

ALWAYS DISADVANTAGED

DISCRIMINATION

PRACTICES IN TURKEY:

VICTIMS AND PROFESSIONALS

SHARE THEIR STORIES

Prepared by: **FERAY SALMAN**

Extended 2nd edition



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PREFACE

This booklet, prepared by STGM and including a number of interviews, is published in an atmosphere in which intolerance to differences has risen so high and the guarantee of a right to life of those who are different cannot be established. The basic purpose of this publication is to expose how discrimination is inserted into our lives by different ways and means despite the existence of the principle of equality which is prerequisite for human rights and freedoms that we are entitled to by birth and to remind us that to establish much needed social peace, it is necessary to struggle against discrimination in all its forms.

The struggle against discrimination is gaining more importance globally and it would not be wrong to presuppose that discrimination will gain still more importance in Turkey in near future. For that reason we need institutions to deal with the issue. First of all, the number of the institutions that deal specifically with the issue of discrimination must be increased and the scope of concern of those institutions that are indirectly linked to the problem must be extended. At the moment it seems hard to talk about a complete equality even in theoretical terms. Although discussions continue but a major effort is required to meet international standards.

The role of civil society is very decisive because one of the differences between discrimination and other areas of human rights is that discrimination is also created by civil society as well as the state. In order that civil society could be improved in terms of discriminative practices, non-governmental organizations should have a significant role. Governments even those with very good and positive intentions, might remain ineffective in the struggle against discrimination. However, if civil society and government move together in the same direction, the struggle against discrimination can become easier. A rupture between these two, for example, one being more negative than the other or both being inactive, creates the greatest obstacle to improvement.

This booklet tries to bring into sharp relief the development and practice of discrimination, show how it develops, and give a platform to feelings of those who experience discrimination. We hope this will be a guide to the civil movements that turned their backs on each other and therefore reproduce discrimination.

We owe thanks to Nalan Temeltaş and Nejat Taştan who carried out most of the interviews and those who made the interviews possible.

Administrative Board, General Directorate of STGM

PREFACE TO THE SECOND EDITION

Following the considerable attention which the first edition attracted when it was first published in 2007 this second edition is being published at a time when there appeared to be signs of a peaceful resolution of years of conflict in Turkey. A new initiative that includes the peaceful resolution of the Kurdish problem, the continuation of democratization process and the consultations initiated to support this process seem to reawaken the hopes of a peaceful life for the population of Turkey. Nevertheless, to resolutely continue these efforts is necessary to recognise that in Turkey many people and groups cannot benefit from their rights and freedom, moreover people have lost their lives because of their differences. This situation will only change if Turkey puts into practice the necessary arrangements concerning the agreement to prohibit discrimination in keeping with international and regional human rights.

Since the first publication of this booklet many studies on discrimination have been carried out mainly by non-governmental organizations. This second publication includes some examples of those studies and includes new sections on the discrimination problems of two important groups in Turkey, covered women and Christians.

In this English language version the views of the people presented in this paper which were given in informal interviews have been translated from Turkish and some additional explanations have been given in the footnotes.

As long as discrimination persists, the struggle against these practices will continue as will the work of documenting this struggle. I would like to thank everyone who contributed to this booklet and to all those defenders of rights who work towards the creation of a world in which no one is confronted with a wall of discrimination.

Feray Salman

October 2009

DISCRIMINATION AND THE PROHIBITION OF DISCRIMINATION

The prohibition of discrimination¹, together with the principle that all are equal before the law and are entitled without any discrimination to equal protection under the law is part of a basic and general principle concerning the protection of human rights. The prohibition of discrimination in the documents concerning human rights that brings legal responsibilities to governments makes it a duty that differences between people, including race, colour, nationality, gender, language, religion, sexual orientation, social status and disability, should not hinder equal treatment in enabling the protection or enactment of rights in those documents. Equal treatment does not mean that everyone is always to be treated or seen in the same way. Some situations require different treatments, for instance, to eliminate negative effects that women face as a result of discrimination, prohibition of gender-based discrimination against women requires different arrangements and practices taking into account the fact that women by virtue of their gender have special needs.

According to the binding interpretation concerning discrimination and how the prohibition of discrimination should be understood in the Covenant on Civil and Political Rights of the United Nations Human Rights Committee in which discrimination is described as “any kind of segregation, exclusion, restriction, or preference which has the purpose or effect of nullifying or impairing the principle that all rights and freedoms are to be ensured and enjoyed equally and are enjoyed equally by all individuals without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status².”

According to the committee, enjoying rights and freedoms does not mean that the same treatment is to be applied in every situation. It also points out the necessity of some steps that must be taken based on positive discrimination to eliminate discrimination. The United Nations (UN) Economic, Social and Cultural Rights Committee proposed the undertaking of extra steps based on the principle of equality and aiming to eliminate existing discrimination and providing handicapped people with equal opportunities³.

- 1 International contracts about the prohibition of discrimination and the responsibilities mentioned in these contracts given in the conclusion of this booklet.
- 2 United Nations Human Rights Committee, General Interpretation Number 18: Prohibition of Discrimination, 10.11.1989, paragraph 7.
- 3 General Interpretation, 5, Part 3.

Another binding definition of discrimination is given in the Introduction to the UN International Convention on the Elimination of All Forms of Racial Discrimination: “the term ‘racial discrimination’ shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying... on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”⁴.

There is a series of practices that are prohibited by international discrimination law. It is useful at this point to remember them:

Direct Discrimination:

This is the less favourable or detrimental treatment of an individual or group of individuals on the basis of prohibited grounds such as language, religion, gender, race, or disability.

Indirect Discrimination:

This occurs when a practice, rule, requirement or condition appears to be neutral but impacts disproportionately upon particular individuals or groups, unless that practice, rule, requirement or condition is justified.

Harassment:

This is deemed to occur where unwanted conduct related to a person’s gender occurs with the purpose or effect of violating a person’s dignity and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Denial of Reasonable Accommodation:

This occurs in the case of a denial of the necessary and appropriate changes and arrangements that do not bring disproportionate or excessive burden and that are needed, in particular instances, to ensure that the persons with disabilities fully enjoy human rights and freedoms on an equal basis with persons without disabilities.

Victimization:

This occurs as a product of the practices of disabling and making inoperative the legislation efforts including an organization or a person’s principles of equality or not being discriminative.

4 Article 1.

VIEWS OF EQUALITY AND DISCRIMINATION⁵

There are few philosophical studies on the nature of discrimination; nevertheless practices of discrimination give rise to a series of topics related to philosophy. Discrimination in a philosophical sense is an extension of the problem of equality. The concept of discrimination exists in philosophy, in ideologies, and in the theory of economy. Equality is also one pole of ideological differentiation. Western democracy has so far accomplished particular improvements in equality, yet beyond this level of improvement different choices and point of views maintain their place.

Therefore the plane of equality is actually one of ideological discussions that has yet to be concluded for the time being. One of the reasons for this lack of closure is that there is still a continuing discussion on what equality and inequality actually is. The second reason is that new examples of equality and inequality have arisen, for instance, inequality between those who have and do not have access to the Internet as societies develop and social evolution continues, the problem of equality or inequality changes. Another example concerns the right to access water, which did not exist in the past. For example, in the Middle Ages access to water was not such a great problem, however, nowadays, problems have appeared such as the restriction of water resources, increase of environmental problems, or people who are unable to access adequate clean water supplies. This can also be taken as a question of equality since those who do not have access to water are usually the poor. We cannot say that the same counts for those who are well off. As well as inequality between developed and underdeveloped countries, there is a difference between the poor and the rich. Therefore, the discussion of equality continues in terms of its nature, content and scope.

Another dimension of the discussion of equality is in terms of the balance between freedom and equality. This is an issue that is still discussed in western philosophy and is unlikely to be resolved. For a general perspective, equality and freedom contradict each other: the reasoning being that “the more we produce equalizing policies the more we intrude, freedoms are restricted in proportion to

5 This section is based on interviews with Dr Levent Korkut of Hacettepe University, Ankara, Turkey.

our intrusions". As the left wing tries to reconcile equality with freedom, liberal thought also tries to achieve the same thing on a different platform by focusing more on formal equality. In fact both liberals and socialists try to harmonize equality and freedom, however, according to the liberal view, freedoms are impaired when this formal plane is departed. Socialists, on the other hand, hold the view that equality is a precondition of freedom. Therefore, when equality is in question it can be said that there is a leftist understanding that cares about and highlights equality, a utilitarian understanding that underlies inequality, and a liberal understanding that is based on formal equality.

The Idea of Formal Equality

The idea of formal equality finds its roots in Aristotle's idea of equality that is based on the notion of treating like cases as like. This idea of equality requires a person to be just, and act in a coherent and righteous way. This is to say if you only act coherently you become just and there is no justice if you act incoherently. In other words treating like cases as like is the nature of justice. Aristotle comments that if you do not treat like cases as like, then no principle of justice remains. If coherence is an imperative, necessitated in order to be just, equals are to be treated equally if one is to be just, therefore, those who are similar have to be treated in a similar way. Otherwise you cannot be considered to be just. There are problems with this conception of equality still prevalent today. They can be discussed in four ways.

The first problem is about determining when two people are in a similar situation. According to the idea of formal equality to discriminate is not always discrimination. If two people are not alike, a non-similar treatment is not deemed to be discrimination. Therefore, whether they are similar or not has to be identified. This creates the problem of threshold. Firstly, one should see whether that threshold was crossed. Are the people alike? How can the threshold be determined? What are the criteria to adopt? For instance, should men and women be considered according to their biological characteristics or should they be considered as individuals? Discrimination of black and white people depends upon the presupposition that black and white people are not equals thus it becomes easier to justify the inequality between them. That is, if black

people are not considered to be an equal partner, then different treatment can be justified. Therefore in this approach there appears such a problem: the criteria to determine those who are similar or not can be discriminative.

The origin of the idea in which black and white people were not equals could be ideological, political, or even scientific. For instance, developments in medical science have allowed gene mapping from which future diseases may be detected. Thus in terms of medical insurance different people would pay different premiums according to whether a person is genetically vulnerable to contract certain diseases and this categorization could be said to be based on scientific evidence. Therefore, it can be said that since people can be put into different groups according to their prospective health they should be charged differently for medical insurance and this could well be taken as appropriate behaviour according to the idea of formal equality. Consequently the idea of formal equality remains insufficient to claim that the inequality between them is discrimination.

A further problem occurs in terms of the generally accepted cultural codes. Every society has a commonly held knowledge on particular issues and distinctions, classifications, or categorizations based on that knowledge may influence every individual in that society. For example, there is a sane/insane distinction in each society. Such a cultural view in society is so important that even science is constructed from this perspective. The 'insane' are in fact those who are called insane by that society. Hence the insane determined by medical science and those labelled insane by society coincide. There does not have to be a particular ideology in a society since general opinions accepted by society also direct individuals' opinions about the similarity and difference of others. Such opinions may turn out to be views shared by the majority, for instance, the general feeling that homosexuality is a kind of disease. Today although generally this opinion is maintained, however, in some countries this view has changed. So homosexuality is seen as a disease by ordinary people, medical professionals including psychiatrists also held the same view. Thus, what is called science is not in fact objective and becomes even more subjective in the social sciences. Consequently the categorization assigned by science is not always reliable, sound and stable.

The first problem concerning the idea of formal equality mentioned above gives rise to other problems. A defender of the idea of formal equality, Aristotle, discusses justice and coherence. According to Aristotle equality consists in coherence, however, this is a relative principle. Here only those who are in similar conditions are treated similarly. The problem is that treating those who are in similar conditions badly is deemed to be equality according to this idea.

People in similar conditions will not necessarily be treated in a good way. According to the idea of formal equality, if those in similar conditions are treated badly, no ethical or legal problems will appear. For instance, treating two black people badly is a just and equal treatment since they are on equal terms by both being black. Paying two women less than men is also treating them on equal and just terms! Or rejecting two homosexuals from entering military service is consequently an instance of justice (compulsory military service is after all another questionable issue). Hence the idea does not adequately address to the issue of equalizing the bad, if, after all, people can be equalized in terms of being bad.

There is a third problem in the idea of formal equality that is based on coherent action in that it needs a comparator, and this requires a judgment. It requires another person who can judge whether two people are on similar terms. This of course poses the question concerning the basis of that person's judgment since judgment can be based on different grounds. For example, if people are classified according to physical strength, you can divide them into the old, children, women and men, then you can say that they are not equal on physical terms. For instance, in the past in Japan they used to take those over a certain age to the mountains and leave them to die there. Such a discrimination against old people in a sense still continues today. But in the example of Japan, food was scarce, so it was a solution to the problem of overpopulation. Different groups can be created from different points of view or can be categorized differently. On a very abstract level, the discourse of human rights, for instance, includes an abstract human being taking human beings solely as human beings. It builds the notion from an abstract point of view. Human being is abstracted here; it does not differentiate between women, men, black, or old, etc. For that reason the category is the human being and there is nothing behind it. Hence different discourses give rise to

different judgments, but for this idea under discussion there has to be a judgment. Constructing such a judgment is of course problematic. Naturally the judgment is also determined according to the positions of people in their particular society.

The opinions of people are in fact in close relationship with the social processes: conditions of people in society, their positions, or class, their place in social hierarchy. Hence all societies are in fact hierarchical in origin. In these hierarchical constitutions people are located according to their positions. Generally, the means of production and manufacturing types of a particular age can affect this. Thus the position of women in agricultural and industrial societies is quite different. This also determines the judgments towards women. Upper constitutional institutions can also be determinative; for example religion, judicial system, and education models. Everything that affects society affects this judgment, too.

The fourth problem concerns the idea that only those who are alike have the right to equality. According to this approach there can be no comparison between those who are different. If you are in the same situation you are to be treated in the same way. If a woman produces less work than a man, then it is normal for her to be paid less. However here a further problem is whether or not to act in different cases on equal terms. In some cases a person can act in the same way and in some others differently in different cases!

