Religious discourses and framing of gender equality policies: the case of Turkey in the context of Europeanization

First draft, comments welcome, please do not quote!

Abstract

The aim of the research is to analyze what discursive framing religious actors and institutions with a religious background use in gender equality policies and to see if EU enlargement and Europeanization influence actors' frames. The research therefore aims to assess differences/similarities in framing gender equality policies by different religious actors and to see if, how and why changes occur over time as a result of contextual changes, among which Europeanization is paid most attention.

Introduction

Some researches (Yavuz 2006) have shown that Turkish parties with Islamic background like the Justice and Development Party (JDP or AKP) have shown great adaptation to Europeanization process. AKP is displaying pro-European politics with reform oriented approaches, thus it could be labelled as euroenthusiast (Korkut 2009), while the leading oppositional Republican People’s Party (CHP) or the Kemalist elite (Schimmelfenning et al. 2003) and the Nationalist Movement Party (MHP) display an eurosceptical discourse (Başkan 2009, 105). Surprisingly the Kemalist elite, which was always following modernization and westernization according to European standards as a necessity for change and development, displays conflict with democratic and human rights norms. An eventual entry of Turkey into EU would be a threat for Kemalists and the army, who enjoy many privileges and who have a sceptical stance towards the Islamic AKP government. For this reason AKP sees in EU membership a possibility of democratization that would allow them a continuation of political activities and expression in a more pluralistic political environment.

In my research I will analyze religious discourses in framing gender equality (GE) policies and within this intimate citizenship (IC) policies and policies dealing with domestic violence (GBV). These are policies dealing with intimate issues like family, marriage, divorce, children custody, homosexuality, domestic violence, rape etc. I decided to analyse these policies because they deal with contested issues that are closely connected to social and religious values and furthermore these policies are not a formal hard-law demand of adaptation to the EU; that is for fulfilment of Copenhagen criteria for EU membership. The fulfilment of Copenhagen criteria is not directly related to religious values. GE policies (except from GE in employment policy issues) and related IC issues represent a policy area left to the discretion of internal domestic affairs. So it is exactly in this area that we can see the soft-law effects and influence of Europeanization and eventual change or persistence of conservative religious discourses.

The question is how the process of Europeanization influences religious discourses and how in turn they articulate and transform their framing of policy issues in order to respond to EU membership negotiations. Since scepticism exists about AKP and its intentions (ESI 2007, 13).
There are claims that AKP is actually non-European (e.g. Tibi 2006); or claims that the Turkish government and the leading AKP represent a “tactical Europeanization” (cf. Yavuz 2006, 238), or a “surface and selective democratization and Europeanization” (cf. Önüş 2007). However at a surprise to many AKP did participate in positive changes of GE policies (for example the changes of the Penal Code), where it displayed great efforts of cooperation with civil society and accepted many changes to prevent discrimination and change society’s understanding of human rights, especially women’s human rights (cf. ESI 2007, p. 18). This marks a change not only for Turkey but also a change in perception of Islamists and Islamic groups (Keyman 2007, Karakaş 2007). To understand better what lies behind these allegations and many times stereotypical perceptions of political actors, being it religious or otherwise, I decided to apply a discursive approach to see if the EU membership process has any influence on religious discourses and consequently the framing of GE policies.

Theoretical and methodological framework

My focus of interest are the ways religious actors and their discourses produce policy meanings – this is how they interpret or frame the meaning of “gender equality” and other related policy concepts and how discourses influence these frames; furthermore my aim is to analyse what changes occur in these policy meanings, their respective discourses and discursive practices, in different historical socio-political contexts, especially the context of EU integration. The partial results in this paper are based on QUING project analysis results, which covered a period from 1995 to 2007. The limits of the Quing project method of analyzing frames is that it tells us what kind of frames and references are present but it does not tell us much on why and how a model of framing emerged (Verloo & Lombardo 2007, 40) and how it changes. The aim of my research is to extend the analysis and analyze contextual longitudinal changes or shifts in policy framing, and include more material on religious discourses, since the project did include only small amount of religious actors and missed completely religious NGOs.

