

**WOMEN'S WOMBS AS A "BIOPOLITICAL SPACE" IN THE  
CONTEXT OF BIOPOLITICS OF ABORTION IN TURKEY**

by

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## **Abstract**

This thesis investigates the biopolitics of the Justice and Development party (the AKP) which has been the ruling party in Turkey since 2002, with a specific emphasis on the so-called “Reproductive Health Bill” that aimed at banning abortion. Juxtaposing “the Reproductive Health Bill” with other neoconservative and neoliberal policies of the AKP makes it clear that the issue of banning abortion is an extension of a much broader social engineering project which is based on the conservatisation of the public. By carrying out a discourse analysis of the remarks of the Prime Minister Recep Tayyip Erdoğan, the Health Minister Recep Akdağ and some other MPs of the AKP, the thesis attempts to reveal the hidden agenda of the government behind the radical social reforms that they have introduced. In doing so, the thesis identifies a set of gender myths which allegedly aim at increasing women’s participation in the public sphere as well as providing them economic freedom. This thesis contributes to the bulk of literature on the issue of abortion in Turkey by creating an updated framework to locate the place of the AKP’s biopolitics within the short history of abortion in the late Ottoman Empire and modern Turkey.

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## Chapter 1: Introduction and Theoretical Considerations

“I consider abortion as murder. Nobody should have the right to allow this. You either kill a baby in mother's womb or you kill it after birth. There's no difference.”

The Prime Minister of Turkey, Recep Tayyip Erdoğan

In the UN Conference on Population and Development held in Turkey in 2012, Turkish Prime Minister Recep Tayyip Erdoğan announced the government's conservative approach towards abortion with the remark quoted above. His assertion was based on the premise that claiming right to abortion was not any different from committing a murder. Erdoğan took his claim one step further in the Justice and Development Party (hereafter the AKP) Women's Branch Congress in the same year and established an analogy between abortion and the notorious Uludere massacre<sup>1</sup> by explicitly stating that abortion is “nothing but an insidious plan to eliminate a nation from the world stage.”<sup>2</sup> Through his excessive emphasis on creating the analogy of abortion and murder, Erdoğan aimed at labelling the foetus as murdered and women practicing abortion as murderers whereas he pointed to women's right for abortion as an evil-intentioned weapon utilized against the welfare of the nation-state.

Erdoğan's anti-abortion propaganda was reinforced through additional remarks by several MPs of the AKP; Recep Akdağ, the Health Minister; and other champions of anti-abortion, which eventually resulted in the formation of an oft-pronounced but little-questioned pro-family and pro-life discourse. The anti-abortion stance that Erdoğan attempted to publicize provided him with a tool to legitimize the prohibition of abortion,

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<sup>1</sup> The Uludere airstrike, also known as the Uludere massacre, Sırnak massacre or Roboski massacre took place on December 28, 2011 at 9:37 pm local time near Turkish-Iraqi border. “Turkish Air Forces killed more than 30 civilians mistaking them for Kurdish rebels, in the southeastern district of Uludere, Şırnak near the border with Iraq.” (“Turkish Air Strike Kills More Than 30 Civilians,” Bianet, <http://www.bianet.org/english/english/135084-turkish-air-strike-kills-more-than-30-civilians>.)

<sup>2</sup> “Prime Minister: “Every Abortion Is Uludere”,” <http://bianet.org/english/gender/138659-prime-minister-every-abortion-is-uludere>.

which had indeed been legal for more than 20 years. What followed Erdoğan's initial remarks were a large spectrum of regulations and restrictions imposed by the AKP, the most fundamental and striking of which was the proposal of the so-called "Reproductive Health Bill" in 2012. Despite not being shaped into an official law proposal, the draft-law aimed at regulating the reproductive rights of women in Turkey by putting the issue of abortion into the spotlight. As an extension of the demographic policies of the AKP, the "Reproductive Health Bill" aimed to increase population and create a new young generation who could be shaped by the government's neoliberal and neoconservative policies. The government's standpoint in relation to ban on abortion which totally lacked the perspective of women, who were paradoxically deemed to be potential murderers, attracted a lot of protest from women. The refusal to adhere to the impositions of the government added the gender dimension to the whole debate which was influential in the formation of a counter discourse challenging the patriarchal ways of defining abortion with specific reference to several critical issues such as women's privacy, choice, health, autonomy, sexuality and emancipation.<sup>3</sup> At this point, it would be appropriate to explain that analyzing a draft-law which has not managed to come into practice is more than helpful in portraying the restrictive enterprises of an authoritarian regime through the use of a set of restrictive biopolitics such as the ban on abortion, surrogate motherhood, sperm banks and caesarean birth.

The time period between 2008 and 2013, starting with the initial remarks of the Prime Minister Erdoğan on abortion till today, constitutes the temporal scope of this thesis. This time period is essential in terms of the debates related to abortion because it enables us to understand the development in the AKP's rhetoric which evolved from pro-family to pro-

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<sup>3</sup> For a cogent analysis of the effect of women's movements on the shifting definitions of abortion, see for example D.M.B. Stetson, *Abortion Politics, Women's Movements, and the Democratic State : A Comparative Study of State Feminism: A Comparative Study of State Feminism* (OUP Oxford, 2001).

life and anti-abortion discourse. The government firstly laid stress on how family is a fundamental institution, which is in need of enlargement, for the welfare of the nation. The idea of a “family” as a well-defined social unit was also used as a basis for protecting the fetuses’ lives and restricting abortion.

Using the government's plan on banning abortion as a point of departure, this thesis aims to inquire into the role of the biopolitics of abortion for conservatizing society and manipulating women’s bodies as a governmental tool in the pursuit of a conservative transformation. The AKP’s 2023 political vision plan which gives information about the party’s structure, missions and goals defines the party’s political stance as conservative democracy that “refuses radicalism and social engineering.”<sup>4</sup> Unlike the explanation in the 2023 political vision plan, this thesis aims to reveal the function of the anti-abortion discourse of the AKP as far as the issue of social engineering is concerned. Juxtaposing the 2023 plan with the hidden agenda of the government which includes social regulations such as banning abortion or stimulating the increase of the birth rate will inform our inquiry as a process of social engineering aiming at Islamicizing the society. Some of the questions to be addressed in this thesis so as to clarify the AKP’s anti-abortion policies are as follows,

- What does the so-called “Reproductive Health Bill” stand for the demographic policies of the Turkish government as an extension of their neoliberal and neoconservative policies?
- What are the AKP’s aspirations to intervene with the women’s wombs within the broader issue of biopolitics?
- How does the government’s biopolitical intervention to women’s bodies serve to engineer an Islamic society in accordance with its neoconservative policies?

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<sup>4</sup> "Justice and Development Party 2023 Political Vision," <http://www.akparti.org.tr/english/akparti/2023-political-vision>.

The thesis consists of three chapters. The first one will draw a theoretical framework for the discussion of the government's intervention on women's bodies by means of the regulations on abortion. This framework will be built on the Foucault's theory of biopolitics<sup>5</sup>, Agamben's "biopolitical space"<sup>6</sup> and Ruth Miller's definition of biopolitical womb.<sup>7</sup> Besides, by carrying out a literature survey, this chapter aims to situate the discussion of abortion in this thesis within the current literature on abortion in Turkey and to reveal the contribution of this work. Another part of this chapter will discuss the methodology and the sources used in thesis. It will also clarify some of the oft-referred terms and concepts so as to prevent ambiguity.

The second chapter aims to unpack the AKP's neoliberal and neoconservative policies since their initial election victory in 2002 and analyze the gender myths that are created by these policies. By doing so, I aim to set the stage for a further discussion on the issue of abortion in relation to the government's policies. For this purpose, the first part of the chapter will give background information about neoliberalism in Turkey which covers the time period from the 1990s to the 2010s. It will also explain the intricate alliance of neoliberalism with conservatism, neoconservatism and populism. This will provide a basis for understanding the way in which neoliberalism and its alliance with neoconservatism and populism were used by the current government in Turkey. The second part of the chapter will be based on the assertion that the government's reforms to empower women are at the same time, paradoxically, gender myths which serve for the benefit of the government itself. In this light, the reforms such as microcredits for women, legalizing wearing headscarf in public sphere and "Reproductive Health Bill" will be analyzed as gender myths which

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<sup>5</sup> M. Foucault et al., *"Society Must Be Defended": Lectures at the Collège De France, 1975-1976* (Picador, 2003).

<sup>6</sup> G. Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford University Press, 1998).

<sup>7</sup> R.A. Miller, *The Limits of Bodily Integrity: Abortion, Adultery, and Rape Legislation in Comparative Perspective* (Ashgate, 2007).



enable the government to create the image of “conservative women” who are designated as the mothers of a new conservative generation.

The third chapter will focus on the “Reproductive Health Bill” and the anti-abortion discourse that appeared in relation to the draft-law. The first part of the chapter will give historical background of previous abortion laws and discuss them as governmental tactics which have frequently been used in the Late Ottoman Period and Modern Turkey. In the second part of this chapter, I will carry out discourse analysis of the statements of the Prime Minister Recep Tayyip Erdoğan, the Health Minister Recep Akdağ and several other MP’s of the AKP. This analysis will attempt to (i) reveal the fact that the government aims to discursively regulate abortion and population, (ii) concretize the proposed bill and (iii) decipher the traces of biopolitics hidden in the AKP’s target to control women’s bodies through a radical change in the abortion law. An analysis of the government’s discursive intervention on women’s reproductive rights will also lead to analyze how women’s privacy was transformed into an issue of public concern and how abortion as the reification of government’s biopower served to expropriate women’s womb. The third part of the chapter will deal with the reaction shown directly by a group of women in Turkey which also occupies a remarkable place in this thesis due to its consequential effects on the withdrawal of the draft-law and its functioning as a complementary discourse to define the limits of the anti-abortion policy of the government by creating an oppositional stance. Such an analysis that includes both the argument and counter-argument allows this thesis to deal with the issue of abortion from seemingly different but connected perspectives.

## 1.1 Theorizing Abortion: Defining Biopolitics and “Biopolitical Womb”

This part of the chapter aims at contextualizing the debate about the AKP’s attempt to ban abortion in Turkey as part of their neoliberal and neoconservative policies as well as theorizing the issue of abortion as a political apparatus which transforms women’s wombs into a “biopolitical space.” In the light of Ruth Miller’s discussions on “biopolitical womb”, it will be elaborated later how the AKP’s regulations on abortion pave the way for expropriating women’s womb after defining it as a biopolitical space. This will provide a basis for the main argument that seeing women’s womb as the commodity of the government serves for social engineering and helps the AKP in their pursuit of re-defining moral and ethical values of the society. In this light, so as to make a better sense of the socio-political stance adopted by the Turkish government, it would be useful to juxtapose Miller’s definition of “biopolitical womb” with Foucault’s definition of biopolitics as a regulatory power on population and Agamben’s theory of “biopolitical space” which emerges from his redefinition of biopolitics.

According to Foucault, putting the biological existence in the center of the politics dates back to the control of the very primitive biological features: the right of life and death. By depending on “the right of the sword”, sovereign claimed the power of “take(ing) life or let(ing) live” in the 17<sup>th</sup> century. This type of power requires discipline and control over the individual body by means of their “separation, alignment, serialization and surveillance.”<sup>8</sup> However, as Thomas Lemke suggests, sovereign’s disciplinary power differs from other disciplinary forms such as slavery and serfdom in terms of its deconstructing the conjectured percept about the oppressive and repressive aspects of power. Disciplinary

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<sup>8</sup> Foucault et al., *"Society Must Be Defended": Lectures at the Collège De France, 1975-1976*, 242.

power's dilemma lies behind its "allow(ing) for the increase of the economic productivity of the body, while at the same time weakening its forces to assure political subjection."<sup>9</sup>

Foucault mentions the emergence of an alternative technology of power to disciplinary power in the second half of the 18<sup>th</sup> century. Accordingly, the old right's transformation from "take life or let live" to "make live and let die" indicates the transformation from disciplinary power to regulatory one. Although these two types of power are complementary to each other, regulatory power, also known as biopolitics, differs in terms of its focus, object, instruments, and the institutions in which it comes into being. Biopolitics' main concern is not body but population as an "independent biological corpus" which "is characterized by its own processes and phenomena, such as birth and death rates, health status, life span, and the production of wealth and its circulation."<sup>10</sup> Biopolitics is a technology of power that aims to regulate phenomena that are related with collective rather than individual. In other words, it does not aim to discipline individuals by keeping them under "surveillance, train and punishment" and turning them into docile bodies through disciplining their bodies. On the contrary, it defines society as masses, "multiplicity of men", "body with many heads" which can be controlled through birth, death, morbidity and production.<sup>11</sup> Therefore, biopolitics does not develop within the authoritarian institutions such as prison, army and hospital. Demography is the primary concern of it for the sake of regulation in population. In short, biopolitics refers to "taking the control of life and the biological processes of man-as-species and of ensuring that they are not disciplined but regularized."<sup>12</sup> Within the context of this thesis, biopolitics stands for the AKP's aim to regulate population by having a control over the birth rate in Turkey by means of the restrictions on abortion. The demographic concerns behind the AKP's abortion politics

<sup>9</sup> T. Lemke, *Biopolitics: An Advanced Introduction* (New York University Press, 2011), 36.