The Idea of the Equality of Results

The second understanding of equality is an approach that can be called the equality of results according to which it is not the coherent behaviour but results that must be equal. It can be stated that some leftist views make use of this idea which can lead to a somehow absolutist understanding of equality as is the case in the idea that in every case everyone should be equal. Consequently, if unequal payments appear, it is an instance of inequality. But it should be questioned whether or not there may be just reasons behind unequal payments. What is to be understood as a consequence? Should all salaries be equal? Or should the idea that all differentiation in society must be opposed. The second understanding is based on an idea that everyone produces the same value or is in

the same position, which is why it is hard to put this idea into practice. Those who defend this idea must also defend the view of a society without class distinctions. This actually is based on a different premise and it cannot be achieved without that condition. Defenders of such an idea say that it cannot be achieved even in socialist countries. On the other hand equality of results can be questioned in the sense that sometimes inequality can be more just. For instance the principle that women should work less and be paid more can be adopted for the sake of equality.

In fact equality of consequences is not a completely utopian view, it can be constructed on a micro level and in some areas it might be successful, for example, paying up all the workers equally without considering the value they produce. Actually and there are more micro practices. This approach has already created problems in accepting differences. That is, homosexuals, minorities, women or men may not want in fact to be equalized. They defend the acceptance of their differences and the legitimacy of their being treated differently. Thus trying to equalize them considering the consequences can eliminate their differences. For example it is in conflict with this view to practice positive discrimination in employing someone to a job or accepting a particular student for a school.

In the idea of the equality of consequences that what is achieved might be inequality and not equality. Some special treatment on particular occasions may be necessary and there is also a problem of evaluation since a particular person may decide what the appropriate consequences will be. As in the former case there is a judge again. The outcome, of course, may not be successful in such a situation: if the resources are scarce and particular people are to use them, it would be difficult to put an egalitarian view into practice in deciding who has the right to the resources. Imagine there are two injured people and there is only one stretcher. According to this view both should take the stretcher. Here is another example, let's imagine there are two musicians, and limited resources, one being really talented, surely, one should encourage the really talented one. But the view says no, both must be treated equally.

The discussion over equality of opportunities began in the 20th century. It has similarities with the idea of formal equality but there are also different aspects.

Since this idea is based on the view that people should have equal opportunity, these opportunities must be made available regardless of whether they are used or not. There are two types of opportunities here. There are two types of opportunities here, procedural opportunities, and opportunities that are material.

In the procedural opportunities attention is paid to whether people undergo the same procedures and the equalizing of opportunities is stressed. For example, everyone has the right to enter examinations. At this point if the exam itself does not contain any discrimination and everyone has equal access, that is, if a person in a wheelchair or covered women can enter the exam, then opportunities are equalized in a procedural sense, and the results of this are the equal results. The equality of opportunities on a material basis means creating material opportunities for people. Procedural equality is not enough by itself; material conditions must also be equalized as seen in the rule of reasonable placement of the disabled. In order to be able to enjoy equality, people do not have to be offered the same exams but they must be provided equal opportunities. They are given equal exams but material conditions are not equal. Everyone is provided with equal opportunities of an exam undertaken for applying for a job but, for instance, a woman who cannot access childcare would not be able to start work even if she were to pass the exam.

Continuing with the example of examinations: the examinations are open to all but what if a disabled person cannot go upstairs where the exam is being held? Here procedural equality is violated. To achieve material equality, necessary steps must be taken to ensure that a disabled person could take the exam. In some cases you have to take positive steps so that opportunities could be equalized in a material sense. For instance it is necessary to provide educational opportunities for particular sections of society and impose a quota.

Considering the legal system it can be seen that more of the arrangements of equality have been made in a liberal frame. The neutrality of the state has been supported by some side values like taking the individual as a basis or supporting the autonomy of individual. Hence it can be stated that an approach on a value basis is dominant here. Today the law of equality is shaped by these values.

Yet the existence of this law does not mean that the aforementioned elements have been made equal. Both the idea of formal equality and the idea of the equality of results, even instances of the idea of the equality of results can occur as they correspond to these values. However, this situation can appear differently in different countries. For instance in Turkey, verdicts of the Constitutional Court concerning equality are strictly based on the idea of formal equality and it practices this idea of formal equality in a very narrow sense. According to the Constitutional Court a civil servant with a higher status and the one with a lower status are not in the same category, it quite narrows down groups and seeks equality within them. This is a complete formal equality in which the more you narrow down groups the more inequality rises. The Constitutional Court narrows them down to the extreme; however, there are judicial institutions or laws that take an initiative on this issue. For instance the European Court of Human Rights (ECtHR), in one of its verdicts, has decided that treating those who are not equal unequally is against the principle of equality.

Some Causes of Discrimination

Discrimination is an issue resulted from how human beings form societies. This process is based on organization and discrimination and there is also a problem encountered during the process of distribution of the advantages that are gained from this organization. Thus discrimination is produced within society. Animals live in communities; but since animals do not produce any surplus value, the discrimination is absolute, that is, it is strictly defined and never changes. The difference in human communities is that they produce, distribute the products and often change the model of production. There is a huge difference between a collector society and an industrial one. This in fact causes the variation and development of discrimination. In modern societies infant mortality has been reduced and the population is growing but poverty rates are increasing and this causes an increase in discrimination. Population growth means larger number of people to share resources, if these are limited then this leads to discrimination of who receives the resources.

The prohibition of discrimination is first seen on an ethical level. Even though he has been criticized, Aristotle brings up the issue of the prohibition of

discrimination by presenting a principle of equality but this points not to a legal but to an ethical view. According to the conditions of his age Aristotle discusses equality in terms of those who are "citizens". For example, slaves cannot be equal since they are not citizens, therefore, the system is not developed in a legal sense. Later on in Ancient Greece religion gained a significant place and this in fact is an ethical point of view. Religions impose some principles of equality, particularly in monotheist religions the equality of believers is stressed. This brings up notions like helping each other or fulfilling the needs of the religious community. Religions, too, in a sense developed the idea of equality, however, there are unequal practices towards those who do not belong to that particular religion. For that reason, in later periods the tolerance of other religions is emphasized.

Direct and Indirect Discrimination

There is a legal definition of discrimination; the first definition of discrimination that is still used today is direct discrimination. A state might practice discrimination and it might be seen in society. It might also be developed and seen in a civil society, too. Direct discrimination is to treat people to their disadvantage. In law other definitions beyond direct discrimination have been developed. Especially in western societies, as a result of the struggle against discrimination, actors both in the state and in society, instead of direct discrimination, have started to use some indirect methods of discrimination that can be called hidden discrimination. To prevent this, indirect discrimination is also prohibited. Indirect discrimination means practicing treatments that can give rise to discriminative results in practice. That is, formally before the law it seems as if there is no discrimination, nevertheless on examining the practice it can be seen that it is not the case; a seemingly egalitarian arrangement is practiced in a discriminative manner. If such a situation appears, it is also regarded as discrimination.

Other ways of practicing discrimination have appeared lately. They are placed on a legal ground in the arrangements of European Union (EU). This may also be seen in the views of United Nations (UN), but in Europe very clear legal directions have been given concerning the issue of discrimination. In these directions there are the definitions; arrangements that countries in Europe have

to put in practice. Here if harassment is practiced based on discrimination, it is regarded as discrimination, for example, making fun of the language of Kurdish people and their physical appearance or annoying them. If you displace a person from their work, it is discrimination. If one of the workers is black and his/her colour is made fun of every day, and this forces the black worker to resign, then this is discrimination. Another issue is victimization. That is, upsetting people who struggle against discrimination or putting them in a disadvantaged position is also seen as discrimination.

Struggling against discrimination is the duty of state. Yet if there are great prejudices in society, it may be difficult to put the legislation into practice. In a sense, law is a cultural product of a society, to a certain extent, the law can be imposed but there must be a development from below. Of course the attitude of the states is quite significant, it can influence society, encourage people to reduce discrimination by assuming positive attitudes. It may not be a final solution but can make the process easier.

About the Turkish state it can be commented that, firstly, only the classical groups are included in legal texts, constitution and laws. In Turkey, discrimination based on disability, gender, age or ethnicity has not yet been included in the legal system. Only discrimination against the disabled has been included as a crime in the Penal Code. Nevertheless that code has not been put into practice.

In Turkey more that 87% of the disabled have not even completed primary education and unemployment for this group is almost 100%, with nearly all disabled people staying at home. They are not supported with appropriate working or living conditions. It seems as if they are given some social rights but these are in fact some arrangements that reduce them to a position of the needy. Arrangements that let them lead a more active life are rare. Thus here it can be concluded that the state does not fulfil its positive duties. Neither does the state fulfil its duties concerning the protection of women nor does it actualize their rights. In Turkey discrimination is rather taken as a secondary issue. Even for the disabled the concept of rights for the disabled is a new phenomenon. In other words the view of discrimination is something new in Turkey.

GENDER DISCRIMINATION

“Discrimination against women” is defined as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” Another direct quote – needs a source.

Yakin Ertürk, who as special rapporteur in Turkey to the UNHCR has to date presented three reports to the council⁶. She comments that besides serious violations like slavery, ethnic cleansing, or genocide, the suppression of women in history, that has its roots in the universal patrimonial tradition, is one of the greatest failures of humanity. Gender inequality and the related violence has occurred in all civilizations. For instance, one of the fathers of the western Enlightenment, Jean Jacques Rousseau, would not have thought that he was in conflict with the rules when he stated: ‘It is obvious that the father should be the one who reigns in a family because of the nature of family and the particular reasons that belong to the origin of family.’ A quote which needs a source However, this norm has been considerably changed in favour of gender equality being achieved by the individual or collective efforts of women in the transformation of history. For this to be possible, a strong political attachment is required, the promotion of gender equality in public policy, and according to Erturk the need to apply “the existing international legal framework for the protection of individuals (including human rights law, the law of armed conflict and refugee law) to fully address the specific concerns of women, including violence against women and gender-related persecution.”⁷

Violence against women for the sake or under the name of culture, customary law, tradition, or religion continues to be a common practice. This violence is a universal way of preserving patriarchal relationships that institutionalize discrimination against women. Since the subjection of women to practices such as

6 Yakin Erturk <http://www2.ohchr.org/english/issues/women/rapporteur/annual.htm>

7 Yakin Erturk A/HRC/4/34 page 27 last accessed 17/10/2009 <http://daccess-ods.un.org/TMP/6186622.html>

beating, rape, torture or even murder by their own relatives have been considered to be a part of private life and family privacy and thus, such practices are outside of the human rights struggle. Moreover, it was an unknown or a disregarded fact that violence against women was related to inequalities lying at the basis of the ruling classes and as a result of the violation of other rights and freedoms, it was kept being practiced at home or in the street; in war or in peace; by the state or by private actors. This despotism was made visible by the persistent struggle of the international women's movement, and a consciousness, which was raised rather slowly, about the discrimination and violence against women could be reflected on international law for the first time in the World's Human Rights Conference held in Vienna in 1993 (reference needed) . Thus, at the end of the 20th century violence against women could at last gain a ground as an agenda topic of governments. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was regarded as the universal law for women's rights, was promulgated in 1979 without a mention of violence. Yet, considering the developments in the 1980s, the CEDAW committee, by identifying violence with discrimination in the General Recommendation No.19, made states responsible for the elimination of violence, as a result governments were required to include their findings of violence against women in their formal CEDAW reports.

In the General Recommendation No.19, adopted in 1992, gender-based violence is described as a form of discrimination that seriously impairs the enjoyment of the rights and freedoms by women on equal terms with men. Gender-based discrimination as a form of discrimination includes the increasing violence that a woman is exposed to solely because of her gender. This kind of violence consists of treatments that cause women to be harmed physically, mentally, or sexually, of threats or enforcements related to such treatments and of other treatments that cause them to lose their freedom.

As a result of gender-based violence, some of the rights and freedoms of women are seriously violated, such as the right to life, not to be tortured and other cruel, inhuman or degrading treatment and punishments, to be protected against armed civil conflict on equal terms with men and on humanitarian grounds,

personal freedom and safety, to enjoy legal protection on equal terms with men, equality within the family, the right to work in the best possible physically and psychologically healthy, and appropriate conditions.

Violence in the family is one of the most insidious forms of the violence against women that can be seen in all societies. Within the family, women of every age are exposed to all forms of violence, including beatings, rape and other types of sexual attacks, psychological and other forms of violence that are nourished by traditional conduct. Lacking financial freedom forces many women to remain in violent relationships. Forbidding women from undertaking their responsibilities for their family by men can be a form of violence and enforcement. These forms of violence, as well as putting their lives at risk, weaken the abilities of women to participate in family and social life equally with men.

Traditional attitudes and treatments based on the idea that women are in a secondary position in relation to men or that they have specific roles which allow practices of violence and enforcement such as forced marriages, violence and harassment in family. These prejudices and practices play a significant role in legitimizing gender-based violence as a way of protecting women. This treatment that is to the detriment of the physical and psychological unity of women are also intensified by women's lack of knowledge of their entitlement to enjoy the basic human rights and freedoms. The practices of gender-based violence result in a continuation of the secondary position of women and a decrease in their participation in politics, education and employment.

Equality is possible through a united struggle

The roles allocated to the male and female genders are constructed in such a way that not only create the difference between sexes but also cause the difference to appear as a form of discrimination. According to the division of labour based on gender, the tasks allocated to women and consequently the treatment of men and woman are different in both public and private spheres. That is why feminists always stress the fact that the private sphere is also quite political.

According to Üstün⁸, a member of the women's movement in Turkey for many years, the inequality in the public sphere for the most part appears in the private sphere, too. Üstün points out that in a patriarchal system it is wrong to bring up the issue of inequality only in statistical terms and she comments that despite sharing the same conditions that women are deprived of the standard of living which men can easily possess. In an interview Üstün explained this as follows;

The existence of a statistical equality does not mean much if legislation prepared in an awareness of differences is not enacted in a country. For instance, a woman can spend a large part of her life ensuring that her children attend school, sending her husband neatly dressed to work, doing a large amount of unpaid housework, and she can receive thanks and appreciation for all this. However, at the same time she can feel that her work is undervalued and trivialized. In the situation when a woman's husband dies, or she leaves the marital home because of violence, or she desires a better life. Since she was constrained within her home and except for her immediate neighbourhood, she has no social connections by which she can find work. Hence the possibility of sustaining the rest of her life is left at the mercy of her children's or relatives' conscience, On the other hand a woman can live her whole life without any such serious problems, but again she would not enjoy the opportunities that life and society bestow upon her. Spending her life constrained within a house deprives her of an independent life and the opportunities for self-development. This can of course be expressed as a hidden form of discrimination. Even when a woman has a job her public life is constructed in a way that she is confined to a very narrow social plane in terms of prestige, career, or income. The roles of women in public life are considered in such a way, for instance, that they make good nurses and good teachers but they cannot become senior managers. This is because, for women the condition of taking part in public sphere is not to ignore their domestic lives, that is, they are supposed to undertake both the roles of a housewife and that of having job."