To analyze this it is necessary to analyse the socio-historical and political context in which discourses emerge(d), how and why they have changed and how they have influenced institutions and actors in framing policy issues. We can answer questions like WHY and HOW specific ways of policy framing emerge, how actors and networks of actors act, interact and change, what are the processes of change of practices and meaning-making procedures, institutional and practical re-arrangements, and what is the role of Europeanization in it. Historical internal changes in Turkey (the establishment of the Republic, military coups, radical secularization, rise of political Islam, civil society movements etc.) and external influences like the process of Europeanization (historical influence of Europe, official

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1 The QUING project looks into framing of gender equality policies in all EU member states and two candidate countries Croatia and Turkey, and the EU level. The QUING analysis includes four types of documents: laws, policy plans, parliamentary debates and civil society texts. Sample texts were selected for analysis and they were analyzed in terms of how policy problems are defined, what solutions are offered, who is the voice expressing these solutions (state, civil society) and how and when EU is taken as a framework of reference. According to defined parameters, these dimensions were interpreted by researchers to form a typology of frames, which express discursive characteristics of policy framing. It is important to mention, that from all types of documents just few samples were selected, which means that results could vary depending on the selection of documents for analysis. Furthermore no religious (women's) NGOs were analyzed in QUING, therefore this paper omits civil society voices' analysis and focuses more on political parties. The project used the Critical Frame Analysis (CFA), which analyzes present FRAMES, and VOICES related to frames. To asses the influence of Europeanization on voices and their framing, CFA introduces a category of REFERENCE analysis, which represents the rationale for action. References take into account references (e.g. to EU) by different voices when framing a policy issue.
candidacy for EU membership in 1999), represent the socio-historical context within which changes are analyzed.

In these terms the approach and the results challenge conventional policy analytic approaches that would differentiate actors and their interests as given *a priori*, and would link (stable, fixed) categories of actors with stable identities, interests, aims, and beliefs and also meaning-making/framing. The focus on discursive change and agency suggests that rigid categorization is problematic (Liebert 2003; Lombardo and Forest 2009, forthcoming). Even within the literature on Europeanization and EU integration’s effects on states this is an issue (e.g. country clusters, advocacy coalitions). This is often based on stereotypical representation of states and policy actors that “fix” their interests and identities (cf. Falkner & Treib 2008 in Lombardo & Forest forthcoming). Especially religious actors are often perceived as being inextricably linked to seemingly fixed sets of strong (conservative and antiliberal) values, beliefs, and identities, and who attribute fixed long-term meanings to policy issues.

Within the literature of Europeanization new sociological and discursive approaches explain Europeanization beyond the top-down approach or "impact" of the EU on domestic systems and focus more on the processes of domestic change, since adaptation processes can be more complex than a simple "reaction" to Europe (Radaelli 2004, 6), thus it can be studied in terms of contestation. New approaches focus on diversity of policy responses to EU incentives and pay emphasis on policy practices and discourses. New approaches to Europeanization include institutional, as well as cognitive and interactional aspects. These approaches try to account for a cognitive dimension and “alteration of beliefs and expectations of domestic actors, which includes a change of preferences and strategies” (Caporaso et al. 1999, 3 in Featherstone 2003, 14). Europeanization is thus a process of adoption and internalization, including behaviour and discursive levels, of EU rules, shared norms and beliefs by states. Impact of soft-law measures and social learning as effects of Europeanization can be better achieved through historical and sociological framework of research.

Radaelli stresses the importance of study of Europeanization in context, this means within the domestic context of each country. This can be achieved with a longitudinal analysis by studying temporal sequences of policy development in a specific country, to see how, when and why in a specific way actors react and employ the influence of EU and more broadly Europeanization. Radaelli (2003, 50–52) calls this a research of Europeanization from *inside-out* or *bottom-up*. New approaches focus on new opportunities for "usage" of Europe, because domestic actors can “use” Europe in many ways. Actors can choose and learn from Europe also outside the adaptation pressures, i.e. outside the hard-law demands (Jacquot and Woll 2003, 3; Radaelli 2004, 9). This type of analysis pays attention to strategies of lobbying and networking of political practices through which state and civil society actors influence the process of decision-making.