<sup>10</sup> Ibid., 37.

<sup>11</sup> Foucault et al., "Society Must Be Defended": *Lectures at the Collège De France, 1975-1976*, 245.

<sup>12</sup> Ibid., 246.

stems from the government's target of saving the nation from extinction as well as raising a new conservative generation.<sup>13</sup> The biopower of the AKP which is to shape the population as a means of strengthening their Islamic ideal requires the process of subjects' normalizing the government's needs, internalizing them and behaving according to it. Therefore, through the apparatuses of law and anti-abortion discourse, the AKP aims to normalize the fact that women's bodies and sexualities are at the mercy of the government and their bodies can be used to produce children for the sake of it.

Foucault mentions a sphere that oscillates between "the disciplinary technology of body" and "the regulatory technology of life", that is sexuality.<sup>14</sup> As it is the joint point of body/individual and population/mass, it is prone to both disciplinary and regulatory power. On the one hand, sexuality is an individual issue that is shaped by the personal desires and choices which puts it under the surveillance and control of the authorities such as family and society; on the other hand, sexuality is related with masses in terms of its direct influence on population and its shaping the economic and political issues in a direct way. This reveals the need for regulation of sexuality to achieve the power of controlling birth, death and morbidity rates by means of the regulations on the issues that is directly related with sexuality such as abortion.

Based on the approach of Foucault towards biopolitics, Giorgio Agamben's redefinition of biopolitics paves the way for changing the tenor of the arguments of this thesis related with abortion. Unlike Foucault, Agamben claims that biopolitics does not belong to a specific time and place, neither sovereign nor modern times because "the 'body'

<sup>13</sup> In one of his speech, the Prime Minister obviously revealed their aim to create a conservatize society: "We are raising a conservative generation. Is it better if they are raised as thinner addicts?" He refers to young people's use of alcohol by referring to them as thinner addicts. Taken From: "Erdoğan: Gençlik Tineri Mi Olsun?," NTVMsNBC, <http://www.ntvmsnbc.com/id/25319805>.

<sup>14</sup> "Society Must Be Defended": *Lectures at the Collège De France, 1975-1976*, 249-50.

is always already a biopolitical body and bare life.”<sup>15</sup> The idea that the body is biopolitical regardless of time and space stands for the fact that there is not a clear-cut distinction between public and private in terms of the political meanings of the body.

Every attempt to rethink the political space of the West must begin with the clear awareness that we no longer know anything of the classical distinction between *zoé* and *bios*, between private life and political existence, between man as a simple living being at home in the house and man's political existence in the city... There is no return from the camps to classical politics. In the camps, city and house became indistinguishable, and the possibility of differentiating between our biological body and our political body-between what is incommunicable and mute and what is communicable and sayable -was taken from us forever. And we are not only, in Foucault's words, animals whose life as living beings is at issue in their politics, but also- inversely citizens whose very politics is at issue in their natural body.<sup>16</sup>

Agamben's claim, which he puts forward by depending on the experience in the concentration camps, blurs the boundary between private life and political existence; biological body and political body; living beings and citizens.<sup>17</sup> Politicizing bare life by neglecting these boundaries gives birth to a new type of subject, *homo sacer*, who is prone to be banned and killed but is not sacrificed in a religious ritual.<sup>18</sup> The sacred man (*homo sacer*), man of indistinction, is positioned as the subject of biopolitics within the borders of the biopolitical space. Because it is his body that enables him to be the subject of biopolitics, he has the potentiality of being discarded after it is used for political purposes. Within this framework, the AKP's biopolitical intervention on women's reproductive rights gains meaning in this “zone of indistinction”<sup>19</sup> in terms of its violating all the boundaries that Agamben mentions. The AKP follows the same footsteps while making women's bodies an issue of public through politicizing their wombs.

In a similar fashion, Ruth Miller refers to Agamben and his idea of “biopolitical space” to propound the argument of the biopolitical intervention on women's reproduction through legislation. Agamben coins the term “biopolitical space” to delineate concentration

<sup>15</sup> Agamben, *Homo Sacer: Sovereign Power and Bare Life*, 187.

<sup>16</sup> Ibid., 187-88.

<sup>17</sup> According to Agamben, traditional forms of categories such as “right/left, private/public, absolutism/democracy, etc.” can be relinquished only within a biopolitical area. See *ibid.*, 4.

<sup>18</sup> Ibid., 83.

<sup>19</sup> Ibid., 4.

camps as “a zone of indistinction” where “the right to make live and let die holds sway, in which fertility and morbidity are of central concern, in which the environment becomes a political trope, in which the Aristotelian human animal’s politics call his biological existence into question, in which the racialized enemy becomes internal, in which racism becomes self-directed, and in which the right to disallow life supersedes the right to kill, it is thus also a space in which outside and inside, exception and rule, licit and illicit are conflated, in which every citizen becomes *homo sacer*—capable of being killed but not sacrificed—and in which, most fundamentally, law and fact collapse into one another.”<sup>20</sup> In a metaphorical way, Miller suggests to consider women’s womb as a biopolitical space which turns into concentration camps through the similar interventions that are mentioned above. The laws and regulations on abortion reduce women’s womb to biopolitical space which is subject to political discussions on life and death, race and nation, citizenship and motherhood, the right of life of the foetus and more.

Apart from Miller’s definition of biopolitical womb, her discussion of the foetus and the distinction between public/private guides the debate of this thesis on pro-life and pro-family discourse of the AKP which is going to be analyzed in the third chapter. According to Miller, laws and regulations on reproduction alters in the trajectory of the positioning of the foetus because it is the foetus that defines the womb as “a separate, legal arena in which the modern, biopolitical citizen will be formed.”<sup>21</sup> As the citizens are the primary concern of the governments, it legitimizes the government’s intervention on women’s wombs. The AKP tracks the same pattern and uses the pro-life rhetoric vis-à-vis women’s reproductive rights. In addition, the AKP’s pro-family discourse is in parallel to Miller’s challenge to the

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<sup>20</sup> Miller, *The Limits of Bodily Integrity: Abortion, Adultery, and Rape Legislation in Comparative Perspective*, 29.

<sup>21</sup> *Ibid.*, 35.

traditional public/private dichotomy by analyzing the process how sexual identity (private) become political identity (public) through the regulations on abortion.

Through the lens of biopolitics, it appears that the AKP's attempt to ban abortion in 2012 aimed at regulating population due to the demographic concerns. In this thesis, I consider the ban on abortion as an extension of biopolitics that epitomizes the government's power to control the birth rates so as to reach two specific aims: supervising and restricting women's role within the public sphere and creating a new generation through which it will be possible to plant the seeds of conservatism within the society. Moreover, as it was mentioned above, Foucault suggests that sexuality takes place in the intersection of both disciplinary and regulatory power because it is both related to individual body and population. In this light, it can be inferred that the AKP's intervention on women's sexuality for the purpose of regulating population is an indirect assault to the integrity of women's bodies. Regulations on abortion which force women to give birth to an unwanted child lead to intervention on women's wombs. As Miller suggests, an analogy between women's wombs and biopolitical space might explain the dynamics behind the fact that women's bodies are turned into spaces where political issues are discussed such as life and death, race and nation, citizenship and motherhood and the dilemmas of the foetus: "a foetus is an individual or an embryo", "does it have rights or not?"

The issue of abortion in the Ottoman Empire and Turkey has been studied from many perspectives. Despite the existence of a bulk of literature on the issue, only a few used biopolitics as a new vista so as to make sense of the governmental policies on abortion in Turkey. The next part of this chapter aims to locate this thesis within the literature of abortion in Turkey so as to elicit where it stands within the broader literature.

## 1.2 A Survey on the Abortion Debate in Turkey

Abortion is an issue that has been worked on with regards to its changing meaning and scope as a tool of demography, as a key to women's liberation, states'/patriarchy's control over women's bodies. The large spectrum of meanings that abortion has gained makes it the issue of many disciplines such as law, politics, history, psychology and medicine. In a broader sense, my thesis deals with the government's aim to regulate abortion due to the demographic concerns<sup>22</sup>, how the laws and regulations function as the governmental apparatus<sup>23</sup>, the role of the collaboration between neoliberal and neoconservative policies<sup>24</sup>, the way in which biopolitics affect the integrity of women's bodies,<sup>25</sup> how restrictions on abortion violates women's reproductive rights and how women's movement genders the issue of abortion.<sup>26</sup> Within the context of Turkey, abortion debate between the years 2008 and 2013 cannot be separated from a wide spectrum of other critical social issues such as the penetration of religion into daily lives, nationalization vis-à-vis conservatism, which properly reflects the AKP's treatment of "abortion" in relation to

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<sup>22</sup> See G. Kligman, *The Politics of Duplicity: Controlling Reproduction in Ceausescu's Romania* (University of California Press, 1998).; S. Greenhalgh and E.A. Winckler, *Governing China's Population: From Leninist to Neoliberal Biopolitics* (Stanford University Press, 2005).

<sup>23</sup> See Martha Fineman, "Feminist Theory and Law," *Journal of Law & Public Policy* 18, no. 2 (March 1, 1995).

<sup>24</sup> See Lemke, *Biopolitics: An Advanced Introduction*.; M. Cooper, *Life as Surplus: Biotechnology and Capitalism in the Neoliberal Era* (University of Washington Press, 2008).; Angela Kennedy, "Abortion, Patriarchy, Neoliberalism," *Studies: An Irish Quarterly Review* 90, no. 358 (2001).; D. Harvey, *A Brief History of Neoliberalism* (Oxford University Press, Incorporated, 2007); Wendy Brown, "American Nightmare: Neoliberalism, Neoconservatism, and De-Democratization," *Political Theory* 34, no. 6 (2006).

<sup>25</sup> See Miller, *The Limits of Bodily Integrity: Abortion, Adultery, and Rape Legislation in Comparative Perspective*.

<sup>26</sup> See Stetson, *Abortion Politics, Women's Movements, and the Democratic State : A Comparative Study of State Feminism: A Comparative Study of State Feminism*.; R.P. Petchesky, *Abortion and Woman's Choice: The State, Sexuality, and Reproductive Freedom* (University Press of New England, 1990).



their Islamic and nationalist stances<sup>27</sup> of the AKP as well as its neoliberal and neoconservative politics.<sup>28</sup>

The issue of abortion in the Ottoman Empire and Turkey has only received scholarly attention within the last few decades mainly due to the absence of historical records and the overarching influence of Islamic ban on women's public visibility.<sup>29</sup> One influential example of this new interest is the article co-penned by Tuba Demirci and Selçuk Akşin Somel, which analyses the process of banning abortion during the long nineteenth century of the Ottomans.<sup>30</sup> The article unveils the reasons behind the state's desire to have control on women's bodies which are closely related with the Ottoman state's demographic policies. According to Demirci and Somel, banning abortion during the period of Ottoman Modernization (1838-1890) plays a crucial role to increase the population and strengthen military. They also discuss the contradiction between the Islamic Law, which allows women to have abortion, and state's struggle to ban something that is allowed by the Islamic Law.

The emphasis on the reconciliation of the practices of the Islamic Law and the state law is a common characteristic of the scholarship on the late Ottoman period.<sup>31</sup> Demography and religion, which are also two reference points of this thesis, find a lot of

<sup>27</sup> For Islamic stance see: A.R. Omran, *Family Planning in the Legacy of Islam* (Routledge, 1992). For nationalist stance see L. Smyth, *Abortion and Nation: The Politics of Reproduction in Contemporary Ireland* (Ashgate, 2005).

<sup>28</sup> See Faruk and Ceren Kalfa Ataay, "Neoliberalizmin Krizi Ve Akp'nin Yükselişi," in *Küreselleşme, Kriz Ve Türkiye'de Neoliberal Dönüşüm*, ed. Sinan Sönmez Nergis Mütevellioğlu (Istanbul: Bilgi University Press, 2009)., Simten Coşar and Gamze Yücesan Özdemir, *Silent Violence: Neoliberalism, Islamist Politics and the Akp Years in Turkey* (Ottawa: Red Quill Books, 2012).