According to Üstün, from early in their lives women are exposed to various practices of discrimination even if some women do not really accept this as a

8 İlknur Üstün, chairperson of the Ankara branch of the Association for Education and Supporting Women Candidates (KA-DER).

fact. This raises the question about the general awareness of the discrimination that occurs under the auspices of tradition and culture. Üstün holds the view that what women want and do not want to do in life is in fact directly related to their gender role imposed by society. She stated when interviewed, “What I call social roles or the construction of male and female gender roles not only define who we are but they also determine our dreams and what we want to do in life. Hence discrimination is seriously involved in the process of the construction of one’s identity. When a little girl kicks and screams to get what she thinks she deserves, she is just slapped, scorned or humiliated. She is told to shut up and sit. On the other hand, naughtiness and demanding behaviours of a boy is tolerated. Hence patriarchy starts to shape what women should and should not do right from the beginning.”

Not only women but also men learn their social gender roles from childhood. That is why patriarchy is a system that causes not only women but also men to suffer, because, patriarchy, in spite of shaping a strong masculine figure, crushes and excludes those who do not belong to its structure. In order not to be exposed to such treatment, men cannot leave the traditional model of the masculine figure and continue their lives suffering. Üstün shares this idea: “Think about the picture of the strong masculine figure for a second. Those men who do not fit into these moulds are called ‘sissy’, ‘light’, ‘henpecked’. These gender models are contained in society, embedded within the culture and internalized by education. The regime of social gender is a system that transforms itself through time, which is why it is a political matter. What should be rejected here is the idea or the ideology that people are unable to construct an alternative system not based on the traditional roles of men and women. Human beings have the ability to transform themselves and nothing is the same as it was in the beginning; everything changes. So, it is always possible to change these gender roles by enforcement, transformation and renewal of individuals and political organizations. Feminist organizations are also developing tools that will transform this system. What the feminists struggle for is a social structure that aims at the equality of people respecting their differences and which eliminates discrimination, and some of the accomplishments of this struggle are seen in international covenants. This struggle appears in local organizations and interventions in various legal

arrangements and practices. In Turkey there are concrete examples, for example, on September 26th, 2004, the Turkish Penal Code Draft Law was accepted in the Turkish Parliament Grand National Assembly. This process was due to the success of the three-year campaign of the women's movement (2002-2004), the new Turkish Penal Code includes more than thirty amendments that constitute a major step towards gender equality and protection of sexual and bodily rights of women and girls in Turkey. Since the beginning of the campaign, women's groups demanded a holistic reform to change the philosophy and principles of the penal code in order to safeguard women's rights, bodily and sexual autonomy. "In the new penal code, sexual offences are now regulated as "Crimes against Persons," in the sub-section "Crimes against Inviolability of Sexual Integrity." This constitutes a groundbreaking shift in the overall perspective of Turkish Penal Law, legally acknowledging women's ownership of their bodies and sexuality."⁹ This radical change may not immediately be reflected in daily life, yet it has laid significant foundation for future development in terms of women's rights.

Üstün, believes that the regime of social gender could be changed by individual and organized struggles and states that: "The struggle against the regime of social gender is at the same time a struggle for power. By the struggle for power I do not mean that feminists try or want to get a share from power, but they try to build a life which breaks those power relationships and in which people can live on human conditions and will not be exposed to any discriminations and this is possible through breaking the power of the 'other'. Here what I mean by the 'other' is men. Thus, this power relationship creates a problem of before-after in decision making mechanisms, in working life of the public sphere or in enjoying health services, educational and social opportunities. I remember Ali Babacan, the former Foreign Minister of AKP government, saying 'We are solving the problem of unemployment; soon women will be able to go back to their homes'. He means that the government in fact will employ men. The struggle against a patriarchal system is really harsh because the system you struggle against is a deep and powerful one. That is why it is difficult to transform and change it. As your struggle attracts attention and gains the support of society, the fortress of the system does not fall. On the contrary it turns into a structure which is much

9 http://www.wvhr.org/penalcode_reform.php last accessed 15/11/2009

more resistant and which develops new strategies. For instance, when you say that there are few women in political decision making mechanisms and that there must be more, the government employ the strategy of appointing only the women who support their own policies. They can also claim that women are actually incapable of such a position by showing some scandalous examples in which women have not been successful. This propaganda aims to crush the resistance of women and so that it can divide and conquer their unity.”

On the other hand, regarding the present situation of the women’s movement in Turkey it can be seen that the tendency of the diverse groups, such as Kemalists, Islamists, the Kurdish, the Turkish, etc., to overlook each other is not so strong as it used to be in the 80s. Instead, the tendency to form diverse groups disappeared after the 90s, and a structure is being built, in which those groups try to acknowledge and understand each other by becoming partners in the struggle. That was actually the situation in the early 2000s and the large claims made by the radical discourse of the post 80s were for the most part eliminated. The notion of feminism at work appeared and its success cannot be denied. In my opinion this is the most serious protest movement in Turkey. It has the power to create and direct the agenda yet on close analysis it cannot be said that sufficient partnerships were established to be able to take part in the resolution of the problems in Turkey through the politicizing this movement. Especially in 2007, the intensification of the last nationalist and racist movements in Turkey also deeply influenced women’s movement. Some women, who claimed to belong to the nationalistic movement, began to target other women declaring them to traitors and separatists and filed a criminal complaint against them. So, the line of division that appears generally throughout Turkey is also seen in the women’s movement.

Women can easily combine against oppression as was seen in the last organizing process in Turkey; while many women worked very hard for their political parties, such as the Republican Peoples party (CHP), Justice and Development party (AKP), or Nationalist Movement Party (MHP), the party administrations nominated women from prestigious families. All women suffer from this injustice that they quite often experience, even if those women seem to have different

ideologies, they can meet on the common ground of the injustice that they suffer. They can come together to stop the favouritism in the political parties. However, when scare mongering policies, such as 'our motherland is in danger', are put into operation, those partnerships can easily be broken. This situation is not peculiar to Turkey; similar attitudes were seen at other times in various countries' wars of freedom and particular national issues.

The outlines of equality policies are always shaped according to the public not the private sphere for example the social policies of the European Union, The issue is kept separate from private sphere as if there were no relation between the two. However, without eliminating inequality from the private sphere, it is out of the question to remove it from public sphere, as feminists stress what is private is also political and thus it is in the public arena.

Since politics is regarded as a field which is used to govern others by taking over the power, a general public reaction is to ask 'what's politics got to do with me? The powerful will govern and they will define my life according to their perception and aims. Women often do not make the connection between politics and their daily life. In fact, women are not encouraged to see this connection therefore in order for women to escape their assigned gender role political education is required. First of all woman organizations must be more politicized and they must have strong links with other sections of society which are also discriminated against and excluded. This is of course a means, not the aim. Women have to be strong when facing that which wastes our energy most and makes us weak. Women need to weaken that power before which they feel weak. Another world is possible, I believe, and it is possible by gaining that power and that is possible, in my view, by a stronger political line of organization and by the union of different sections and structures. I believe that such a new structure will appear after this period of confusion and crisis. There are many things that make me feel hopeless but there are also things that give hope. There are those, individuals and groups, who do have a strong belief in equality and some are voicing their opinions. I believe that these members of society will create alliances which will give them a united strength, to redefine the political agenda of Turkey, and open the way for the creation of a Turkey as many imagine the country can be.

While in the short term the basic way of eliminating this state of womanhood, as Üstün clearly expresses and the discriminative policies, traditions, myths, actions, etc. against women, is possible through political partnerships, the patriarchy will of course do its best to try different ways, methods, and tricks in order to destroy these partnerships. Yet, a conclusion can be drawn from Üstün's explanations in that a constant struggle in the end must be established in order to create gender equality.

The cycle of violence continues

Unfortunately instances of gender discrimination can be seen in every field of our lives, on the other hand, what women are made to suffer in the family keeps being invisible. On the basis of Üstün's criticism of today's politics, there is this very unwillingness of masculine politics and politicians to eliminate that violence. In this system in which violence within the family has been made the fate of women which is detailed in the case study of Adile given below. Her story shows the repeating cycle of violence in the family, her father beat her mother, Adile was beaten by her husband and her married daughter is beaten by her husband. Thus, Adile comments very significantly: 'This cycle of violence continues'.

The story of Adile, 42, may astonish us, but in fact it is a story that can also be seen in our neighbourhood, in our block, even at home if we stop becoming gender-blind and take off our patriarchal glasses. Adile, the middle sibling in her family, was born in Derik in Mardin and moved to Diyarbakır after ending twenty years of marriage. She marries and then is required to produce a male child, her first child is a girl, but luckily her second child is a boy. Eventually Adile manages to escape her husband's violence, nevertheless, the wrath of men continues to be a part of her life. Adile's mother and daughter continue to be exposed to violence from their husbands. In Turkish the name Adile means justice and she is an ordinary woman who rebels against the lack of justice in her life.

Discrimination exists at the beginning if you are forced to give birth five times in order to produce a son. When my mother had a son they made sacrifices. We, girls, used to serve the boys despite the fact that they were younger than us. Under normal conditions my father would not have

sent us, the girls, to school, but because my brother used to play truant I went to school instead. I was a very intelligent student and my father would say 'I wish her brain could be transferred to the boy's. However, it was not easy to attend school. My parents used to argue with each other on the first day of school every year, my father used to say that I couldn't go but my mother begged him to allow me to at least finish the fifth grade. I really wanted to continue my education after the fifth grade. The principal of school even talked to my father. Without waiting for me to receive my primary school diploma, at the age of twelve my parents forced me to become engaged to the son of my aunt, who was only two years older than me; that is, he was also still a child. I was embarrassed to be engaged at that age, I didn't feel able to face my old school friends and collect my diploma. The house that I moved after my marriage was crowded. Then the beating started, my husband was always attacking me. We were both children and the family expected too much from us. I had my first child when I was sixteen and then the problems grew, now my daughter suffered with me. My husband attacked me with a knife, my skull was fractured, and I had a surgery on my nose because it was broken in several points. This scar on my forehead, my ribs are all because of the beatings I received.

In spite of this treatment I stayed married for 20 years. Many times with my sons and daughter I would go to my father's home and my parents would send me back to the marital home where I was exposed to violence again. There was no one to go. There was a constant violence. I used to wish to sit next to a person even for one day without bruises around my eyes. I was embarrassed. Those 20 years passed in so much misery. You know, those metal grids that are put in front of the door to clean your shoes, one of those got bent. He used to beat me with that. He was working at a gas station, his job was good but he did not give me any money. I used to pay my children's school expenses from knitting things at home. I used to say that once my eldest son finishes high school and we can support ourselves, I will leave him. On one holiday weekend it dawned on me. In the evening my husband asked me what food shopping

was needed. I made a list and gave it to him but he did not bring anything back home. In the morning he asked why I had not made a cake. I replied that I had given him the list but he had not brought anything. He started saying how dare I answer him back. Sometimes something happens just like that by itself. That day I said to myself 'I will not be beaten today. I will not let myself be beaten.' He argued with me and attacked me again. He went to fetch the metal bar. When I shouted 'You will not beat me anymore', he told me how dared I talk back to him. I told him to put the metal bar back he did not expect me to react and put down the metal bar. That day was the turning point of life. My husband said 'If that is so, it is over.' I said yes, it was enough, my tongue had been loosened. He told me that I should have changed him. How could I have changed him? If one does not change oneself... then everything that I had not said over 20 years burst out of me and after that he did not beat me; 'It is over,' he said. Then he filed for divorce and sent a notification stating the reason for divorce being that I was not in my right mind, I was a primary school graduate and could not support myself and the children. However, he did not divorce me because of the family relationships, because I was his uncle's daughter, fifteen years ago, I also filed for divorce and went to a lawyer so that I could gain something because he was well off but my lawyer wasn't good and after the first hearing the case was postponed for three years. So I received nothing. I live with my brother who works as a doorman. I have no job and had to take my children out of school. I told my husband if he cared about children he would send money to send them to school. He has two apartments. He should give one to me. I was told he was going to marry so I said that if he gives one of the apartments to me I would divorce him. We went to the notary, he had prepared a protocol before, and we signed it. He gave me the key to the apartment. Now I have been looking after my children for fifteen years. They did not have a proper education because I had to take them out of school both my son and I worked. I worked in a textile company but they did not pay us. I am so deeply sorry for not being able to send my children to school. My youngest son is now 22, doing his military service. My elder son got married, thank God, he is fine.

My daughter got married when she was 22 and has been married for six months. Should I say it is fate, I do not know, she is suffering the same pressure that I suffered once. I will not let my daughter suffer the same thing. She has been married for six months, she loves her husband, but I do not know what to do with him. I hate him. Her husband is unemployed. She is pregnant and has been staying with me. I will not send her away, I will take care of her and her child. The cycle is repeated. I said I would not let my daughter marry a relative, and I gave her to a stranger, and he turned out be like that. Thank god my son is fine although he witnessed my experiences he has nothing to do with violence even when he talks and he gets on well with his wife. He says that a person can argue or get divorced but no violence! He knows how much I suffered. He heard how his father swore filthily at me, that my son why he is so nice. But my daughter has experienced violence, it started a short time ago and is not severe but for me it also started slowly like that. When I look around I see that so many women from suffering from the same thing. My elder sister is still exposed to violence. Her husband broke her jaw when she was pregnant, he kicked her and her jaw was displaced like that. For one month, my nine months pregnant sister could only have water, her jaw was fixed with hooks. She is still sick. All of her teeth were pulled. She cannot see anymore. She is just three years older than me but she looks like a 60-year-old. Nowadays, men do not just beat woman, they kill them. Women are the same everywhere. Many people have education but they lose their humanity. My mother was an orphan she had nowhere to go. Throughout her married life she has been exposed to violence from my 70 year old father, when he gets angry, he throws anything he can grab at my mother who is 64.