Jacquot and Woll (2003) emphasize the role of actors in social interactions and their mediation in the integration process. They developed the concept of "political usage". Usage is a process of transforming resources and constraints into political practices” Jacquot and Woll develop three forms of usage: cognitive usage means interpretation and persuasion; strategic usage means transformation of resources in political practices for pursuing a specific goal; and legitimizing usage means reference to Europe as a way of legitimising national public policies (Jacquot and Woll 2003).
This complex interpretation between domestic and "European" level creates a variety of opportunities for actors to exploit. Thus Europeanization can be a process of exploiting the EU as an external constraint to impose certain policy (Featherstone 2003, 9) or a process in which EU becomes a political reference for actors at the level of member states to justify policy claims (Hanf and Soetendorp 1998, 1 in Featherstone 2003, 11). Thus Europeanization can be both "pressure" and "usage" (Radaelli 2004, 13). The actor is therefore an active negotiator within the institutional processes. However actor's performance may be autonomous only to some extent since the actor is still faced with institutions, which represent the "realm of possibilities" for his/her behaviour (pressure). Although actors may be acting to influence the policy process and policy outcome strategically, there is still a dimension, which is not taken into account while assuming that actors, although constrained by institutions, act consciously in strategically framing their demands. Individuals are not always autonomous in their decisions, since they are bound by external constraints, even more; they are not always strategically rational and aware that their cognitions and acts are shaped by structure, so that they may act unconsciously. So there are two dimensions of action (usage): strategic (intentional) and discursive (unintentional).

Carol Bacchi (2009) differentiates between intentional (strategic) framing and unintentional (discursive) framing and points to the interaction between agency and structure. Frames are understood as forms of explanation or as sense-making cognitive structures (Bacchi 2009). In social movement theory the frames are understood as intentional shaping of political claims (Benford and Snow 2000 in Bacchi 2009). Framing is therefore “concerned with the negotiation and (re)construction of reality by social/political actors” (Triandafyllidou and Fotiou 1998: 2 in Bacchi 2009) which is understood as strategic framing (or strategic usage). However, Bacchi brings up the “unconscious influences on framing practices”. This understanding of framing is connected to the understanding of the term discourse (Bacchi 2009). The concept of discourse has a political theoretical focus on the ways in which issues are given a particular meaning within a specific social setting (Potter & Wetherell 1990 in Bacchi 2009; Burr 1995, 164 in Bacchi 2009). Some authors in policy science understand discourse as conscious and strategic action that actors “use” in their political activity (cf. Schmidt 2002, Schmidt & Radaelli 2004). However my understanding of discourse is connected to unconscious discursive influences that actors are not always aware of.

Discourse is understood as speaking, which sets the limits on what can be said – discourse is then different from language, it is larger category than language. It is also suggested to think of discourse as frames, since they provide frameworks or ways of viewing /framing/ issues (Bove 1990, Frank 1992, 110 in Bacchi 1999, 40). The goal in this research therefore is “to identify, within a text, institutionally supported and culturally influenced interpretive and conceptual schemas (discourses) that produce particular understandings /meanings/ of issues and events” (framing) (Bacchi 2005, 199). Discourses are thus “an ensemble of ideas, concepts, and categories through which meaning is given /by intentional and unintentional practices of actors/ to social and physical /policy/phenomena, and which is produced and reproduced through an identifiable set of practices” (Hajer 2005, 300). And framing is the process of this (policy) meaning-making, where frames are interpretive “constructions that give meaning to reality”/phenomena/, while a policy frame is “an organising principle that transforms fragmentary or incidental information into a structured and meaningful policy problem” (Verloo 2005, 20).

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2 This approach has actually its source in theories of agency and structure and their dialectical relationship. See below.
3 Text can be understood broadly as written, visual, oral, “practice” etc.
Intentional framing is made by actors (political subjects) who consciously and intentionally shape or negotiate political claims and therefore try to change the perception of a problem or concept. However, concepts are defined by Bacchi (2009) as "open signifiers" and by Lombardo et al. (2009) as "open or travelling" concepts, especially when referring to GE as a concept. Policies, like those dealing with intimacy, are instrumental and expressive at the same time, so they are much contested issues. Bacchi and Lombardo rely on the definition of concepts as "essentially contested", which means that concepts and categories have no fixed meaning but reflect specific historical contexts and contested uses. According to Bacchi (ibid) "concepts are so solidly grounded in history and culture that it is difficult to recognize their constructed nature". It is therefore "unsurprising that the concept of GE is consistently shaped and reshaped".

Thus GE is an »open or travelling concept«, which can change its meaning according to its interpretation from different actors. It can be labelled in different ways depending on different contexts and on the meaning that actors attribute to it. Actors intentionally or unintentionally frame the concept. In a discursive construction of GE as a policy problem the concept undergoes a range of changes from stretching to bending, but whatever form it takes it is always intended to fit the existing context (Lombardo et al. 2009). For example GE can be »shrinked«, which means reduced to only equality in the labour market. Within EU this is often the case since the EU has tended to frame GE in different ways, but mostly in terms of market as linked to competition and attempts to combat non-employment. This clearly reveals the market oriented inclination of definitions of GE within the EU (cf. Rosilli 2000). We can say that it is dominated by a master frame or hegemonic discourse of competitive market, which is also the case of Turkey.