<sup>29</sup> According to Akşin Somel, the issue of abortion in Ottoman Empire is not studied because "historical studies focused on sexuality and gender are still a relatively new phenomenon, particularly so for the Ottoman realm. In addition, and more specific to Ottoman studies, is that primary sources such as fatwa collections (collections of Islamic legal opinions, called *fatwa mecmuaları* in Turkish) and Islamic court records (*şer'iyye sicilleri*), while promising vast amounts of materials for social history, have attracted the attention of historians only in recent decades. Even better-known documents like literary and newspaper accounts have been neglected as potential sources for social history in its broadest sense." (Tuba Demirci and Akşin Somel, "Women's Bodies, Demography, and Public Health: Abortion Policy and Perspectives in the Ottoman Empire of the Nineteenth Century," *Journal of the History of Sexuality* 17, no. 3 (2008): 379.)

<sup>30</sup> Ibid., 377-420.

<sup>31</sup> For the discussion of abortion in relation to demography and The Islamic Law example See Selçuk Akşin Somel, "Osmanlı Son Döneminde İskat-ı Cenin Meselesi," *Kebikeç* 13(2002).; Ömer Düzbakar, "Abortion in the Islamic-Legal Systems," *Journal of the International Society for the History of Islamic Medicine* 5(2006).

attention in various earlier works that might be helpful in evaluating the AKP's prioritization of Islamic rules and demographic concerns while asking for a radical change in reproductive rights and limitations.

Belkıs Konan analyzes how the miscarriage of a foetus was punished in the 19<sup>th</sup> century on the pretext that Islamic Law punished it. Konan studies archival documents which are related to the criminalization of abortion by law to provide an insight about the criminalization process of abortion and how the law was applied.<sup>32</sup> Ruth Miller expands the argument of abortion onto an international level and she offers a comparison among Ottoman, Turkish and French abortion laws in the late nineteenth and early twentieth century.<sup>33</sup> She dwells on the close relationship between “the criminalization/de-criminalization of abortion in the Ottoman Empire, Turkey, and France” and “modern citizenship formation” in these states. Elif Ekin Akşit brings the discussion of abortion from the Ottoman Empire to more present times and Akşit examines abortion as a tool of population politics and social engineering between the 1870s and the 1970s. By giving a retrospective analysis of the relation between abortion and population politics, Akşit provides a historical framework to the AKP's abortion politics. She especially focuses on the AKP's insistence on “at least three children” for each family within a biopolitical framework.

Apart from these fundamental works on abortion in the Ottoman Empire and Turkey, there are also several unpublished MA theses that deal with the issue of abortion. Especially two of them which were written in 2009 and 2011 are closely related with my thesis because they include the latest debates on abortion in Turkey. Sultan Komut compares the issue of

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<sup>32</sup> Belkıs Konan, "Abortion Law in the Ottoman Empire," *Ankara University Law Faculty Journal* 57, no. 4 (2008).

<sup>33</sup> Ruth A. Miller, "Politicizing Reproduction in Comparative Perspective: Ottoman, Turkish, and French Approaches to Abortion Law," *Hawwa* 5, no. 1 (2007).

abortion in Turkey and America in terms of its relation with religious, ethnic, economic and social norms in her thesis<sup>34</sup> Ayşegül Toksöz analyses laws, policies and regulations to expose the “discrepancy between abortion law and actual abortion practices.”<sup>35</sup> She scrutinizes the AKP’s neoliberal and neoconservative politics which lead to restriction of abortion especially in public hospitals. In other words, Toksöz unveils the state’s secret anti-abortion agenda by analyzing up-to-date debates and statements about abortion.

Building on the existing literature on the issue of abortion in modern day’s Turkey, I aim to analyze the shifts in the abortion debate with the AKP’s last attempt to ban abortion in 2012. The abortion debate derailed especially due to the anti-abortion statements and regulations of the government as well as the reactions of women against the ban on abortion. This thesis engages with the way in which the latest updates – especially when the implications of the statements of the Prime Minister, the Health Minister and the MP’s of the AKP are analyzed – reveal that the AKP’s biopolitics of abortion is in pursuit of more than intervening women’s bodies. Firstly, it aims to expropriate women’s bodies and secondly, through the commodification of women’s wombs, it aims to conservatize the society. In sum, as the previous works were written before the AKP’s mention of a draft-law in 2012 that aims to restrict women’s reproductive rights, they lack the discussions related with so-called “Reproductive Health Bill.” This thesis aims to analyze the discourse related with the draft-law and reveal the AKP’s restrictive biopolitics which become more apparent with their new regulations related with abortion. In doing so, I will use more up-to-date information which functions as a complementary study to the previous ones and pave the way for new studies related with abortion in Turkey.

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<sup>34</sup> Sultan Komut, "A Discourse Analysis of the Abortion Debate in Turkey and the United States" (Kadir Has University, 2009).

<sup>35</sup> Ayşegül Toksöz, "The Regulation of Abortion in Contemporary Turkey: Laws, Policies, Discourses," in *Sociology* (Istanbul: Boğaziçi University, 2011).

As the departure point of this thesis is to carry out discourse analysis of the statements of the Prime Minister, the Health Minister and the MP's of the AKP, it might be crucial to define what I mean by discourse analysis. Besides, there are some terms and concepts that are in need of further clarification to prevent ambiguity when I refer to them in this thesis. The next part of this chapter aims to introduce the method and the sources that I use in the thesis and explain some of the important terms and concepts related to abortion.

### 1.3 Methodological Considerations, Sources and Terminological Clarifications

This part of the chapter covers the clarification of methodology and some of the terms and concepts used in this thesis. Firstly, the method of discourse analysis will be explained in terms of its contribution to this thesis; secondly, the sources that I analyze in this thesis will be introduced, lastly, the crucial terms - sterilization, pro-life, pro-family, pro-choice, conservatism, "conservative women" - will be defined within the context of Turkey.

In the first volume of his book *The History of Sexuality*, Foucault introduces a hypothesis which he presents through a bunch of questions. Basically, these questions are devoted to untying the knot between sexuality, power, discourse and knowledge. By analyzing the relationship between these concepts under the name of "repressive hypothesis", Foucault forms the idea that sexuality (restriction on sexuality) is discursively constructed.<sup>36</sup> Foucault exemplifies this situation by referring to the history of sexuality in the Victorian era when sexuality was labelled as an unspoken situation. According to "repressive hypothesis", the meaning of sexuality was deprived of pleasure in the 18<sup>th</sup> century due to the "silencing of sexual discourse and practices (...) especially during the

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<sup>36</sup> M. Foucault, *The History of Sexuality: An Introduction* (Knopf Doubleday Publishing Group, 1990).

hegemony of the Victorian bourgeoisie.”<sup>37</sup> Therefore, sexual practices were reduced to familial/private issues and only a way of producing children. Foucault’s approach to sexuality as a discursive phenomenon helps the formation of the scope of the discourse analysis intended in this thesis. Reading between the lines of the government’s anti-abortion statements unveils how the AKP discursively regulates sexuality within the society. According to Foucault, the way of revealing the hidden discourse is not by following the hints that are on the surface such as explicitly saying “yes” and “no” but by “discover(ing) who does the speaking, the positions and viewpoints from which they speak, the institutions which prompt people to speak about it and which store and distribute the things that are said.”<sup>38</sup> This way of analyzing provides a critical and skeptical standpoint which is necessary for an effective discourse analysis.

As for my sources to carry out discourse analysis of the anti-abortion statements of the government, I will utilize daily newspapers (*Zaman*, *Radikal*) and a news portal (*Bianet*). *Zaman* (1986) and *Radikal* (1996) are two prominent daily newspapers in Turkey which present different political stances. While *Zaman* which is widely-known as the most prestigious conservative and “Islamic” newspaper in Turkey,<sup>39</sup> *Radikal*, as its editor Eyüp Can suggests, is positioned politically as “liberal left.”<sup>40</sup> The reason why I choose these newspapers that represent two separate poles within the society is that it might contribute to the objectivity of the research. Also, my research materials mainly will be taken from a news portal called *Bianet* (2000), Independent Communication Network, which is known as “an independent source of unbiased news.”<sup>41</sup> *Bianet* which is funded by the European Commission through the European Instrument for Democracy and Human Rights (EIDHR)

<sup>37</sup> David Howarth, *Discourse* (Open University Press, 2000), 73.

<sup>38</sup> Foucault, *The History of Sexuality: An Introduction*, 11.

<sup>39</sup> Edip Asaf Bekaroğlu, "Başörtüsü Reklamları: Muhafazakâr Bir Dönüşümün Hikâyesi," *Birikim* 227(2008).h

<sup>40</sup> "Eyüp Can: Özgürlükçü Sol Olacağız," <http://www.ntvmsnbc.com/id/25140773/>.

<sup>41</sup> Tolga Korkut, "'Bianet Is Our Voice, a Source of Unbiased Information'," *Bianet*, <http://www.bianet.org/english/minorities/121718-bianet-is-our-voice-a-source-of-unbiased-information>.

offers up-to-date news and columns on women's issues in Turkey as well as the issues such as discrimination, human rights, minorities, gender, politics and more.<sup>42</sup> It offers important sources to research on abortion because *Bianet* itself is closely related to the issue due to the campaign that it launched against the restriction.<sup>43</sup> While analyzing women's reactions and counter-argument against the government's anti-abortion rhetoric, I will benefit from the websites of women's and feminist organizations for the campaigns and demonstrations against banning abortion as well as the other sources that I mentioned above.

Apart from methodology, what is in need of clarification in this thesis is some of the terms and concepts that this thesis is built on such as conservatism, pro-life, pro-family and sterilization. Furthermore, the personification of the AKP as a rather monolithic entity throughout the thesis stems from the fact that despite offering the opposite, the party is considered a one-man party directly under the control of the Prime Minister Erdoğan. Therefore, the remarks of the MPs are not likely to contradict with the outlook of the Prime Minister. What is articulated by a member of the party on important issues needs to be adapted with the fundamental missions of the party set by the founding fathers Recep Tayyip Erdoğan and Abdullah Gül (the current president of Turkish Republic). One of the main claims of this thesis is that the AKP's latest regulations on abortion serve for their conservative policies and their target is to conservatize/Islamize society. Here, "conservative" does not mean that Turkey is imprudently stuck to traditions or it frowned upon innovations. As Hasan Bülent Kahraman claims, it is unfair to indicate that Turkey is a conservative country in terms of the innovations due to the growing dynamism and modernity. Accordingly, conservatism in the West came into being with modernism and in relation to class issues. Unlike the western understanding of conservatism which refers to religion only as a phenomenon, in Turkey conservatism directly depends on religion. In

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<sup>42</sup> "Bianet," <http://www.courrierinternational.com/notule-source/bianet-org>. Reached through Wikipedia.

<sup>43</sup> "My Body, My Decision"

other words, what can define conservatism in Turkey is Islam.<sup>44</sup> In this thesis, the concept of conservatism is used in a similar way that Kahraman explains so I use conservatism with a reference to Islam.

Another problematic issue in this thesis is to apply Western concepts to the cases appeared in Turkey. For instance, although the concepts of “pro-life”, “pro-family” and “pro-choice” are involved in academic terminology and even they are used in the daily newspapers to define the AKP’s policies related to family and foetus, it is a must to define them within the context of Turkey. This need stems from the fact that these concepts appeared in the West and they are on the verge of getting lost in translation while being applied to Turkish cases. Despite the usage of the same terms, their perception and the ways people in Turkey experience and conceptualize them differ to a great extent.<sup>45</sup> The fundamental distinction between the uses of these concepts of “pro-life”, “pro-family” and “pro-choice” lies behind their historical background. While in the American context, these concepts refer to social movements which are decentralized,<sup>46</sup> the same concepts are used in Turkey in relation to the government’s policies and women’s reactions to it. Unlike the American context, the pro-life and pro-family discourses of the government have heavy Islamic undertones in Turkey. The pro-life discourse protects the right of the foetus to live by depending on the conventional moralist belief that it is a sin to implement abortion after God gives the soul to the foetus. As for the pro-family discourse, it is based on the assertion that the Koran sanctifies the family institution. On the other hand, pro-choice discourse in Turkey emerges as a reaction to the government’s pro-life and pro-family discourses. It is used to protect women’s reproductive rights. In this thesis, these concepts are deprived of

<sup>44</sup> Hasan Bülent Kahraman, "Muhafazakarlık Artmıyor Ama..." Sabah, <http://www.sabah.com.tr/Yazarlar/kahraman/2012/10/10/muhafazakarlik-artmiyor-ama>.

