators of violence (Ayhan, 2017, p.146). Although this law is a family-friendly adoption of the Convention into domestic law, it is nevertheless an improvement in the sense that, unlike the old Law No. 4320 which only provided protection against violence that took place within a legal marriage, law No. 6284 aims to protect, children, and any other family member subjected to violence -or at risk of being subjected to violence- and also encapsulate the victims of stalking (Tiryakioğlu, 2015, p.144-145).

Thus, by adopting the Convention, the AKP not only appeared to domestic social forces but was also able to internationally neutralize the effects of the Opuz case. Theoretically, the pressures of women were based on state’s responsibility to protect. The due diligence standard understood as the state obligation ‘to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons’²¹ entered the vocabulary of international law for protection of human rights

²¹ Definition provided in the United Nations Declaration on the Elimination of Violence against Women in 1993.

in the late 1970s (Bourke-Martignoni, 2008, p.50-52). Since the early 1990s, women's movement has advanced the state responsibility to encapsulate VAW in the private sphere. Thus, whether perpetrated by state or by non-state actors, the due diligence standard has been invoked by women also in Turkey to hold states accountable for failures to prevent and respond to violence against women. Thanks to this pressure, various laws, programs, and action plans to combat VAW including Istanbul Convention and Law No. 6284 was adopted in the so-called reformist era of the Party. However, the enforcement of these the liberal reforms adopted against VAW has been "sporadic, inconsistent, not guaranteed and indeed discriminatory." (Hülagü, 2021a, p.27).²² As put by Jessop (2004, p.234) "...even when women win formal equality as citizens, gender regimes may prevent its realization."

Thus, although Turkey *de jure* adopted a Convention embracing feminist norms, *de facto* application hit the obstacle of capitalist-patriarchal gender selectivities of state. In their evaluation of the level of compliance of the legislation and practices with the Convention, GREVIO also identified some factors that weaken the prevention of VAW in Turkey (2018, p.7-8), such as the tendency to underestimate the evaluation of policies in terms of their effect on gender equality and VAW; the emphasis on women's traditional roles as mothers and caregivers; inability to obtain legal data on the investigation, persecution and punishment of perpetrators; evidence that failure of the state system to protect victims can cause, at times, secondary victimization of women; the fact that many requirements of the Convention are yet to be fully taken into account by the Turkish legislators especially in cases such as stalking, forced marriages and sexual violence against girls between the ages of 15 and 18.

Therefore, VAW persists and "the steady increase of femicide has not been stopped" (Doğangün, 2020, p.278). Moreover, state's legal apparatuses have been protecting

²² The problematic (non)implementation of liberal reformist law concerning VAW, or gender inequality indeed has been emphasized by many academics (see for example Ayhan, 2017; Arat, 2021; Balık, 2018; Hülagü, 2021a; Doğangün, 2020; Şahin, 2021).

male perpetrators. With the amendments made in the Turkish Civil Code and the Turkish Penal Code, the application of provocation defense in cases of honor killing were outlawed. On the other hand, Article 29, which regulates the general provocation defense is still invoked in femicide cases that are not identified as killings based on honor (Hamzaoğlu & Korunalp, 2019, p.232). According to the examination of the select rulings of the Court of Cassation – the Highest Court in the Turkish legal system – from 2004 to 2018, Müftüler-Baç & Müftüler found out that “...legal rulings on femicide reflect societal norms and traditional expectations on women’s roles in Turkish society with provocation defense” (2021, p.2). Thus, indeed, the usage of discretion to reduce sentences for male perpetrators based on provocation is a common legal practice and still enduring. As Acar & Popa also state “while the global norms for addressing violence against women are solidly based on the feminist theory of violence, legislation and policies in most national contexts often follow entirely different understandings ...” (2016, p.296). Thus, legal reforms as moral promises do not translate into practice as real improvement for women.

Likewise, at discursive and material level, state practice in Turkey have rather proved contrary. For example, in his speech given in 2009 at the Ankara Provincial Congress, referring to the femicide case of Münevver Karabulut, rather than mentioning the perpetrator and the violent conditions of her murder, the then PM Tayyip Erdoğan preferred to give a lesson to families by using a proverb “kendi başına bırakılan ya davulcuya ya zurnacıya /the one (woman) who acts on her own accord marries either the drummer or the zurna player” meaning that if her elders don't warn her, she will marry someone she likes, but isn't suitable for the family (Milliyet, 2009):

If we hear about some undesirable murders and massacres lately, we as parents should hold ourselves to account. We should focus on where we made mistakes. The structure in which there is an unlimited, uncontrolled moral erosion really worries us. For this reason, we will embrace the family. The one who acts on her own accord marries either the drummer or the zurna player. Don't let the drummer, the zurna player get angry.

This family-based rationality attributes the responsibility of death to the individual women and family who raised her (thus, the mother as it is seen as only mothers' duty to raise children) and implies that some women deserve their death because they have made morally wrong decisions. This statement further implies that there are categories of femininity based on morality, and those who act on self-determination instead of family values/norms even deserve to die. Indeed, the sharpening discourse justifying femicide is an early indicator of transition of Turkish state from modern state to becoming a centaur form. To recall, centaur state is a post-modern form of state which distances from the egalitarian foundations of the modern state and rather explicitly shows different faces to different social groups: humane form versus the violent form. The speech given by Erdoğan highlights, at a discursive level, that only morally right women deserve the humane face of the state. Indeed, today's words reflect tomorrow's actions. As eloquently put by Atuk (2020, p.284), based on her empirical study analyzing political speech in the post-2009 period Turkey, "the state's speech blurs the line between the symbolic and the material, influences institutional practices, and signals to perpetrators that certain acts of violence are permissible." Thus, discursive and material construction of woman and womanhood, is not separated from "the politics of woman killing" (Radford & Russell, 1992). In this sense, femicide and VAW in general is political because it is structurally ingrained into the state and its institutional apparatuses. As put by Jessop (2004, p.234) "insofar as the modern state's operations are gender-conditioned (because they are structurally coupled to and co-evolve with patriarchal relations), its own gender-neutrality must be limited."

So, why do these liberal reforms have patriarchal consequences in practice? Because the overall impact of the feminist struggles for women's emancipation in Turkey has been conditioned by *the gender selectivities of the state*. To recall, "gender selectivity" is a term employed by Jessop (2004) to denote a set of institutional, legal, and discursive strategic practices actualized by the capitalist state apparatuses to govern gender relations in a specific socio-economic and political context (Hülügü, 2021a, p.19-20). The final power effect of reforms depends on the gender selectivities of the state and the final form of state's gender selectivities depend on

“How and through what means and ideological motives the state cadres engage in the provision of public contentment” (Hülagü, 2021a, p.24):

Is for example the prevention of violence against women treated as a criminal justice or a social service task? Does the policing of the domestic violence centre on the victim or on the offender? Do the state cadres side by the victims or by the offenders? Who is the recipient subject of state protection? The principle of non-failure does not give specific responses to these questions but only forces the state apparatuses to deal with them – to prevent a state failure and hence a failure of the entire system.

Thus, how reforms are translated into practice depends on capitalist state’s needs and their bureaucratic-ideological interpretation. To sustain social reproduction, the capitalist state adopts policies, e.g. minimum wage, and institutions, e.g., male-breadwinner family (Hülagü, 2021a, p.19). However, as these policies or institutions necessitate the reproduction of certain gendered dependencies/privileges, they are also not free from contradictions. The issue of violence against women, for example, as it works against the social reproduction regime of Turkey and the reproduction of the capitalist state itself, is dealt with within the confines of a patriarchal gender contract (Hülagü, 2021a, p.22). Thus, state offers protection to women, but a patriarchal form of protection, based on “the protection of familial unity and especially of the institution of marriage” (Hülagü, 2021a, p.89). As put by Jessop (2004, 229-230) even though gender differences are recognized in law:

...their recognition may serve to create and/or re-impose forms of public and private patriarchy. Thus, law may offer women special treatment by virtue of their gender (e.g., maternalist or natalist policies) or protect them only if they accept their subordinate status in the private sphere.

Therefore, although the AKP-ruled state compromised in adopting some progressive reforms in its early era, from a materialist-feminist perspective, feminist interventions in the state for effective punishment of male perpetrators resulted in refusal because it is the gender selectivities of state define the final power effect of feminist interventions in an against the state. To understand the details of the relationship between the state and the feminist movement in the reformist era, and most importantly, the dialectical relationship between the reformist and authoritarian

phases of the AKP rule, the concept of human security will help us. Human security, in other words, “the idea that the fundamental human right an individual should be provided with – *by the state* – is freedom from basic insecurities” dates to post-Cold War era (Hülagü, 2021a, p.4). At the end of the Cold War, liberalism was faced with preventing the two non-events: the demands for popular sovereignty of radicals/socialists/revolutionaries on the one hand, and the desire for the maintenance of elitists status quo of notables.

As a solution, Security Sector Reform process (SSR) as a liberal state and peace-building project emerged to prevent a revolutionary turnover that would transcend liberal democracy on the one hand and to prevent a human disaster that would fail the local authority of a state on the other. Particularly, the SSR dates back to changing security understanding after 9/11 which emphasized the transition from state security to a human security understanding (Hülagü, 2021a, p.38-40). As such, project-based SSR had proliferated and been undertaken by different international agents, particularly in conflict-prone domestic contexts. Three strategies were employed to “disassociate liberal internationalism from its imperialist and colonialist strategies” (2021a, p.33): replacement of imposition of democracy with local governance; the shift from an imposed reform strategy to national ownership; and aim to reach ordinary/local people in the SSR process.

Coming back to Turkey, the liberal state-building in the shape of SSR roughly dates back to the period from 2006 to 2016 (Hülagü, 2021a, p.34). According to Hülagü (2021a, p.34), Turkey has both been exposed to the early post-Cold war period SSR agenda based on anti-statist populism (focused on democratization) and the late post-Cold War agenda based on statist localism (focused on finding local governance solutions). The internal security reform based on anti-statist populism and statist-localism, facilitated the local agents of liberal reform process, the reformist police cadres, to advance their moralist political project in Turkey. Indeed, moral policing understood as “a specific mode of neoliberal policing” had a prominent role to pacify the military and judiciary to endorse the neoliberal-neoconservative political project of the AKP (Hülagü, 2021a, p.60-64).

In this respect, Hülügü (2021a, p.60) argues that “the provision human security as a job of moral policing” has, first, “...restructured the state as a post-modern patriarchal institution and second it shaped police power as an anti-Political task for the protection of an imagined harmonious society”. Turkish-Islamist incorporation of the principles of populism and localism into policing was based on the referent subject of “property owner modest man” who was assumed to be excluded by the militarist-Kemalist state. In this moral context, criminal problems were seen as emanating from the militarist-Kemalist state because in a conservative harmonious society, problems such as VAW do not exist. Based on this moralist mentality, women were integrated to the new state only as victims in need of masculinist protection. In short, enlargement of discretionary police powers facilitated by SSR mentality has produced new militarism in Turkey, which decides who is “loyal and authentic” and who is “non-loyal and defect” on a arbitrary basis (Hülügü, 2021a, pg. 59-62).

If we look at the women’s movement and state relations in the so-called liberal/reformist era, feminist movement ignored the gendered nature of the state itself, and the feminist demands were resignified to the advantage of the state. In this respect, state’s gender selectivities blocked the full realization of women’s empowerment in practice (Hülügü, 2021a, p.94-110). During the reformist era, the feminist interventions in the state were also based on human security understanding. While the human security principle provided feminists to pressure the state, it also prevented them to realize that pro-gender equality projects were also in the service of the AKP’s centaur state-in-the-making. The common grammar of human security the universalist appeal of pro-gender equality interventions “hit against the walls of populism and localism” (Hülügü, 2021a, p.13). In other words, the feminist demands were resignified by police reformers based on their conception of harmonious society composed of healthy families and when combined with the neoliberal retreat of state to provide full protection, gender selectivities of the state in the early era were defined to the benefit of “property-owner modest” man. (Hülügü, 2021a, p.89). To put simply, the dialectics of coercion between the two supposedly different periods of the AKP rule lies in the concept of human security which has been promoted as a

political project to prevent all forms of violence, including violence against women. The next sub-section traces the radicalization of strategic gender selectivities.

4.3. 2011-2018: From Gender Equality to Gender Justice

The rights, welfare and elimination of the obstacles faced by our women in social life are indispensable for our goal of "Strong Society" in 2023. Because women are the central element of both social life and the family that builds the future, our children, and young people. (The AKP, 2011)

As explained in the previous chapters, the postponement mechanisms against crisis dynamics explained previously were not deprived of its own political contradictions. One of the concrete examples of this contradictions has been the Gezi uprisings as the Gezi event started as a reaction to government's attempt to replace Gezi Park, a green area in Istanbul, with a shopping center in May 2013. (Ercan & Oğuz, 2020, p.112; Savran, 2019, p.33). Indeed, Gezi outgrew to become the voice of general discontent with the governing AKP, as preceding protests such as the ones related to abortion or the number children a family should have, regulations against alcoholic beverages, restriction of public spaces etc. "were little drops in the making of an oceanic social reaction." (Çetinkaya, 2019, p.110). Against the rising resistance to the AKP rule, the state followed violent measures against civil society and repression of opposition became the new normal especially after the failed coup d'état in 2016 (Çağatay, 2019): oppositional politicians were jailed, LGBTQ+ activism was suppressed, many women's organizations and news agencies were closed.