Thus unintentional or discursive framing explains the limits of actors' independent action constrained upon them by the structure, which constrains the agency of a political subject. To understand the processes of interpretation/framing of the meaning of GE, the discursive approach to politics of the Critical Frame Analysis is used. CFA in that sense, "aims at identifying the cognitive schemata that people use to interpret and give meanings to reality"(Lombardo et al. 2009), a cognitive schemata of which people are not always aware of and is discursive in nature. It helps us analyse »the processes by which different meanings are attributed to the concept of GE according to the intentional or unintentional intervention of policy actors who are involved in framing processes« (Lombardo and Forest forthcoming). The application of CFA is also useful to identify the "dominant ways in which GE is understood and shaped in specific political sites"(Bacchi 2009), i.e. it helps to assess the framing of GE policies in terms of inclusion or exclusion of actors who are framing the concept of GE thus paying attention to the VOICE or utterance of framing. It analyses not only how the problem of gender (in)equality is identified but also by whom – whose or which discourse and frame is most powerful and influential, i.e. which hegemonic discourse or meta-frame influence policy framing.

The (intentional and unintentional) action of framing of problems and concepts in policy realm (policy framing) is therefore an outcome of many actors' (some included and some excluded from framing) negotiation over one problem or concept, thus the meaning of the concept of GE may change, which has concrete material consequences (in kinds of policies that are developed) especially for those actors who are not included in the policy framing process (Lombardo et al. 2009). The power that some voices (actors) have while framing a policy problem is reflected in the discourses produced (hegemonic discourse), which thereof influence the understanding and the meaning (framing) of a specific problem or concept.
However, in practice, unexpected events can occur and even hegemonic discourses may change, leaving space for new, challenging and marginalised discourses to emerge. Analyzing the change of discourses and the production of meaning-making (framing), challenges dominant policy approaches that view actors and meaning-making as fixed according to homogeneous and fixed actors’ interests thus not accounting for changes in practices and structural dislocations as well as changes in identities and meanings of concepts. For this reason I find useful Discourse theory concepts (cf. Laclau and Mouffe 1985).

With the contribution of discourse theory (Laclau and Mouffe 1985, Hajer 2003, 1995, Torfing 1999, Howarth 2000, Foucault 1969/2001) and concepts like contingency, dislocations, and discursive struggle, we are able to analyze changes of discourses and thus link structures and actors/agency where both levels influence each other. To bridge the conceptual and empirical gaps between structure and agency I employ the concept of social practice, which in poststructuralist terms is defined as discursive practice (Brqlez 2006, 164–165). Discursive practice is linked to a specific (time and place of a) context, while discourse is a chain of utterances in a specific context about a specific phenomenon (Foucault 1969/2001, 126–128). The practice is discursive because actors, although they are strategic and act intentionally according to their interests, besides the influence of material environment, institutions and interpersonal relations, are also under influences of discursive environment, which influences actors through symbols, ideas and meanings (Brqlez 2008, 225). Actors are thus not completely conscious of their actions and meanings they give to phenomena since discourses are not only defined in terms of use of language, but as social practices that can be identified in institutions and actor’s relations. And discursive social practices (actions) have also unexpected consequences.

Discursive approaches account for changes that are contingent and processual (Foucault 1969/2001, 182). Discourses are contingent and historical and thus vulnerable to struggles of political forces, which are excluded from their production, and events beyond their control (Howarth and Stavrakakis 2000, 4). These moments of change are moments of dislocation of old structures, systems, or discourses during which discursive struggles take place (Torfing 1999, 148, cf. Laclau and Mouffe 1985). In this struggles new discourses may emerge, old sedimented discourses (and meanings) may re-emerge, and present discourses may adapt (Hansen and Sørensen 2005, 96, Phillips and Jørgensen 2002, 36). For example hegemonic patriarchal discourses faced with unexpected civil society demands (cf. civil society campaigns for GE in Turkey) or EU demands for change of GE, may loose their power during these unexpected events, i.e. moments of dislocations.

