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The EU's Promotion of Gender Equality in Turkey: Prospects and Limitations

Rahime Süleymanoğlu-Kürüm, F. Melis Cin



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ABSTRACT

This policy brief draws its insights and arguments from our recently published edited volume titled “Feminist Framing of Europeanisation: Gender Equality Policies in Turkey and the EU” and reflects our years of work in the field of gender studies and the EU. It offers a feminist critique of the gender equality policies both in Turkey and the EU member states and discusses the role of the EU as a feminist actor and agenda setter inside and beyond its borders. To this end, the brief provides an in-depth examination of various sub-cases ranging from the role of civil society to policy changes in education, migration, women’s representations, feminist movements, gender-sensitive budgeting, gender-based violence and women’s leadership.

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1. Introduction

This policy brief draws its insights and arguments from our recently published edited volume titled “Feminist Framing of Europeanisation: Gender Equality Policies in Turkey and the EU” and reflects our years of work in the field of gender studies and the EU. We offer a feminist critique of the gender equality policies both in Turkey and the EU member states and discuss the role of the EU as a feminist actor and agenda setter inside and beyond its borders. To this end, we provide an in-depth examination of various sub-cases ranging from the role of civil society to policy changes in education, migration, women’s representations, feminist movements, gender-sensitive budgeting, gender-based violence and women’s leadership.

Europeanisation is defined as changes triggered by the EU in domestic policies, policy processes and decision-making structures of EU member states, candidates, potential candidates as well as third countries establishing various forms of association with the EU (Soyaltin-Collella and Süleymanoğlu-Kürüm, 2021). Gender equality policies are likewise subject to the process of Europeanisation. This framework has been used to explain how the EU has triggered domestic reform in the field of gender equality in post-communist states (see Chiva, 2009, Anderson, 2006). We expect the EU to be a critical actor in promoting gender equality worldwide as it is one of the organisations established a policy template earlier than many of the other international institutions with the introduction of equal pay for equal work in the article 119 of the Treaty of Rome (1957). Even though the development of the policy template on gender equality had been slow, progress had been made with the incorporation of a number of directives in the 1970s on non-discrimination and equal treatment. As such, the EU had incrementally gained a legitimate ground to position itself as a promoter of gender equality, on the way and in the aftermath of the adoption of Beijing Platform for Action in 1995 at the 4th World Women Conference organized by the UN. This event has paved the way for the EU to define promotion of gender equality as part of the development of the European identity (Kunz and Maisenbacher, 2017). Over time, the density of the EU’s gender equality template has expanded which provided the EU with the legitimacy to influence a wide range of policy areas including employment policies of the member states (Zartaloudis, 2015), work and family life reconciliation (Eräranta & Kantola, 2016), and the adoption of gender equality laws in post-communist countries (Avdeyeva, 2015).

However, the subsequent years and persistent gender inequalities in the EU’s areas of reach have called into question the legitimacy of the EU as the promoter of gender equality. The empirical studies in our book consistently point out the failure of the EU to generate sustainable changes on gender equality policies even among its own member states. The 2018 report of European Parliament’s Policy Department for Citizens’ Rights and Constitutional Affairs reveals backlash in the gender equality policies of six EU member states (Austria, Hungary, Poland, Italy, Romania and Slovakia) following their accession to the EU (European Parliament, 2018). This backlash indeed indicates the difficulty of the EU in creating sustainable changes in gender equality legislation. The abandonment of reforms after full membership posits that legislations or constitutional reforms are not adequate to address gender inequalities and the top-down policies introduced to fulfil EU requirements may create negative consequences in the absence of internalisation of these reforms. This emerging puzzle is what we have scrutinized in the book by studying various sub-cases of gender equality in Turkey, which has an association agreement with the European Communities since 1963 and is an

official candidate since 1999. We argue that the EU's failure to trigger sustainable changes in the lives of women in third countries is hindered by the lack of a feminist agenda and perspective and its reductionist approach of seeing women's empowerment as granting equal rights to women and men without considering to what extent equal rights would translate into equal outcomes. Anagnostakis (2021) highlights that the EU views gender equality instrumental to economic development and attainment of security interests. Therefore, we question the limits of Europeanisation through gender policies by taking Turkey as a case study because Turkey has long-er economic, political, cultural and social relations with the EC/EU than many current member states.