Thus, unlike previous periods which were more defined by the need for political legitimation, in the post-2010 period of the AKP, with the increasing emancipatory politics, the principle of anti-subversion has become more dominant. As one of the two "non-events" that a capitalist state must prevent, the anti-subversion principle which compels capitalist state to prevent any structural transformation of the political order that would disrupt capital accumulation (Hülagü, 2021a, p.22-24). Thus, translated into the terminology of the centaur state theory, the Gezi Uprisings represented a non-event that a capitalist state needs to avoid at all costs. Although the ruling Party have encapsulated women into the family, the autonomy demands of a

young generation of women in Turkey has been consistent. With the significant increase in the numbers of young women attending tertiary education, these women who correlate paid work with independence are in deep frustration by the forced housewization and the discriminatory labor structure in Turkey (Hülagü, 2021a, p.21). This frustration, indeed, played out as increasing resistance, as more than half of the Gezi protesters in Turkey were women (KONDA, 2014).

On the other hand, state's call to Muslim women to support neoconservative-neoliberal policies were also jeopardized by other obstacles such as urbanization, increasing demands for visibility and claim to have control over their bodies (Hülagü, 2020, p.249). As it also become increasingly difficult to forge full support from Muslim women, the strategy of the AKP was to differentiate the agreeable women from the non-agreeable. Hülagü (2021a, p.126) calls the new strategy *selective patriarchy*, i.e., the differential treatment of the female population. To recall, gender selectivity denotes a set of strategic practices to govern not only the relations between women and men in a specific political-economic context but also between women and women and between men and men (Hülagü, 2021a, p.19-20).

Also, from in terms of socio-economic needs of a capitalist state, either by a desire to participate in formal labor or get a divorce, autonomy demands of women disrupts the social reproduction regime and increases the political need "to find new ways of valuing the gender differences and divisions" (Hülagü, 2021a, p.127). Hence, "patriarchal selectivities" do not only operate through gender differences but makes use of various social hierarchies.

In this respect, faced with increasing resistance of women to the roles assigned to them, the AKP-led state had to profile different categories of femininity (and masculinity) based on a harmonious Turkish-Islamist society conception and develop different governing strategy for each. Throughout this process politically active women have increasingly been subject to state violence and, some women have been even subject to lethal police violence. For instance, in 2015, three women were killed by special police forces (Hülagü, 2021a, p.1). One of these women, Dilek Doğan, an

Alevi woman, was shot to death in her own house during a police raid on the grounds that she was a member of politically violent, outlawed left-wing group. The disproportionate state violence explained by Kurdish feminists, or Alevi women as in the case of Dilek Doğan, indeed, shows that the differential treatment in centaur state in Turkey is not only defined along class and gender, but at the intersection of other social inequalities such as ethnicity (Hülagü, 2021a, p.128). While Waquant observed selective deployment of aggressive punishment as a central tenet in the building of centaur state in Global North contexts, the further fine lining of state violence along gender, ethnicity, political affiliation etc. in Turkey shows that the the centaur state in Global South functions differently.

Therefore, in sum, an intrinsic part of post-2010 politics in Turkey, without doubt, has been the rearticulation of gender relations (Çağatay, 2018; Hülagü, 2021a; Hülagü, 2021b; Yazar, 2020; Arat, 2021). What we observe in the post-2010s period is the proliferation of family-centered policy (Yılmaz, 2015, p.371), organizations defending the family (Negrón-Gonzales, 2016, p.208), the problematization of issues related to women's body and sexuality from a religious point of view (Cindoğlu & Ünal, 2017); and most importantly the discrediting of gender equality as a norm, and replacement by a religious complementarity frame (Bodur Ün, 2019). Indeed, "Family functions as a strong metaphor to define the nation" (Yazar, 2020, p.130). Accordingly, gender has become the main denominator of political confrontation and women issues were used "...as a weapon not only against secular feminists but also any group who is defined as an outsider of this holy community of "us" as the nation." (Yazar, 2020, p.130). As Kandiyoti (2016, p.105) also contends:

Gender norms and specifically women's conduct and propriety play a key role in delineating the boundaries between 'us' (God-fearing, Sunni, AKP supporters), and a 'them' consisting of all political detractors and minorities, cast as potentially treasonous and immoral.

What is new to this period is also a process of reversal in terms of policies protecting women's rights (Çağatay, 2018). For example, The Constitutional Court (CC), in one of its judgements in 2015, has annulled articles of Turkish Penal Code which criminalize religious marriage unaccompanied civil marriage. The CC has not taken

account of the consequences of this decision for children who live in Turkey and the rights of women gained through civil marriage (Kuyucu, 2016). Another similarly destructive decision in terms of women's legal protection was taken at the Parliament in 2017, which resulted in a bill that allowed müftis (religious civil servants) to perform civil marriages (Çağatay, 2018, p.50). Underlying such processes is the institutionalization of political Islam and discrediting of laicism (Çağatay, 2018). As the AKP has established itself as the voice of the people, i.e., those religious masses unrepresented by the secular regime, the societal division between the secular and religious has even heightened to an unprecedented level extending "from Alevis, labour activists, environmentalists, socialists and liberals to the Gülen Community, an erstwhile ally now dubbed as a terrorist organization (FETÖ), and finally to Kurds..." (Kandiyoti, 2016, p.105). Indeed, gender and sexuality act as a key pillar in reshaping the religious-secular divide to instill the values of new Turkey (Mutluer, 2019, p.99). The famous example indicating the role of women's body to establish "us vs. them" dichotomy is the analogy made by Erdoğan between Roboski massacre and abortion (Mutluer, 2019, p.109). Roboski massacre refers to the killing of 34 Kurdish civilians near the village of Roboski/Uludere in 2011 by Turkish war planes acting on false information (Mutluer, p.109). Following this event no one was held accountable, and the government did not even apologize for the killing of Kurdish civilians. Referring to this incident, at a United Nations (UN) demography conference in 2012, Erdoğan stated that (Bianet, 2012a):

Each abortion is an Uludere. I'm asking you what the difference is between killing a baby in the womb and killing it after birth. We must fight this together. We must know that there is an insidious plan to wipe this nation off the world stage, we should never give credit to these games.

Establishing a link between reproductive rights of women and ethnic identity, Erdoğan's statement gives the message that "the bodies of both women and Kurds are excluded from the protection of the norms of '*yeni milli*' (new national) values" (Mutluer, p.109). This statement rendered the death of some as insignificant and revealed the government's view on women's reproduction choices. Even though abortion is not legally prohibited, public hospitals do not perform abortions and women who can afford it apply to private hospitals (Mutluer, p.109). In this sense,

for those who cannot afford, Hülagü argues that the socio-economic impact of neoconservative-neoliberal policies of the AKP are also controversial for the “agreeable women” who are living under conditions of poverty (2021a, p.128-129). Thus, realizing “the limits of restoring a full-blown classical patriarchy”, the AKP opted for by reconstructing femininity as strong by nature, and in need of special privileges such as cash remuneration after giving birth. At the opposing front, are thus, non-agreeable women were constructed as those who oppose their nature, and not at peace with their *fitrat*. Therefore, as it became increasingly difficult to persuade women into the domestic roles, the AKP government opted for sharpening its gender selectivities and accelerated selective patriarchy by spreading the propagation of its religious gender justice view to all state institutions and on the civil society front, boosted the support to pro-family the government-organized non-governmental organizations to governs subversive potentials on the one hand and prevents reproduction crisis on the other. For example, following Erdoğan’s Uludere analogy and statements on caesarean birth and abortion on another occasion (Bianet, 2012b), the then president of the *Diyanet*, Mehmet Gormez, stated that "Unless there is a legitimate excuse, abortion is haram and murder." (Sabah, 2012).

At this point, recalling the transformation of the *Diyanet* is worth mentioning because, with its increasing capacity and effect, the institution acts as the supreme authority that confirms Erdogan's discourses from a Sunni Muslim point of view (Çıtak, 2020). For the purposes of this section, the most crucial aspect of the social expansion of the *Diyanet* is the initiation of religious counselling services for family, women, and youth (Çıtak, 2020, p.175). Indeed, Adak (2021, p.201), argues that the role the *Diyanet* undertakes in the politics of family and gender constitutes the main channel for its institutional expansion. Hence, Adak (2021, p.202) identifies two institutional tools that help the *Diyanet* in assuming such a role: female preachers and the Family and Religious Guidance Bureaus. Looking at the increasing

employment of women as preachers²³, these women enable the Diyanet to reach women outside the mosque, through sermons (*vaaz*), meetings, seminars on how to be a good Muslim woman "...in places such as hospitals, women's prisons, detention houses, reformatories, women's shelters, student dormitories, and factories..." (Adak, 2021, p.209). These female preachers work at "the Family and Religious Guidance Bureaus" which are active in all provincial capitals (Adak, p.210). Established first as the title Family Guidance Bureaus (*Aile İrşad Büroları*) in 2003, adding the clause "religious" to the title, these Bureaus are attached to the Head Office of Religious Services since 2011 (Adak, p.210). The main aim of these Bureaus is to provide religious guidance on marriage and family based on the Quran and Hadith. While the activities "...range from arranging gatherings for the women and children of a certain neighborhood to organizing conferences on how to prevent divorce.", these activities are often organized in collaboration with the local directorates of the Ministry of Family and Social Policies (Adak, p.210-11).

Indeed, this collaboration was also facilitated with the replacement of The Ministry Responsible for Women and Family with the Ministry of Family and Social Policies in 2011 (Şenel, 2014, p.48). Accompanying the change of the title was the restructuring of the General Directorate on the Status of Women (KSGM), which has been operating under the Prime Ministry for many years, into a service unit under the of the Ministry of Family and Social Policies (Şenel, 2014, p.48). With the restructuring KSGM into a service unit, an avenue for women's groups to collaborate with each other and influence state policy has been eliminated (Şenel, 2017, p.48; Şahin,2021, p.7). Because within the body of KSGM, was the Committee on the Status of Women. This Committee was consisting of representatives from public institutions and organizations, the Women's Studies departments of universities or Women's Research and Application Centers, and various non-governmental organizations working on women's rights. In summary, the duties of KSGM and its

²³ For instance, the total of number of female preachers employed increased from 57 to 726, in 2002 and in 2014 respectively (Adak, 2021, p.216).

committee were: to promote women's human rights, to encourage women's participation in every domain of social and political life and to develop strategies on these issues, scrutinize the laws and administrative regulations to ensure that women reach equal rights and opportunities. However, since 2011, KSGM has been restructured as a service unit under the of the Ministry of Family and Social Policies which is named as "the Ministry of Family and Social Services" since 2021 (Şenel, 2014, p.48).

Another example of gender equality ceasing to be a norm informing state policy was the failure to renew the National Action Plan for Gender Equality (2008-2013). Although according to the Ministry website (2014) workshop meetings were held on 1-2 April 2014 in Ankara to update the Plan for the period of 2014-2018, there is no such document. Instead, the following plan came into being in 2018 with the slogan "strong woman, strong family, strong society". "The Strategy and Action Plan for Women's Empowerment (2018-2023)" was thus put into effect by Directorate General on the Status of Women unit of the Ministry. The revision of the 2010 prime ministerial circular in 2017, is similarly telling. The circular was issued in 2010 to increase women's employment. In the new draft, however, "the previously adopted measures of equal pay for equal work, inspection of the establishment of crèches and day-care centers to support women's employment, and inclusion of women's organizations in decision-making processes regarding gender equality at work" was omitted together with the word "equality" (Çağatay, 2018, p.50)

It also needs be noted that this period is also marked by proliferation of pro-family civil society organizations TURAP (Turkish Family Platform/ *Türkiye Aile Platformu*) and government-organized non-governmental organizations (GONGOs) such as the Women and Democracy Association, KADEM (Negron-Gonzales,2016, p.208-209; Diner, 2018, p.103). Platforms such as TURAP, a coalition of over ninety pro-family civil society organizations, have been close to the AKP, for example, in the shape of the AKP officials paying visits to their events (Negron-Gonzales,2016, p.208-209). While such relations with civil society reinforce arguments of the government that they are responding to demands of society when they promote

family-oriented policies (Negron-Gonzales,2016, p.208-209), GONGOs such as KADEM “work to foster the state’s agenda and disseminate its views and ideology” (Diner, 2018, p.103) and also work in close cooperation with the *Diyanet* (Adak, 2021, p.212).