In this dislocating moments different discourses influence (struggle for) the meaning of events, phenomena or concepts, which may change – since concepts, like GE, are understood as open signifiers. The concept of contingency thus accounts for changes in meanings but also for changes and contingency of identities, relationship between individuals and political institutions (Ellison 2000, 154). Thus structural (contextual) influences like EU and Europeanization, actors conscious reactions (strategic usage) and unconscious discursive practices (unintentional usage) may account for changes in meaning-making of policy issues (policy framing).

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4 Although Laclau and Mouffe’s Discourse theory is being criticised of having a relativistic ontological position and is mainly criticised for its neglect of agency of the subject, thus minimising the influence of individuals in the production of meaning (Cromby 2002) I find useful some of its contributions.

5 Discursive practice is very compatible with the concept of unintentional usage and discursive framing.
To complement the CFA of the QUING project I use the above mentioned concepts of discourse theory to account also for longitudinal processes and changes in frames, and analyse WHY and HOW specific (dominant and marginal) frames emerge(d) according to different socio-historical contexts and how the changing of discourses influenced the framing process, thus to understand how the problems and concepts of GE are problematized and shaped in different contexts. I was suggested to use few case studies and a model of ACTOR-PROCESS-OUTCOME research, to see who, how and when is referring to EU and what is the outcome in change of framing during a process of negotiation, since frames analyzed in QUING do not tell us anything about these processes and change.

Defining religious discourses

For easier identification of VOICES I use the concept of “interpretive communities” or “communities of meaning” (Yanow 2000, 10, 20). I define religious actors by searching for actors who define themselves or are defined by a consensus in the society as actors with religious identity (for example in Turkey the so called “political Islam”), who focus (at least partly) on their identity as religious identity and who construct gender relations, gender values, and family values within a religious framework. I define the political and social activity (social/discursive practice) of religious actors as “religious discourse” in accordance with the definition of discourse as "systems of meaningful practices that form the identities of subject and objects" (Howarth and Stavrakakis 2000, 3-4) or as “practices that systematically form the objects of which they speak: they do not identify objects, they constitute them and in the practice of doing so conceal their own invention” (Foucault 1977 in Bacchi 1999, 40). Communities of meaning make problem statements as interpretations of policy issues.

I will partially “fix” the identification of these communities for purposes of definition and analysis, since further in analysis I want to deconstruct this fixation by showing how fixed communities may have a very different range of beliefs and interpretations on issues – e.g. framing of issues. Some researches (cf. Paul 2009) have shown, that discourses and framing of issues can overlap, which means that different communities of meaning may employ similar discourses and framing of policy issues – or same communities of meaning might employ different discourses and framing over time. In fact “framing” as a verb suggests a more dynamic analysis of changes in issue framing over time, very possibly within a single community of meaning (Yanow 2000, 13). For example religious parties (and religious NGO voices) – although they might be members of the same community of belief, might represent different communities of practices. Actors’ programs and activities are not static; they change as social values change under (internal and external) influences. Because of this the meanings the programs and activities carry have to be interpreted in the time and place contexts in which they were created and used (Yanow 2000, 71, cf. Paul 2009). Here I want to stress the “political” character of meaning-making and identity formation.

The present results are based on analysis of relevant texts. In this paper I am presenting the analysis of parliamentary debates by different members of parliament and some other data from interviews with party deputies on related issues. Longitudinal analysis is still a work in progress and no results are available yet. However even a shorter period of time reveals changes in framing by different actors and the influence that can be attributed to EU or Europeanization.

Europeanization of GE policies in Turkey
Researches (ESI 2007, 8, Schimmelfenning et al. 2003, 509, Yavuz 2006) have shown a clear shift in Turkish reforms after the adoption of Turkey as candidate for formal membership in 1999. EU was an important generator of legislative reform and especially women’s NGO’s used the EU accession process to accelerate already formulated demands. Civil society indeed was very active since the 80s. After 1999 Turkey has witnessed a paradigmatic change in reforms of GE policies. The breakthrough were the amendments to the Turkish constitution (2004) (especially art. 10), which states that “women and men have equal rights” and “the state is responsible for taking all necessary measures to realize equality between men and women”, a new Civil code (2001), establishment of family courts (2003), amendments to Labour Law (2003) and a completely reformed Penal Code (2004), which marks a new era in Turkish democratic change – these changes are defined by some researchers as post-patriarchal (Therborn 2004 in ESI 2007, 1). The fact that the Penal Code was changed during the rule of conservative AKP comes to astonishment of many observers and activists. Indeed the AKP was eager to collaborate transparently with NGOs and their decade long efforts to change the very patriarchal and discriminatory nature of the Penal Code (cf. ESI report).⁶ AKP is also a member of the Women’s Platform for Peace where as different as Islamic, secular, LGBT, Kurdish and other human rights activists participate.