SEXUAL ORIENTATION BASED DISCRIMINATION¹⁰

Patriarchy works towards keeping a domineering gender regime alive. Hence individuals who deviate from the dominant sexual orientation are labelled and excluded as being corrupt, sick or perverted. The individual is exposed to various discriminative practices by social groups, the state or under the auspices of 'science' when s/he deviates from the social rules within the community they inhabit or practice her/his sexual orientation outside of these proscribed roles.

In an article on the web page of Rainbow gay organization in Bursa Turkey, it is stated that many scientists agree on the view that sexual orientation is shaped by the interaction of complex biological, psychological and social factors that occurs at an early age. Research shows that some people have tried hard for a long time to change from homosexuality to heterosexuality but have been unable to do this. In a regime in which homosexuality is regarded as a sickness or a defect and it is legitimate to persecute homosexuals.

Sexual orientation-based discrimination is called homophobia, which is generally defined as the negative feelings, attitudes and behaviour towards homosexuals. Unfortunately, homophobia exists not only within men but also in women, who are one of the primary targets of patriarchy. Here are the views of a middle-class working woman in relation to homosexuality and the logical explanation of homophobic attitudes on a social plane is presented:

"We are the Muslim section. In Turkey traditions are important. We know men and women. We do not know anything else. The woman will suckle her baby, the man will feed them, and this is our tradition. Moreover, why are we happy when we have a son, because he will sustain the next generation? If a parent cannot bring up their son as a man, if the boy cannot achieve his identity, the boy becomes, excuse my expression, a homosexual. It is against our religion. In the Koran, the tribe of Lot is mentioned and it describes how they were destroyed by the wrath of God. Now you cannot both know this wrath and respect the homosexual, it is just not possible. I would not attempt any violence on a homosexual, or lynch them but I stay away; I do not want them near me."

¹⁰ The views of Prof. Dr. Melek Göregenli, presented here in translation, are taken from her article published in *Radikal*, 15 May 2006.

What happened to the conscientious objector, Mehmet Tarhan¹¹, shows that homophobia is becoming institutionalized. In the justified decision of the General Board of Military Court Departments concerning the case of Tarhan, determined that "homosexuality is a psychosexual disorder". Tarhan showed his courage in using his right to conscientiously object to military service not as a homosexual but as a citizen but he had to face with the institutional perception of homosexuality in this process. The military system only accepted his exemption from military service on the basis of "psychosexual disorder" . Tarhan was forced to state that he was a homosexual which was why he would not enter military service. This was done in order to alleviate the public reaction caused by Tarhan's objection to military service. The following interview with Tarhan was part of an article by Göregenli¹²:

On 8 April 2005 I was arrested in Izmir and accompanied to a military unit in Tokat, and then to Sivas Military Court and by the decision of this court I was taken to Sivas Military Prison. A little later I was sent to a military hospital and had to see the army doctor this time because of my homosexuality. In my declaration of conscientious objection I stated that I was homosexual and also protested the violent and degrading attitude of the army against homosexuals. Homosexuality is still considered to be a disease according to the Health Ability Regulations of Turkish Armed Forces (TSK) that has to be proved by official documents including reports of anal examination, psychiatric reports, and, unbelievably, photographs or video records taken during sexual intercourse. Of course, I rejected this method of proof which entailed a direct assault on the homosexual person and this rejection was considered to be an aggravating factor. I was imprisoned until my release and forced to accept certification as a disabled person.

This account seems to be enough for us to understand the dimensions of discriminative, externalizing and degrading treatments that homosexuals come up against. However, Göregenli who has carried out numerous research studies on this subject sheds further light on the issue of homophobia and she comments

11 Information in Turkish can be found on the Kaos GL website <http://www.kaosgl.com/node/107> last accessed 17/11/2009

12 Translated from an article by Göregenli published in *Radikal*, 15 May 2006.

that discrimination, prejudice, and stereotypical judgments that homosexuals face in society increase almost in direct proportion with homosexuals' tendency to disclose their sexual identities. Göregenli underlies the fact that this has become not only the problem of homosexuals but also that of those who defend a life of justice and freedom.

According to Göregenli, prejudices and attitudes against homosexuals began to be taken as a subject in the 1970s by researchers in social sciences especially in psychology. In these first conceptualizations homophobia was considered to be a mental disorder and attempts were made to understand this phenomenon as an individual pathology in relation to irrational fears against homosexuals and homosexuality. However, today homophobia goes beyond being a personal fear and irrational belief, pointing to an intergroup process which appears in the political arena and must be accepted as connected to cultural and semantic systems, and institutional and social traditions.

Homophobia can also be seen as an ideology of intergroup relationships which is also influenced by more personal (personality, perception of identity, cognitive structures, etc.) processes, shaped by the conceptualization of homosexuals as an outsider group and accompanied by particular stereotypes. Homophobic ideology does not appear by itself as an individual characteristic, but in a particular socio-cultural context. Despite all of its roots in cultural and individual conditions and processes, many sociopsychologists think that homophobia could be understood in its relations with racism and sexism. Homophobia, in this sense, is an important weapon of sexism. Violence against people who have sexual orientations other than heterosexuality is becoming a mechanism for the defence and preservation of manhood, in a sexist sense, of "humanity".

Göregenli says that many empirical research findings cause us to presuppose that prejudices and negative stereotypes are a part of our lives with the blessing of ideologies. Those ideologies which applaud disintegration are a new form of conservatism that are sustained by traditional values. Göregenli adds that "Even if we know that some world views that can generally be described as 'rightist', stand closer to the values that sustain discrimination, it can be thought that those views constitute the background of a new form of fascism, 'symbolic fascism', and this worldview does not contain only right-wing ideologies. Beliefs that the

hierarchy of human beings or groups is natural, and that some groups are almost naturally superior to some others —tendency towards social superiority— sustain symbolic fascism.”

Another process in the perception and representation of differences, and accordingly in the creation of intergroup relationships, is the systems of categories and beliefs that are used to explain the differences between individuals and groups. The first definitions concerning essentialist beliefs in social psychology date back to as early as the 1950s. Having beliefs on the essence of a group is an indication of a personality having prejudices and a strict and dichotomic cognitive style that has a low toleration of uncertainty. Essentialist beliefs are generally combined with prejudiced attitudes and focusing on an element of prejudiced cognitive state: beliefs concerning the nature of social categories. Essentialist beliefs, which strengthen the borders that lead to differentiating groups from each other with unchanging qualities and which are shaped on differences, do not sustain a discriminative ideology only when used against a group exposed to discrimination, but at the same time the individual beliefs of each member of the group and their permanent beliefs concerning their own nature during the process of building the identity of the group can also nourish the same kind of discrimination. Heterosexuality becomes a characteristic as significant and as essential as homosexuality and the relationship of sovereignty is built around this essence. All these sociopsychological processes lead to an understanding of the discrimination against homosexuals but they also direct attention to another reality which is at least as important. Discrimination, which is nourished by prejudices and stereotypical judgments against the different and that does not belong to the sovereign, does not show itself only as homophobia. A large amount of research points to the same general finding. Homophobia is directly related to sexism, authoritarianism, legalization of the system, and basically hinders society from achieving a life which is free and just.

*Umut likes the company of girls better*¹³

Umut Güner, 27, is a project coordinator in KAOS GL¹⁴ and is one of the active members of Amnesty International. He is one of the few people who disclose their

13 In Turkish this phrase is said sarcastically to refer to a man being effeminate and like a girl

14 A Gay Lesbian organisation in Turkey – Turkish language website <http://www.kaosgl.com/> and English version with news and information <http://news.kaosgl.com/> both last visited 17/11/2009

homosexual identity in Turkey. In discussion Guner, summarized his view of the discrimination that homosexuals are exposed to in Turkey:

When we discuss among ourselves we describe discrimination as the prevention of different persons from breathing the same air. All of us [homosexuals] sometimes have difficulties in breathing. I have not personally encountered direct discrimination but I had experienced more hidden discriminations in my life. Occasionally in other non-governmental organizations in Turkey where there are no gays, for example in Amnesty International (AI) there can be a "hidden" discrimination. It makes my life more difficult when people label me as a homosexual and make my homosexuality a problem. For instance when I first joined the AI meetings, two people —members who are rather religious— began not showing up at meetings and gave my participation, not as Umut Güner but as a homosexual, as their reason. Two friends from AI, asked me in a very friendly way "Well, Umut, how are we going to solve this problem?" It annoyed me very much, not that the two not attending the meeting because of me, but because those people demand that I do not join the meetings and put this as a precondition of their attendance, and my friends ask me how we can solve this problem! My response was, that it wasn't my problem; they have some problems with human rights. There was something similar the other day. I was sending some information to the mailing list, which I regularly do, this time it was about human rights and homosexuality. One person from the list said that he did not want to see news about homosexuals there and not to mail him anymore. But it is a common platform and I send those e-mails as part of my job in IA. While we were discussing this I noticed that that person, who lives in the same neighbourhood as me, has a different stance. If he were less educated, for example, he could beat me up, he could even stab me. However, the greatest violence that he can practice on me over a mailing list of IA is telling me not send that mailing. He even expressed in his later emails that he was against homosexuals'being murdered, but they should not get organized. I had also such an experience: There was a discussion as to whether a brochure about the Kurdish problem and the right to proper judgment should be put on the stand. When I insisted on including it, one person in the group asked me why I was always making

homosexuality an issue? For him homosexuals or the Kurdish people, etc. are all the same. When a homosexual acts for the sake of the Kurdish people, he thinks that s/he does it because of her/his homosexuality.

Such things happen but I believe that they can change. These are some events that do not really bother me in the struggle of civil society. I can get over such events rather easily because I am usually in a homosexual community but I know that another gay person could be deeply affected by such experiences. For ten years I ran a bijou stall on the street, and I did not hide my homosexuality because I took it as a political stance. I thought my homosexuality would cause problems on the street but I did not face a direct violence. I just had a fight once, not because I was gay, but to attract the attention of passers-by they used my homosexuality. They swore at me in reference to my homosexuality. My homosexuality was used as a means there.

Actually there is this funny situation with me. I lived happily with my homosexuality until my parents realised that I was gay. They took me to a psychiatrist telling me that it was because of my speech disorder. I think I was comfortable with my homosexuality until high school. I had boy friends, some of whom I fell in love and we slept together. At high school I knew that they called me 'faggot'. After high school I moved to Burdur; I joined some student organizations at university. I was quite comfortable there because people were really democratic. But when I started studying at the Department of Social Services of Hacettepe University, I was again 'twink' and 'faggot' and during that time I had more problems than in my childhood.

When my parents learned about 'my situation', they first restricted the time I spent outside. I had a mobile phone but they took the phone numbers of my friends with whom I sometimes stayed because my visits to their places became a problem for my parents but this did not last long. After gaining my financial freedom life became easier for me, for instance when I did not stay with my family for a couple of days, they did not have to worry about me because they knew that I had money. I left home in 2004. I live with my boyfriend now. My family knows about this but they

prefer seeing him not as a member of the family but as Umut's 'special' friend. We both visit each other's families but each time our families meet, they ask each other the same questions as if they have met for the first time and then an awkward silence begins.

I was very alone at university. Even if I was isolated, I believed that in fact it was I who isolated others. I was not very sociable and my isolation did not bother me. I did not insist that others accept my homosexuality and I retired into my shell. I had more problems with conservative instructors. I felt more comfortable in the classes of social democrat instructors. My brother and I had a lot of Alevi¹⁵ friends. Every time my brother wore a red shirt¹⁶, people used to ask him if he was Alevi to upset him.

There were comments, which implied I was effeminate, like "Umut likes to work with girls", and these comments negatively affected my progress at university, even in literature although it was not a very difficult subject for me. My English instructor changed and while the former instructor really liked me, the new teacher told my mother that I was immoral and degenerate. So, teachers also seemed to be influenced by macho tradition. What I mean is that you can be exposed to discrimination in various ways. I get on well with everyone whose political ideas I find acceptable, and there are some homosexuals whose political views I do not share. I prefer running a stall on the street for political reasons and also because I am unemployed. I quite like my work but there are some homosexuals who think that they are hierarchically in a superior position to me and they also assume that this hierarchy is valid for the relationships in the Kayos GL. They think that they are white-collar workers and I am just a street vendor, without considering that class difference is one of the greatest planes in which homosexuals are discriminated. Class difference separates and divides us, the homosexuals. Those who choose homosexuality without a political stance can cause us to be exposed to more discrimination. We held a forum against homophobia in previous years and there were homosexuals from all over Turkey. In the forum

15 The *Alevi* are a religious, sub-ethnic and cultural community in Turkey and many other parts of the world.

16 Red is associated with the Alevi because of the red head gear traditionally worn by the men of certain Alevi groups.

someone said that homosexuality must be represented by “decent” people and I asked him what that means. For instance, should a “decent” homosexual be as fat as me, should he speak Turkish better than me, or should he speak English? This is actually an effort of creating a “white homosexual” class whose effects we can feel in Kaos GL. In Kaos GL offices, we try to employ unskilled people as well as those with specific professional experience and qualifications. This can sometimes bring extra work for the whole staff but in the end the unskilled workers become more and more experienced. We think that it makes more sense to employ someone who has dealt with small projects instead of a person who is an expert in large project management. For instance one of our friends has a degree in French Language and Literature. When he applied for a job in Kaos GL he said that he had prostituted himself for ten years and he did not want to do prostitution any more, then we employed him. His job is to ensure communication between Kaos GL and homosexuals. Kaos GL is open to all homosexuals from all classes; however, those from rather lower classes do not really feel comfortable there. They say that they feel better when they work with me. That colleague will undertake such a function of a bridge between them and us. However, we can never express clearly enough that in our offices we are all paid equally regardless of our work. Those people who cannot understand this thinking must really feel that they belong to the “white” class.