<sup>45</sup> Simten Coşar, Semra Arcan Gökçen, and Begüm Başdaş, "Feminizme Farklı Yaklaşımlar Ve Üçüncü Dalga," *İstanbul - Amargi Feminizm Tartışmaları 2012* (2012): 342.

<sup>46</sup> J.D. Schultz and L.A. Van Assendelft, *Encyclopedia of Women in American Politics* (Oryx Press, 1999).

their original meaning in the American context and they are used according to the local meaning they gain in Turkey, which were defined above.

Another note on terminology should be added on the use of the word “sterilization” in this thesis. Although “sterilization” differs from “abortion” because it means medical procedure to disable a person to reproduce rather than cessation of pregnancy, it was widely used in lieu of abortion in some earlier laws, regulations and edicts especially during the late Ottoman Empire and the Early Republican Era.

I should also clarify the fact that in the second chapter of this thesis, the image of women which I am going to refer to as “conservative women” is a fictional category that the government created to ground its ideologies. Therefore, I refer to this category to explain how it came into being in accordance with the governments’ act of social engineering.



## **Chapter 2: Women in a Neoliberal and Neoconservative Government in Turkey**

This chapter aims to analyze the AKP's neoliberal and neoconservative policies that house its biopolitics of abortion. This analysis will indicate how the collaboration between neoliberalism and neoconservatism sets the stage for the AKP to intervene in women's bodies. For this purpose, the first part will give a brief history of neoliberalism in Turkey and then elaborate on the background of the AKP. It will also focus on the AKP's three fundamental policies that make women the objects of neoliberal and neoconservative ideologies. This will allow situating the issue of abortion within the broader framework of the collaboration mentioned above. The second part of this chapter will reveal three gender myths – microcredit, legalizing headscarf and “Reproductive Health Bill” - that are presented as reforms in Turkey. These myths will be analyzed in terms of their function as a tool to conservatize women at the mercy of the government. This will problematize the unsteady image of women through which the government establishes its ideologies. This will provide a basis to understand how the AKP's biopolitics of abortion contribute to the image of “Conservative Women.”

### **2.1. The AKP's Neoliberal, Neoconservative and Populist Policies**

This part of the chapter gives the historical and political background that shaped the AKP's neoliberal, neoconservative and populist policies by asking questions such as “How did neoliberalism come to Turkey?”, “What was its relation to the one in America and England?”, “In what ways did neoliberalism shift in the helm of AKP?”, “How did the AKP's neoliberal policies associate with its neoconservative and populist policies?” The answers to these questions, which this part aims to give, will illuminate that the AKP's

neoliberal, neoconservative and populist policies reinforce each other and paved the way for the AKP's attempt to implement a series of conservative social limitations including the ban on abortion.

The 1980s in Turkey witnessed a neoliberal transformation which depended on a new understanding of capitalism and market. Neoliberalism in Turkey was “intertwined with statist control mechanism stemming from the tradition of authoritarian statism which was reinforced by September 12 [1980 Turkish coup d'état].”<sup>47</sup> This resulted in the emergence of a market that was heavily under the state control. The intervention of the state clothed the “arbitrary, unregulated, illegal and uncontrolled” market which allowed enrichment of the bourgeois class during the prime ministry of Turgut Özal (1983-1989).<sup>48</sup> A distinguishing feature of this period in terms of forming the neoliberal economy was Özal's policy of new left which integrated liberalism with conservatism.<sup>49</sup> Although Özal represented liberation and modernism in economy, he had a more conservative attitude in politics. He was in favor of protecting traditional values such as family, nation and honor. For instance, in Özal's tenure as the Prime Minister, conservatism was legitimized with the institutions such as “Protecting the Children against Harmful Publications” (*Küçükleri Muzur Neşriyattan Koruma*) and “Family Research Institute.” (Aile Araştırma Enstitüsü)<sup>50</sup>

<sup>47</sup> My translation from the original: “Türkiye’ye has neo-liberalizmin özgün yanı, 12 Eylülde yeniden yorumlanmış güçlü bir otoriter devletçi gelenek üzerinden ağır bir devletçi tahakküm mekanizmasıyla iç içe geçmiş olmasıydı.” Quoted from Alev Özkazanç, “Türkiye’nin Neo-Liberal Dönüşümü Ve Liberal Düşünce,” in *Modern Türkiye’de Siyasi Düşünce*, ed. Murat Yılmaz, *Liberalizm* (Istanbul: İletişim, 2013).

<sup>48</sup> Ibid., 9.

<sup>49</sup> Turgut Özal is the equipollent of England's Thatcher and America's Reagan in terms of his policies of liberal conservatism which encourages privatization and free market.

<sup>50</sup> According to M. Sait Doğan, there is not one type of conservatism but there are conservatisms in Özal period. He categorizes these as cultural conservatism, economic conservatism and conservatism through media. The first one is protecting language, religion, nation, traditions and more. The second one refers to political conservatism against the ones who are against privatization. The last one is spreading conservative policies of the state by means of media such as religious TV programs, local soap operas, TV shows for women and etc. Sait Doğan, “Siyasi Muhafazakarlıkla Örtüşen Toplumsal Muhafazakarlığın Medyatik Tahrifi,” *İstanbul Üniversitesi Sosyoloji Konferansları Dergisi* 28(2003). See For further information for the history of neoliberalism in Turkey See: Tevfik Çavdar, *Neoliberalizmin Türkiye Seyir Defteri*, vol. 1, Türkiye Yazıları Dizisi (Yazılama Press, 2013)., Neşecan Balkan and S. Savran, *The Ravages of Neo-Liberalism: Economy, Society and Gender in Turkey* (Nova Science Pub Incorporated, 2002).

In the 1990s, the growth of neoliberalism and state's control over the market accelerated the process of impoverishment of many people in the country. The market started to get dirtier due to the illegal relations (mafia-gang, politicians, and bureaucrats) within it. As a result, many changes occurred in the 1990s, as the new right lost its influence; the policies on market transformed from nationalism and conservatism to liberal-democracy; and neoconservatism was articulated to human rights and democracy.<sup>51</sup> Neoliberalism which went through a period of decline during the 1990s mostly due to the economic crisis in 1994 revived with the AKP's victory in the elections in 2002.

Such neoliberal policies gained further momentum at the turn of the 21<sup>st</sup> century when the AKP was born out of the ashes of the Welfare Party (*Refah Partisi*) in 2001. The Welfare Party, known for its heavy emphasis on Islamism, was closed in 1998 due to its acts against secularism. Indeed, another Islamist party named the Virtue Party (*Fazilet Partisi*) had already been established in 1997 due to a potential ban on the Welfare Party; however, it was also banned in 2000. The AKP was established in 2001 as a "conservative democrat" party with the claim that it "took off the national (vision) shirt"<sup>52</sup> which the Welfare and Virtue Party had been wearing; so, the AKP did not allegedly have any organic connections with the previous ones.

When the AKP won the elections in 2002, its neoliberal neoconservative policies opened a new page for Turkey. The AKP's neoliberal stance has based its policies on free market economy since it came to power.<sup>53</sup> The Party has executed neoliberal policies in line

<sup>51</sup> Özkazanç, "Türkiye'nin Neo-Liberal Dönüşümü Ve Liberal Düşünce." *passim*.

<sup>52</sup> "Akp's 10 Years: Are Justice and Development Enough?,"

<http://www.turkishnews.com/en/content/2011/08/27/akps-10-years-are-justice-and-development-enough/>.

<sup>53</sup> Examples for the AKP's economic policies in 2002: Sale of the leading public corporations to foreigners to close Current account deficit, sale of real property to foreigners, aiming to "make Turkey an international trademark", "creating incentives for foreign investment and compliance with the criteria determined by the IMF" Taken from Ataay, "Neoliberalizmin Krizi Ve Akp'nin Yükselişi."; Simten Coşar and Aylin Özman, "Centre-Right Politics in Turkey after the November 2002 General Election: Neo-Liberalism with a Muslim Face," *Contemporary Politics* 10, no. 1 (2004).

with Islam and from the AKP's collaboration of neoliberalism and Islam, a new type of conservatism came into being: neoconservatism.

As a matter of fact, the above-mentioned collaboration is not a new phenomenon. With reference to the co-existence of neoconservatism and neoliberalism within the American context, Wendy Brown suggests that they are indeed two complementary political stances. According to Brown's definition of neoliberalism, the prefix "neo" which differs it from classical liberalism adds the meaning to the word that it normalizes free markets, free trade and market rationality due to the reinforcement of the government with law, social and economic policies.<sup>54</sup> Brown defines the difference of neoconservatism from conservatism by defining it as "open affirmation of moralized state power in the domestic and international sphere."<sup>55</sup> The alliance of these two policies stems from the fact that

...the moralism, statism, and authoritarianism of neoconservatism are profoundly enabled by neoliberal rationality.... neoliberal political rationality, which knows no political party, has inadvertently prepared the ground for profoundly anti-democratic political ideas and practices to take root in the culture and the subject. This is what permits neoconservatism to become more than a contestable political ideology or agenda whose star might rise or fall according to economic indicators, immigration politics, or success in imperial<sup>56</sup>

While neoliberalism nourishes neoconservatism and provides it with a habitus which is deprived of democratic concerns, neoconservatism reinforces neoliberalism on the grounds of moral aspects. In this context, neoliberalism and neoconservatism are organically linked with each other.<sup>57</sup>

In relation to the collaboration between neoliberalism and neoconservatism in America, how has neoconservatism been expressed within the AKP? Özgün Erler answers this question by drawing an analogy between the AKP's rhetoric of "conservative democrat" and neoconservatism in America. According to Erler, with this rhetoric, the AKP

<sup>54</sup> Brown, "American Nightmare: Neoliberalism, Neoconservatism, and De-Democratization," 694.

<sup>55</sup> Ibid., 697.

<sup>56</sup> Ibid., 702.

<sup>57</sup> Zeynep Gambetti, "Shifting Faces of Power: Neoliberalism, Violence and the Demise of Institutional Politics," *İstanbul Üniversitesi Siyasal Bilgiler Fakültesi Dergisi* 40(2009): 152.

emphasizes that it aims to separate religion/Islam from politics and make Islam an issue of public sphere rather than politics.<sup>58</sup> In parallel, Ali Yaşar Sarıbay explains the AKP's self-identification as being "conservative democrat" on the grounds that "its name is Islam, its practices are liberal, its attitude is democrat and its trajectory is the West."<sup>59</sup> It can be inferred that this approach of the AKP might be the impetus that adds the prefix "neo" at the beginning of their conservative policies.<sup>60</sup> Unlike the neoconservatism in America whose conservatism is multi-directional<sup>61</sup>, the AKP's neoconservatism is rigidly tied to Islamic concerns.

What makes the AKP's neoconservative – indirectly neoliberal - policies reach success is its ideology of populism which is built within the society step by step. Firstly, the subject/audience of populism is created by making a division between the people and the elites, the oppressed and the oppressor, the weak and the powerful. By doing so, the AKP converts the public into a "political actor" of its populist ideologies.<sup>62</sup> Through the discourse of "standing by the people, oppressed and weak" and through the image of unity with the people, depending on the motto of "we are common men/we are one of you", the government gets involved in a hypnotizing discourse directly targeting the people. Prime Minister Tayyip Erdoğan reveals his party's populist ideology in a gathering for the 5<sup>th</sup> anniversary of the AKP in 2009:

<sup>58</sup> Özgün Erler, "Yeni Muhafazakarlık, Akp Ve "Muhafazakar Demokrat" Kimliği," *Stratejik Araştırmalar Dergisi* 10(2007)., *passim*.

<sup>59</sup> Ali Yaşar Sarıbay, "Akp Kimliksizliğe Mahkum," *Vatan*, <http://haber.gazetevatan.com/0/15666/1/gundem>.

<sup>60</sup> For further information about the AKP's conservative democracy and neoconservatism See: Yalçın Akdoğan, *Ak Parti Ve Muhafazakar Demokrasi* (İstanbul: Alfa Yayınları, 2004).; Tanıl Bora, *Türk Sağının Üç Hali: Milliyetçilik, Muhafazakarlık, İslamcılık*, (İstanbul, Birikim Yayınları) (İstanbul: Birikim Yayınları, 1999).; Nuray Mert, "Sağ-Sol Siyaset Ayrımı Ve Yeni Muhafazakarlık," *Toplumbilim* 7 Yeni Sağ, Aşırı Sağ Özel Sayısı(1997).; Ahmet Yıldız, "Muhafazakarlığın Yerleştirilmesi Ya Da Akp'nin Yeni Muhafazakar Demokratlığı," *Karizma* 17: Muhafazakarlık Yeniden Özel Sayısı(2004).