Within the Quing project, reports of Acar et al. (2007) and Altunok and Küçükalioğlu (2009) state that in Turkey strong presence of patriarchal norms and some political attempts of re-traditionalization of society mark public debates and political tensions in terms of GE policies. According to the reports this is an issue in adultery, abortion, and matrimonial property rights, especially after the AKP has taken power in 2002. However, according to before mentioned QUING reports liberal modernist attitudes and women’s NGO’s succeeded in their demands and criticism of conservative politics, causing a government’s step back. To assess the influence of Europeanization on religious discourses and their framing of GE policy issues I will refer to the results of the QUING project research⁷ and supplement them with other data.

Intimate Citizenship and Gender Based Violence policy reforms and change of framing

In the change of the Civil code⁸ (TMK) to a limited extent different religious discourses frame policy solutions in slightly different ways and sometimes take a consensual position. Indeed conservative Felicity party (SP) was strongly opposing the changes of the Civil code, while AKP was supporting them, albeit with some objections (ESI 2007, 12-13). It is also interesting to note that conservative parties did never voice any reference to international organizations or EU/Europeanization when dealing with IC issues. The only reference was made to some European states, but in this case only to justify the non-adoptions of equal separation of assets after the divorce, since according to the speaker similar arrangements are present in some European countries (exclusive strategy of political “usage” of EU). As Turkish QUING report states the fact that policies in the domain of IC are still regulated mostly by national legislation and the fact that EU competences in these terms are minimal (amounting only to recommendations) has contributed to the persistence of local patriarchal and conservative views (hegemonic discourses) on IC issues in the Civil Code debate and even to a “non-existence” of legislation and debates on issues like same-sex partnership.

⁶ As writers of the ESI report remind, this should not divert our attention from the fact that gender gap and gender discrimination in Turkey remains vast (ESI 2007, 2).
Conservative, and nationalist attitudes have had an impact and influence in framing IC policies. This is especially true for debates on the Civil Code forms.

On the other hand the change of the New Penal Code,9 (TCK) which deals mostly with GBV issues, was strongly monitored by the EU. Here references to EU as legitimization of change because of EU integration demands (inclusive strategy of political “usage”) did prove to be an influence and incentive for change, since the reform of the Penal code was also a condition for the start of EU membership negotiation. Thus in just a short time span from 2001 (debates on the Civil code) and 2004 (debates on the Penal code) a clear shift in conservative/religious framing is present. Just some of the main changes, which break with the patriarchal and conservative tradition of the old Penal Code are for example the following:

In the new Penal Code marital rape, virginity tests, forced and early marriages have been criminalised. The treatment of sexual crimes is understood as a crime against an individual dignity and not anymore as a crime against the honour of the family. Exempts for rapists who married with the victim (to save her and family’s honour) are dismissed and treatment of single or married women as victims of rape is dealt on equal basis (previously rape in marriage was decriminalised, and rape and abduction of a married woman was counted as a graver offence as abduction and rape of single women, which suggested that the real victim was the husband and not the raped married woman). Most importantly all references to patriarchal values such as (morality, chastity, shame and decency and public customs were eliminated from the civil code (cf. ESI 2007, 19, TCK).

Here religious discourses did change their attitude strikingly. Evidence from interviews (ESI 2007) shows that “conservative religious” voices, when debating the changes of the Penal code, display a shift in their understanding/framing. Unfortunately in the Quing project no conservative/religious party position on the debate for the new Penal code was coded, therefore no analysis of frames are available.10 However relying on other available data (ESI 2007), some AKP deputies stated for the New Penal Code reform that it is necessary in order to change the social mentality and not adapt to it: cf. ESI report 2007, p. 18, Hakki Koylu (AKP):

“the mandate of the law is not to alleviate the negative consequences of unacceptable social practices. It is to change them and prevent them with disincentives”

and Bekir Bozdag (AKP):

the new “Penal Code meant to change social customs, not adapt to them”.