On the ideological front, KADEM has been the main actor in the replacement of equality norm with religiously accentuated “*fitrat*” and complementarity understanding (Bodur Ün, 2019). The Islamic term *fitrat* expresses all the innate characteristics of a human being: It is a name from the root “*fatr*” which means to create, and is used in the sense of "creation, having a certain talent and predisposition. According to this, *fitra* indicates the basic structure and character of the types of beings at the time of first creation, and their initial state that has not yet been affected by external influences (Hökelekli, 2022). According to this essentialist understanding, women and man have different natures and they are created in such a way to complement each other. Therefore, justice, rather than equality as a norm to regulate relations between women and men started to be emphasized by the Party (Yarar, 2020, p.131):

Like Christian conservatives, the AKP’s conservatives do not argue for the superiority of men over women, but for their integral complementarity based on their biological and divinely ordained distinct natures (*fitrat*). Therefore, it is not about equality but the concept of justice, which implies attributing equal values despite differences.

Accordingly, the Islamic view of complementarity based on justice has been institutionalized with the establishment of The Women and Democracy Association, KADEM, in 2013. Defending the principle of “equality in existence and justice in responsibilities”, KADEM aims “to build a safe society and just future where women can live with honor.” (KADEM, 2022). As President Erdoğan’s daughter, one of the founders of the organization, serves as vice president, KADEM has close links with the ruling AKP (Bodur Ün, 2019, p.841). According to Bodur Ün (2019), KADEM represents a non-Western norm entrepreneur under the AKP, defending the local norm of “gender justice” as an alternative to global gender equality norms. Further justified by giving references to some verses of the Koran, “the norm of gender

justice is based on the belief that due to their different biological make up, women and men carry out different social functions, and this generates social balance and harmony in society” (Bodur Ün, 2019, p.842). Such views are intellectually defended by the Islamist women intellectuals and published on KADEM journal of women’s studies. These studies, indeed, can be understood as proliferation antigender claims based on the appropriation of feminist concepts and troll science, i.e., “distorted scientific arguments moulded into populist discourses” (Çağatay, 2019; Eslen-Ziya, 2020, p.1). For instance, KADEM’s founding president Sare Aydın Yılmaz defends gender justice based on a critic of gender equality as a Western notion (2015, p.108-109):

As a modern concept, equality provides standard monotypes [for women] grounded in Western culture by attempting to equalize women and men, whereas ‘justice’ points to a superior concept in which equality is inherent and refers to equity, balance, a higher understanding of fair treatment, and liabilities between men and women ... The concept of women’s rights developed in a specific region reflects the socio-cultural, political, and religious dynamics of that region.

Such a view of gender justice is not only in stark contrast with the gender justice understanding of feminist scholars (Bodur Ün, 2019, p.842), it also helps disseminate and justify discourses defying feminist theory. As Hülagü (2021a, p.12) argues, what differentiates the post-modern century state from the modern state is its open attitude and expression about differential treatment of citizens (Hülagü, p.12). As such, the speech given by Erdoğan at the International Women and Justice Summit organized by KADEM in 2014 makes the is attack on gender equality is explicit:

What do women need?... What women need is equity rather than equality, that is, justice. We need it. You cannot make men and women equal. It is contrary to nature, because their nature is different, their body is different... Our religion has given women a position. What position is this? Maternity position... You can't explain that to feminists, for example. Because they do not accept motherhood. They have such a problem. But those who understand are enough for us, we say. We continue with them.

While gender is a term signifying relation of power between women and men, Islamist women like Sare Aydın and the AKP use the term as a fixed term signifying

the innate traits of women and men and the according unchanging social roles (Bodur Ün, 2019, p.843). However, the question is, how does the understanding of justice prevent privileging of men's traits over those defines as women? Depriving the term of its main function, KADEM's reframing of gender also changes the approach to women's problems such as violence. For instance, the organization have lunched several campaigns against violence, highlighting slogans such as "Overcome your anger if you are a man! and "Be a man first!" respectively in 2013 and 2014 (Bodur Ün, 2019, p.844). As reflected in their campaign, KADEM reduces VAW to individual cases of anger, and thus deprive the issue of its structural roots (Akyüz & Sayan-Cengiz, 2016, p.1). While Turkish feminists problematize violence against women as systemic political violence, i.e., critique of state-led restitution of masculine privilege, the discourse based on justice marginalizes such efforts to address the structural patterns of violence (Direk, 2019, p.75; Akyüz & Sayan-Cengiz, 2016, p.1). In other words, while feminist claim that private is public, conservative approach conceives of the problem as a private problem, i.e., family problem instead of women's problem (Direk, 2019, p.75).

As seen in the approach to domestic violence, proliferation of GONGOs and circulation of gender justice as the new norm have led to marginalization of feminist/opposition women rights organizations (Koyuncu & Özman, 2019, p.728). In fact, when Istanbul Convention went into force in 2014, the Ministry of Family and Social Policies organized a meeting in Ankara to determine the candidate of Turkey for GREVIO delegation from Turkey (Bianet, 2014). In that meeting, as one of the NGOs conveying their proposals to the Ministry, The Istanbul Convention Monitoring Platform consisting of 77 independent women and LGBT organizations, was rejected to join the committee that would determine Turkey's GREVIO candidate. Instead, three members of the committee that would determine Turkey's GREVIO candidate were chosen from pro-government organizations (Ayhan, 2017, p.145). After the pressures disclaiming the legitimacy of this process, Ferdie Acar, one of the candidates of the Platform was declared as Turkey's candidate (Ayhan, 2017, p.146). Indeed, the increasingly restrictive conditions experienced by independent women's organizations that defend the principles of the Convention

were also mentioned in the GREVIO Baseline Evaluation Report for Turkey (2018, p.8).

4.4. 2018-2021: Towards Withdrawal from Istanbul Convention

Our women are the pillars of our families as well as social life. The rights, welfare and elimination of the obstacles faced by our women in social life, which are indispensable for our goal of a strong society and development, are among the main priorities of our party. (The AKP, 2018)

To contextualize Turkey's decision to withdrawal from Istanbul Convention, we need to go beyond the studies that interpret the withdrawal as the AKP government's voluntary decision motivated solely by vote concerns and as an unsurprising development in its authoritarian era. To this end, another study by Hülügü (2021b) provides us with the connection between the recent rise of anti-feminism and the political-economic transformations Turkey has gone through since the 2001 economic crisis. While acknowledging that anti-feminist tendencies of the AKP have always existed, Hülügü (2021b) argues that the undoing of pro-gender equality steps (the latest being the withdrawal from the Istanbul Convention) is a new phenomenon.

This new phenomenon, according to Hülügü (2021b), is a response given by the state apparatus to the complex crisis of social reproduction composed of the crisis of the patriarchal gender contract on the one hand and, the crisis of the neoliberal social contract on the other. As Kandiyoti (2016, p.111) also describes, the "...soaring levels of gender-based and societal violence are not indicative of a securely entrenched patriarchy but of a crisis in the gender order and the polity more generally." In this sense, terms such as patriarchy, Islamisation or authoritarianism fail to capture increasingly complex ways in which neoconservative-neoliberal gender discourses and policies unfold.

Thus, the politics of gender is not arbitrary but rather intrinsic to AKP's ruling ideology in at least 3 domains: in shoring up populism, justification of neoliberal welfare and employment policies alongside neoconservative familialism and the

normalization of violence through recourse to coercion or through the condoning of violence. As Kurtuluş-Korkman also argues (2016, p.112) perceiving issues related to gender, sexuality, family as side-issues of real politics obscures; the centrality of politics of intimacy to the political and economic governance of country, the gendered nature of political rule and undermines the negative effect of discourse and policy related to gender for the lives of women and LGBT communities. In this respect, I have argued in this study that gender is intrinsic to the formation of a new state form in Turkey.

Maintaining a patriarchal gender contract (a sexual division of labor) has been a social reproduction strategy of states operating in capitalist settings to achieve two things simultaneously: the reproduction of people and everyday life, and smooth business conditions for profit-based commodity production. Such a strategy has also been central in Turkey. During its first decade of rule, the AKP opted for modernizing the patriarchal gender contract by adopting women-friendly policies which also served for a smoother neoliberal transformation. However, these policies have always been seen as a way of strengthening the family and its role in social reproduction. Thus, confining women to the domestic domain has always been central to the party. This was obvious in the Neoliberal Labor Law adopted by the Party in 2003 made staying at home more favorable. Furthermore, the 2008–2009 global financial crisis led to an increase in female unemployment, and the AKP’s strategy, in Hülalü’s words (2021b, p.31), was to “...boost its promise of patriarchal protection as a way of re-convincing at least certain women into the merits of housewifization.”

The signing of the Istanbul Convention, thus, is also evaluated as such a strategy by the author. However, entitlements including the Convention have not led to sustainable functioning of the patriarchal gender contract. Because a young generation of women has been challenging the gender order and the place they were confined to within the neoliberal social contract. As rising cases of femicide, family-wide murder-suicides, occupational deaths, etc. signal a cumulative crisis social of livelihood, the crisis of social reproduction constitutes only an aspect of the total

failure of the social contract in Turkey. What is argued by Hülügü (2021b) at this point is that this crisis-prone environment has been utilized by the more Orthodox Islamist groups who have only recently turned into an organized social movement in Turkey. Under the pressure of social crisis, Hülügü (2021b) argues that the state apparatus has been more responsive to the demands of these groups, and thus upgrading the male privilege has become a crisis management strategy. Such a point is also captured in her book (2021a, p.127):

...during economic and political crises, the states engage in the task of the revalorization of gender divisions since augmenting patriarchal dividends (accorded to certain men) during these moments might also help to widen the political support to the polity-in-crisis.

Although Hülügü studies only “the Campaign against the Law 6284” and “the Campaign for Early Marriages and against Alimony Payments”, and not the campaigns organized by these anti-gender groups against the Istanbul Convention, it can be argued that the accordance of Erdoğan to their demands despite harsh conflicts can also be regarded as a crisis-response. As mentioned in previous chapters, the literature attempting to make sense of withdrawal from the Istanbul Convention is dominated by liberal methodology. While it is convincing that the first two terms of the AKP governments were accompanied by serious legal achievements in the field of gender equality in Turkey and the conservative emphasis of the AKP governments has gained great impetus after 2010, one cannot disregard the fact that the liberal era of the AKP also included serious anti-gender tendencies. While liberal methodology conceives of anti-gender developments (e.g., withdrawal from the IC) as democratic failures of political power, the structuralist perspective acknowledges that states are constrained by political-economic conditions and social struggles (Hülügü, 2021a, p.9).

As argued in liberal mainstream studies, political calculation is important but largely in relation to the socioeconomic and political needs of the centaur state. In this respect, I have argued that the change taking place in the political power on the road to the withdrawal is not the AKP’s misuse of power, but a change in the gendered nature of the new state form. Complementing this main argument, I also argued that

The Presidential Decision on withdrawal from Istanbul Convention is a result of the consolidation of selective patriarchy in post-2010 era Turkey which found itself in a political-economic crisis from 2018 onward, and consequently tilt the direction of gender selectivity of the new Turkish state towards anti-genderist/anti-feminist social forces. Accordingly, in this section, I will attempt to explain the decision to withdraw from Istanbul Convention by rethinking of materialist-feminist theory on state. In other words, through the premises of materialist-feminist state theory, I will recontextualize the global and national socio-economic developments impacting the formation of gender order in Turkey in post-2018 era which led to the anti-gender decision to withdraw from Istanbul Convention.

As explained in previous chapters from various points of views (e.g., financialization, failure to make the transition to relative surplus production, security sector reform), the two supposedly different eras of the AKP are dialectically related to each other. As such, gender after the so-called authoritarian turn of the AKP has witnessed sharpening of centaur state's gender selectivities that had lethal consequences for politically active women. In the post-Gezi era, selective patriarchy of the state, understood as differential treatment of in-groups, deepened level by level through processes critical to governing of gender relations such as proliferation of discourse on women's body, sidelining of feminist organizations and proliferation of GONGOs etc. Such a process has witnessed the building of centaur state with gender selectivities in Turkey, and indeed continued up to withdrawal from Istanbul Convention.