2. The need for a comprehensive and shifting understanding of gender equality at the EU level

The concept of gender equality cannot be evaluated independently from the political, social, cultural structures and historical contexts but through a relational approach (López-Fogués & Cin, 2018). Therefore, the policies that solely focus on closing the gender parity between men and women are inadequate and will not set out a gender equality understanding that is based on equal-ity of outcomes, opportunities and substantive positive and negative freedoms. For instance, Cin and Karlıdağ-Dennis (2021) question the gender parity approach in education and highlight the difficulty of promoting gender justice at a broader level as long as the sexist and discriminatory content in the curriculum and educational practices remain unaddressed. We argue for a more normative gender justice approach that goes beyond the numerical equality but also the rhetoric of equal rights as stipulated by many EU policies. The discourse on human rights does not challenge the power and gender inequalities deeply embedded in gendered institutions and does not necessarily equate to women empowerment. What is necessary instead is a more comprehensive gender equality discourse that expands the opportunities of women, enables women agency, and pro-motes equal outcomes. Otherwise, 'add women and stir approach' of integrating women into institutions without transforming patriarchal and gendered norms and structures will be insufficient to create justice-based gender equality. Failure to take into account the conditions under which women can use the rights granted to them or legal reforms undertaken without a feminist agenda will not serve gender equality in the long run. The analysis of Afacan Findıklı et al. (2021) demonstrates this by showcasing how policies designed to improve women's leadership roles in employment sector do not acknowledge the women's invisible domestic unpaid labour and they prevent women from effectively using the benefits of such gender equality seeking polices.

In our feminist critique to the process of Europeanisation, we also question the very nature of human rights as women's rights approach. We approach the concept of equal rights critically when they are applied to gender equality policies in a hierarchical way and through top-down processes as it is often debatable whether those rights are produced with the consent of women at the lowest segments of the society, i.e. marginalised women, and whether they are designed to eliminate these women's economic, political, and social vulnerability and by taking into account their differences (see O'Neil, 2005). For example, the extent to which black women in France can benefit from the concept of equal rights or to what extent they have a

say in policies pursuing equal rights as white French women can underline the rhetorical aspect of human rights concept. Therefore, having abstract rights may not help women secure them (O'Neill 2005). The EU should go beyond promoting the harmonization of legislation which requires it, in the first place, to replace the “rights” discourse in the directives and policy papers with a more comprehensive gender equality discourse that focuses on the development of fundamental freedoms and opportunities, especially for women and girls. The economic, ethical, historical and representational factors and social, political and economic opportunities should not rely on assessing equality with quantitative indicators, but focus on qualitative indicators, policy outcomes and labour market opportunities. It should take into account who benefits most from the opportunities, and how women can use social, cultural, political and economic processes to achieve and enjoy equality of outcomes. For this reason, we consider the adoption of only EU laws as a limited indicator in the Europeanisation analysis.

3. Policy Recommendations: How can the EU enhance its role as the promoter of gender equality in Turkey?

Gender equality has been an important goal for Turkish political elites because it illustrates Turkey's identification with the European community. However, our critical engagement with different policy areas in the book shows that the process of Europeanisation remained largely selective as an outcome in the field of gender equality with various backlashes on the way even though the process started in full speed following Turkey's official attainment of candidate status in 1999. We argue that a number of policy implications could position the EU as a 'game-changer' in gender equality policies both in Turkey and beyond.

Firstly, the EU should adopt a context-sensitive gender equality that considers the gender issues and concerns at the local level. The EU's strategy to influence Turkey is focused on a cost-benefit assessment, so-called conditionality mechanism, and soft law instruments (i.e. financing projects, setting targets and quotas, research and data collection). While the multiplicity of approaches and EU co-financing could lead to both adoption and implementation of gender equality norms, it is very much based on a top-down pressure from the EU with no or little consideration about the locality of and specificity of gender concerns, realities of the feminist actors and women NGOs, which cannot generate sustainable change in the gender equality policies. The main issue lies with the EU's treatment of women as actors of economic growth. Such an instrumental approach and the backlash in gender equality policies of EU member states leads to a legitimacy crisis if we are to conceptualize the EU as a normative gender actor. Nevertheless, gendered structures in the EU's institutions could be mitigated through a more progressive project funding setup which would promote social learning processes. As Boşnak (2021) notes the projects financed by the EU in the field of gender equality were also instrumentalized around more general purposes such as achieving economic development, human rights and promotion of democracy. Women's empowerment and gender equality have thus been positioned subordinate goals to these broader objectives.

Secondly, we highlight the significance of dismantling “the masculinity and femininity intertwined in the daily culture or ‘logic’ of political institutions” (Krook and Mackay 2011: 6). When interactions and the political process take place in the male-dominated institutions, such interactions consistently reproduce gender inequality (Mackay et al. 2010). The EU can facilitate the establishment of new institutions and assign them

powers in the decision-making process. Reforming the existing institutions does not make the same impact as institutional reforms are often resistant to such gendered structures and the inclusion of a feminist perspective can only lead to paying lip service (Hay and Wincott 1998) to the Europeanisation process. We argue that as long as gendered-based power relations within institutions remain untouched, representation will only address the Europeanisation process rhetorically. The outcome of this echoed in Turkey as 'selective' Europeanisation. The inclusion of women into any policy area does not always lead to equal representation. On the contrary, such representations further deepen gender inequality as they manifest themselves in power relations between men and women. Taşkın (2021) explains why substantive equality does not bring notable changes in favour of women and identifies strong party discipline and political polarization as hindering factors for effective representation of women's interests even among female MPs. Despite granted representation, strong party discipline encouraged female MPs to accept the proposal of stronger groups close to party rank, and even when the ratio of women was numerically high, they did not act for women. Thus, the representation of less powerful, marginalized women remained rhetorical and their interests were not heard by those who represented them. A similar understanding of interest and representation also manifests itself in the EU's external migration management policies. Tabur (2021) notes that as the EU-Turkey refugee 'deal' had been designed to externalize asylum seekers by the EU to Turkey, it ignored the concerns regarding gender, and vulnerable women refugees were left to the fate decided by the political elites both in Turkey and the EU. Similarly, Afacan Findıklı et al. (2021) highlight that women's representation is very limited in the daily functioning of the labour market, and informal gendered norms as sexual harassment, gendered division of labour, imbalance between work and family life, glass ceiling syndrome, and gender pay gap are prevalently experienced by women. These experiences reveal that EU legislations on non-discrimination, equal pay and equal treatment are not implemented in the business sector in Turkey as women managers are not aware of their rights or cannot use those rights granted to them. These empirical contributions reveal that gendered power relations are embedded in institutions, and they hinder women's meaningful representation.