However, it has been argued by the authors of the QUING Turkish reports (Acar et al. 2007, Altunok and Küçükalioglu 2009) that the emphasis on “family” and “protection of family” reveals the overwhelming influence of patriarchal social values (hegemonic discourse) on state decision-making. It is indeed very true that re-traditionalization attempts exist. A much contested case was the attempt of inclusion of criminalization of adultery. The AKP member and Prime Minister Erdogan wanted to introduce an amendment to the Penal code criminalizing adultery. However it is also meaningful to note (what the reports do not

10 As mentioned at the beginning, the selection of documents for coding might influence the results and interpretation, due to the comparative nature of the project with no in-depth analysis of country’s context. This marks an important shortcoming in the data collection of the project.
account for) that the secularist CHP initially supported the amendment on adultery (Ilkkaracan 2007, 23). Thus not only religious conservatives of AKP, as authors of the Quing report suggest, can be conservative and traditional in their stance towards GE reforms, but also the liberal left party CHP. Both of them withdrew lately, due to outrage and pressure from civil society as well as EU. It might well be a result of the influence of EU and for strategic reasons that AKP follows, but what is meaningful is the fact that a conservative (and Islamic) party displays a change in framing of GE in contrast to the mainstream view that Islamist and Islamic parties are a priori and per se incompatible with GE.\footnote{While it would be according to the religious doctrine to punish adultery (and the demand of AKP was to punish both male and female adultery), the political option of Islamist party in Turkey decided to step back in this demand. Religious social and political (discursive) practice is indeed more heterogeneous and adaptable as mainstream perceptions would admit. I am indebted to prof. D. Kandiyoti for this insight, calling it \textit{strategic discourse resources} that religious actors employ. Here we can see the importance of the “political” character of meaning-making and not, according to some, a priori fixed belief system of specific actors or group of actors (e.g. “Islamic”).}

The change might be slow and not overall but discourse and frame analysis goes beyond stereotypical understanding of liberal and secular “left” vs. traditionalist and religious “right” voices. This approach changes the paradigm of “fixed” identities, since we can see that different meaning communities (like political parties of “opposite” stance like religious conservative AKP and secular modernist CHP) might have similar discourses and framing of policy issues - both can display conservative views in GE terms, according to a hegemonic patriarchal discourse. Furthermore same meaning communities (if we compare religious discourses of Islamic SP and AKP) can have different framing of GE policy issues (debate on Civil Code), either towards re-traditionalization or moderate liberalization.

When no strong pressure is present, hegemonic patriarchal discourses tend to persist. But moments of dislocations, like internal and external contingent changes (influences), can contribute to discourse struggles and change of discourses (here the importance of agency is to be noted! vs. poststructuralism of DT). The change for Civil code was initiated and pressured mostly by internal changes (civil society) and it did influence conservative views. Civil society has played an important role in initiating change and criticising traditional state and social structures. In Turkey the GE issue has gained political and public importance already during the 80’s, when various women’s groups initiated different activities and played an important role in raising public awareness on the issue. The reason for such an outbreak are new feminist movements in the West and Turkey, as well as the military coup in 1980 during which the army liquidated (killed or imprisoned) many alternative movements, especially male activists. The vacuum was then filled by women, who reacted against military rule, demanded freedom, political rights and especially more women’s rights and change of the Civil and Penal Code (Erol 1992, 113–114; Sirman 1989, 19; Özkaya 1998, 66–70, see also Women for Women’s Human Rights \url{http://www.wwhr.org/}).

However the importance of external influences, especially the EU is striking, since great shifts took place when EU monitoring and demands grew more intense. This can be contributed to a (historically) important place of Europe for Turkey. It can be concluded that in those issues which remain in the sole state domain, conservative/religious views tend not to change so quickly (changes were mostly demanded by civil society organizations internally). On the other hand issues demanded by the EU have had a great impact on changes, especially of religious discourses (subversion and agency in accordance with strategic gains!), since their expected gains from EU are greater than ones for secular Kemalists or nationalists. These are not favourable to EU democratization demands, since it
would also mean concessions of power, especially regarding the power of the army (as it did happen recently in Turkey, with the resignation of generals from the entire army).

These influences can be noticed in the debate on the Penal Code. Religious discourses have changed strikingly in just a few years span. According to QUING project results in framing of the problem of GBV there is a presence of international obligations frame and references to international obligations, while no significant EU frames or references were found. However, other evidence show that the EU as incentive for change of the Penal code was relevant for AKP change in framing. For example Koksal Toptan (AKP, head of the parliamentary Justice Committee in charge of drafting the New Penal Code) stated: Turkey is in the process of EU membership. In this framework important laws and harmonisation packages have been passed. /…/ Now this Penal code draft seriously conflicts with the new harmonisation laws passed. No one should have any doubt that we will bring it to the highest level.