Centaur state theory is based on materialist-feminist conception of states whose aim is the reproduction of the capitalist society (Hülagü, 2021a, p.10-16). From a materialist-feminist perspective, states are historical forms. The centaur state, in this sense represents the historical transition from modern state as a rational, political egalitarian form of capitalist state, to post-modern state which is de-rationalized, anti-Political and anti-egalitarian. Reversal from the nevertheless egalitarian foundations of the modern state means that, the state institutions do not function based on public interest, dissident politics is minimized, and explicit differential

treatment of citizens is itself the new mode of government. The specific historical form of a capitalist state results from “the condensation of temporally and spatially conditioned” social struggles in certain institutions/rules/powers. The struggles between different social forces affect state forms via radical alterations in the rules of entitlement and identity (Hülagü, 2021a, p.16-18). Thus, the making of the modern state form does not happen in vacuum but in relation to different external and internal societal dynamics that affect political representation, economic redistribution, or identity recognition, i.e., ‘the rules of entitlement’ and ‘the rules of identity’ that are ingrained into the modern state form. (Prügl, 2009, p.178, cited in Hülagü, 2021a),

The global dynamics of the late 1990s and early 2000s is marked by the crisis of neoliberal state policies (Hülagü, 2021a, p.17). The same era also witnessed the increasing attempts of global women’s movement to introduce new understandings of gender and sexuality into international politics and the rise of anti-gender actors as a countermovement (Corredor, 2019, p.619). Indeed, this was not just conservative backlash but also an arena of expressing discontent with neoliberalism, as the men who lost economic hopes seek to restore their masculinity through joining anti-gender forces such as fathers’ groups (Korolczuk & Graff, 2021, p.802-803). From 2010s on, thus, not just Turkey, but global women’s movement and its historical gains has been on attack by the anti-gender actors and social polarization in the global politics of gender went hand in hand with rise of global discontent with neoliberalism. This articulation can be based on the post-2010 global political context, which has witnessed the rise of the rightist and nationalist-populist movements (Özkazanç, 2022b). The precariousness that the neoliberal restructuring of the global economy created since the 1980s, has been fueling popular discontent that reached a peak especially after 2008 economic crisis. Indeed, the simultaneous development of liberal and illiberal events, such as the rise of feminist gains amidst rising anti-gender mobilization, points that there are similar processes at work resulting in similar gender policy patterns.

According to materialist-feminist theory, "...the different dimensions of a state, however contradictory they may be, share a historically and socially determined political direction..." (Hülagü, 2021a, p.15). The capitalist state from this perspective, is determined by the two contradictory tasks to reproduce the social: safeguarding the labour force while ensuring the profitability for capital (Hülagü, 2021a, p.18). The rise of anti-genderism as a popular movement in Turkey and state's alignment with the movement corresponds to a period state and economic crisis. As explained in detail previously, changing political form of state in Turkey is a response to structural contradictions that created an advantageous political-economic conjuncture and established capital's domination over the political (Ercan & Oğuz, 2020; Bedirhanoğlu, 2020, p.30).

Amidst conflict within capital, to reproduce its own rule, the AKP "the relations between ideological and repressive state apparatuses as well as by an increase in the relative autonomy of the state and economic apparatuses so as to create revenues and control the sphere of production and circulation" (Ercan & Oğuz, 2020, p.105). Thanks to this restructuring, the AKP acquired necessary autonomy from 2010 onwards to undertake several postponement mechanisms to create revenue for the total reproduction of society. To sustain the material reproduction of its social base through social assistance programs, i.e., neoliberalism with a human face, these mechanisms has served the AKP as an emergency aid, but in a crisis-prone way, particularly 2018 onwards (Ercan & Oğuz, 2020, p.106). With the changing global economic conditions, Turkish economy witnessed "...a threefold devaluation in the Turkish lira (TRY) from 2013 to 2019, reaching sky-high levels during the August 2018 crisis..." (Bedirhanoğlu, 2020, p.32).

As it became difficult to reproduce its rule, Erdoğan's initiated TVF "with the declared aim of increasing the state's financial capacity." (Bedirhanoğlu, 2020, p.33). Consequently, a new administrative structure, CHS, has been introduced in the country which centralized "...all power and state money in the hands of President Erdoğan." (Bedirhanoğlu, 2020, p.34). Accordingly, in 2018, coalition between President Erdoğan and the Nationalist Movement Party formed the new power bloc

in the country. Therefore, it was in this political-economic context that anti-genderism in the form of popular mobilization emerged in Turkey around 2019 (Özkazanç, 2019). According to materialist-feminist state theory, within the structural necessities of the existing regime of capital accumulation, state privileges certain gender groups/policies/institutions/state apparatuses over others. In the case of Istanbul Convention, withdrawal also served to appease socioeconomic needs of the capitalist state in Turkey; social reproduction on one hand, and capital accumulation on the other because it is only as such that it can reproduce its own political rule (Hülagü, 2021a, p.19). The contradictory socio-economic mandate forces the capitalist state to forge different rules of entitlement and identity.

To sustain basic human subsistence, the capitalist state in Turkey has so far depended on patriarchal family model that advocated domestic roles for women and increasing resistance to forced housewifization has instigated even more assertive advocacy of women's role in the home domain by gender complementarity understanding. On the other hand, to ensure profitability for the capital, the state must "devalue and/or revalue certain forms of labour" (Hülagü, 2021a, p.19). In other word, to protect the interests of actors like MUSIAD who benefit from gender inequality, state has to devalue women's labor outside home so that women stay as housewives and childrearers and perform a plethora of socially reproductive roles for free. And hence, reproduce the "the poor laboring masses" who are largely employed by the section of capital that is represented by MUSIAD and constitute the Party's support base (Bedirhanoğlu, 2020, p.31). However, as Eisenstein puts (1981, p.199), "motherhood is a biological reality, rather than a politically constructed necessity", in the sense that, emphasizing women's childrearing--and not childbearing- roles serves a political purpose. Patriarchy, as a system of power, limits the agency of women to make choices for their lives, so that their care-giver role remains. And the patriarchy sustains itself through more subtle power mechanisms such as the assumed private-public dichotomy or sexual division of labor (Eisenstein, 1981, p.199-200). As mentioned in the literature review section, Şahin (2021, p.14) argues the opposition of conservative groups, such as MUSIAD, to Istanbul Convention was related to "... the material costs the elimination of certain discriminatory and

exploitative practices”. As gains in terms of women’s rights entails change in the existing gender relationships, gender transformative reforms such as Istanbul Convention work against men who benefit from unequal status of women in the household, in employment and politics (Şahin, 2021, p.12).

According to materialist-feminist theory, states are not only socio-economically but also politically bounded. The post-2018 period can be made sense by the two non-events that capitalist state must exclude from social and political relations: subversive politics and a state failure (Hülagü, 2021a, p.22-24). Despite violent repression of women’s resistance against the neoconservative-neoliberal policies of the AKP, women’s resistance has been growing bigger and more assertive. While women were demanding the implementation of the Convention before the decision, after the decision women did not give up on the Convention and continued to defend the Convention (Göztepe, 2022). As such, women’s groups came together under *Esitlik için Kadın Platformu* (Women’s Platform for Equality) and started a campaign for the reversal of the decision by the Council of State (Özkazanç, 2022a). As shown in previous section, the principle of anti-subversion, conditions the gender selectivities of the state at the intersection of different social hierarchies which enables-and constructs- acceptable and unacceptable forms of femininity (and masculinity). However, acceptable forms of femininity are not necessarily defined along “the sexist and/ or misogynist gender scripts of the male statecraft” but “pushes the state apparatus to make pragmatic and conjuncture-related strategic selections” (Hülagü, 2021a, p.23).

On the other hand, while it has become impossible for the AKP to come to term with “subversive women”, it has also become difficult to persuade “agreeable women” such as women figures of anti-gender movement to its rule. In this respect, the anti-failure principal forces states to gain social acceptance. Within the context of rising assertiveness of essentialist understanding of gender and gender relations and women’s rejection of patriarchal gender contract, the crisis of livelihood and political developments such as the loss of Istanbul mayoral elections, declining internal cohesion within the AKP which resulted in constitution of new parties, the AKP

government has been open to demands of “more radical nationalist and conservative groups who were unhappy with the previous reformist and EU-oriented perspective of the government” (Yarar, 2020, p.128).

Consequently, in this socioeconomic and political conjuncture in post-2018 period, the gender selectivity of the new centaur state in Turkey leaned towards anti-genderist/anti-feminist social forces. To recall, gender selectivity is an analytical tool developed by Jessop (2004, p.234) to capture gendered nature of each state, based on their needs, “...state managers and politicians may exploit gender divisions by fashioning political appeals, building social bases, etc., on gender lines.”. Thus, gender selectivities of a state does not refer to a fixed gender order but rather refer to a fluid mechanism of governance which is “... constantly reproduced in a time- and space-bound manner...” (Hülagü, 2021a, p.20). As such, these selectivities are not necessarily patriarchal: any other gender hierarchy, such as anti-genderist/anti-feminist state, which could serve the necessities of capitalist state is made use of (Hülagü, 2021a, p.20). However, what gives the final shape to state’s gender selectivities are their interpretation by the state bureaucracy and the dominant political cadres. While pro-family politics is basically anti-feminist, what makes the post-2018 era anti-genderist is that the Presidential decision was made in exact accordance with the arguments of anti-gender actors based on the supposed gender ideology of the Convention defending homosexual perversity. Indeed, the final decision of the Council of State which concluded that the Presidential decision on withdrawal was lawful whoed that the feminist interventions against the state for the reversal of the decision have resulted in refusal due to gender selectivities of the state favoring and justifying antigenderism (Özkazanç, 2022a).

According to the last premise of materialist-feminist state theory, historical forms of states are temporary settlements of social conflict and if inequalities deplete reproductive capacity, contradictions arise. As mentioned in previous chapters, the rise of anti-gender movement is closely linked to opposition to Istanbul Convention, and when the actors of the movement began their campaigns for reversal from Istanbul Convention, the conflicts within the AKP politicians became clear. For

example, when some Islamist writers in pro-government media started to criticize the AKP due to supposed feminist policies. One indicative example of this attack was the targeting of KADEM by a male's rights activist, Sema Maraşlı, for embracing feminist theory (Gümüş, 2021, p.47). However, as seen in the previous chapter, KADEM's gender justice "amount to nothing less than antigenderism" (Ayhan, 2019).

As a matter of fact, this "in-group" disagreement over the conception of gender relations, in fact, can be thought in relation to the transformation of Islamist movements in Turkey in the 1990s. While the 1970s and 1980s was a period was characterized by an oppositional and collective understanding of Islam, "self-reflexive" period of the 1990s caused the changes in the Islamic actors' conceptions of democracy and modernity (Çayır, 2008, p.64-74). The Islamism of the 1970s and the 1980s was based was defined by three common features: an opposition to Western capitalism and socialism, an essentialist understanding of Islam, collective Islamist identity of "us" defined against the secular "other". As an alternative to Western modernity, Islam was adopted as the ideology of the *Milli Görüş Hareketi*-National Outlook Movement (NOM). The essentialist understanding of Islam of the 1970s and 1980s was also reflected in the assertive political language of the RP (*Refah Partisi*-Welfare Party) presenting itself as the representative of "the truth" which emphasized collective, totalized, Islamic understanding of national identity.

However, despite the confrontational discourse of the RP, the acquisition of new social positions by the Islamic actors, the formation of an Islamic middle class comprised of modern professionals in the 1990s reflected the willingness of the Islamic actors in Turkey to participate in modern forms of life. This middle class enlarged the public space in line with Islamic morality. The opening of, for example, new Islamic hotels, hairdressers, movie theatres diversified the life experiences of Islamic actors. The RP was also influential in the formation of these spaces, such as the Islamic cafes, when it captured the mayors of the two biggest cities in 1994. The new, worldly experiences led by the enlargement of the public spaces available to the Islamic actors caused a re-evaluation of the collective harmony of the Islamism of

the 1970s and 1980s both by female and male actors within the Islamic movement. And this re-evaluation became more obvious when the enlargement of public spaces was reversed by the 28 February process. The Islamic actors-intellectuals, literary figures, politicians-started to attain a self-reflexive attitude and revisited their Islamic past in their works. Eventually, a group of these Islamic actors who drew lessons from their experiences, particularly from the failure of the NOM parties to stay in power in a secular establishment, led to the foundation of the AKP. What differentiated the AKP's new Islamism from the traditional Islamism of the RP was its secular and consensual approach to the politics and its claim that Islam can be harmonized with democracy and modernity (Çayır, 2008, p.68-74).

While the AKP represented the moderate wing of NOM when the Islamist movement splitted, when we look at the the post-2010 era politics of the AKP, it highly resembles the confrontational politics pursued by RP in the 1970s and 1980s. Gümüş (2021, p.47-49), for example, identifies that feminist critics of Islamist community started in 1990s with second generation Islamist women, whereas first generation of Islamist women of 1970s allied with man in their arguments against the secular establishment. In this sense, while Maraşlı represents the first-generation Islamist women, KADEM represents the second-generation Islamist women who utilize feminist theory and appropriate feminist concepts in a religion-friendly way. While the AKP highly benefited from women's support in its early periods, in the current political-economic conjuncture, the AKP's selective patriarchy has a challenging job to mediate the disagreements among "agreeable women". This factor can also be regarded as another reason why the the state tilted the direction of the gender selectivity towards anti-gender figures such as Sema Maraşlı.

As explained before, gender selectivities of the state does not refer to a rigid gender order but rather a set of strategic policies to govern the time and place bound socio-economic and political needs of the capitalist state. In this sense, the AKP's selective patriarchy can exist together with anti-gender tendencies to govern the contradictions of the political-economic crisis in post-2018 period. Thus, while the new state defines and redefines who constitutes the "agreeble woman" loyal to the socio-

economic order, looking at the discussions among “agreeable women” and growing resistance of the “non-agreeable women”, the new centaur state has a challenging job to govern in-built contradictions emanating from inequalities.