We are learning to struggle against discrimination in fits and starts. Now when we appeal for help we can evaluate it more accurately but when I consider the situation five years ago, I see that we in fact overlooked many things. We did not have sufficient resources, though. We had problems because we neither had sufficient financial and technological means nor did we have any vision or mission. We did not know that we could ask for help from particular institutions and only six years ago we started to contact other NGO’s. I regard the first nine years of Kaos GL as the process of consciousness raising as is the case with women’s movement. Even though we accomplished many things in the past, if you were to ask how many cases of discrimination we dealt with properly, I could say that we only managed very few. It would not be wrong to say that the inability to access information makes it difficult to struggle with discrimination.

I would like to remind you that we were also exposed to discrimination by other NGO's. For instance, we had a problem with the Ankara office of İHD (Human Rights Association) but the problem had nothing to do with the institutional structure of İHD; it was created by the people in administration and it was a really bad experience for us. We were then twenty homosexuals working in the Commission of the Rights of Gays and Lesbians in the Ankara office of İHD, and at that time Aksu Bora was working in the Commission of Women's Rights and he supported us. İHD was a bridge of hope not only for homosexuals and women but also for all those who were exposed to discrimination, so I think it plays a significant role in shaping civil society in Turkey. We went to İHD to work for homosexual rights. Many ideologically diverse groups were working there for a common purpose, against the violation of human rights but they did not approve our proposal to found a commission for gay rights in the general assembly. But we continued our relationship with the head office of İHD. They opened their doors to us and it was there we held the first meeting for gay people in Turkey.

In 2001, in order to organize a mailing to people in prison we went to İHD and again we had problems in the Ankara office. We learned that when parents of prisoners came to the office our magazines were taken away. When we asked the commission the reason for this, they had replied us more properly and said "You should first work in different commissions and learn the structure of İHD, then you can found a commission." After that we did not have any direct relationship with İHD which was actually not only unfortunate for us but also for the İHD. We have not had any problems with other organizations but that actually is the problem; since homosexuals are not allowed in many of those organizations, no problems arise.

Mazlum-Der (The Association of Human Rights and Solidarity for Oppressed People), sometimes comments on the Kurdish problem but remains silent about homosexuals although it claims to protect the rights of all citizens. On the other hand, I know I will lose something important if İHD were to be closed because I know that if I get into trouble I can always go to İHD and ask for help, but I cannot say the same thing for Mazlum-Der.

Enjoying the civil services is another question. Gay marriage is a popular discussion topic nowadays but I think there are serious problems in terms of human rights. For instance, even if I become a professionally qualified social worker, if I apply for a job my homosexuality will immediately attract attention. I have limited my work choices when I decided that I could not become a professionally qualified social worker because wherever I go my homosexual identity will cause problems. You know that if you become a civil servant, whatever you do, however successful you are, once your homosexual identity is disclosed there will inevitably be trouble. That is why you either never try to do such a thing, or you hide your sexual orientation thus you accept discrimination.

I have been living with my boyfriend for three years. If I am seriously ill, and my boyfriend accompanies me to hospital and if the hospital staff are to strictly follow the regulations, he cannot stay with me because we are neither married nor are we blood relations. If I were imprisoned, my boyfriend could not come to visit me since he was not my first degree relative. There are problems like these because gay people cannot marry. These are the things that impair my life. Many homosexuals go through such experiences. When a male transvestite is put into jail his boyfriend cannot visit him.

We rented our first apartment pretending that we were roommates. When we moved to our next apartment we were both very young and nobody suspected us thinking that we were university students. But if a man is 40 and his boyfriend 36, and they have been living together for 14 years, what kind of a lie can they tell? One of my gay friends told me that his lesbian friends visit his apartment. The landlord comes and warns him saying that there are families living in this building, so girls should not come and visit him. All of these make me tense. We have to either live in the basement or in the garret. Single people are not allowed to rent a place on other floors.

I am comfortable because I work in a gay association but a gay person cannot easily see a doctor for his anal problems, because you have to submit the report to your work. Especially HIV positive people have such

a problem; if they submit their report, their condition can be disclosed; In some western countries there is a coding system for diseases and medicines to prevent the inappropriate disclosure of certain illnesses; the same must be done in Turkey otherwise some people will not feel able to use medical services. When you attend a public hospital you cannot always choose your doctor, the doctor can even refuse to examine you and if you object to this your condition will be announced to everyone in the hospital. For instance if one of our friends has a sexual disease we have to tell him to go to hospital but they are usually reluctant because they know that they will be exposed to discrimination because they are gay, HIV positive or drug addicted. Since homosexuals are a small community, if one of them is exposed to discrimination in an institution the others can easily learn about it and they, too, do not want to go there anymore. Not one person but the whole group is affected from one person's bad experience.

We do not have any difficulty in defining our mission in Kaos GL, but not all of our gay members would like to support other groups that are exposed to discrimination. We do not think that the dream of a free world is possible only by solving the problems of homosexuals. We have a broad horizon. We must also take other groups into consideration besides paying attention to our problems.

Always Disadvantaged

Hülya Tarman, one of a small number of people who live in Turkey without hiding their sexual orientation, has also lived in Germany. Just like homosexual men, lesbians, too, are reluctant to become visible in society and as soon as they disclose their identity, they are exposed to the discriminations from their families and the indirect violence and discriminative practices of the state. In the extracts from an interview Tarman expresses her feeling about being a feminist and a lesbian in Turkey:

Lesbian feminists cannot discuss sexism on the same level with heterosexual feminists in [Turkey] where the privacy of family is so highly regarded. Thinking that there are very few lesbian feminists, we cannot hold a proper discussion on feminist theories. We are the very subject of many people's homophobia since our love object is from our

own sex. So we find ourselves surrounded with hatred and fear which hinders communication and it becomes more and more difficult for us to express ourselves. In other words you constantly live with a feeling of being always disadvantaged.

Tarman emphasizes that there are also discriminative practices between gays and lesbians in the homosexual society. Lesbians are double discriminated because they are women so they have to be in a continuous struggle against gender and sexual-oriented discrimination. According to Tarman, the lesbian identity appears as a subject in pornography for men in a patriarchal society and this doubles lesbians' feeling of being suppressed. Tarman continues:

Attention must be paid to the medical problems that lesbians may have. Some products like special balsam or condoms are available for male homosexuals but there are no such sexual protective materials available to lesbians and moreover it is very difficult to access adequate medical information about safe lesbian sex. [In Turkey] it is more difficult for lesbians than gay men to find a partner. They always have to live their sexual lives in secret feeling that their life is sinful and forbidden, they cannot go out together, they have limited opportunities to find a proper job, and therefore they may not be able to achieve financial independence from their parents. Even if a lesbian woman is able to find a job and has financial security, being a lesbian can be identified as being exposed to a constant violence, in the form of beating, exclusion or just being stared at. It would be a miracle to be saved from degradation in a society like Turkey in which our way of life is deemed to be a perversion. In previous years there was this tragic event: a woman was murdered by the husband of woman she was in love with. The murderer's penalty was reduced because of aggravated provocation. Feeling so much shame the victim's family disowned her body. Can there be a more fascist practice than being excluded and left alone as payment of one's sexual preference? If people leave their feelings of rage and fear in the control of their primitive drives there is no need for further provocation. For instance, a man of "utmost masculinity" can kill his partner after homosexual intercourse if the latter denies the former's manhood and the crime can be considered to be robbery. A woman can be murdered because she has

rejected a man; she is murdered because she has wounded his masculine pride by rejecting him. People can be oppressed by their family when their sexual orientation is discovered they can be forced into marriage or be confined to [their parent's] home.

According to Tarman, the treatment that lesbians are exposed to in Turkey also happens in Germany in a slightly more refined form. She says, "In spite of the fact that there is a relatively more liberal and social structure in Germany, lesbians do not have a complete freedom." She nevertheless adds that homosexuals managed to take some of their rights and they can live without hiding themselves compared to the situation in Turkey. Tarman reminds us that in Germany doctors, policemen/women and teachers have founded their own gay organizations, nevertheless, she also emphasizes the point that gays might not be promoted or their job applications might be rejected because of their sexual orientation. On the other hand she also adds that in Germany a worker cannot be dismissed from work because of her/his sexual orientation. For her this is the outcome of a raised consciousness of the right to make recourse to legal remedies.

DISCRIMINATION AGAINST DISABLED PEOPLE

*Discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person.*¹⁷

Disabled¹⁸ people are almost always a marginalized group throughout history. Feeling mercy or disgust for disabled people are the common reactions of both politicians and society itself. The invisibility of people with physical or mental handicaps is regarded as a natural or an ascribed role. That these people are different is regarded as a reason for exclusion rather than being recognised as an example of the variety of human beings. The ultimate marginalization is to destroy those who are different and this happened in the Nazi concentration camps where a large number of the victims were disabled. The chauvinist Nazi government saw the disabled as the waste of society's resources and aimed to eliminate them along with the Jews, homosexuals, gypsies and others who did not fit the pure and elite society of Hitler's Germany.

Ignoring disabled people means ignoring some of the laws that protect disabled people's rights. Some subgroups of disabled people, for example, women and children are more liable to be overlooked. It is sometimes believed that some civil investments for disabled children like, education and health services, are worthless. Disabled women are the victims of double discrimination and people with mental disabilities are a group that does not have the chance to improve themselves in many societies.

The legal and actual discrimination against disabled people has a long history and different forms. Besides the discrimination practiced against disabled people without any reason, there are other more subtle forms such as deprivation of educational opportunities, exclusion from society or separation or isolation by means of physical or social hindrances. Discrimination against disabled people

17 Convention on the Rights of Persons with Disabilities, Preamble (h).

18 Some disabled people take the expressions "disabled" or "handicapped" as discriminative and those with mobility problems prefer to be called "crippled" because they have no problems with their abilities or that they meet as much handicaps as anyone else.
However, the word crippled in Turkish can be translated as 'sakat' very similar in meaning to the British English word 'spastic' which can be used in a derogatory way.

is practiced by exclusion, restriction, using the authority of preference to their disadvantage, not supporting appropriate housing by alleging disability as a pretext, hindering their enjoyment of economic, social and cultural rights on equal terms, and there are also frequent practices of discrimination because of negligence, ignorance, prejudice, or wrong assumptions. The impact of discrimination against disabled people is especially serious in education, employment, lodging, transportation, cultural life and access to public fields and services.

Here is the story of a sixty-one-year-old mother, who does not want her name to be revealed, who gave birth to four children saw her second child die and the fourth become crippled. This is a story that illustrates some of the social, local and governmental practices of discrimination against disabled people. This woman's son, Sertaç, who suffers from hydrocephalus is excluded and humiliated even by his classmates and other children. She says,

I could not get any cure for Sertaç's disease although, for seventeen years, he was treated in Hacettepe Hospital. When doctors could not find any reason for the disease, they advised me to have another child, so I had a second daughter, six years after Sertaç's birth. I stood up for my son as much as possible. I frequently heard him being called a "weirdo" every time he went out, and I got so upset. Most of the time initially people reacted badly but when they saw that my child was really harmless they just accepted us. I was not much offended by my neighbours but almost everyone was annoying at first because they just could not accept him as he was. When Sertaç was born I was a young mother in my early twenties. It is the fate of my son that he has three different handicaps and his condition has really worn us out. Sertaç has a slight mental disability; his IQ is 89%. He is 90% blind and he is autistic. He has such a strong memory; he can remember so many different numbers for years. Physically, he is just slightly spastic but you wouldn't even notice it. He has hydrocephalus and when doctors see him they ask how has he survived so long with this condition, they cannot understand why he hasn't died. He sometimes overhears such things and it of course makes me so sorry. A

child with a condition like this is usually seen as a burden and upsets the family but we did not feel much like that. In a family, usually not all the members of a family accept this situation, in particular the other children may not accept it at all and the parents take the whole burden. If you talk to other families of disabled children, you will see that it is the case. In my family I take this burden; I am really trying hard. I took care of his education and I sacrificed a lot. I went to the Counselling and Research Centre in Diyarbakır for Sertaç's education, that was thirty-five years ago. There was nowhere that offered special education for the disabled in Diyarbakır and there were only a few counselling and research centres in Turkey. I went to the Maltepe Counselling and Research Centre in Ankara to learn how I should educate my child; I learned what to do there. I wanted my son to go to school and socialize so I sent him to school for an hour a day for two years. When he was seven we were told that he could finish primary school if he could sit in the classroom or wait outside when he was told. I used to spend hours to teach him just one letter at home, this was so hard but in the end he managed to learn to read.

Children can be so cruel. I saw so many things but since I stood up for Sertaç he was not hurt very much. If I had not stood by him, he could have been harassed or even worse. Once he was dragged to the toilet by another child; I called the child's family and told them I would sue them if anything ever happened to my son. I was always behind him; otherwise he could be exposed to many things not only by other children at school but also people from outside. There were some complaints from other parents that such a child in his condition should not be at school. Luckily, we knew my son's teacher so we did not have so many problems. Either my employee or I would wait for him in front of the school in case another child, unintentionally, hurt him.

It is seen even nowadays that there are many disabled children who are exposed to violence. After Sertaç finished primary school, the RAM (Counselling and Research Centre) told us what to do, for instance they said that he should develop his manual skills. In western countries, for

instance in Germany, such children can access special education more easily; they are educated according to their capabilities and then employed accordingly. Turkey is quite inexperienced in this issue.

I managed to send Sertaç to the bookbinding workshop of the city library so that he could improve his manual skills. This was possible with the support of one of our guests and also that of my husband because of his job in the Ministry of Culture. For six years he attended there but we were paying his salary, after that I applied to the public employment office for Sertaç. There was a 3% quota for the employment of disabled people in public services. I waited in front of the General Directory of Libraries for three days for a work position for the disabled be opened in Diyarbakır. The position was opened and Sertaç entered an examination for it; but Sertaç cannot write because he cannot use his right hand, however, he can read and understand everything. He passed the exam but someone else wrote down his answers. In the end he got the job with a lot of turmoil. Some people said that he was shown favour in getting the job, on hearing that I decided to go on hunger strike in governor's building because it was his right to get the job and I had to do what was necessary for that. Then Sertaç started the job, now he has been a civil servant for fifteen years and he worked in the binding workshop of the library for many years. Our greatest mishap now is that the bookbinding workshop in Diyarbakır has been closed. Some families get accustomed to the harm that their children are exposed to and allow them to go out. We do not let Sertaç go outside the home alone very often so we have, in a way, isolated him a little. For instance, for two days I have been trying to teach him how to get on and get off the bus to go to work. What else can I do? Once I took him from work in the evening and another time I followed him driving behind. Of course, in the end he will learn it. In fact he should have learned these things when he was younger; it was our fault that he did not because we were overprotective.