<sup>61</sup> Irving Kristol exemplifies (multi-directional) neoconservatism in America as to support welfare state, oppose to bureaucratic pressure, adapt free market economy, support to counter culture, traditions and religion etc. Irving Kristol, *Reflections of a Neoconservative: Looking Back, Looking Ahead* (Basic Books, 1983). Taken from Erler, "Yeni Muhafazakarlık, Akp Ve "Muhafazakar Demokrat" Kimliği," 129.

<sup>62</sup> Yunus Sözen, "Akp Ve Bir Otoriterleşme İdeolojisi Olarak Neo-Muhafazakar Popülizm," *Yeni Yol* 43(2011).

For us, the fundamental element that weakens society, empowers injustice, gives harm to our people's sense of trust is the disconnection between governance and the people. It is not easy to fix this disconnection that the previous governments created. We made it. We fixed it! Because we do not look from the ivory towers, we are among the people.<sup>63</sup>

This kind of populist discourse leads to the illusion that unlike previous parties' governance, the AKP's democracy serves for the common men who are "oppressed but virtuous."<sup>64</sup> Moreover, because this populist discourse appears within a neoconservative framework, the religion, Islam, appears as a tool of the AKP's populist politics. For one good instance among many others, Erdoğan's statement about the succeeding generation is laden with implications about Islam as well as demographic concerns. He said "We are raising a conservative generation. Is it better if they are raised as thinner addicts?"<sup>65</sup> With specific reference to the prohibition of alcohol in Islam, Erdoğan addresses the young people who use alcohol as a corrupt generation.<sup>66</sup> By popularizing this remark, Erdoğan managed to create a specific jargon in which he idealized the characteristics of the conservative generation that he conceived of, while producing degrading appellations such as "thinner addicts" as general concepts which began to be used to denote a specific part of the society. In other words, "thinner addicts" became a popular discourse to describe the youth whose deviation from Islamic practices, i.e use of alcohol, found plenty of space in the conservative cliques with condemning tones.

The AKP's last attempt to ban abortion appears in the intersection of neoliberal, neoconservative and populist policies. Behind the demographic concerns of the AKP lie economic concerns which require increase in labor power as well as Islamic concerns which

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<sup>63</sup> My translation from original: "Bize göre, toplumu zayıf bırakan, bölgesel adaletsizlikleri derinleştiren, insanlarımızın güven duygusunu zedeleyen en önemli unsur yönetim ile halk arasındaki kopukluktur. Daha önceki iktidarların halk ile yönetim arasında açtığı mesafeyi kapatmak elbette kolay bir iş değildir. İşte biz bunu başardık. Biz o mesafeyi kapattık. Biz halka fildişi kulelerden bakmıyoruz, biz halkın içinde yaşıyoruz." "Fildişi Kulelerden Bakmıyoruz," Sabah, <http://arsiv.sabah.com.tr/2006/08/14/siy95.html>.

<sup>64</sup> "Akp Ve Bir Otoriterleşme İdeolojisi Olarak Neo-Muhafazakar Popülizm.", *passim*.

<sup>65</sup> "Erdoğan: Gençlik Tineri Mi Olsun?"

<sup>66</sup> While I was writing this thesis, the AKP prepared a draft-law to regulate alcohol consumption in Turkey. According to the draft-law, alcoholic drinks will be sold between 10 pm and 6 am. Besides, the draft-law will prohibit the campaigns, advertisements and promotions which tempt to drink alcohol. See "22.00'den Sonra Alkol Satışına Yasak," <http://wap.ntvmsnbc.com/Haber/Goster/25444679>.

– according to some Islamic schools - restrict abortion. Besides all, the AKP tried to achieve these through its populist policies which paved the way for the discourse of “abortion is murder” and more. In short, it can be asserted that when the AKP’s anti-abortion discourse is considered in relation to all these three policies – neoliberalism, neoconservatism and populism-, it unveils the economic, demographic and religious reasons behind the AKP’s restrictive policies related to abortion. In this light, the next part of the chapter will add the gender dimension to the politics and analyze how the AKP creates “gender myths” to make women the tools of its neoliberal and neoconservative policies<sup>67</sup> and how the AKP’s biopolitics of abortion functions as a gender myth.

## **2.2. The AKP’s Biopolitics of Abortion as a “Gender Myth”**

In their work “Gender Myths that Instrumentalise Women: A View from the Indian Frontline”, Srilatha Batliwala and Deepa Dhanraj examine the way in which women are made the objects and the tools of the neoliberal and fundamentalist reforms by means of the gender myths that are created by the same policies. Scrutinizing the reforms which gained women’s support within the feminist movement reveals the illusion of these policies that result in women’s subordination. Batliwala and Dhanraj’s critical approach to the government’s reforms which are allegedly for the benefit of women, provides the main argument of this thesis with a critical standpoint to scrutinize the gender myths in Turkey that are created by AKP’s neoliberal and neoconservative policies. This part of the chapter aims to analyze the gender myths that the government created by evaluating the reforms such as microcredits for women, allowing women’s wearing headscarves in public sphere and the AKP’s latest attempt to ban abortion in disguise of “the Reproductive Health Bill.”

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<sup>67</sup> Srilatha Batliwala and Deepa Dhanraj, "Gender Myths That Instrumentalise Women: Aview from the Indian Frontline," *IDS Bulletin* 35, no. 4 (2004).

This analysis will help us to observe some other policies of the AKP which are closely related to the subordination of women and ban on abortion. These reforms will be considered in terms of their contribution to the government's aim of creating new "conservative women" who work in the jobs that are traditionally identified with women, who appear in the public space only in specific manner like "wearing headscarves" and who are "married with children."

The first myth of the government in Turkey, which this thesis identifies, is the microcredit which claims to empower women and save them from being poor by offering the chance of being entrepreneurs. One of the former MP's of the AKP, Abdülkadir Aksu emphasized the importance of the microcredit for women in terms of governmental policies:

The reason why we give such supports is due to the fact that we, the government, supported the co-existence of social policies with economic policies since the very first day we were elected. That is why we have given a specific emphasis on social policies. Many of our social policies targeted each and every part of the society which needed services. Microcredit might be considered an extension of these social policies, but is specifically peculiar to women. I fully support that policy which provide our women with economic freedom. The gentlewomen (he uses the term "*hanımefendi*" as an expression of decency but passivity), in this way, have the chance to become an employer, at least. Even if this is a very small-scaled job opportunity, it is still worth considering.<sup>68</sup>

As Aksu states, the primary importance of the microcredit reform stems from the fact that it reinforces the government's economic policy and it is compatible with the government's social policies. The reform's contribution to women's empowerment has a secondary importance. Aksu's use of language – i.e, "Even if this is a very small-scaled job opportunity, it is still worth considering" - exposes the fact that the microcredits mainly serve for the benefit of the government-oriented policies. Although microcredit is encouraged by the government as a struggle to women's poverty, it contributes to the

<sup>68</sup> My translation from the original: "Destek vermemin sebebi, biz hükümet olarak iktidara geldiğimiz günden beri ekonomik politikaların sosyal politikalarla desteklenmesi gerektiğine inandık. Onun için sosyal politikalara önem verdik. Birçok sosyal politikalarımızda toplumumuzun muhtaç olan her kesimini yönelik çok önemli uygulamalarımız oldu. Mikrokredi sosyal politikalarla uyum sağlıyor ayrıca kadınlarımıza yönelik bir proje. Bu nedenle destekledim. Mikrokredi, kadınlarımıza ekonomik özgürlük kazandırıyor. Mikrokrediyle işe başlayan bir hanımefendi en azından bir iş sahibi oluyor. Böylece çok küçük çapta da olsa bir iş imkanı yaratılmış oluyor." "Türkiye'nin İlk Mikrokredi Finans Şubesi," [http://www.diyarbakir.gov.tr/default\\_B0.aspx/default\\_b0.aspx?id=8882](http://www.diyarbakir.gov.tr/default_B0.aspx/default_b0.aspx?id=8882).



“conservative women” image that the government wants to create because (i) it legitimizes “the feminization of poverty”, (ii) it confines women to “female jobs” and (iii) the difficulty in repayment puts women in a difficult situation.

The intense emphasis on women’s need for the microcredit reform leads to the identification of poverty with women. Muhammad Yunus who is a Bangladeshi economy professor and the founder of microcredit explains the reason of targeting women for microcredit as the most impoverished are women and they experience hunger more intensively than men.<sup>69</sup> Depending on such a stereotypical reasons, Yunus’ explanation leads to “feminization of poverty.” The reason of poverty is reduced to the impossibility to reach financial sources in a taken for granted way. However, it is an important fact that there are other reasons that render women powerless against poverty such as sexism and gender inequality.<sup>70</sup> Besides, microcredits canalize women to the jobs that they are capable of due to their identification with domestic works. For example, according to Adaman and Bulut’s research on women in Diyarbakır, women who use microcredit prefers jobs related to handcraft or cooking.<sup>71</sup> Because women’s preference of jobs is limited with “female jobs”, there appears abundance in these jobs. While the number of women that canalize to the same jobs increases, sale force decreases. This victimizes women during the repayment process of microcredits. The “small-scaled job opportunity” for women provided by the reform of microcredits consolidates women’s role which are tailored them within a conservative society.

The second myth that is created by the government can be categorized under the government’s neoconservative policies. This gender myth is built on the idea that the

<sup>69</sup> Muhammad Yunus, "Poverty alleviation: Is Economics Any Help?," *Journal of International Affairs* 52, no. 1 (1998): 59.

<sup>70</sup> Kadın Emeği ve İstihdamı Girişimi Platformu, "'Ekonomiye Kadın Gücü" Sosyal Sorumluluk Projesinin Mikro Kredi Kullanan Kadınlar Açısından Değerlendirilmesi," (2013), 4.

<sup>71</sup> Fikret Adaman and Tuğçe Bulut, *Diyarbakır'dan İstanbul'a 500 Milyonluk Umut Hikayeleri: Mikro kredi Maceraları* (İstanbul: İletişim, 2007), 50.

regulations on headscarf and women's reproduction serve for the benefit of women's visibility in public sphere as well as their health. The headscarf debates in Turkey which become more feverish in the AKP period due to their neoconservative policies brought about many questions such as "Is wearing headscarf a way of freeing women from private sphere" or "Does it empower patriarchal system rather than women?" In Turkey, these questions have some tricky answers because of the two contradictory images that come into being with the debates. On the one hand, headscarf provided women a chance to come into prominence in social and political life because it helped women to destroy the image of Muslim women who are obedient, passive, identified with private sphere and created the image of women who are visible in public sphere instead.<sup>72</sup> The AKP's lifting the ban on headscarf eliminated women's dilemma to participate in public life or to perform the requirements of Islam. Therefore, it increased women's mobility by giving them the opportunity to go to universities and work by wearing their headscarves. All these reforms make people question the previous ban on headscarf because the government supported the lifting of the ban on a liberal standpoint claiming that there should not be interference on the dress code and women should be free to wear both skirts and headscarves.<sup>73</sup> On the other hand, one part of the society regarded lifting the ban on headscarf as a threat to secularism and women's independence. Wearing headscarf was considered as a tool to solidify Islam and patriarchal system by enslaving women within such a system. What turns the reform of headscarf into a gender myth is the government's claim to make this reform under the name of freedom of dress. Although this reform freed most of the Muslim women in Turkey who wanted to wear headscarves, it created a social pressure upon those who do not wear headscarves or prefer to wear in an "indecent" way. By doing so, the government made

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<sup>72</sup> Nilüfer Göle, *Modern Mahrem: Medeniyet Ve Örtünme* (Istanbul: Metis, 2011), 117.

<sup>73</sup> As two contradictory images, the miniskirts and headscarves are the metonymy for the freedom in Turkey.

women “the flag of the politicized Islam”<sup>74</sup> and paving the way for women to cover their bodies became the biggest step for Islamizing the society.