CHAPTER 5

CONCLUSION

This study critically examines the Presidential decision in Turkey to withdraw from The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, shortly known as Istanbul convention. As the first European instrument that sets binding obligations on the states that ratify the Convention, the Convention was opened for signature on 11 May 2011 in Istanbul and has been effective since August 1, 2014 (Niemi et al., 2020, p.3). As the most comprehensive international tool when compared to its precedent tools that has ever produced against gender-based violence, the Convention is the first legally binding international treaty that gives an extensive account of measures to prevent violence against women, protect victims, and prosecute the perpetrators and devise policies to empower women against violence (Simonovic, 2014, p.602-603).

The Convention contends that “the key element in the prevention of violence against women” is the “*de jure* and *de facto* equality between women and men” and that violence against women “...is a manifestation of historically unequal power relations between women and men...” (Council of Europe, p.5-6). Moreover, the Convention is the first international document that defines gender (Bakırcı, 2015, p.135) as “the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for women and men”(Council of Europe, 2011, p.8). Thus, the Convention openly takes on a feminist approach to VAW argues that transformation of gender relations is intrinsic for the eradication of VAW. And it is this exact point that has been internationally contested by conservative actors who oppose gender is a socially constructed notion. Starting from its drafting process (Acar & Popa, 2016, p.304) to its ratification across Europe (Krizsán& Roggeband, 2021, p.2), the gender perspective that is intrinsic to the Convention is fiercely opposed by religious and political actors who launch campaigns against the signature and ratification of the Convention in different national contexts (Krizsan & Roggeband, 2021, p.55).

Indeed, opposition to Convention is part of a greater attack on gender equality that gained impetus since the late 2000s but dates to earlier decades (Krizsán& Roggeband, 2021, p.33). Accordingly, the 1990s, the years marked by the feminist and queer attempts to introduce new understandings of gender and sexuality into international politics (Corredor, 2019, p.619). In this global context, a phenomenon which is variably conceptualized in the literature such as “anti-gender mobilization” (Kováts & Põim, 2015), or “the war on gender” (Korolczuk, 2014) started as counter movement to hamper feminist and queer efforts. For the purposes of this study, I preferred to stick to the conceptualization of anti-genderism as offered by Korolczuk& Graff, denoting a political movement opposing gender at these three levels (2018, p.799): as a concept, as an ideology/theory and as a social practice and political project.

In Turkey, anti-genderism in the form of popular mobilization is a much more recent phenomenon, that gained impetus with opposition to Istanbul Convention and its gender perspective the anti-gender movement in Turkey since 2019. Mostly built around “male victimization” discourse, the Convention, and the related Law No. 6284 on “Protection of Family and Prevention of Violence against Women” have been problematized by these groups, claiming that gender law and policy of the AKP unjustly favors women and the Convention lays the ground for homosexual perversity in the country. Consequently, in May 2020, the publication of a report demanding the withdrawal from the Convention by a conservative platform called Türkiye Düşünce Kuruluşu (Turkey Thinking Platform) has intensified the debates surrounding the Convention, especially within the ruling AKP (Güneş& Ezikoğlu, 2022, p.8) and the anti-gender campaign against the Convention successfully resulted in a Presidential Decision to withdraw from the Convention published on March 20, 2021. Building on this historical background, the question this study raised was: why did a PM who declared in 2010 that he does not believe in gender equality, a year later, signed Istanbul Convention as an international instrument embracing gender equality?

In this sense, this study assumes that the case of Istanbul Convention might be indicative of the transformation of political power and its gender politics in Turkey. To this end, this study first, examines the process leading to signing of the Convention, and second, the process leading to withdrawal. Accordingly, looking at the literature on AKP-gender nexus in general, and those attempting to make sense of the reversal from Istanbul Convention, this study argues that the literature is excessively involved with regime analysis which attributes withdrawal from the Istanbul Convention to the illiberalism/ authoritarianism of the AKP, in other words, misuse of power by political actors. However, the picture from a critical perspective seems more complicated. In opposition to these studies, this thesis contends that signing of the Convention was not liberal/democratic/reformist in nature either and the factors at play determining the position of the political power vis-à-vis women are greater than short-term political interest such as elections or concern for political image. Thus, one of the sub-arguments of this study is that, although de jure adopted, Istanbul Convention was never ideologically embraced by the Party and its the de facto implementation was not realized.

Indeed, pointing out the simultaneous rise of illiberal tendencies and anti-genderism in global context, this study emphasizes that anti-gender developments need to be contextualized from a state perspective based on national and global socio-economic transformation affecting state practice. While liberal methodology conceives of anti-gender developments (e.g., withdrawal from the IC) as democratic failures of political power, the structuralist perspective acknowledges that states are constrained by political-economic conditions and social struggles. Consequently, based on the recontextualization of materialist-feminist state developed by Hülügü (2021a), this study argues that the change taking place in the political power on the road to the withdrawal is not the AKP's misuse of power, but a change in *the gender selectivities* of the new state form throughout the rule of a political party that have always embodied an essentialist/religious approach to gender. This argument is based on two sub-arguments:

1. Gender is *intrinsic* to the formation of a new state form in Turkey.
2. The Presidential Decision on withdrawal from Istanbul Convention is a result of the consolidation of *selective patriarchy* in post-2010 era Turkey which, from 2018 onwards, found itself in a political-economic crisis and consequently tilt the direction of gender selectivity of the new Turkish state towards *anti-genderist/anti-feminist social forces*.

In short, materialist-feminist theory assumes that state is “a historical-relational structure, with deep-rooted gender selectivities” (Hülagü, 2021a, p.2). Such a conception of state is based on following premises (Hülagü, 2021a, p.14-32): states are historical and material condensation of social struggles; social struggles are bound by socio-economic necessities of the state; political boundaries shape the gender selectivities of the state; these selectivities, in return, decide on the final form of the feminist interventions; states forms are only temporary settlements of the social conflicts.

“Gender selectivity” is a term Hülagü borrowed from Jessop (2004) to denote a set of institutional, legal and discursive strategic practices actualized by the capitalist state apparatuses to govern not only the relations between women and men in a specific political-economic context but also between women and women and between men and men (Hülagü, 2021a, p.19-20). The capitalist state, from this perspective, is determined by the two contradictory tasks to reproduce the social: safeguarding the labour force while ensuring profitability for capital (Hülagü, 2021a, p.18). To sustain social reproduction, the capitalist state adopts policies, e.g, minimum wage, and institutions ,e.g. male-breadwinner family (Hülagü, 2021a, p.19).

However, as these policies or institutions necessitate the reproduction of certain gendered dependencies/privileges, they are also not free from contradictions. As such, they have been historically contested. In short, the two contradictory tasks- social reproduction on one hand, and capital accumulation on the other- condition the

gender selectivities of the capitalist state. Thus, within the necessities of the existing regime of capital accumulation, state privileges certain gender groups/policies/institutions/state apparatuses over others. Indeed, the term gender selectivity does not refer to a fixed form of gender hierarchy but instead an abstract one to expose the gendered nature of the capitalist state. “For the gender selectivities of the state should be constantly reproduced in a time- and space-bound manner, they are not once and for all determined” (Hülagü, 2021a, p.20).

What Hülagü (2021a, p.22-24) pays attention to at this point is that the capitalist states are not only socio-economically, but also politically bounded: a capitalist state aims to exclude certain events in social and political relations. These “non-events” are anti-subversion (deterrence of emancipatory events) and the principle of anti-failure (the deterrence of state weakness). While the anti-subversion principle points to the responsibility of the capitalist state to prevent any structural transformation of the political order that would disrupt capital accumulation, the principle of anti-failure refers to the need to prevent the complete closure of the political scene to the reformist demands. These non-events also determine the gender selectivity of a capitalist state. In sum, gender selectivities of states are conditioned both by the socio-economic and political needs of capitalist state and the gender ideology of the ruling political power.

Accordingly, Hülagü (2021a, p.151) terms the new gendered political form of state in Turkey as the centaur state, “a state which adopts hybrid mechanisms of administration for different social groups”. Based on her exegesis from Wacquant (2010), a scholar in the field of criminology studies, the analogy of the centaur state is also adopted by Hülagü (2021a) to emphasize the historical change in the modern bourgeoisie state form in terms of its political foundation. While the modern state was erected on egalitarian foundations, the centaur state is a post-modern form whose political foundation is built on the differential treatment of its citizens. While the bourgeoisie state has always been operating on the principle of differential treatment of its citizens, what is new about the centaur state is that this discriminatory attitude is applied undisguisedly to a point where the state, for

instance, "...accuses secular women of being puppets of the Western powers..." (Hülagü, 2021a, p.12). This "selective operation and valorization system" informing the state practice is legitimated through different material and discursive strategies (Hülagü, 2021a, p.12). Overall, the centaur state in Hülagü's words (2021a, p.12) "... is the state whose modern contradictions are offset in disfavor of the dependent classes and groups, including women."

While there are studies that examine political economic processes with a gender lens, they do not investigate "the state question" but rather majorly focus on negative effects of neoliberal restructuring on women's lives. In this sense, as the analytical tools Hülagü (2021a, 2020) makes use of in her study centers around the state question, it compensates for the lack of state perspective when thinking of material processes in relation to gender. Thus, Hülagü's feminist materialist theory based on the Turkish context is a significant academic contribution to understand gender politics in Turkey with a direct focus on the state and the empirical field that Hülagü study of security field is also relevant to the subject of this study, as the principle of human security, understood as "the idea that the fundamental human right an individual should be provided with – *by the state* – is freedom from basic insecurities." has also been advocated to prevent all forms violence including violence against women (Hülagü, 2021a, p.4).

Accordingly, based on the theoretical and conceptual framework explained above, this study critically analyzes the AKP rule in Turkey with a focus on gender based on a periodization from 2002 to 2021, specifically delineating conservative normative and neoliberal material processes culminating in withdrawal from Istanbul Convention: 2002-2007, 2007-2011, 2011-2018, 2018-2021. While the first three periodization are based on government terms of the AKP except for government of 2015, the last period is chosen as 2018-2021 to signify both the transition to a presidential system and the rise of anti-gender equality social movement in Turkey. Accordingly, based on the materialist-feminist theory, this study emphasizes that, while the principle of anti-failure was dominant in the rule of the AKP-led state before 2010s, after 2010s the principle of anti-subversion has become more dominant

due to a series of events that risked the reproduction of the polity in general. Keeping this general framework for the different dominant political needs in the so-called reformist and authoritarian phases of the state, however, unlike liberal-institutionalist methodology, this study contemplates from within the critical literature that examined dialectical relationship between the different eras of the AKP. As such, this study assumes that reformist and authoritarian eras of the AKP are different but not *discrete*, and what differentiated this perspective from the liberal methodology was the claim that (Hülagü, 2021a, p.15):

...the different dimensions of a state, however contradictory they may be, share a historically and socially determined political direction and certain correlated limits of action disciplining the disparate state powers towards a common aim: the reproduction of the capitalist society in its entirety.

Accordingly, in the critical analysis of gender policies of the ruling AKP in the first period, 2002-2007, this study emphasizes, through various examples on the contradictory approach of the Party to different women's issues, that the Party's gender ideology has been consistent in terms of its religious-conservative approach based on the essentialist complementarity understanding. Although the adoption process of the progressive reforms on gender equality were not deprived of contradictions, the Party, nevertheless, brought about important legal changes for women. Translated into the vocabulary of feminist-materialist state theory, thus, there have been feminist interventions in the state in the reformist era which resulted in compromise. Women's inclusion in the social contract endorsed by the AKP in this era was based on the state's need for societal acceptance and legitimacy, i.e., the anti-failure principle as one of the two nonevents that a capitalist state wants to avoid for secure functioning of capital accumulation and the reproduction of state rule itself. As the party wanted to secure its social base, inclusion of women in the social contract in the party's early era was important. On the other hand, due to its political Islamist past the AKP yet felt weak vis-à-vis- secular establishment. Thus, in terms of the political needs of the Party, conservative-democracy project served to prevent anti-failure by forging public contentment through adoption of progressive reforms in accordance with the EU membership process.

On the other hand, the reforms adopted for the participation in labor revealed that a capitalist state also operates along socioeconomic needs-social reproduction and profitability for capital-for reproduction of capitalist society in its entirety. In this sense, neoliberal advocacy of flexible forms of labor asked for work-family balance from women. Thus, mediocre attempts to include women in labor market did not touch women's invisible labor at home, which forms the basis of Turkey's social reproduction as it depends on "housewifization" (Hülagü, 2021a, p.22). In other words, based on the reading of political legitimation needs on the one hand and socio-economic needs on the other, Turkish state had *capitalist-patriarchal gender selectivities* in the reformist era (Hülagü, 2021a, p.150).

In the second period of the Party (2007-2011), this study emphasizes the context leading to signing of the Convention despite lack of genuine ideological support by the ruling Party. In the this period, patriarchal and moral notions have become more prevalent in the Party's rhetoric related to gender issues (Acar & Altunok, 2013, p.14). Accordingly, policies, decisions, discourses, laws, and norms related to gender relations have become increasingly shaped by neoconservative familialism and neoliberal market rationality, reflecting the capitalist-patriarchal gender selectivities of the state (Hülagü, 2021a, p.150). While the familialism of the Party emphasized the sacredness of motherhood, neoliberal labor policies secured the status of women as dependents.