Disabled people must be educated with the support of their families, society and the state. The Turkish state has faced this issue rather late. In the past there is said to be an island in Ayvalık to which such children were sent, fed on bread and water only once a week. We still hear that there are still such places in Ankara.

I have been working with the Association for the Mentally Disabled People since 1993. We wanted a larger school to be built for the disabled children. There is a school on the way to Ergani that the singer Emrah donated and with the help of the governor of the time we could use the building. In fact construction of the school started with a donation of Şeyhmus Tatlıcı but Emrah finished it. I was given an office in the school by the order of the governor as recognition of my long service on the issue [of education of disabled children]. Now I am directing the activities of the association there. I work in the association, in the school, and also in the parent-teacher association. In 2001 we carried out important research in Diyarbakır. It was a leading activity in Turkey; we visited every family with disabled children and enrolled them in school. We visited every street and apartment building, found every family with a disabled child and made a list of the children. After a short while those families recognized and welcomed us. Actually those who are rather well off usually hide their children, they want them to be educated at home and they do not usually let them out. There is a family that I have known for twenty years but only this year I learnt that they have a disabled child, the family could not accept their child's condition.

It is not easy anyway; not all parents can handle it because it can greatly disturb the family, it can even be a reason for divorce. The child of one of our members in the association had a fall and has been disabled since then. The mother, our member, could not accept her child's condition after the accident and there appeared almost an enmity between them. The father took all the responsibility and he alone looks after the child now. You cannot do everything by yourself; both families and the state have responsibilities. Mentally disabled people are regarded as insane in society but the insane are a different category. If one has some psychological problems that are detrimental to the society, they can harm others. You can take precautions for the mentally disabled so that they do not harm others.

Not every brain damaged disabled child needs treatment. For instance, my son needs treatment because he is hydrocephalic, a physically disabled person may need a wheelchair that can be supplied by the state, the municipality or individuals. The state can specially import vehicles for

disabled people. The president of Turkish Federation for the Disabled, Faruk Öztimur, who cannot use his legs, has a vehicle that is quite comfortable and he can drive it very easily. So that disabled people can use public transport the state needs to implement a system of modifications. Two buses with access for the disabled were going to be sent to Diyarbakır but we are still waiting. We are in contact with the mayor to ask for our rights. For instance there is a 35% discount in water bills for the disabled and they can use buses free. However, they are not treated well in public transportation. How can we deal with that? I mentioned this problem to the mayor. Once a disabled child informed us that he was treated badly by a bus driver, so we called the police. Nevertheless, since the child could not remember the bus number plate they could not do anything about it. The police told us that if we could submit the plate number they would disqualify that driver from driving. Our children are excluded. The other day the same thing happened again. We were waiting for the public mini bus and I was standing behind Sertaç in the queue. Sertaç wanted to sit in the front seat but the driver did not want to let him sit there even though I was with him. I cannot do anything but feel sorry. There is 38% discount for disabled vehicles. I bought one for Sertaç. Among our members there are parents who have three or even four disabled children. Think about their cost or burden to the family! For families that have disabled children there must be centres where they can access respite care.

I think that private schools for disabled children only aim to make money and they do not give a good education. Some people enrol their children in those schools to get subsidy even if their children have only a slight disability. In state schools disabled children are given an individual education by attending the same classes with other children.

I have brought my son up the best I can, now he is a man. We have experienced so many difficulties and we still do. We both get upset. The most serious thing about him is that he does not see himself as a disabled person, which is my greatest problem. The most disadvantaged group among the disabled is the mentally disabled. Because people with physical disabilities are usually very intellectually aware. They can do anything even if they have some handicaps. So can blind people. In my opinion the mentally disabled people are the most unlucky. Deaf people also

have great difficulties because speaking can be difficult and so cannot communicate easily. I sometimes see them and they talk about their problems. Since deaf people have difficulties in expressing themselves we try to defend their rights.

Fed up with making excuses for others

Unfortunately Sertaç did not tell his own story, it was a second hand narration by his mother. If Sertaç had narrated his own story, we would have seen his troubles more strikingly. Here is the story of Tülin, born in 1955, who had poliomyelitis when she was a baby; here is her personal account of some of her experiences:

I graduated from the School of Media Ankara University. I am a copywriter and a scriptwriter. I caught poliomyelitis when I was three months old. I did not regard myself as a disabled person but during my education, in my relationships with my friends and in my job applications I had bad experiences, however, this was not directed at me personally. People are conditioned to behave in certain ways and most of my problems were caused by that. I was lucky, though, to have such a good and aware family like mine. My parents never favoured my brothers or sisters over me but they also continued their regular disciplinary attitudes, even spanked me. All of us misbehaved in our childhood and were given a few smacks by our parents. Since there was no discrimination at home I did not see myself different from others and I did not feel isolated. But society is not like the family. When you start school you become socialized, but my family never let people discriminate against me at home or outside. The society treats you according to the message you give them.

When I started school our apartment caretaker used to take me to school. One day we met a woman with her child on our way to school. I had no wheelchair. When the child saw me she shouted, "Gee! Look at her, she's a big girl but she still sits in a pram!" This of course shattered me. When Uncle Ali, the caretaker, swore at them roundly, I told him, "Do not get angry with her, she is just a child." But I was even younger than her. When I got back home I did not immediately tell my mother about the incident but later although I loved going to school then, I told my mother that I did not want to go to school anymore, however, despite everything I did not quit school.

There was the process of physiotherapy. I both went to school and the physiotherapy. In fact such a situation was quite harsh for a child. You suffer from both physical and mental weariness. I did not see myself as disabled but since the others in society described me as a disabled it was quite tiring for me to deal with all of them.

My enrolment in primary school was troublesome: when I was born my grandfather was given the job of getting my ID, since my parents had no time for that because of me. My grandfather thought that didn't have to get my ID immediately since I was a girl and would not have to do military service. Thus, there was a time lapse between registration and the date of my birth and registration and the officers in the registry office created some problems in registration. This would not have happened to an able bodied child I did not have any other difficulties in the rest of my education, and I also did not let those problems happen. I still visit my primary school teacher. He used to take me to the board in his arms but on the first day of the school I asked him not to treat me differently from the other children. When I go out with my friends we sometimes used to notice those who stare at me. People do not see the disabled outside very often and that is why you are frequently exposed to strange looks. My friends used to be annoyed by those looks more than me and I used to be the one who had to calm them down. I am fed up with making excuses for others! Public arena is a nightmare for disabled people. On the fourth floor of my faculty there were studios but since the elevators never worked I could only go upstairs with the help of my friends. I had to go to the studios because we worked as a team but sometimes I used to make an excuse not to join the team so that my friends would not have to take care of me. I occasionally wanted to sue the staff because of some of their failures, like that elevator that was always out of order, but then I gave up the idea because it was almost impossible to win my case in court.

I have confronted some handicaps in my career. About six years ago when new legislation for the disabled people was being discussed in the parliament, I was preparing a documentary film about human rights. My advisor was looking for a solution for my transportation problem. I suggested that he put some pressure on members of parliament to add a

new article to the new legislation for disabled people to be able to access free transportation services of the public institutions. It, of course, did not work; to be disabled is too expensive. The members of parliament told us there was not anything much that they can do for us.

Just like the local governments, civil society associations, too, are not aware of their responsibilities to disabled people. I do not belong to any of the associations because I do not believe they work properly. One day I visited an association and I saw an isolated group of disabled people who were playing cards and Okey. In the cafe they play games with each other and they become isolated from mainstream society. I told the vice president that they should insist on the necessity that the new Ankara Metro should be arranged according to the needs of the disabled people. The staff in charge in the municipality made up the excuse that they do not have enough finance for the arrangements. When you bring that up they always answer that "Believe me, I am actually more upset about it than you." We should say, "You cannot be more upset about it than me, because I am the one who experiences the handicaps." Instead of having meetings behind doors, the directors of the association, in a press conference, should have asked the mayor direct questions about the reasons for the elevators in the Metro always being out of order. When I brought up these points the president of the association answered me "We did not come together to create terrorism in society!" I do not support creating chaos but the necessary steps should be taken. Disabled people are actually a great pressure group, and when you add their families, too, for a smart politician they are a great potential for votes. However our politicians, I do not know why, have never thought about that. I occasionally received offers from different political parties before elections telling me that they want to add new articles about disabled people to their internal regulations but they never finish the job. I think there should be a ministry for the disabled in Turkey. If there are seven million five hundred thousand disabled people, when you consider them together with their families, they constitute the one fourth of the whole population. Unfortunately, the political parties are not really interested in disabled people.

When I moved to my apartment, the pavements were being renewed but without ramps. I kept telling the workers that they should make a ramp and one day one of them told me "Do not worry I will help you," and I told him "Thank you very much but I should not need your help to enter a shop. You cannot be always there for me. Just like other people, I should be able to enter shops without help." Now there are ramps in front of many of the shops across from my apartment building as a result of my personal efforts. Are there not such regulations in the law? Shouldn't local government pay attention to these matters? Either there are no control mechanisms or they do not work. As far as I know in western countries establishments without any regulations for the disabled cannot get a license. Some coercive measures must be taken. In public arena there are particular regulations but there is no controlling mechanism. I must say that [Turkish] people show goodwill towards the disabled. We should separate the strict and prejudiced views of those who work in public fields and the good intentioned attitudes of the common people in society.

Now there is the feeling of pity that others have for us. Honestly, I also accuse myself because of my handicap for that because no one can treat you wrongly unless you let them. That is if a disabled person use their handicaps to win the favour of others then the disabled person is guilty of hypocrisy. I have never done that; neither did I ask to be pitied nor did I feel pity for myself. All my friends, even the people who I have met recently say that they never saw me as a disabled because I did not see myself like that. You give such a message also with your body language. I always say that I am not disabled; I just cannot walk. There are some barriers before me but they are the pavements or stairs, these are physical barriers and they are not insurmountable. There are barriers that block me but I can get around them by some social arrangements for us. Disabled people do not know their rights, how can they defend something they do not know? I am informed about many issues because I may be counted among the intelligentsia of the disabled society and also because I work in the media but even I cannot deal with it. Many of the disabled are devoid of their rights to education, what should they do?

Once I applied for a position of assistant producer. Everyone would of course understand where because obviously there is one place to apply for this job but I will not name the organisation. I passed the exam and after that during the interview, the interviewer, who has a high position in the institution, told me, "You have passed the exam but you cannot walk, we will need to give you a special vehicle" and then I asked him. "Is this your view and perspective or are you speaking for the institution?" He answered, "It is of course my view but I am also the one who will decide for the institution," and I told him, "I am not telling you to give me a microphone and send me to a war front. I did my training in this institution. I was trained in the techniques of preparing a TV programme and it does not have to be made by exploring the mountains it can be made in a studio. Moreover, if I need to go anywhere I can ask my friends and they will gladly take me there." Of course the result of the interview was negative.

It was almost a year after that interview; the person who was the producer during my training period was promoted to the position of a broadcast director of a department in the institution. When they needed an advisor for a TV programme, he gave my name. I received a phone call and was told "Our manager recommended you so we want to work with you." I told the person on the phone "Your manager might have recommended me but it is you who is going to work with me, so let's assume that such a proposal was not made at all and meet each other. If you still want to work with me after the meeting we will discuss the details. They came and saw me. I was offered to work as an advisor but after the interview the offer changed to scriptwriter." We talked a little longer and they told me "Your diction is nice, would you like to present a TV program?" In the following periods I worked as a text writer, presenter, and scriptwriter and I have been working there ever since.

It is difficult for me to go to the cinema, for instance. I can only go the cinema in shopping centres; they have so called arrangements for the disabled people, for example, among thirty-five seats, let's assume, I have to sit either in the first or in the third seat and have to watch the film from

a point that is very close to the screen. When I go to the cinema with my family they do not want to just let me there and watch the film from their comfortable seats. There are no ramps beside the stairs for wheelchairs. But in their newspaper advertisements there is a disabled sign as if there are appropriate facilities in the hall.

In the city I can only travel by taxi. Buses or minibuses are impossible to get on. It really upsets me and the more you are conscious of the situations the more you get upset. Last year we were going to Antalya because my husband was to receive a prize for his poetry book and we decided to make it a holiday, which was actually our honeymoon that we had been unable to take. We did not have a car, how could we go? We tried to rent a car. I asked about it to the taxi driver who was always taking me to work and we calculated the cost; only to go there cost about 400 Turkish Liras. If I had the chance to get on the bus we would not need to spend so much money. On such occasions I usually tell my husband, "You should go alone, I won't come with you," but he refused. On having such experiences we frequently feel that we came to a dead end. Then we went to a Turkish Airlines (THY) office we waited for the discount period for the tickets to Antalya. There was a 20% discount for the disabled and I asked if the same discount is also valid for my escort. My husband and my mother went to buy the tickets but there they insisted to see a report proving my disability. In the end we paid 110 TL for return tickets.