Another gender myth of the government, and the main reference point of this thesis, is the “Reproductive Health Bill” from 2012. The government claimed that a “Reproductive Health Bill,” as its name implied, was planned as an improvement for women’s health. However, the later statements of the Prime Minister, Health Minister and several MP’s of the AKP showed that in contrast to the implications of the title of the bill, it was an indeed attempt to ban abortion. The real intention behind the draft-law triggered women to react against it and the women’s reactions paved the way for a change in the draft-law. Although the gender myth of “Reproductive Health Bill” was rather promptly refuted and the draft-law was allegedly withdrawn, this cannot impede some restrictive regulations on abortion. For instance, one of the regulations which is presented under the name of “Reproductive Health Bill” restricts the places where abortion could take place. Doctors who practice abortion in places not approved by the government will be prisoned from 2 to 4 years. Doctors will have the right to refuse to take part in “voluntary abortions.” Besides, the government will provide consulting services for mothers or couples before “voluntary abortion.” Mothers or couples will have 2-4 days to reconsider their decision about abortion. The morning after pills will be free but only Institutes of Family Health and Institutes of Health will provide them.<sup>75</sup> In this light, we can deduce that “the Reproductive Health Bill” aims to dissuade women from having abortion and legitimize the government’s intervention on women’s reproduction through restrictions on abortion as well as providing the government with the opportunity of keeping a track of the women who use the morning after pills and who get involved in extra-marital sexual intercourse.

<sup>74</sup> Göle, *Modern Mahrem: Medeniyet Ve Örtünme*, 114.

<sup>75</sup> “İzinsiz Kürtaja Hapis Cezası Geliyor,” *Radikal*, [http://www.radikal.com.tr/turkiye/izinsiz\\_kurtaja\\_hapis\\_cezasi\\_geliyor-1094502#](http://www.radikal.com.tr/turkiye/izinsiz_kurtaja_hapis_cezasi_geliyor-1094502#).

Considering that the restrictions on abortion were the end of the story would be ignoring the multi-layered structure of the issue of abortion. Digging into the abortion debate, as this thesis aims to prove, leads us to the consideration that the government's attempt to ban abortion has much to do with the changing image of women in Turkey. Within the confines of this regulation, women who were aimed to be left with no other option than to give birth would be tied to home with the responsibility to look after children. The social expectation for the mother figure that should be more "decent" and dedicated to her children and husband was one of the tools in the government's policy of producing "conservative women."

Besides economic reforms like microcredits, the biopolitical regulations such as legalizing headscarf and banning abortion aimed to increase the government's power over women's bodies. This power over women paves the way for a domino effect for the Islamizing of the society. Firstly, it aims to shape the image of women in line with Islamic rules. Secondly, "conservative women" who are tailored for giving birth to many children will train a new conservative generation and this will pave the way for engineering an Islamized society. Thus, the issue of abortion is important to scrutinize, which will be attempted here through a focus on the government's approach towards abortion as well as an analysis of the statements of the Prime Minister, Health Minister and several MP's of the AKP. In doing so, the next chapter will provide a basis to understand the abortion myth of the government. It will reveal the government's biopolitics of abortion by carrying out a discourse analysis of the statements of the Prime Minister, the Health Minister and several MP's of the AKP which came out during the discussion of "Reproductive Health Bill."

### **Chapter 3: Juxtaposing the Short History of Abortion in Turkey with “the Reproductive Health Bill”**

This chapter mainly aims to indicate how the governments have used abortion laws as a tool to control women’s bodies and population throughout the history of Turkey. Thus, this chapter firstly will give a historical and political background of abortion in Turkey to contextualize the change in the abortion law that the AKP attempted to make. Secondly, it will present an analysis of the statements of the Prime Minister, The Health Minister and some members of the AKP to prove how the government discursively regulates abortion. The third part of the chapter will be the continuation of the second one in terms of its carrying out a discourse analysis of the counter-argument. In this part, women’s reactions against the proposed bill will be analyzed in relation to the responses of the members of the AKP.

#### **3.1. The Abortion Law as a Governmental Tactic in Turkey**

In Turkey, governments in the last 150 years have criminalized, legalized and attempted to recriminalize abortion with regards to the meaning they attributed to the concept. In the late Ottoman period, the restriction of abortion was closely related with the state’s demographic policies. Due to a series of catastrophic factors such as war, famine, epidemics, population exchange and relocation, there was a remarkable decrease in the population,<sup>76</sup> which led to a ban on abortion as a method to increase the population and strengthen the army.<sup>77</sup> However, in the sultan’s edicts religious and moral reasons of banning abortion were more emphasized than the demographic concerns because of the fear

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<sup>76</sup> F. Adanır and K. Hilmar, "Migration, Deportation and Nation-Building: The Case of the Ottoman Empire," in *Migrations and Migrants in Historical Perspective : Permanencies and Innovations*, ed. René Leboutte (Florence: European University Institute, 2000).

<sup>77</sup> Demirci and Somel, "Women’s Bodies, Demography, and Public Health: Abortion Policy and Perspectives in the Ottoman Empire of the Nineteenth Century."

that the decrease in the population might have led to the idea that the Ottoman Empire was losing its power.<sup>78</sup> In parallel to this, ban on abortion was enacted by the Ottoman Imperial Penal Code of 1858:

Article 192 - The person who helps the pregnant woman to abort baby on purpose is going to be punished by rowing after she/he pays the fine.<sup>79</sup>

As the code suggests that whoever involved in the crime of implementing abortion was going to be punished by pecuniary fine no matter it was on purpose or not. If it was on purpose, the person would be punished in a harsher way with rowing. According to the Article 193 of the same penal code, the pregnant women who aborted their children were going to be imprisoned from 6 months to 2 years regardless of the fact that she wanted abortion or not.<sup>80</sup> Through this penal code, sultan's intervention on women's bodies through his edicts was legalized. By doing so, the abortion law blocked all the ways for women to have abortion because it banned abortion regardless of time and space.

The policy of the Ottoman Empire that banned abortion was valid in the formative years of the Republican Era in which policing the productivity of female bodies was a persistent concern on the grounds that the formation of a new nation-state depended on a new society based on nationalist and secular tenets. A speech of Mustafa Kemal Atatürk who was the founder of Turkish Republic gives a clue about the need for the ban on abortion during the process of establishment of the nation-state:

It is a must to protect and strengthen the welfare of the nation, decrease death rate and raise powerful and nationalist individuals who are capable of working.<sup>81</sup>

<sup>78</sup>Konan, "Abortion Law in the Ottoman Empire," 329.

<sup>79</sup> Ibid., 330. "Bir kimse darp yahut sair bir guna fiil ile hamile hatunun ıskat-ı cenin eylemesine sebep olursa diyet-i şerriyesi istifa olunduktan sonra eğer bu teaddsi an-kasd olmuş ise muvakkaten küreğe konulur."

<sup>80</sup> Ibid., 331. "Bir hamile hatunun gerek rızası olsun gerek rızası olmasın ıskat-ı cenin ettirmek için ilaç içirüp yahut esbab ve vesailini ta'rif edüp de eseriyle çocuğu düşürülür ise buna sebep olan kimse 6 aydan 2 seneye kadar hapsolunur. Ve eğer buna sebep olan tabib ve cerrah ve eczacı ise muvakkaten küreğe konulur."

<sup>81</sup> My translation from the original: "Ulusumuzun sağlığının korunması ve güçlendirilmesi, ölümlerin azaltılması, nüfusun artırılması ve bu suretle ulus bireylerinin dinç ve çalışma yeteneğiyle yetiştirilmesi gereklidir" (Ferruh Dinçkal, "Yalın Tarih: 24 Nisan 1920 - 1 Kasım 1938 Meclis Tutanaklarında Mustafa Kemal Atatürk," (2012), <http://www.cfg.org.au/e-kitap/kitaplik/yalintarih.pdf>.)

From a nationalist and secular standpoint, Atatürk takes into consideration the welfare of the nation rather than religious considerations in terms of the increase in the population.<sup>82</sup> In parallel to this basic philosophy, abortion was made illegal with the law passed in 1930:

Article 152 – It is forbidden to sell contraception and or equipment to abort baby. Women who have 6 or more than 6 children will be rewarded by a medal.<sup>83</sup>

In addition to criminalizing abortion, the government encouraged women to give birth to many children by the law of 1930. Also, the constitution of 1936 clearly stated that the ban on abortion aimed at “protect[ing] racial unity.”<sup>84</sup> In this scheme, abortion was treated as a tool for social engineering whereas women directly functioned as the breeders of new generations for the newly established nation-state. The pro-natalist policies of the governments reduced the role of the women to the birth machines who were forced by the patriarchal power of the government to give birth for the sake of the nation. Motherhood was tailored as the primary job of the women through the reward system of the government. Between the years 1950 and 1960, Turkey’s population was doubled and this reduced the need for more people to strengthen the building the nation-state.<sup>85</sup> The growth in population paved the way for legalizing the sale and use of contraceptives<sup>86</sup> which was an important step in the process toward legalizing abortion. In spite of the on-going ban on abortion, abortion rates were increasing and women were dying because of having abortion in unhealthy conditions. The high rates of illegal abortion and the growth in population

<sup>82</sup> In relation to the demography policies of 1920s and 30s, what Şevket Süreyya Aydemir who is an author and economist said became the motto of those years: “We want high population, satiated population, happy and rich population” (Kemal Arı, “Cumhuriyet Dönemi Nüfus Politikasını Belirleyen Temel Unsurlar,” *Atatürk Araştırma Merkezi Dergisi* 23, no. 8 (1992), <http://atam.gov.tr/cumhuriyet-donemi-nufus-politikasini-belirleyen-temel-unsurlar/>.)

<sup>83</sup> My translation from original: “Madde 152 — İlkahâ mâni veya çocuk düşürmeğe vasıta olup Sıhhat ve İçtimâî Muavenet Vekâletince tayin olunacak alât ve levazımın ithal ve satışı memnudur. Bu kanunun neşri tarihinde berhayat altı veya daha ziyade çocuğu olan kadınlara dahi bu madalya verilir.”

<sup>84</sup> Resmi Gazete, “Nüfus Planlaması Hakkında Kanun,” 18059(27.05.1983), <http://istifhane.files.wordpress.com/2012/05/resmigazete-27051983.pdf>.

<sup>85</sup> Hafize Öztürk Türkmen, “Türkiye’de Kürtajın (Tıbbi) Tarihi,” <http://www.sosyalistfeministkolektif.org/feminist-gundem/feminist-gundem/kurtaj/330-turkiyede-kurtajin-tibbi-tarihi>.

<sup>86</sup> With the “Population Planning Law”, contraceptives were legalized in 1965. According to the law, the number of the children and the time of birth are under the total control of individuals. This is provided by contraceptives.

accelerated the process of de-criminalizing abortion in the 1970s. At last, abortion was legalized in 1983 with the “Law Concerning Population Planning”<sup>87</sup> as a precaution to prevent women from having abortion in illegal and unhealthy ways:

Article 5 – Sterilization of the mother’s womb can be made on request until the tenth week of the pregnancy if it is not harmful for the health of the mother. If the duration of the pregnancy is more than 10 weeks, the pregnancy is terminated with the permission of a gynecologist in case of the fact that it is a threat to mother’s health or the baby has a serious defect.<sup>88</sup>

Although the emphasis for this reform was on women’s health, the actual reason was demographic concerns that stemmed from the growing population. Besides, this change in law did not put an end to men’s control over women’s reproductive rights because it required husband’s permission to implement abortion.

Article 6 – If the woman who wants sterilization is married, the consent of the husband should be taken for sterilization.<sup>89</sup>

The abortion law that allowed abortion reduced the government’s control and surveillance over women’s bodies by making abortion an issue of private area rather than public. However, the requirement for husband’s permission to implement abortion carried on patriarchal control over women’s reproductive rights. This regulation caused unmarried women to be labelled as immoral because of their illegitimate relationship which was also condemned as committing adultery within Turkish society. Still, it was an important step for women’s liberation. Besides paving the way for women to be employed in paid work, the regulation decreased abortion rates three times and mother’s mortality rates six times.<sup>90</sup> According to Turkish Health and Population Research, the decrease in abortion rates can be

<sup>87</sup> Sterilization operation can be done on request of women. (Gazete, "Nüfus Planlaması Hakkında Kanun".)

<sup>88</sup> “Madde 5: Gebeliğin onuncu haftası doluncaya kadar annenin sağlığı açısından tıbbî sakınca olmadığı takdirde istek üzerine rahim tahliye edilir. Gebelik süresi, on haftadan fazla ise rahim ancak gebelik, annenin hayatını tehdit ettiği veya edeceği veya doğacak çocuk ile onu takip edecek nesiller için ağır maluliyete neden olacağı hallerde doğum ve kadın hastalıkları uzmanı ve ilgili daldan bir uzmanın objektif bulgulara dayanan gerekçeli raporları ile tahliye edilir.”