Although Minister Erdogan complained about EU interference in internal affairs, he withdrew from this demand due to EU’s sharp reaction and threat to stalemate the negotiations, as well as women’s civil society pressure and outrage (structural influence). And although Penal code remains in the domain of national state legislation, in the Turkish case it was a necessary step for the beginning of negotiations. So the EU influence was clearly present and it can be said that this triggered the change of framing of conservative/religious actors, especially AKP, since the Party is strongly committed to fulfil EU demands. It is however important to note that without internal (NGO demands, army influence) and external (EU) influences patriarchal hegemonic discourses seem not be eager to change their interpretation of GE.

In Turkish case the EU influence is mostly recognizable in employment policies and workplace regulations with clear economic driven interests in the employment and labour area. In Turkish case frames expressing the need of inclusion of women in the labour market are present in conservative/religious (AKP) and other voices (mainly CHP texts were analyzed). All governmental voices (no different framing is present between conservative/religious and liberal parties) frame the employment issue mainly in terms of international obligations. According to references in texts international references (UN, CEDAW, ILO) as well as EU references are present in most of the documents. The main difference is that conservative/religious voices express much more EU references in many different shapes: EU, Treaty of Rome, European Court of justice, EU employment Strategy, EU acquis communautaire, EU membership, EU council, EU social charter, maternity leave in EU states, while other voices express only few of them (EU social charter and the directive EC 92/85/EEC). So the most striking difference is the high rate and different forms of referencing to EU as the rationale for change in conservative/religious voices, which clearly shows the influence and impact of EU on religious actors and the importance they attribute to it, as well as their motivation for change.

12 Historical longitudinal analysis would give us even more insight on the span of changes (or continuity) of religious discourses.
13 NTV (News TV channel), 21 October 2003.
14 An important contribution to the analysis of religious voices would be the comparative analysis of state and civil society (CS) voices, e.g. religious women CS. Since various civil society organizations (mostly women and LGBT) were important advocates of GE change, it would be interesting to see how the interaction of different actors influenced the process and the outcome of policies. This would give a clearer picture on differences and similarities, contestations and agreements among religious voices participating in policy-making (policy framing) of GE.
Preferences of economic interests are also much present in Turkey. Such an economic inclination and convergence in adapting to EU requirements may be explained by clear-cut EU competence in the issue of employment (hard-law directives) and also by the nature of EU GE policies, which are framed heavily within employment and capitalism frameworks. We can talk of a European “master discourse of market competitiveness” (Radaelli 2003: 7, Rosilli 2000) in the domain of GE employment issue policies. In this case GE is seen as an instrumental means; it is “shrinked” (reduced) to equality in the labour market and “bended” to fit higher national goals and interests (EU membership, economic growth) (cf. Lombardo et al. 2009).

Conclusions

We can conclude that Europeanization has different influence in different policy areas and on voices expressing Europeanization, but also in the way Europe/Europeanization is used. We have examples of Europeanization (references to EU or specific EU countries or rationale of action), which is "used" in two ways, as a justification for adoption and change in legislation and as an excuse to avoid new legislation. In employment issue actors use Europe or Europeanness as normative and ideationally desirable aim, perceived as the direction of progress to push through their agenda. When defining GE policies policy actors are under influence of a hegemonic economic discourse. EU may be also used as an excuse for non-adoption of equality legislation, although EU recommendations may be clearly in favour of more equality oriented policies. This is the case of some IC issues within the Civil code debate, which shows the persistence of patriarchal hegemonic discourse. So we can see that Europeanization does not work only as one-way impact on national political systems (only one-way adaptation), since it is a negotiable concept being "stretched and bended" along with the negotiations. The Penal code debates is an interesting case that shows how patriarchal hegemonic discourses may be challenged by external changes, which influence the identity and behaviour of actors that eventually change their framing. Europeanization has influenced conservative/religious discourses considerably, much more than international (global) influences, at least on a referential and normative level. Islamic actors understand the process of Europeanization in the light of human rights, democracy and market economy, politically articulated religious actors indeed see in this process the possibility of being politically and socially active even if this means concessions regarding the understanding of GE – which again reveals the political character of agency and meaning-making/framing of policy issues.

References:


Lombardo, Emanuela & Maxime Forest. 2009. QUING Call for papers on Europeanization; Beyond the ‘worlds of compliance’: a sociological approach to the Europeanization of gender equality policies. QUING UCM team, Madrid, Spain.