It was so difficult for me to explain my problem to the person in charge in THY. I asked them if there were any arrangements for the disabled and they answered that there were. They said that there would be an assistant staff to help me. When we went to the airport we waited for the person responsible until take off. The people in charge also did not know what to do, they just told us to wait a moment and never showed up again. Finally an authorized person came and told me that he would take me downstairs and my husband had to pass through the gate with the other passengers. On hearing this, my husband got really annoyed but the official told us he was sorry, it was the rule, but he didn't explain the logic of the rule. I did not want to argue with them any longer and went down with that person. We were already very nervous. That official told me that the vehicle that

would take me to the plane would come in a minute but it turned out to be a vehicle that looked like a container, in the airport of the capital city! When I was taken to the place where I would board the plane, I was put into a three-wheeled chair and lifted up by something like a cargo elevator. Since the entrance of the plane was so narrow I could not pass through in my wheelchair. They had a three-wheeled chair in which, even a non-disabled person would hardly be able to balance themselves, and I was taken in the plane on such a wheelchair. We were told that a normal wheelchair could not pass through the entrance of the plane but later we learned that it actually could. I was told to pass in one of those three-wheeled chairs that had a seatbelt but it was impossible to fasten them. So my husband had to both hold my seatbelt and push the wheelchair and also take care of me. I was three meters off the ground and there was a narrow aisle between. The officer told us, "Please be careful, last week a sick passenger fell down from here." It was like a joke. We started to laugh. Finally we boarded the plane. But there was not enough room to turn my wheelchair to get to my seat and we were taken to the seats by the door. The seats are quite close to each other so they must be rearranged according to needs of disabled people, at least one or two seats must be taken away. My husband had to carry me to my seat. We asked the officer what they would do if a disabled person came alone and he told us that they just carry them holding by their arms and legs. Luckily there was my husband with me but it was one of the worst times and I felt so disabled. You know the discrimination against black people in the USA, I just felt like a black person in Turkey. However, I am a citizen as much as anyone else and I have the same rights to vote as everyone. I am from Ankara just like any other person living in Ankara. At that point I thought of suing Turkish Airlines but...

DISCRIMINATION AGAINST ETHNIC, CULTURAL AND RELIGIOUS MINORITIES

Tülin's metaphor of "the black and white" is unfortunately also true for other groups in Turkey. Ethnic, cultural and religious minorities are suppressed under slogans such as "one religion and one nation!" These groups are significant targets of the discriminative practices of both the sovereign power and the sovereign religious and cultural groups in Turkey where so many different ethnic groups and religious minorities live together.

The name 'Muharrem' spoils everything

Muharrem Çıtak, was born in 1968 and is an Alevi which is one of the minority groups in Turkey which want to practice their beliefs freely. Çıtak is a security guard for the Hacı Bektaş Veli Cultural Association. He stated that his religious identity was the reason why his application for employment in BOTAŞ was rejected. Çıtak explains some of the difficulties that he, as an Alevi experienced in his daily life in Turkey:

I could not get a job. I applied to BOTAŞ but they did not accept me, although I had the appropriate qualities, because my name was Muharrem. They did not directly tell me that was the reason but a religious friend of mine who worked there told me "Your name is Muharrem and that spoils everything." For that reason I could not get the job. I am married with two children, a boy and a girl. When I could not get that job in BOTAŞ, I started to work in the cultural association where my wife also works. I should say that I did not have any other problems because of my name and my Alevi identity and neither did my children. I use my birthright to the end and I look for my rights. Now, I live in Dikmen in the south of Ankara now but before 1980, when I was a child, we used to live in the Zafertepe district. My father used to be a stallholder. We were the only Alevi family among Sunnis. There were some problems. Three or four times, our vehicle from which we sold market goods was burned and its windows were broken. Now I think in neighbourhood relationships what matters is humanity. Most of my friends used to be Sunnis before. I have

never hidden my Alevi identity. My wife and children never encountered such a problem but in my childhood we were under quite a pressure in the neighbourhood. When I was seven or eight I remember my father used to answer that brute force in the same way.

In 2003, when my daughter was in fourth grade her teacher changed in the second term. While she was a successful student before, her grades in the second term dropped sharply. We then learned that her new teacher asked our daughter about our jobs and she told him we work in the Hacı Bektaş Cultural Association. There must have appeared a question mark in teacher's mind. When I saw my daughter's record sheet, I made an appointment with the principal and I went to her school. There I saw her teacher and asked him the reasons for her low grades and he said that she cheated in the maths exam. Then I told him that if she had cheated in maths exam, she should have failed only in that subject and we should have been informed about the cheating. After that I told them my child was in fact exposed to discrimination because I worked in Hacı Bektaş. For some reason, later they remembered this incident as if I asked about my daughter's grades in the subject of Religion. However, I asked the reasons for the sharp drop in all of her grades. I went there to ask for my child's rights. Then they gave me a grade record corrected by hand. While her cumulative in the previous record was 3.27, in the new one that was corrected by hand, it was 4.00. Then I took her from that school and enrolled her in another one. She completed her fifth grade in primary school. Now she is in seventh grade. When one of the assistant directors in this school told us that her cumulative score was shown as 3.00 in her record sheet, I again objected to this. I learned that the principal in her former school was a religious studies teacher. I was almost involved in a fistfight with him and he threatened to call the police. When he saw I did not step back, he relented and they gave me a new document about the correction of the grade and I gave the corrected cumulative score to the new school. When the assistant director in the former school saw me years later he told me that they dealt with my daughter's grade in religious studies. That was what he especially pointed out. Because my child is an Alevi the same issue was always pointed out.

If Turkey is a free republican country, everyone should live in the way they like, be it Alevis or homosexuals; everyone has his own preference of sexual orientation. We are always against discrimination, against Alevis, Sünnis, or Gypsies. If two gays want to marry each other let them do so. Homosexuality does not develop later, one is born with it. One prefers their sexual orientation in that way. Just like money is not matter of argument between a husband and a wife, that must be the same situation between gay couples.

"Of course we live separately"

Keeping in mind the story that Çitak relates and his attitude towards other minorities besides his own group, here is what Yusuf Akbulut a member of the Assyrian community has to say among other things, about the efforts of his commander during military service to convert him into Islam and the violence against religious minorities in Turkey:

I was born in Midyat in 1964. I have been working the Meryem Ana Church since 1993. I have six children. I am a religious official, I am an Assyrian. I was appointed to the Church in Diyarbakır from Midyat. When I was in Midyat I used to conduct religious services in Syriac for my community. Of course, the members of the Assyrian community go to public schools. Now the problems are not so serious as they used to be in the past, just some small problems. For instance, a few days ago I received a call from the school to say that Assyrian children being insulted by the teachers who were calling them "Christian infidels" I went to speak to the teachers they were concerned about the problem but they told me that was just not possible. Later I learned that it was not the teachers but the other students who made fun of them. Because of their names, Christian children can easily be detected, for example, Muşi, Meryem, Teodora, etc. In the past our children could not go to school or university but now, one of our children graduated in archaeology, and another is studying mine engineering. Nevertheless, so far I have never seen an Assyrian working in public field. Assyrians generally earn their living by engaging in silverwork or making jewellery. They are usually

hardworking people. Assyrians are famous for their silverwork. Most of the Assyrians work in and around Midyat. Of course we live separately and hear some bad words that certainly upset us. Then you question the point of living in this country and many of us left Turkey.

Yes, we were exposed to violence, you must have heard about it. What can we do, some of us had to endure because we need to work. Those who do not have to stay here usually go to Istanbul or Europe. I do not really want to tell what happened to us the other day because I feel as if I was advertising the situation. Some five or six people came to the church the other day. We did not know any of them; they were not from the neighbourhood. They want to enter the worship section while they were smoking. Then our members in the church told them they could not smoke in there and added that it was a church, like mosque, the house of God." Then one of the strangers started to threaten our members, saying things like, "You are infidels. I will cut you into pieces." I was called and when I arrived I told our boys in Syriac to call the police and they did so. When I got there one of the men had been shouting at the children. I told him to stop. Then he came towards me and said, "Do you remember the priest in Trabzon?"¹⁹ I can do the same thing that they did to him. I can stay in prison for fifty years for you." I told him to go away and asked why he was acting like that. The man asked me why the USA was treating Iraq like that. I told him I have nothing to do with the USA and I did not want anyone to be hurt. By then my son had called the police. While we were arguing he was always putting his hand in his pocket. I did not see a gun but he was wearing a jacket. Finally they left and as they were leaving the police arrived. I told the police that they threatened to kill me and the policeman replied by showing the people working in the church, saying that there were so many people why couldn't you all deal with just one person and beat him up. Yes, he exactly told us that and I argued with him asking whether it was my job to kill, or to worship. Instead of following the man who threatened us, the policeman started to

¹⁹ Andrea Santaro, 60, was shot twice hours after a Sunday Mass at the Santa Maria Church, which was built in the 19th century under Ottoman Sultan Abdulmejid I.
http://www.assyrianchristians.org/English/Priest_Trabzon_5_2_2006.htm last accessed 17/11/2009

argue with me. After that I went to the chief constable and the governor and told them about the incident without mentioning that policeman's reaction and I asked for protection. They said we should hire our own private security guard because they could not deal with everyone. We actually have a surveillance system but the power is often cut off. For example, a few days ago all of our surveillance cameras were burnt out because of low voltage. Those men who entered the church that day were lucky because all our cameras were all broken otherwise we could have recorded everything. We do not take any other measures for security; we trust in God. We live and want to live peacefully with our neighbours. You can go and ask them we live together peacefully. They all like us. When we need something we ask each other for it. The other day one of our neighbours asked to borrow some chairs for their wedding and we lend them what they needed. Our children used to have difficulties when they were playing outside. Thanks to the municipality, they built a park inside the churchyard. Our children can now play more comfortably.

About twenty years ago when I was doing my military service those who want to be a sergeant were told to step forward, and I did. But I was told that I couldn't be a sergeant because I was a Christian, nevertheless, there are Assyrians in Europe who even have government ministers, for example, the Swedish Education Minister. We, for instance, spoke Turkish better than many of the others in military service but I am Christian and I am happy with that. Our captain was obsessed with converting us to Islam because it was a better, cleaner and healthier religion! We are not against Islam but we went there to do our military service, not to be converted.

Syriac is a very ancient language, probably six or seven thousand years old. Although it has changed through time and like modern Turkish, there is a modern day Syriac, but it is the language that Jesus spoke. We speak in and worship in that same language. It is called the church language. Arabic, Turkish, Kurdish and even English have influenced the language we speak. In the past there were many more Assyrians in this area; for instance, in Harran the first university was founded by Assyrians.

Our door is open to everyone. For example, if a HIV positive person is to come here we will help them as much as we can. I do not even think it is a shame or a sin. When we read the Bible we see that our religion is concerned with lower class people. It is a religion that treats people well even the women who commit adultery, calls them to repent and tries to make them a part of the society. In our community there are one or two people who show violence to their wives but it is wrong; neither the man nor the women can do without each other.

"We do not expect anything from the state"

The difficulty of being a Christian in Turkey can be understood more clearly through the words of Ahmet Güvener, the spiritual leader of the Church of Diyarbakır. He states that Christians are exposed to discriminative practices not only by society but also by the state itself and adds that they do not expect anything from the state, which is supposed to be the judge of social disruption. Thus, he, points to the hopelessness of the religious minorities [in Turkey]. The Turkish Christians state that they are even careful in choosing names for their children because they think their children can be discriminated against because of their names. They also say that they are upset since they are regarded as strangers because of their beliefs and they can only express their feelings by withdrawing from mainstream society. Güvener says:

I was born in 1965 and I have always lived in Diyarbakır. We moved from Bismil fifteen years ago. I was born and grew up in Diyarbakır. I finished high school. We have a community of about seventy people here. I had an education of spiritual counselling for the service of the church. I actually think that everyone needs a spiritual counsellor. We improved ourselves according to the needs of the society. This also brings us an extra burden because people come here and ask for spiritual counselling and this can be misunderstood as a missionary activity. If they want we also help other people outside in counselling. It does not matter to us whether they are Armenian, Assyrian, Kurdish, or Turkish.

I can understand Kurdish but I cannot speak it. We usually speak in Turkish. There are some people in the community who speak Kurdish very well. They help in translation when necessary. We do not have a language problem.

Actually I adopted this religion, originally I was a Muslim but in 1991 I accepted the religion of Jesus Christ. Of course, when I was in high school I did not have difficulties because of my religion but my children have some problems in their social lives because of their Christian identities. They can feel that. I am the father of five daughters. One has completed high school, one is twelve and in primary school and one is in the third grade, the other two have not started school yet. We encounter some problems because of their names. The name of my youngest daughter is Rebeka, her elder is Ester, Sara is eight and the eldest are Sevinç and Sevgi. These last two are the names that anyone can have today but my younger children can have problems later because of their names from which it is understood that they are Christians. You know, non-Muslims are called "infidels" and they are insulted. The same is true for our children and they get upset. For instance, they say that they are teased and called "priest" by their friends. There are such problems at school and other children in our community have the same attitude.

We in fact have no problems with the teachers. You know that our children have the right to drop religion classes. However, I make them take the classes because they can learn about Islam at school; and we teach them our own belief at the church. For me belief must be chosen and adopted by free will. I teach my children the same.

In the past there were many more Christians in Diyarbakır and there were no problems. There are Christians I know in some public offices but nowadays it is very hard for them to be civil servants. Christians cannot become policemen/women or soldiers. Almost one hundred percent of the community are self employed in trade or manufacturing businesses, or they work as tailors. However, there are people who went to university and

become teachers. There is young member of our church who is a teacher now. It is rare but there are people among us who pass the examination and go to a university but working in public institutions by passing some examinations, especially in security institutions is not possible for us. We devise our own solutions. We do not expect anything from the state.

When you say you are Christian you are generally considered as a foreigner, e.g. Armenian, Jewish, or European but it is not true. These people have lived peacefully with Muslims. There are frequent rumours; once a police chief told me he had heard that I distributed Bibles with dollars in them, I replied thus, "You heard it, the person who told you that also heard it, and the other person heard it, too!" Think about it for a second; if of the chief of the police can say these things, it is really the weakness of the state. This county has an intelligence service. We are already open to everyone, the police can come and talk directly to the people, carry out research and see what happens there. There has been an abnormally heavy anti-Christian propaganda on TV channels in which we are shown as extremists.

Last week Professor Zekeriya Beyaz²⁰ said in an air of exclamation and jihad, it was horrible, that, Greece has bought the shores and Israel has bought Harran, and they have not left any land for the Turks. Then the governor of Urfa called the TV programme and said, "Mister Beyaz, not even a small piece of land has been sold, it is just that Israel and Koç Holding have opened an animal farm." That means some people enjoy lying and vilifying some others but they do not know how far this can go. They do not know how the Christians are harmed by this. For example, the incident in Trabzon²¹ is a result of such behaviours. A few days ago, when we were fixing some cracks on our terrace, the Friday sermon was being given in the mosque opposite and the topic was organ donation. The muezzin said that organ donation is allowed but he added that organs should not be donated to certain people: to prostitutes, to

20 Professor of Theology

21 See page p.77

drunkards and to non-Muslims! He considers non-Muslims on the same level with prostitutes and drunkards. If he says that then other people can do anything to non-Muslims! The Friday sermon was not heard only by those in the mosque but it is broadcast over the whole neighbourhood. 98% of the population of Turkey is Muslim; that is OK, but there are also the Christians in the remaining of the 2%. We are the regular citizens of this country, we have families and relatives; the only difference of us is our belief.