Likewise, the AKP's gender ideology assumes separate and gendered spheres of social life which are seen as complementary to each other (Koğacıoğlu, 2004, p.131-132). While the Party has always preserved this understanding of gender relations, public announcement of belief in patriarchy has heralded the future policies of the state in Turkey on its way to become a centaur state. As such, during his meeting with the leaders of women's organizations in 2010, the then PM openly declared that women and men should be treated differently by stating that "I don't believe in gender equality. That's why I prefer to call it equality of opportunity. Men and women are different, they are complementary to each other." (Milliyet, 2010).

Paradoxically, a year later, the same PM signed Istanbul Convention as an international instrument which declares that “the key element in the prevention of violence against women” is the “*de jure* and *de facto* equality between women and men” (Council of Europe, 2011, p.5). From a neo-conservative perspective, social problems such as domestic violence stem from decline of the family and thus strengthening the family is seen as a remedy to the wrongs of the modern social order (Acar & Altunok, 2013, p.18). Therefore, the political support of the AKP government to the Convention was not an ideological support in nature, but nevertheless adopted, because VAW is seen as a threat to the family and women’s reproductive roles within the family. Some other factors specific to the issue of VAW also pushed the AKP government to sign the Convention such as increasing femicides that works against the principle of anti-failure, which dictates the capitalist state to “make life possible” (Hülagü, 2021a, p.24). Also, by adopting the Convention, the AKP was also able to neutralize the effects of *Opuz v Turkey* (2009) case, through which the ECHR ruled that the Turkish state breached its due diligence obligation to prevent violence. Also, it was through this case that, VAW was recognized by the Court as discrimination based on gender for the first time (Tiryakioğlu, 2015, p.238).

In the analysis of the period from 2011 to 2018, this study emphasizes the proliferation and acceleration of policies centering around the family institution, increasing role of the Diyanet in the politics of family and the propagation of gender complementarity understanding through GONGOs/Government-Organized Non-Governmental Organizations. However, the most important event that caused sharpening in the gender strategies of the state was the rising resistance to the AKP rule, that culminated in the Gezi Uprisings. Increasing resistance of women to the roles assigned to them through has forced the ruling state to profile different categories of femininity (and masculinity) based on a harmonious Turkish-Islamist society conception and develop different governing strategy for each. In Hülagü’s (2021a, p.14) words “Politically active women who opposed the neoliberal-neoconservative policies of the AKP have become the Achilles’ Heel of the centaur state”.

As such, in order to govern politically active women, the state accorded to selective/differential patriarchy, defined as “a governmental logic used by the state apparatus to manage – but also to construct – different gendered identities and divisions through distinct administrative apparatuses.” (Hülagü, 2021a, p.126). In this period, among the oppositional women, the disproportionate state violence experienced by Kurdish and Alevi women indeed, indicated that the AKP-led state was already on its way to become a centaur state- a state which benefits from gender as a governmental apparatus and adopts hybrid mechanisms of administration for different social groups and sub-groups (Hülagü, 2021a, p.145-146). As the Gezi events proved, although the ruling Party have encapsulated women into the family, the autonomy demands of a young generation of women in Turkey has been consistent. Especially since July 2016 failed coup attempt, the state in Turkey upgraded “the patriarchal dividend”²⁴, i.e., the advantage accorded to men-and some women-as a group from maintaining an unequal gender order (Hülagü,2021a, p.21). The patriarchal dividend has always existed in the AKP rule, however, what differentiates post-modern centaur state from the modern state is the open attitude and expression about it.

Thus, different types of crisis caused Turkish state to take advantage of “gender divisions by fashioning political appeals and building social bases, etc.” (Jessop, 2004, p.234). And this is exactly what happened in the post-2018 era. Indeed, the deepening social and state crisis in this era showed that gender is an intrinsic governmental apparatus of the centaur state, selectively applied based on the socio-economic and political needs of the capitalist state. The rise of anti-genderism as a popular movement in Turkey and state’s alignment with the movement corresponds to a period marked by the crisis of the patriarchal gender contract on the one hand and the crisis of the neoliberal social contract on the other. According to materialist-

²⁴ “Patriarchal dividend’ is a concept utilized by Raewyn Connell (2009, p.142) as ‘the advantage to men as a group from maintaining an unequal gender order’. Hülagü extends the term to include “...certain women under certain conditions – especially in cases where conservative political regimes are also supported by a non-negligible number of women, such as in the case of AKP’s Turkey” (Hülagü, 2021a, p.162).

feminist state theory, within the structural necessities of the existing regime of capital accumulation, state privileges certain gender groups/policies/institutions/state apparatuses over others. In the case of Istanbul Convention, withdrawal also served to appease socioeconomic needs of the capitalist state in Turkey; social reproduction on one hand, and capital accumulation on the other because it is only as such that it can reproduce its own political rule (Hülagü, 2021a, p.19).

The contradictory socio-economic mandates force the capitalist state to forge different rules of entitlement and identity. To sustain basic human subsistence, the capitalist state in Turkey has so far depended on patriarchal family model that advocated domestic roles for women and increasing resistance to forced housewifization has instigated rather more assertive advocacy of women's role in the home domain by gender complementarity understanding. On the other hand, to ensure profitability for the capital, the state must "devalue and/or revalue certain forms of labour" (Hülagü, 2021a, p.19). In other word, to protects the interests of actors like MUSIAD who benefit from gender inequality, state has to de-value women's labor outside home so that women stay as housewives, give birth to future laborers, and perform plethora of other reproductive roles for free. And hence, reproduce the labor-force. As mentioned in the literature review section, Şahin (2021, p.14) argues the opposition of conservative groups, such as MUSIAD, to Istanbul Convention was related to "... the material costs the elimination of certain discriminatory and exploitative practices (justified as customs or traditions) entails". As gains in terms of women's rights entails change in the existing gender relationships, gender transformative reforms such as Istanbul Convention work against men who benefit from unequal status of women in the household, in employment and politics (Şahin, 2021, p.12).

According to materialist-feminist theory, states are not only socio-economically but also politically bounded. The post-2018 period can be made sense by the two non-events that capitalist state must exclude from social and political relations: subversive politics and a state failure (Hülagü, 2021a, p.22-24). Despite violent repression of women's resistance against the neoconservative-neoliberal policies of

the AKP, women's resistance has been growing bigger and more assertive. While women were demanding the implementation of the Convention before the decision, after the decision women did not give up on the Convention and continued to defend the Convention (Göztepe, 2022). As such, women's groups came together under *Esitlik için Kadın Platformu* (Women's Platform for Equality) and started a campaign for the reversal of the decision by the Council of State (Özkazanç, 2022a). As shown in previous section, the principle of anti-subversion, conditions the gender selectivities of the state at the intersection of different social hierarchies which enables and construct acceptable and non-acceptable form of femininity and masculinity. However, acceptable forms of femininity and masculinity are not necessarily defined along "the sexist and/ or misogynist gender scripts of the male statecraft" but "pushes the state apparatus to make pragmatic and conjuncture-related strategic selections" (Hülagü, 2021a, p.23).

On the other hand, while it has become impossible for the AKP to come to term with "subversive women", it has also become difficult to persuade "agreeable women" such as women figures of anti-gender movement to its rule. In this respect, the anti-failure principal forces states to gain social acceptance. Within the context of rising assertiveness of essentialist understanding of gender and gender relations and women's rejection of patriarchal gender contract, the crisis of livelihood and political developments such as the loss of Istanbul mayoral elections, declining internal cohesion within the AKP which resulted in constitution of new parties, the AKP government has been open to demands of "more radical nationalist and conservative groups who were unhappy with the previous reformist and EU-oriented perspective of the government" (Yarar, 2020, p.128). Consequently, in this socioeconomic and political conjuncture in post-2018 period, the gender selectivity of the new centaur state in Turkey leaned towards anti-genderist/anti-feminist social forces, which culminated in the decision to withdraw from Istanbul Convention.

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APPENDICES

A. TURKISH SUMMARY / TÜRKÇE ÖZET

Bu çalışma, Türkiye devletinin, Adalet ve Kalkınma Partisi'nin iktidarı boyunca toplumsal cinsiyet siyasetine eleştirel bir bakış getirerek, Kadına Yönelik Şiddet ve Aile İçi Şiddetin Önlenmesi ve Bunlarla Mücadeleye Dair Avrupa Konseyi Sözleşmesi'nden Cumhurbaşkanlığı Kararıyla çekilmesini incelemektedir. İstanbul'da imzaya açıldığından kısaca İstanbul Sözleşmesi adı ile tanınan sözleşme, taraf olan devletlere kadına karşı şiddeti önlemede bağlayıcı yükümlülükler getiren ilk Avrupa belgesidir. 1 Ağustos 2014 tarihinden itibaren yürürlükte olan İstanbul Sözleşmesi, bugüne kadar toplumsal cinsiyete dayalı şiddete karşı üretilmiş emsal araçlarla karşılaştırıldığında en kapsamlı uluslararası belge olma niteliğini taşımaktadır.

Kadına karşı şiddetin önlenmesinde açıkça feminist bir yaklaşım benimseyen sözleşme, toplumsal cinsiyet ilişkilerinin dönüştürülmesinin kadına karşı şiddetin ortadan kaldırılmasının özünde olduğunu savunuyor. Sözleşme'nin toplumsal cinsiyet ilişkilerini dönüştürme perspektifi ise, dini ve muhafazakar aktörlerin farklı ulusal bağlamlarda sözleşmeye karşı çıkmalarının temel nedenini oluşturuyor. Bu nedenle, sözleşme karşıtlığı aslında daha eski bir tarihe sahip olan toplumsal cinsiyet eşitliğine yönelik küresel saldırının sadece bir parçasını oluşturmaktadır. Farklı ulusal ve uluslararası bağlamlarda hareket eden bu farklı aktörler kümesini birleştiren şey, onların feminist ve cinsel politikaya muhalefetleridir. Böylece Türkiye'de İstanbul Sözleşmesi'ne muhalefet, Türkiye'deki toplumsal cinsiyet karşıtı hareketin de en önemli anlatılarından birini oluşturmaya başlamış olup, çekilme kararından da anlaşılacağı üzere sözleşme karşıtı kampanyalar bu gruplar açısından başarıyla sonuçlanmıştır.

Bu nedenle, İstanbul Sözleşmesi örneğinin Türkiye'de siyasi iktidarın ve onun toplumsal cinsiyet siyasetinin dönüşümünün göstergesi olabileceğini varsayarak, bu çalışma ö Sözleşme'nin imzalanmasına giden süreci ve Sözleşme'den geri çekilme süreçlerini amaçlamıştır. Buna göre, genel olarak AKP ve toplumsal cinsiyet ilişkisine dair literatürü ve İstanbul Sözleşmesi'nden geri dönüşü anlamlandırmaya çalışanları çalışmaları incelediğimizde, AKP'nin reformist ve otoriter olmak üzere ikiliğe dayalı siyasi dönemlendirmenin literatürde baskın odak noktası olduğunu görüyoruz. Ancak bu analiz çizgisi, yalnızca farklı dönemler arasındaki süreklilikleri vurgulamakta başarısız olmakla kalmıyor, aynı zamanda İstanbul Sözleşmesi'nden çekilmeyi AKP'nin otoriterliği ile anlamlandırıyor. Ancak, eleştirel bir bakış açısıyla baktığımızda resim daha karmaşık görünüyor. Dolayısıyla, bu çalışmaların aksine, bu tez Sözleşme'nin imzalanma sürecinin de liberal/demokratik/reformist olmadığını ve siyasi gücün kadınlar karşısındaki konumunu belirleyen faktörlerin kısa vadeli siyasi çıkarılardan daha büyük olduğunu iddia etmektedir. Bu bağlamda, bu çalışmanın alt argümanlarından biri, İstanbul Sözleşmesi'nin *hukuken* kabul edilmiş olmasına rağmen Parti tarafından hiçbir zaman ideolojik olarak sahiplenilmediği ve *fiilen* uygulanmamış olmasıdır.

Toplumsal cinsiyet karşıtı seferberlik, eleştirel bakış açısı ise, literatüre hakim olan “kopuş analizi” diyebileceğimiz metodolojiden ayrılmamızı ve toplumsal cinsiyet karşıtı gelişmeleri, devletin kararlar alırken içinde bulunduğu ulusal ve küresel sosyo-ekonomik ve politik koşullar bağlamında ele almamızı sağlıyor. Bu çalışmada, İstanbul Sözleşmesi'nin AKP hükümeti tarafından liberal imajını korumak için imzalandığı yönündeki literatürdeki yaygın eğilime rağmen, Parti'nin liberal döneminin çelişkilerden yoksun olmadığını görüyoruz. Bu nedenle bu tezde, cinsiyet meselesi söz konusu olduğunda, liberal ve otoriter dönem anlayışının, partinin iki dönemi arasındaki sürekliliği göz ardı ettiği varsayılmaktadır. Liberal metodoloji toplumsal cinsiyet karşıtı gelişmeleri (örneğin, İstanbul Sözleşmesi'nden geri çekilme) siyasi gücün demokratik başarısızlıkları olarak tasavvur ederken, siyasi iktisadi perspektif devletlerin siyasi-ekonomik koşullar ve toplumsal mücadeleler tarafından kısıtlandığını kabul eder.