<sup>89</sup> “Madde 6: Rızaları aranılacak kişiler evli iseler, sterilizasyon veya rahim tahliyesi için eşin de rızası gerekir.”

<sup>90</sup> Türk Jinekoloji ve Obstetrik Derneği, "Türk Jinekoloji Ve Obstetrik Derneği: Kürtaj Raporu," (2012).



seen in the statistics of abortion rate between the years 1993 and 2008.<sup>91</sup> The research proves that within 15 years, abortion rates decreased almost fifty per cent in comparison with the previous years. In spite of the recovery in abortion rates, the AKP proposed “Reproductive Health Bill” in 2012 by claiming that abortion rates are increasing. The reason why the AKP placed abortion on the agenda had many dimensions. Besides demographic concerns and their alleged aim to protect the welfare of the nation-state through anti-abortion policies, they also regarded banning abortion as a moral and religious issue, a way to protect patriarchal family system and an obstacle to “promiscuity” in parallel to their neoliberal and neoconservative policies.

As it can be seen in the legislative background of the issue of abortion in Turkey, abortion was used in many ways to serve for the sake of the governments. When the AKP brought the issue of banning abortion on the agenda in 2012, they supported their so-called “Reproductive Health Bill” by two distinctive discourses: pro-life and pro-family. When the statements of various MPs, the Health Minister Recep Akdağ and the Prime Minister Recep Tayyip Erdoğan are analyzed in terms of their pro-life and pro-family propagandas, it comes to light that they consider women’s bodies and wombs as commodities which can be rent by the government to give birth for new generations. By doing so, the government would acquire the needed generation for a conservative transformation in society. In this light, the next part of the chapter will analyze how this transformation was initiated through the discursive regulation of abortion.

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<sup>91</sup>İsmet Koç, Elif Kurtuluş Yiğit, and Yedigir Coşkun, "Türkiye Nüfus Ve Sağlık Araştırması 2008 Ön Rapor," (TÜBİTAK, 2009).

### 3.2. Interference on Women's Control over Their Bodies: The AKP's Pro-Family, Pro-Life and Anti-Abortion Discourse

What lit the spark of a fierce abortion debate in Turkey was Erdoğan's request from women to give birth to "at least three children."<sup>92</sup> Erdoğan propagandized "the birth of at least three children" as a method of creating a young population for the future of the nation. This method paradoxically borrows from the practices of the Republican Era, from which the AKP distances itself, when a similar quest for social engineering was on the agenda. In another meeting for the International Women's Day, the Prime Minister repeated his request for "three children" so as to stand against the "ones" who want to eradicate Turkish nation.<sup>93</sup>

The AKP's pro-family policies lie at the core of "three children" discussion. Many women's and feminist organizations reacted against what Erdoğan said because such statements might lead to an increase in men's (patriarchal) control over women under the name of strengthening family structure. Feminist authors like Aksu Bora interpreted the AKP's pro-family policies as a part of the strategy to enslave women in private.<sup>94</sup> In her book called *Caliban and the Witch: Women, The Body, and Primitive Accumulation*, Sylvia Federici draws a parallelism between women's being enslaved in private through the discourse of motherhood and capitalism. According to Federici, what lies at the core of the exploitation and expropriation of women's bodies through anti-abortion policies is to use women's essentialized, unpaid and invisible labor power to contribute to the capitalist way of production.<sup>95</sup> In relation to this, in the case of the AKP's pro-family propagandas, governmental policies politicized the personal therefore the government claimed right to

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<sup>92</sup> Serdar Değirmencioğlu, "3 Değil, En Az 3 Çocuk!," <http://www.bianet.org/bianet/bianet/125874-3-degil-en-az-3-cocuk>.

<sup>93</sup> BİA Haber Merkezi, "Erdoğan: Kadınlar Doğurun, Türk Milletinin Kökünü Kazıyacaktılar..." Bianet, <http://bianet.org/biamag/bianet/105451-erdogan-kadınlar-dogurun-turk-milletinin-kokunu-kaziyacaklar>.

<sup>94</sup> Aksu Bora, "Bunların Derdi Money," (2012), <http://www.tr.boell.org/web/111-1444.html>.

<sup>95</sup> Silvia Federici, *Caliban and the Witch* (A K Press Distribution, 2004).

“have subsumed [women’s] lives and reproduction down to the bedroom.”<sup>96</sup> Thus, the private and the issues related with birth and fertility such as women’s bodies and wombs became new areas of exploitation and expropriation. Women’s wombs which did not belong to women anymore but the government were seen as a “natural source that [could] be colonized.”<sup>97</sup>

Erdoğan politicized reproduction by creating an image of an ideal family with three children because his insistence on women’s giving birth to many children set the stage for legitimizing government’s anti-abortion policies. After Health Minister Recep Akdağ declared that they were preparing a “Reproductive Health Bill”, he attracted a lot of praise from the champions of anti-abortion discourse. For instance, Erdoğan compared abortion with murder in the UN Conference on Population and Development held in Istanbul in 2012. He took his claim one step further at the AKP Women’s Branch Congress in the same year:

I am talking to some groups and media members who oppose to what I have said. You constantly discuss ‘Uludere’. Every abortion is an Uludere. You kill a child in the womb of a mother before he was born. What’s the difference? We have to struggle against this altogether. We have to know that it is an insidious plan to eliminate a nation from the world stage.<sup>98</sup>

Here, the previous focus on the family switched to the foetus’ right to live. The government’s pro-life policies had a tendency to take for granted the idea that the foetus becomes a human being soon after the fertilization. Besides Akdağ, Mayor of Ankara Melih Gökçek also emphasized the importance of the right to life of foetus by comparing it with the right to life of the mother: “Why should a child be punished for the misdeed of the

<sup>96</sup> “The Reproduction of Labour-Power in the Global Economy, Marxist Theory and the Unfinished Feminist Revolution,” (2009).

<sup>97</sup> Ayşegül Toksöz, “Patriyarka, Kapitalizm Ve Doğurganlığın Kontrolü,” <http://sosyalistfeministkolektif.org/component/content/article/2-haberler/274-erkek-egemenligi-kapitalizm-ve-dogurganligin-kontrolu>.

<sup>98</sup> BIA News Center, “Prime Minister: “Every Abortion Is Uludere”.”

woman who is the so-called mother? She should kill herself.”<sup>99</sup> On the one hand, Gökçek’s statement is crucial to highlight the government’s pro-life position by claiming the right to life of a foetus; on the other hand, he paralyzes the same stance by disregarding mother’s life. Moreover, the excessive emphasis on murder and its comparison with the Uludere massacre led to the identification of abortion with massacre. By creating the image of “abortion is massacre”, Erdoğan implicitly labelled women who wanted abortion as murderers. By doing so, he legitimized the government’s aim to ban abortion.

In addition to pro-family policies, pro-life policies also served the government’s conservative ideology. What underlies the pro-life policies of the AKP, as Petchesky claims, was the “rechanneling of sexuality into patriarchally legitimate forms, those that reinforce heterosexual marriage and motherhood.”<sup>100</sup> In other words, the government aimed to restrict women by referring to women’s “essential” feature to give birth and prevent sexual deviance by keeping women within the structures of marriage and motherhood. In the bulletin that the Middle East Technical University published, this process was named “the project of trivializing women.”<sup>101</sup>

The process of Erdoğan’s labelling abortion as murder was supported by many MPs and state officers. For instance, the issue gained a religious dimension by the statements of the Head of Religious Affairs, Mehmet Görmez. After repeating Erdoğan’s statement “abortion is a murder”, he added that it is “religiously impermissible.”<sup>102</sup> Görmez said that abortion is a sin by disregarding the other Islamic schools which claim that according to the Islamic Law, abortion might be possible within 120 days before God gives soul to the

<sup>99</sup> "Melih Gökçek: Anası Kendini Öldürsün!," Radikal,

[http://www.radikal.com.tr/turkiye/melih\\_gokcek\\_anasi\\_kendini\\_oldursun-1089899](http://www.radikal.com.tr/turkiye/melih_gokcek_anasi_kendini_oldursun-1089899).

<sup>100</sup> Petchesky, *Abortion and Woman's Choice: The State, Sexuality, and Reproductive Freedom*, 264.

<sup>101</sup> "Public Announcement," (2012).

<sup>102</sup> Ayça Söylemez, "Abortion Not the Religious Affairs' Business," <http://bianet.org/english/people/138849-abortion-not-the-religious-affairs-business>.

foetus.<sup>103</sup> His aim was to contribute to Erdoğan's anti-abortion policies from a religious perspective. Besides Görmez, Health Minister also contributed to the process of banning abortion by emphasizing moralistic sides of abortion. By considering the "moralistic" aspect of abortion, he contributed to the scenario of murder by a vivid depiction of the scene: "Abortion means scratching away a live being from his mother's womb. You are cutting off its organs and body. You are destroying it."<sup>104</sup> Moreover, he claimed that the babies of the mothers who were raped would be taken care of by the state. Health Minister Akdağ also undermined women's relation to abortion by stating that women's rights are "unrelated" to the issue of abortion.

When the government's pro-family, pro-life and anti-abortion discourse are framed by Foucault's theory of biopolitics and Miller's consideration of women's wombs as a "biopolitical space", they gain a deeper meaning on the grounds that these discourses highlight the government's aim to engineer an Islamized society. The government in Turkey which aimed to establish regulatory power over the "multiplicity of men" targeted women by means of an abortion law. Women's bodies were taken for granted as a demographic tool to grow population and to pave the way for Islamized society. The AKP used two ways to regulate population: draft-law to ban abortion (through legislation) and anti-abortion discourse (covers pro-life and pro-family discourse). The legislative power of the AKP provides the party/government to regulate the mass in accordance with its neoliberal and neoconservative policies. What reinforces this legislative power of the government are the anti-abortion statements of the Prime Minister, the Health Minister and several MP's of the AKP which were exemplified above. By analyzing these statements, the government's discursive production of "biopolitical womb" can be revealed. Firstly, the Prime Minister

<sup>103</sup> O. Asman, "Abortion in Islamic Countries--Legal and Religious Aspects," *Med Law* 23, no. 1 (2004).

<sup>104</sup> "Ministry of Health Prepare "Report on Abortion", Bianet, <http://bianet.org/english/gender/138718-ministry-of-health-prepare-report-on-abortion>.

Erdoğan initiated the process of the expropriation of women's wombs by his populist rhetoric "at least three children." This rhetoric and the following pro-family discourse led to the emergence of a "zone of indistinction" that pro-family discourse of the government politicized the privacy of women. Thus, the pro-family discourse turned into an attack on the line between public and private, bare life and political life, biological body and political body.<sup>105</sup> For instance, as it was stated above, with a reference to Federici, the reproductive health bill was a legislative and discursive attempt to intervene in the bedroom. Secondly, the AKP's biopolitics of abortion and the pro-life discourse rendered women's wombs as spaces that the regulations on birth and death take place. Women who are the creators of the family with "at least three children" were made the objects of idealized family picture of the government through pro-life discourse. For instance, the remarks of the Mayor of Ankara, Melih Gökçek, which prioritized the foetus' lives to the mothers' lives epitomizes the fact that women are significant as long as their wombs raise a generation for the government.

In short, as the statements of MPs, the Health Minister and the Prime Minister showed, women were positioned as the subjects of debates related to family, reproduction and abortion. Women's elimination from issues that were closely related with them brought them together to claim their reproductive rights and stand against the government's anti-abortion policies. Women's reactions against the government turned into a women's movement which struggled for women's right to abortion.

### **3.3. Discourse Analysis of the Counter Argument: Women's Movement against the Ban on Abortion and Pro-choice and Pro-abortion**

From the reactions against the AKP's attempts to prepare a draft-law to ban abortion, a women's movement emerged. Women were organized through the campaigns

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<sup>105</sup> Agamben, *Homo Sacer: Sovereign Power and Bare Life*, 187.

called “My Body My Decision”, “Abortion is a Right, the Choice Belongs to Women” and “Abortion Cannot Be Banned Petition”. By means of these campaigns, women opposed to the AKP’s pro-family, pro-life and anti-abortion policies through the social networking sites like Facebook and Twitter with pro-choice and pro-abortion slogans. Besides, they held demonstrations in almost each part of Turkey against the draft-law. As the most effective three campaigns against the draft-law to ban abortion, the campaigns mentioned above provided women a space both to raise their voice for their liberation and to raise consciousness about the importance of abortion as a women’s right.