Lastly, we emphasize close dialogue with and empowerment of femocrats (officials who are committed to feminism and who work within the bureaucratic structure and civil society organisations) and velvet triangles. Empirical analysis has consistently demonstrated that Europeanisation is facilitated essentially by femocrats, bureaucrats, politicians, feminist academics and experts acting in line with feminist goals (Guerrina and Wright, 2016: 298). The interactions of these actors with each other and political elites have been instrumental in the articulation of women's interest in the policy process and in the resistance to the decisions of right-wing governments that restrict women (Holli, 2008). In Turkey, femocrats played a significant role for the achievement of positive changes that amount to Europeanisation of gender equality policies. This reveals the limitations of the conditionality mechanism which positions political parties, bureaucracies and NGOs as veto players. For instance, Şeren Kurular's (2021) analysis through an in-depth analysis of the strategies and practices employed by Tekirdağ Süleymanpaşa Municipality illustrates that femocrats were critical for the adoption of gender responsive budgeting as a strategy to local governmental agenda. Likewise, analyses of Özdemir Sarıgil (2021) and Uzgören (2021) show that femocrats had a central role in combating violence against women, including Istanbul Convention.

We believe that the EU's transition into a feminist actor requires the EU to create feminist institutions and update its decision-making mechanisms with a feminist consciousness which will pay off not only in the field

of gender equality but in a wider range of policies. The EU's treatment of gender equality instrumentally and its lack of feminist agenda fail to offer a solid ground for strengthening its role as a gender equality actor. Such an approach also diminishes its credibility and reduces its impact on the gender equality policies of third countries. It would be more appropriate to refer to the EU as an actor that raises awareness about the idea of gender equality, which we conceptualized as a 'progressive gender actor' in the book rather than a feminist actor. The idea of building a gender-just Europe in which women can confidently use the same rights and freedoms as men will not be possible unless the EU enables the transformation of its gendered institutions, eliminates sexism and develops a comprehensive and binding gender equality understanding based on accountability and equal outcomes and moves beyond the liberal concerns of feminism to consider issues such as recognising the links between gender regimes and power structures and relations (political and economic). We find the instrumental approach of the EU seeing women as pawns for its economic and security agenda highly problematic as it does not place women as an end but a means to achieve the greater political and economic projects.

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ABOUT THE AUTHORS

Rahime Süleymanoğlu-Kürüm, *Bahçeşehir University, Istanbul*



Rahime Süleymanoğlu-Kürüm is assistant professor at the Department of Political Science and International Relations at Bahçeşehir University, Istanbul. She is also an associate member of the Nottingham Interdisciplinary Center for Economic and Political Research (NICEP). Süleymanoğlu-Kürüm holds a PhD in Politics and International Relations from the University of Nottingham. She received her BA in International Relations from Eastern Mediterranean University in North Cyprus and her LLM degree in International Law from the University of Nottingham.

Süleymanoğlu-Kürüm's research focuses on gendering EU studies, Europeanization, gender and diplomacy, EU foreign policy, Turkish foreign policy. Her publications appeared in journals such as *Political Studies Review*, *Language and Politics* and *Geopolitics*. She is the co-editor of the edited volume *Feminist Framing of Europeanisation: Gender Equality Policies in Turkey and the EU* (Palgrave, 2021).

Melis Cin, *Lancaster University*



Melis Cin is Lecturer in Education and Social Justice at Lancaster University, UK. She works on feminist theory, international development and peace education. She is the author of *Gender Justice, Equality and Education: Creating Capabilities for Girls' and Women's Development* (Palgrave, 2007) and the co-editor of *Capabilities, Youth, Gender: Rethinking Opportunities and Agency from a Human Development Perspective* (Routledge, 2018) and *Feminist Framing of Europeanisation: Gender Equality Policies in Turkey and the EU* (Palgrave, 2021).

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The **historical complexity and volatility of EU-Turkey relations** are reflected by **research and teaching** in this field. There are international research projects as well as many smaller and nationally funded studies and projects dealing with Turkey, including its relationship with the EU. Linking these different projects, diffusing knowledge on the European Integration process and exploiting synergies between international players constitutes real added-value for European Integration studies.

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