Sonuç olarak, bu çalışma materyalist-feminist devlet teorisinin İstanbul Sözleşmesi vakası ile yeniden bağlamlaştırılmasına dayanarak, sözleşmeden geri çekilme yolunda siyasi iktidarda meydana gelen değişimin iktidarın siyasi gücünü kötüye kullanması değil, toplumsal cinsiyet seçiciliklerine sahip tarihsel-ilişkisel bir yapı olarak devletin değişimi olduğunu savunmaktadır. Bu argüman iki alt argümana dayanmaktadır:

1. Toplumsal cinsiyet, Türkiye'de yeni bir devlet biçiminin oluşumuna *içkindir*.
2. İstanbul Sözleşmesi'nden çekilmeye ilişkin Cumhurbaşkanlığı Kararı, 2010 sonrası dönemde *seçici ataerkilliğin* konsolide edildiği Türkiye'nin, kendisini 2018'den itibaren siyasi-ekonomik bir krizin içinde bulması ve toplumsal cinsiyet seçiciliğinin yönünü *toplumsal cinsiyet karşıtı/anti-feminist sosyal güçlere doğru* değiştirmesinin bir sonucudur.

Funda Hülagü tarafından Türkiye'de liberal polis inşası bağlamında geliştirilen materyalist-feminist teori, devletin cinsiyet seçicilikleri olan tarihsel-ilişkisel bir yapı olduğunu varsayar. Böyle bir devlet anlayışı şu önermelere dayanmaktadır: Devletler, toplumsal mücadelelerin tarihsel ve maddi yoğunlaşmasıdır; toplumsal mücadeleler, devletin sosyo-ekonomik gereklilikleriyle sınırlıdır; siyasi sınırlar, devletin toplumsal cinsiyet seçiciliğini şekillendirir; bu seçicilikler, karşılığında, feminist müdahalelerin son şeklini belirler; devlet biçimleri toplumsal çatışmaların yalnızca geçici yerleşimleridir.

Kapitalist devlet, bu açıdan bakıldığında, toplumsal olanı yeniden üretmek için birbiriyle çelişen iki görev tarafından belirlenir: sermaye için karlılık sağlarken işgücünü korumak. Yeniden üretimi sürdürmek için “asgari ücret” gibi politikalar ve “erkeğin geçimle sorumlu olduğu aile” gibi kurumlar benimser. Ancak bu politikalar veya kurumlar, belirli toplumsal cinsiyete dayalı bağımlılıkların/ayrıcalıkların yeniden üretilmesini zorunlu kıldığından, çelişkilerden de arınmış değildir. Bu nedenle, tarihsel olarak tartışılmışlardır. Kısacası, iki çelişkili görev -bir yanda toplumsal yeniden üretim ve diğer yanda sermaye birikimi- kapitalist devletin

toplumsal cinsiyet seçiciliğini koşullandırır. Dolayısıyla, mevcut sermaye birikim rejiminin gereklilikleri çerçevesinde devlet, belirli cinsiyet gruplarını/politikalarını/kurumlarını/devlet aygıtlarını diğerlerine göre ayrıcalıklı kılmaktadır. Gerçekten de toplumsal cinsiyet seçiciliği terimi, sabit bir cinsiyet hiyerarşisi biçimine değil, kapitalist devletin cinsiyetçi doğasını teşhir etmek için soyut bir hiyerarşiye gönderme yapar. Dolayısıyla, bir analitik araç olarak toplumsal cinsiyet seçiciliği devletin toplumsal cinsiyet seçiciliklerinin devletin o zaman ve mekana bağlı gerekliliklerine bağlı olarak sürekli yeniden üretildiğini varsayar.

Hülagü'nün bu noktada dikkat çektiği şey, kapitalist devletlerin sadece sosyo-ekonomik olarak değil, aynı zamanda politik olarak da sınırlı olduklarıdır: kapitalist bir devlet, toplumsal ve politik ilişkilerde belirli olayları dışlamayı amaçlar. Bu “olmayan olaylar”, yıkım karşıtı (özgürleştirici olayların caydırılması) ve başarısızlık önleme ilkesidir (devlet zayıflığının caydırıcılığı). Yıkım karşıtı ilke, sermaye birikimini kesintiye uğratabilecek herhangi bir siyasi düzen yapısal dönüşümünü önlemek için kapitalist devletin sorumluluğuna işaret ederken, başarısızlık önleme ilkesi, siyaset alanının yenilikçi toplumsal taleplere tamamen kapatılmasının önlenmesi ihtiyacına işaret eder. Bu olmayan olaylar, kapitalist bir devletin toplumsal cinsiyet seçiciliğini de belirler. Örneğin, bazı kadınların siyasallaşması yıkıcı ve mevcut toplumsal cinsiyet düzenine aykırı olarak algılanırsa, devlet aygıtları anti-feminist hareketlere katılabilir.

Ancak devletin cinsiyet seçicilikleri, sermayenin ihtiyaçlarına hemen cevap vermemekte, devletin bürokratik ve kurumsal matrisinden de süzgeçten geçirilmektedir. Türkiye'de iktidar bloğu, kadın ve erkek arasındaki tamamlayıcılık anlayışına dayanan “toplumsal cinsiyet adaleti” karşıt normunu destekleyen politikalar üretiyor. Ancak toplumsal cinsiyet ilişkilerine dair bu anlayış, Türkiye'nin toplumsal yeniden üretim rejimini sekteye uğratan aile içi şiddeti dizginleyememiştir. Aile içi şiddet gibi sorunlar, Türkiye'de aile birliğine ve buna bağlı olarak genel toplumsal düzene yönelik bir tehdit olarak algılanmaktadır. Özetle, devletlerin toplumsal cinsiyet seçicilikleri, hem kapitalist devletin sosyo-ekonomik ve politik

ihtiyaçları hem de iktidardaki siyasi gücün cinsiyet ideolojisi tarafından şartlandırılmıştır.

Buna göre Hülagü Türkiye'deki yeni cinsiyetçi siyasi devlet biçimini, farklı toplumsal gruplar için farklı yönetim mekanizmalarını benimseyen bir devlet olan “Sentor devleti” olarak tanımlar. Sentor devlet benzetmesi benimsenerek modern burjuva devlet formunun siyasi temeli açısından tarihsel değişimi vurgulanmıştır. Modern devlet eşitlikçi temeller üzerine kurulurken, Sentor devleti, siyasi temeli vatandaşlarına farklı muamele üzerine inşa edilen post-modern bir devlet biçimidir.

Sentor benzetmesi, Yunan mitolojisinden yarı insan/yarı at bir yaratığı ifade eder ve Wacquant bunu Küresel Kuzey bağlamında Leviathan'ın antitezi olarak kullanır. Hülagü ise bu benzetmeyi, yeni devletin farklı sosyal gruplara yönelik farklı yüzlerini vurgulamak için kullanıyor. Bu nedenle, sentor devleti, hiçbir vatandaşın bir diğerine eşit olmadığı ve aynı anda, farklı sosyal sınıflar için farklı olarak tasarlanmış siyasi rejimlerin işe koşulduğu bir devlettir. Ancak toplumsal sınıf hiyerarşisi de diğer eşitsizliklerin kesiştiği noktada kurulur ve Küresel Güney'deki sentor devletinin işleyişini Küresel Kuzey'den ayıran da bu niteliktir.

Türkiye'deki siyasi-iktisadi süreçleri toplumsal cinsiyet merceğinden inceleyen çalışmalar olsa da “devlet sorunu”nu değil, daha çok neoliberal yeniden yapılanmanın kadınların yaşamları üzerindeki olumsuz etkilerine odaklandıklarını görüyoruz. Bu nedenle, Hülagü'nün feminist materyalist teorisi, doğrudan devlete odaklanarak Türkiye'deki toplumsal cinsiyet siyasetini anlamak için önemli bir akademik katkıdır ve Hülagü'nün güvenlik alanıyla ilgili ampirik araştırmasının da bu çalışmanın konusuyla ilgilidir. Dolayısıyla bu çalışma, materyalist-feminist teorik ve kavramsal çerçeveye dayanarak, Türkiye'deki AKP iktidarının toplumsal cinsiyet siyasetini, özellikle İstanbul Sözleşmesi'nden çekilmeyle sonuçlanan muhafazakar normatif ve neoliberal maddi süreçleri betimleyerek, eleştirel bir şekilde analiz etmiştir.

Buna göre, materyalist-feminist teoriye dayanan bu çalışma, 2010'lu yıllar öncesinde AKP liderliğindeki devlet iktidarında başarısızlık karşıtlığı ilkesinin egemen olduğunu, 2010'lardan sonra ise, iktidarın yeniden üretimini riske atan bir dizi olaylardan dolayı, yıkıcılık karşıtlığı ilkesinin daha baskın hale geldiğini vurgulamıştır. Ancak bu çalışma, liberal metodolojiden farklı olarak, AKP'nin farklı dönemleri arasındaki diyalektik ilişkiyi inceleyen eleştirel literatürden yola çıkarak tasarlanmıştır. Bu itibarla, bu çalışma, AKP'nin reformist ve otoriter dönemlerinin farklı olduğunu ancak *ayrık olmadığını* varsaymıştır ve bu bakış açısını liberal metodolojiden ayıran şey şu iddiadır: bir devletin farklı boyutları, ne kadar çelişkili olursa olsunlar, tarihsel ve toplumsal olarak belirlenmiş bir siyasi yönü ve farklı devlet güçlerini ortak bir amaca doğru disipline eden belirli ilişkili eylem sınırlarını paylaşırlar. Ortak amaç ise kapitalist toplumun bir bütün olarak yeniden üretilmesidir.

Buna göre, bu çalışma, AKP'nin 2002-2007 yıllarına tekabül eden ilk iktidar dönemindeki toplumsal cinsiyet politikalarının eleştirel analizinde, Parti'nin farklı kadın meselelerine çelişkili yaklaşımına dair çeşitli örneklerle, Parti'nin toplumsal cinsiyet ideolojisinin dindar-muhafazakar yaklaşımı açısından en baştan itibaren tutarlı olduğunu vurgulamıştır. Bu dönem, çelişkilerden yoksun olmasa da, yine de kadınlar için önemli yasal değişiklikler getirdi. Feminist-materyalist devlet teorisinin söz dağarcığına tercüme edildiğinde, reformist dönemde devletle uzlaşmayla sonuçlanan feminist müdahaleler olmuştur. Bu dönemde AKP'nin onayladığı toplumsal sözleşmeye kadınların dahil edilmesi, devletin toplumsal kabul ve meşruiyet ihtiyacına, yani kapitalist bir devletin sermayenin güvenli işleyişi için kaçınmak istediği iki olaydan biri olan başarısızlık önleme ilkesine dayanıyordu. Parti, toplumsal tabanını güvence altına almak istediğinden, partinin erken döneminde kadınların toplumsal sözleşmeye dahil edilmesi önemliydi. Öte yandan AKP, siyasal İslamcı geçmişi nedeniyle laik düzen karşısındahenüz zayıftı. Böylece, Partinin siyasi ihtiyaçları açısından, muhafazakar-demokrasi projesi, AB üyelik sürecine uygun olarak ilerici reformların benimsenmesi yoluyla halkın memnuniyetini sağlayarak başarısızlıkla mücadeleyi önlemeye hizmet etti.

Öte yandan, emeğe katılım için benimsenen reformlar, Türkiye'deki kapitalist devletin toplumsal yeniden üretim ve sermaye için kârlılık doğrultusunda hareket ettiğini ortaya koydu. Bu anlamda, esnek emek biçimlerinin neoliberal savunuculuğu, kadınlardan iş-aile dengesini istedi. Dolayısıyla, kadınları işgücü piyasasına dahil etmeye yönelik vasat girişimler, Türkiye'nin toplumsal yeniden üretiminin temelini oluşturan “ev kadınlaşmasına/hanımlaşmasına” bağlı olduğu için kadının evdeki görünmez emeğine dokunmadı. Diğer bir deyişle, bu çalışma, bir yanda siyasi meşruiyet ihtiyaçları, diğer yanda sosyo-ekonomik ihtiyaçların okunmasına dayalı olarak, Türk devletinin reformist dönemde *kapitalist-ataerkil toplumsal cinsiyet seçicilikleri* olduğunu savunmuştur.