*Bianet* which functions as a news portal launched one of the most effective campaigns against the government’s plan to ban abortion: “My Body My Decision.” As an online campaign, it allowed women and men to declare their oppositions to the draft-law by writing messages on their bodies or on a paper, taking a picture of it and publishing it on the campaign’s website. While women wrote on their bodies “My Body, My Decision” or “This is My Issue”, men gave support to the campaign by writing slogans such as “Woman's Body, Woman's Decision”, “This is Women’s Issue.”<sup>106</sup> Even from the very beginning of the campaign, one thousand people posted their photos on the campaign’s website<sup>107</sup> and Facebook page. Through “My Body My Decision” campaign, women’s reactions gained visibility in media. Day by day, the campaign took more attention after it was mentioned in televisions, newspapers and the internet. Moreover, the campaign went beyond the national borders and it attracted attention in Europe. For instance, on 19 June 2012, feminist organizations in France<sup>108</sup> came together in Paris to protest Turkish government’s anti-abortion policies and to support Turkish women’s struggle with their multilingual posters

<sup>106</sup> “My Wife's Body, My Wife's Decision”, “My Daughter's Body, My Daughter's Decision”, “My Girlfriend's Body, My Girlfriend's Decision”, “My Sister's Decision”, “My Mother's Decision.”

<sup>107</sup> <http://www.benimkararim.org/>

<sup>108</sup> The Femmes Solidaires (Women in Solidarity,) the Migrant Workers' Culture Association (ACTIT,) the Marche Mondiale des Femmes (World March of Women,) Socialist Women's Union, the Abortion and Birth Control Rights Coordination (CADAC,) the Paris branch of the Women's Rights Collective, the Osez le Feminisme (Dare Feminism)

and slogans such as “Mon corps Ma Decision”, “My Body My Decision”, “Benim Bedenim Benim Kararım.”<sup>109</sup> The campaign succeeded in transforming government’s “abortion is a murder” discourse into “abortion is a women’s right” discourse.

In spite of the campaign’s success to raise consciousness about abortion, it was criticized because of its emphasis on women’s choice. It caused women who supported pro-choice to be blamed with selfishness. “My Body My Decision” campaign was especially on the government’s target. Prime Minister Erdoğan showed his reaction in a demonstration in Diyarbakır:

They say that this body is mine and I can use my right to choose. This propaganda is mostly made by feminists. But there is also what I call the right to live. Our motivation about the issue is this right. It is no different for us from murder when a foetus is killed in the mother’s womb. No one has the right to kill it. These issues threat human health, which we will not allow. Why is your emphasis on being a woman rather than a mother? We call them mothers whose feet are worthy of being kissed. We will take the necessary actions.<sup>110</sup>

Health Minister supported Erdoğan’s reaction by indicating that he does not find this campaign “*vicdani*”, pertaining to one’s conscience:

I do not find the campaign “My Body My Decision” conscience. You decide to kill a living body in mother’s womb. We are talking about a living body which has not been born yet. It is not so easy to get away with by saying it is “My Body.”<sup>111</sup>

Both Prime Minister and Health Minister counteracted the campaign’s pro-choice slogans with anti-feminist, pro-life and pro-family discourses. Likewise, Islamic feminists also reacted against the campaign’s slogan which emphasizes that women’s bodies belong to women. By depending on Islamic rules, Islamic feminists claimed that people’s bodies belong to God so slogans like “My Body” were not acceptable. On the other hand, Islamic feminists gave their support to women’s reactions against government’s anti-abortion

<sup>109</sup> My Body My Decision in French, English and Turkish

<sup>110</sup> "Erdoğan: 'Benim Bedenim' Diyenler Feminist," NTVMSNBC, <http://www.ntvmsnbc.com/id/25354752>.

<sup>111</sup> "Sağlık Bakanı “Benim Kararım” Kampanyasını Vicdani Bulmamış," Bianet, <http://www.bianet.org/bianet/insan-haklari/139383-saglik-bakani-benim-kararim-kampanyasini-vicdani-bulmamis>.



policies because they believe that Islam allows abortion but it just limits it with 120 days.<sup>112</sup> For instance, one of the pioneers of Islamic feminism in Turkey, Hidayet Şefkatli Tuksal criticized government's attempt to ban abortion by claiming that in Turkey there are many people who do not believe in Islam and who follow different sects of Islam which allow abortion. It is not fair to behave as if there is only Islam and only one type of Islam.<sup>113</sup>

"My Body My Decision" campaign was just one part of the women's movement. In spite of the critiques against it, the campaign which targeted media and internet succeeded in making women's reactions visible. The campaign brought women together to struggle for their reproductive rights. Other campaigns took the struggle of "My Body My Decision" one step further and led women to hold demonstrations such as "Abortion is a Right, the Choice Belongs to Women" campaign.

"Abortion is a Right, the Choice Belongs to Women" is a campaign that was supported by 44 feminist groups and women's organizations. The campaign's slogan was "we do not allow them to discuss our abortion right" and it led to stand against the members of government's statements about the foetus' right to live. For this purpose, videos and brochures were prepared, women's stories about their experience of abortion were collected under the name of "womb stories" and demonstrations were held around the country.

The videos and the brochure which were prepared to inform the importance of abortion right had a considerable impact on the process of women's movement. The videos called "Time", "Guilty", "Persuasion Room" and "Birth Control for Men" mainly shows that how women's legal abortion rights were violated by enforcements. For instance, the video called "Persuasion Rooms" depicts the psychological pressure that the doctors put on

<sup>112</sup> "Dinimizde Kürtaj Haram Mıdır?," Milliyet, <http://blog.milliyet.com.tr/dinimizde-kurtaj-haram-midir-/Blog/?BlogNo=368068>.

<sup>113</sup> "Tuksal: 'Kürtaj Cinayettir' Lafi Beni Rahatsız Etti," Agos, <http://www.agos.com.tr/haber.php?seo=tuksal-kurtaj-cinayettir-lafi-beni-rahatsiz-etti&haberid=1690>.

women who want to have abortion. In the video, the pressure on women which is symbolized with a squeezer increases with the doctor's insistent questions and his attempt to persuade the women not to have abortion. At the end of the video, the doctor offers women to listen the baby's heartbeat to give up abortion. The video unveils the indirect interference of the doctors, government and anti-abortion policies to women's bodies and decisions. The 28-page brochure also gives both information about abortion right and important messages about abortion such as "we do not have to give birth in each time we get pregnant", "birth control is not only the responsibility of women", "motherhood is not destiny" and "do we need our husband's permission." These messages were supported by the real abortion stories of women and increased the impact of the campaign.

"Abortion is a Right, the Choice Belongs to Women" campaign held many demonstrations against the possible draft-law to ban abortion: 8th June simultaneous sit down strike in 22 cities, on the 28th of June "Stop Policing Abortion, Pregnancy and Virginity" Demonstration, "Abortion Cannot Be Banned" Petition and 8th September "Do not Punish Raped Women, Punish Rapists" Demonstration. These demonstrations concretize women's reactions and they took place in media for weeks. Especially, through the event "Abortion Cannot Be Banned" Petition, women were able to deliver their reactions in a documented way and they demand "the immediate termination of the [legal] process to ban and further restrict abortion." The petition was signed by 55.000 individuals through the website called "kurtajyasaklanamaz.com", 372 women's organizations and 308 non-governmental organizations (NGOs) 221 of which were organizations from 50 other countries. Women sent the petition to President Abdullah Gül, Prime Minister Recep Tayyip

Erdoğan, Health Minister Recep Akdağ and Family and Social Policies Minister Fatma Şahin.<sup>114</sup>

Women's reactions that emerged against the government's biopolitical intervention on their bodies embodied within their campaigns and slogans such as "My Body My Decision", "Abortion is a Right, the Choice Belongs to Women" and "Abortion Cannot Be Banned.". Although this movement was consisted of heterogeneous group of women in which Islamic feminist and women defined themselves as "conservative" also took part, the image of women who reacted against the government's conservative policies about abortion contradicted to the image of "conservative women" which the government aimed to create.

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<sup>114</sup> <http://kurtajyasaklanamaz.com/>

## Conclusion

This thesis aimed to analyze the biopolitics behind the AKP's proposal of the so-called "Reproductive Health Bill" in 2012 which was an attempt to ban abortion. The main argument of the thesis was to prove that the government's biopolitics of abortion transforms women's wombs into biopolitical spaces which aimed at conservatizing the society by creating a new conservative generation. The first chapter provided a theoretical framework for this thesis' general claim in the light of Foucault's "biopolitics", Agamben's "biopolitical space" and Miller's "biopolitical womb." This theoretical analysis led us to clarify the steps that the AKP took in the process of Islamizing society through a ban on abortion. It showed that the government's aim to ban abortion was to gain the regulatory power to control the whole population. Women's bodies which were reduced to tools to regulate masses in this process turned into the "zone(s) of indistinction." This uncertainty legitimized the government's intervention on women's bodies because it made women's bodies the issue of both public and private spheres. This analysis also indicated that the government's intervention on women's bodies destroyed the integrity of their bodies and turned women's wombs into biopolitical spaces where the government's policies were discussed and applied. Another concern of this chapter was to situate this thesis within the literature on abortion in Turkey. Analyzing the caveats of the current literature and the ways in which the issue of abortion was discussed, exhibited the necessity of observing the updated abortion discourse in the twenty-first century Turkey, which this thesis aimed to achieve. Last but not least, the first chapter introduced the methodology and the sources that were used in the third chapter as well as clarifying some of the terms and concepts which were important to prevent the ambiguity in the thesis such as sterilization, pro-life, pro-family, pro-choice, conservatism and "conservative women" which gained a totally different meaning within the Turkish context.

. The second chapter mainly focused on the AKP's neoliberal, neoconservative and populist policies and questioned the role of these policies on the government's aim to create the image of "conservative women." Firstly, the chapter gave detailed background information about history of neoliberalism in Turkey which spanned from the tenure of prime ministry of Turgut Özal to the one of Recep Tayyip Erdoğan (or the AKP). It also illuminated the historical and political background of the AKP as a basis for the discussion of the party's neoliberal, neoconservative and populist ideologies. In stark contrast to the AKP's foundation mission which depicted them as conservative democrats and which isolated them from the legacy of two previously banned Islamist parties, the Welfare and Virtue parties, their neoconservative stance benefited from the earlier Islamist overtones of these political parties to a great extent. These overtones became much more explicit when the AKP regulated a set of issues specifically belonging with the role of women in the society. The chapter also analyzed three of these issues namely microcredits, lifting the ban on wearing headscarves in official duties and the "Reproductive Health Bill", so as to unfold the hidden agenda of the government about women's public visibility and the creation of the imagery of "a proper woman." The analysis proved that these regulations which seemed like reforms for women were in fact gender myths and they served for the government's project of conservatizing women.

The third chapter juxtaposed the story of (il)legalizing abortion in the Ottoman Empire and Early Republican Era and the last attempt to ban abortion in Turkey with the recent "Reproductive Health Bill." Based on the anti-abortion remarks of the Prime Minister, the Health Minister, the MPs of the AKP and other people within the close proximity of the Prime Minister, the chapter suggested that despite distancing themselves from the Republican ideals, the AKP borrowed the anti-abortion discourse from the earlier examples which similarly targeted engineering a sort of generation fitting with the

overarching state ideology. In this sense, the proposed bill might be considered as the AKP's attempt to reformulate the characteristics of a new generation as part of their broader neoconservative project. The second part of this chapter, on the other hand, delved into the reactions against the bill which resulted in the withdrawal of it. It showed us that how women's reactions emerged and succeeded against the government's pro-life, pro-family and anti-abortion discourse. It analyzed the discourse that women used as a counter argument of the government's standpoint with the campaigns such as "My Body My Decision", "Abortion is a Right, the Choice Belongs to Women" and "Abortion Cannot Be Banned." This analysis revealed that the women's movement had a crucial impact on the trajectory of both the abortion debate and the "Reproductive Health Bill" due to its adding the gender dimension to the debates on abortion, raising awareness about the fact that abortion is women's rights and uniting women to raise their voice for their liberation.

When all the outcomes of these three chapters are considered, it is possible to conclude that within the Turkish context, the issue of abortion functions as a government policy rather than a women's right that reinforces women's freedom of choice. The AKP's last attempt to ban abortion was one of the government's projects to create a conservative transformation within the society. As the analysis of pro-life, pro-family and anti-abortion discourse indicates, the AKP's biopolitics of abortion is a discursive intervention to women's bodies on the grounds that it transforms women's bodies into biopolitical spaces which serve for the conservative policies of the government.

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