Öte yandan, bu çalışma AKP'nin ikinci döneminde (2007-2011), Sözleşme'ye gerçek ideolojik desteği olmamasına rağmen İstanbul Sözleşme'nin imzalanmasına yol açan bağlamı vurgulamıştır. Öyle ki, bu dönemde Parti'nin toplumsal cinsiyet konularına ilişkin söylemlerinde ataerkil ve ahlaki anlayışlar ağırlık kazanmış olup, buna bağlı olarak, toplumsal cinsiyet ilişkilerine ilişkin politikalar, kararlar, söylemler, yasalar ve normlar, devletin kapitalist-ataerkil cinsiyet seçiciliklerini yansıtarak, giderek neo-muhafazakar ailecilik ve neoliberal piyasa rasyonalitesi tarafından şekillendirilir hale gelmiştir. AKP'nin aileciliği anneliğin kutsallığını vurgularken, neoliberal emek politikaları kadınların bakmakla yükümlü oldukları statülerini güvence altına almıştır. Ancak, annelik, politik olarak inşa edilmiş bir gereklilikten ziyade biyolojik bir gerçekliktir: kadınların çocuk doğurma değil de, çocuk yetiştirme rollerini vurgulamak politik bir amaca hizmet etmektedir. Bir güç sistemi olarak ataerki, kadınların kendi hayatları için özgür seçimler yapma konusunda sınırlar, böylece bakıcı rolleri devam eder. Ve ataerkillik, varsayılan özel-kamusal ikiliği veya cinsiyete dayalı işbölümü gibi daha incelikli iktidar mekanizmaları aracılığıyla varlığını sürdürür.

Aynı şekilde, bu çalışmada daha önce de vurgulandığı gibi, AKP'nin toplumsal cinsiyet ideolojisi, toplumsal yaşamın birbirini tamamlayıcı olarak görülen ayrı ve cinsiyetçi alanlar olduğunu varsaymaktadır. Parti bu toplumsal cinsiyet ilişkileri anlayışını her zaman muhafaza ederken, ataerkilliğe olan inancın kamuoyuna

duyurulması, Türkiye'nin bir sentor devlet olma yolundaki habercisi olmuştur. Nitekim 2010 yılında kadın örgütlerinin liderleriyle yaptığı görüşmede dönemin Başbakanı, “Ben cinsiyet eşitliğine inanmıyorum. Bu yüzden buna fırsat eşitliği demeyi tercih ediyorum. Kadın ve erkek farklıdır, birbirinin tamamlayıcısıdır.” demiştir.

Paradoksal olarak, bir yıl sonra, aynı Başbakan, kadına yönelik şiddetin önlenmesinde ana unsurun kadın ve erkek arasında *yasal* ve *fili* eşitlik olduğunu ilan eden uluslararası bir belge olarak İstanbul Sözleşmesi'ni imzaladı. Neo-muhafazakar bir bakış açısıyla, aile içi şiddet gibi toplumsal sorunlar, ailenin gerilemesinden kaynaklanır ve bu nedenle ailenin güçlendirilmesi, modern toplum düzeninin yanlışlarına bir çare olarak görülür. Bu nedenle, AKP hükümetinin Sözleşme'ye verdiği siyasi destek, doğası gereği ideolojik bir destek değildi, ancak yine de benimsendi, çünkü kadına yönelik şiddet, aileye ve kadının aile içindeki üreme rollerine yönelik bir tehdit olarak görülüyor. Kadına yönelik şiddet konusuna özgü diğer bazı faktörler de, kapitalist devlete “hayatı mümkün kıl” diyen siyasi gerekliliklerini zedeliyordu. Ayrıca AKP, Sözleşme'yi imzalayarak, Avrupa İnsan Hakları Mahkemesi'nin Türk devletinin şiddeti önleme konusundaki gerekli özen yükümlülüğünü ihlal ettiğine karar verdiği *Opuz - Türkiye* (2009) davasının etkilerini de etkisiz hale getirdi. Ayrıca kadına karşı şiddetin toplumsal cinsiyete dayalı ayrımcılık olarak kabul edilmesi de ilk kez bu dava aracılığıyla Mahkeme tarafından kabul edilmiştir.

2011-2018 yıllarının analizinde ise, bu çalışma, aile kurumunu merkeze alan politikaların yaygınlaşması ve hızlanması, T.C. Cumhurbaşkanlığı Diyanet İşleri Başkanlığı'nın aile siyasetindeki rolünün artması ve cinsiyetlerin birbirini tamamlayıcı olduğu anlayışının devlet eli ile kurulan sivil toplum kuruluşlarının aracılığıyla yayılmasına vurgu yapmıştır. Ancak devletin toplumsal cinsiyet stratejilerinde keskinleşmeye neden olan bu dönemdeki en önemli olay AKP iktidarına karşı yükselen ve Gezi Ayaklanmaları ile sonuçlanan direnişti. Kadınların kendilerine biçilen rollere karşı artan direnişi, iktidar devletini uyumlu bir Türk-

İslamcı toplum tasavvuruna dayalı farklı kadınlık (ve erkeklik) kategorileri oluşturmaya ve her biri için farklı bir yönetim stratejisi geliştirmeye zorlamıştır.

Bu nedenle, devlet, siyasi olarak aktif kadınları yönetmek için, "devlet aygıtı tarafından farklı cinsiyete dayalı kimlikleri ve ayrımları farklı idari aygıtlar aracılığıyla yönetmek - ama aynı zamanda inşa etmek - için kullanılan bir yönetim mantığı" olarak tanımlanan *seçici ataerki yönetim stratejisine geçti*. Bu dönemde, muhalif kadınlar arasında, Kürt ve Alevi kadınların maruz kaldığı orantısız devlet şiddeti gerçekten de AKP liderliğindeki devletin zaten bir sentor devleti - bir hükümet aygıtı olarak cinsiyetten yararlanan bir devlet - olma yolunda olduğunu gösterdi. Öyle ki, sentor devlet, farklı sosyal gruplar ve alt gruplar için hibrit yönetim mekanizmalarını benimser. Gezi olaylarının da kanıtladığı gibi, iktidar partisi kadınları aile içine hapsetmiş olsa da, Türkiye'de genç bir kadın kuşağının özerklik talepleri tutarlı olarak devam etmiştir. Özellikle Temmuz 2016'daki başarısız darbe girişiminden bu yana, Türkiye'de devlet "ataerki payını", yani bir grup olarak erkeklere-ve bazı kadınlara- eşitsiz bir cinsiyet düzenini sürdürmekten sağladığı avantajı yükseltti. AKP iktidarında ataerki pay her zaman var olmuştur, ancak post-modern sentor devleti modern devletten ayıran şey, bu konudaki açık tutum ve ifadesi olmuştur.

Dolayısıyla, farklı türde krizler, Türk Devleti'nin toplumsal cinsiyet ayrımlarından, örneğin toplumsal cinsiyet anlayışı ayrılıklarına dayanan sosyal tabanlar inşa ederek, faydalanmasına neden oldu. 2018 sonrası dönemde de tam olarak böyle oldu. Gerçekten de, İstanbul Sözleşmesi'nden çekilme öncesi dönemde, derinleşen toplumsal kriz ve devlet krizi, toplumsal cinsiyetin, kapitalist devletin sosyo-ekonomik ve politik ihtiyaçlarına dayalı olarak seçici bir şekilde uygulanan bir yönetim aygıtı olduğunu gösterdi. Türkiye'de toplumsal cinsiyet karşıtlığının bir halk hareketi olarak yükselişi ve devletin bu hareketle yakınlaşması, bir yandan ataerki toplumsal cinsiyet sözleşmesinin, diğer yandan neoliberal toplumsal sözleşmenin krizinin damgasını vurduğu bir döneme denk geliyor. Materyalist-feminist devlet teorisine göre, devlet, mevcut sermaye birikim rejiminin yapısal gereklilikleri çerçevesinde, belirli cinsiyet gruplarını/politikalarını/kurumlarını/devlet aygıtlarını

diğerlerine göre ayrıcalıklı kılar. Bu anlamda, İstanbul Sözleşmesi örneğinde sözleşmeden geri çekilme, Türkiye'deki kapitalist devletin sosyo-ekonomik ihtiyaçlarının karşılanmasına da hizmet etti. Bu ihtiyaçlar birbiri ile çelişkili bir ilişki içinde olan toplumsal yeniden üretim ve sermaye birikimi olmakla birlikte, bu çelişkili ilişkinin dengesi sağlanmadan devletin de kendi bekasını yeniden üretebilmesi riske girmektedir.

Dolayısıyla, feminist-materyalist bakışa göre, çelişkili sosyo-ekonomik zorunluluklar, kapitalist devleti farklı yetki ve kimlik kuralları oluşturmaya zorlar. Türkiye'de kapitalist devlet, toplumun temel insani geçimini sürdürmek için şimdiye kadar kadınların ev içi rollerini savunan ataerkil aile modeline dayanmış, ancak empoze edilen ev kadınlığına karşı artan direniş ters teperek cinsiyetlerin tamamlayıcılığı anlayışıyla kadının ev alanındaki rolünün daha iddialı bir şekilde savunmaya başlamıştır. Öte yandan, sermayenin karlılığını sağlamak için devletin belirli emek biçimlerini değersizleştirilmesi ve/veya yeniden değerlendirilmesi gerekir. Diğer bir deyişle, Müstakil Sanayici ve İşadamları Derneği (MÜSİAD) gibi toplumsal cinsiyet eşitsizliğinden çıkar sağlayan aktörlerin çıkarlarını korumak için devlet, kadınların ev hanımı olarak kalmaları, müstakbel işçiler doğurmaları ve diğer yeniden üretim rollerini ücretsiz olarak yerine getirmeleri için kadınların ev dışındaki emeğinin değerini düşürmek zorundadır. Ve böylece işgücü yeniden üretilir.

Bu tezde literatür taraması bölümünde bahsedildiği gibi, kadın hakları açısından kazanımlar mevcut toplumsal cinsiyet ilişkilerinde değişimi gerektirdiğinden, İstanbul Sözleşmesi gibi toplumsal cinsiyet dönüştürücü reformlar, kadının evdeki, istihdamdaki ve siyasetteki eşitsiz konumundan çıkar sağlayan erkeklerin aleyhine çalışmaktadır. Materyalist-feminist teoriye göre devletler sadece sosyo-ekonomik olarak değil, aynı zamanda siyasi olarak da sınırlıdır. 2018 sonrası dönem, kapitalist devletin toplumsal ve siyasal ilişkilerden dışlaması gereken iki olay ile anlamlandırılabilir: yıkıcı siyaset ve devletin başarısızlığı. AKP'nin neomuhafazakar-neoliberal politikalarına karşı kadın direnişinin şiddetle bastırılmasına rağmen, kadın direnişi giderek büyüyor ve iddialı hale geliyor. Kadınlar çekilme kararı öncesi Sözleşme'nin uygulanmasını talep ederken, karar sonrasında da Sözleşme'den

vazgeçmemiş ve Sözleşme'yi savunmaya devam etmişlerdir. Böylelikle kadın grupları Eşitlik İçin Kadın Platformu altında bir araya gelmiş, Danıştay'ın İstanbul Sözleşmesi'nden çekilme kararının iptali için bir kampanya başlatmışlardır. Çalışmada gösterildiği gibi, yıkıcılık karşıtlığı ilkesi, kabul edilebilir ve kabul edilemez kadınlık ve erkeklik biçimlerini mümkün kılan ve inşa eden farklı toplumsal hiyerarşilerin kesiştiği noktada, devletin toplumsal cinsiyet seçiciliklerini koşullandırır. Ancak kabul edilebilir kadınlık ve erkeklik biçimleri mutlaka erkek devlet yönetiminin cinsiyetçi ve/veya kadın düşmanı toplumsal cinsiyet senaryoları üzerinden tanımlanmaz, devlet aygıtını pragmatik ve konjonktürel stratejik seçimler de yapmaya zorlar.

Öte yandan, AKP'nin “yıkıcı kadınlarla” uzlaşması imkansız hale gelirken, toplumsal cinsiyet karşıtı hareketin kadın figürleri gibi “sadık kadınları” kendi iktidarına ikna etmesi de zorlaştı. Bu açıdan başarısızlığı önleme ilkesi, devletleri toplumsal kabul görmeye zorlar. Özcü toplumsal cinsiyet ve toplumsal cinsiyet ilişkileri anlayışının artan iddiası ve kadınların ataerkil toplumsal cinsiyet sözleşmesini reddetmesi bağlamında, geçim sıkıntısı ve İstanbul Belediye seçimlerinin kaybedilmesi, AKP içinde azalan iç uyum ve yeni anayasaların ortaya çıkması gibi siyasi gelişmeler AKP hükümeti'ni hükümetin önceki reformist ve AB yönelimli perspektifinden memnun olmayan daha radikal milliyetçi ve muhafazakar grupların taleplerine açık hale getirmiştir.

Sonuç olarak bu çalışma, 2018 sonrası dönemdeki bu sosyoekonomik ve politik konjonktürde, Türkiye'deki yeni sentor devletin cinsiyet seçiciliğinin toplumsal cinsiyet karşıtı/anti-feminist toplumsal güçlere yöneldiğini ve bu yönelmenin İstanbul Sözleşmesi'nden çekilme kararını mümkün kıldığını savunmuştur.

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