Every Wednesday we come together to read Bible. One day we went up to the terrace and started to sing hymns. When we were heard in the street, children started to throw stones at us. Of course they were just children, but their behaviour is obviously a result of the messages they receive at home or from the media.

There are also many errors in the education system. Consider that [Turkey] is a secular country but when you look at a school textbook about religion, you will see that there is just one page allowed for Christianity, and that is full of insults claiming that Christianity was distorted and the Bible was changed. The same is true for Judaism. Of course, children read that and their families also share the claim. That is why we are hurt. It would be better not to include this information and just write about Islam.

We have been passing through a very difficult time. There are emotional reactions or efforts to block our way. When an official, let me hide the name, said that Turkey will never give you a legal status, I replied that Europe was really putting pressure on Turkey in a positive sense. Now, consider that Turkey gives us a legal status because of the pressures of Europe, but to whom shall we feel gratitude, to Europe or Turkey? That is to say, if the state makes the necessary arrangements according to the needs of the society and not because of the pressures of civil society associations or Europe, it becomes a state that takes care of its citizens. If the state makes some changes in order to win the favour of Europe, it is not a true transformation but if it makes the necessary changes for

the well being of its people then it becomes at peace with the society. Only then the state becomes a real state. We were not given legal status were told that we should be an association. But why? We are not an association, we are a church. When people hear the word "church", they think of a mysterious building and a tower with a bell and that is all. No, it has nothing to do with a church. The church is the community itself. What should be taken care of, loved and respected are the people, not the buildings. We were told not to write "church" on the church door. How can we not? The word "church" scares people. What we expect is this: we do not want to be treated in a special way, we want to be treated the way the other people are treated since they at least practice their worshipping freely. We also want our own buildings in which we can worship freely.

I saw you came here by taxi. If you had asked the address, you would have asked "Where is the Church of Diyarbakır?" The reply would have probably been "Why are you going to the church? There is a mosque over there, go there!" Once a woman came here and she was sobbing because she was told "Why are you going to the church? Go to a mosque." So the church is seen as a place that promotes immoral behaviour. The state must change its standard view on this point. Laws can change, that is not the problem but what really matters is to create hearts that can enact the laws.

Missionary activities are attributed with strange meanings. Look in a dictionary; you will see that a missionary is someone who carries out a task under the auspices of a particular belief. A missionary activity is about a mission. Unfortunately, the word missionary is usually connoted with a person who is an enemy of Islam, works against the state to undermine it and spies on behalf of other countries. Quite weirdly all the political parties [in Turkey] have a very negative attitude towards us. The government party now, The Justice and Development Party (AKP), is the one that has cared for us most so far. Since its supporters have generally suffered from the same problem they are making some legal revisions and we also benefit from them. No other political party has such sensitivity.

Winning the favour of all the sections of society and regarding different cultural values as richness is like accepting that a garden has different owners.

Within our own community the needs of the previous generations and those of the present one are quite different. The young generation expresses their own ideas and we try to cope up with this. We know that times are changing so accordingly, we try to broaden the horizons of our young people.

In our community there are both well off and poor people but we never separate them. The Bible tells us that wealth is poverty and it can cause arrogance, the poor must be proud of their own wealth because a poor person is closer to God. Rich people solve their problems by their own power, so they should be aware of their own poverty. They should not think that they can solve their own problems.

I never think of acting in political life but I think if I were the prime minister of this country there would be no problems at all. The Kurdish people are my brothers and so are the Laz or the Caucasian; it is a great cultural richness. If you accept every person as they are there remains no problem. In our church there are Assyrian, Armenian, Turkish and Kurdish people. We all live peacefully and there are no clashes between us. I am Turkmen in origin but I never claim that the Turkish are a superior race. If you do not humiliate others, you will not be humiliated by them.

Discrimination has affected my daughter's morale and self-confidence

İhsan Özbek, the president of the Association of the Salvation Churches, defines discrimination as all forms of treatments that may cause some individuals or groups to be treated differently from other individuals and groups and to be harmed as a consequence of these treatments. He talks about the difficulties of living as a Christian in Turkey:

Discrimination against Christians in Turkey is part of the facts of daily life in Turkey. There is discrimination in the political field: in the past, according to the policy of the state, the National Security Council, governments, the army and the police the Protestants were always a threat. So our religious activities were first treated on the level of terrorism and then in the process of adaptation to the European Union, we were put under pressure as a group that is allowed to survive without being accepted as an interlocutor party. All the anti-missionary propaganda held directly or indirectly by the state is just the tip of the iceberg.

There is discrimination in the social field: the missionary activities, which must be regarded as a part of the freedom of expression and belief and which only means explaining one's beliefs to others and inviting others to share one's beliefs, which is just an ordinary religious activity, are reacted to by almost all of the [Turkish] society with animosity under the influence of various types of propaganda. On the street housewives spit on the faces of missionaries, hooligans put a knife to their throats and call the journalists claiming that they have caught a missionary, Christians are beaten at schools, they lose their jobs, they are kicked out of their homes, when they have to renew their identity cards they are illegally forced to state their religion and after that they are left at the mercy of the judge, employer, or the civil servant.

Christian students do not have to take religious studies classes in primary and high schools, they go to the library but this way they are separated and the religion is disclosed. At school my daughters experience discrimination much more than I do as a church leader. My youngest daughter has been exposed to insults and physical assaults from classmates for three years. Despite the fact that she goes to a private school and the principal has the utmost goodwill, the education system labels her as a Christian who does not take religion classes so it was not possible to hinder the negative attitudes of the some of her friends and their families. She is going to the sixth grade this year and she will have new teachers and make new friends. Last year she prepared herself to explain that she is a Christian because she feared she was going to be assaulted again so she tried to spread the information that she belongs to a different religion through

her ex classmates in fifth grade. In the summer holiday, one day her mother found her crying. When she asked her the reason she mentioned the new stressful school period after two months. Discrimination spoils my daughter's morale and confidence

Christians encounter many difficulties from renting an apartment to finding a job. There are two people in our community who work at a university. The administrators claim that they are secularists but when they learned that our friends have adopted Christianity, problems began. They were temporarily sent to a university in another city. There is a continuous investigation about them and a few times they were indirectly told that their PhD theses would not be accepted. They have to live with a continual anxiety.

Christians living in Turkey are afraid of violence and its consequences. That is why they withdrew into their shells. Common expressions of the minority mood are: "Do not say anything, otherwise we will get into trouble," or "The state might misunderstand it," etc. Moreover they live with a feeling of despair because their belief is a part of their identity and there is very little to be done in order to change the reactions of people; they are excluded. The rumours that Alevi people have a tradition of "blowing out the candle"²² or the Protestants bribe non Christians to join the religion or arrange marriages between non Christian men and Christian women in order to convert them are widely used by different groups. These are hurtful and scandalous. You get excluded and there is not much possibility to express one's feelings. The media is part of the violence, they do not listen to you, even if they do, they would not recount it. Those who believe in you feel sorry but just remain silent because they are afraid of the reaction.

We started our struggle by bringing lawsuits for our rights but we are stuck there. We could not take enough steps to inform the public about our problems. A few years ago the laws started to allow us to found corporate

22 In Turkish this is a euphemism for licentious sexual behaviour.

bodies. In various cities church associations were founded. Nevertheless, our NGOs must work harder.

As a consequence of our beliefs it is natural for us to be against discrimination. Nevertheless, as everyone we grow up under the influence of our culture. I also noticed, however rarely, that some of my behaviours were discriminative. My attitude against the discrimination that I detect in myself is to confess aloud that it is wrong. This is both good for the victim and enables me to change my attitude. In daily life, in relationships within the same social class, education and supervision is necessary to eliminate discrimination. The public must be educated about discrimination and the victims must be encouraged to ask for their rights. The laws must be re-examined in order to be stripped of any of the elements of discrimination. The necessary revisions must be made. Discrimination and hate crimes must be brought to court.

The painful memory of having my toy horse torn out of my arms

Mihail Vasiliadis' memory of his rocking horse that was taken away between his arms and thrown into a dark room is a very shocking and sad story that can describe the pain that remains in the memories of those who have been exposed to discrimination. Vasiliadis, who was born in Istanbul, is a journalist and he a brave man to stay [in Turkey] given the oppression of the state and the groups belonging to the sovereign power. There is no need to interpret his story. Vasiliadis was exposed to the violence of sovereign policies while he was still a child because he was of Greek origin.

I was born in 1939, in Tarlabası, Istanbul, in an apartment opposite the building that is now used as the security directorate. Tarlabası then was a place where mostly Greeks lived. My father was a dentist. He had a cerebral haemorrhage about two weeks before I was born and he remained bedridden until the day he died in 1957. There were days he felt better but he could never be well enough to work. There is a special reason for me to give these details because my father's condition, although he was bedridden, did not make him exempt from the wealth tax. There

was so much tax levied on us that we could not pay and consequently an attachment proceeding was put in process. One of the rooms in our apartment was my father's dental surgery. The officials made this the reason for taking the whole apartment as a workplace and everything in our apartment was levied. They took my father with his mattress and put him on the ground to take away the bed. They took everything in the apartment, including that bed, and put them all in a room and sealed its door. When they were taking my father from his bed, my mother tried to stop them, the officer turned to her and said, "Madam, you can thank your lucky stars that he is confined to bed, otherwise he would have already set off for Aşkale²³. You are lucky to save him." I do not want to talk a lot about the past events.

In Tarlabası, other than the Greeks mostly Turks and Armenians lived. There were not many Jewish they tended to live in and around Balat and Kuledibi. My mother learned Turkish quite recently. We spoke Greek in the house and even the vendors selling vegetables on a horse carriage could speak Greek in our neighbourhood. Most of them were Albanian and some were Muslim Albanians who also spoke Greek pretty well.

I went to the Greek primary school of Aynalıçeşme. Now it is almost ruined. Some my friends and I want to restore the building and put it into use again but the General Directorate of Foundations will not let us do that. I finished Zoğrafyan High School in 1957. The school had an average of seven hundred students then I attended the business high school there and after that I went to the Business College, which is now called the Faculty of Business and Economics. However, there was little to learn there because we had already taken many of the classes at high school. That is anyone who successfully completed the business courses at Zoğrafyan High School had the skills to work as an expert accountant. So the combination of not feeling I had more to learn and a bad experience resulted in my decision to drop out of school.

23 At that time those who did not pay their taxes could be sent to a work camp in Askale, Erzurum.

The bad experience occurred when I was revising one of the instructor's lectures in Greek with female student from Greece, someone behind us shouted, "This is not the country of the infidels, do not speak in the language of the infidels!" We went to the principal. He was a decent man, he told me, "Son, you are right," and I told him, "Then, stop these people." He answered, "How can I stop them?" Then I flung my student's pass²⁴ on his desk and left the faculty.

After that I started to work as a journalist and also as an accountant in a textile factory in Kuruçeşme. I work there until I left Istanbul in 1975. My boss was a Jewish Greek citizen and he used to speak in Greek. I went to Greece in 1975. At that time Peyami Safa was writing in *Milliyet*.²⁵ He was so harsh against Greeks in his articles, he was using some agitating sentences such as "Go away!" "They should be strangled to death". I started write answers to Peyami Safa's articles and this drew the attention of some minority newspapers and I had invitations from them to write articles. Then I started writing for a newspaper called *Embros*. I was the editor-in-chief of this weekly newspaper published by a group of Greek intellectuals. In 1964 I was sued for creating Greek propaganda to impair the national unity and with the report that Sulhi Dönmezer²⁶ gave for me I was charged with breaking the rules in articles 141, 142 and 163 of the Turkish Penal Code. My entire fault was writing that a particular person was a real Greek. Using the word "Greek" was considered to be separatism. The court case went on for ten years and I was acquitted three times in that period. My first two acquittals were quashed on codes of practice but the third acquittal was approved and the suit was over. The owner of the newspaper was also sued but he chose to escape to Greece. He played the hero there so he gained credit by anti-Turkish propaganda and had a good life.

That is to say those who sued him did a favour for him. I was also expected to go away but I just could not assume such an attitude because I did not

24 A slang expression for a student identity card.

25 A national newspaper in Turkey.

26 Sulhi Dönmezer was an academic in the law faculty of Istanbul University in 1964.

find it an honourable way to behave, I waited till the litigation was over. I could not find any lawyer to deal with my case. The Greek lawyers were scared and the Turkish lawyers were not interested in my case, so I defended myself. When I was summoned to the first session, a lawyer agreed to defend me but on the day of trial he did not come. Much later he apologized to me and said he had been threatened. Maybe it was right maybe wrong, I do not know. None of the Turkish lawyers was interested then but it would not be like that today.

For me hiding one's identity is dishonourable so I have never hidden my identity. However, it caused me much trouble. In those years there was a place called 'Telli Baba' and we, young people used to go there to talk. Once when I was there with a Turkish girlfriend the police came and took us to the police station. After seeing my identity card they understood I was Greek and it cost me 500 Liras. At that time the salary of an army colonel was 400 Liras.

One of the relatives of my friend was a member of the parliament and she had an army officer relative, too. Her father was born and grew up in France and she belonged to a prestigious family. The policemen insulted her saying that a Turkish girl could not meet with a Greek man but because of her family connections and because they found my 500 Liras fee satisfactory enough they did not take any legal action against us. That day I stepped back for the first and last time in my life. If she had not been there I would have sued them. There are, of course, different problems that I heard from others. For example, I heard about the discriminative practices many of my friends experienced in trying to get a bank loan. It was the late 60s and early 70s, a person, who once worked in the government, let me not give a name, was in charge of these bank loans. In those years business people who want to get investment credit were able to ask for a loan from banks, particularly from the industry bank, by preparing a feasibility report for their project. But the bank directors used to take the reports particularly those prepared by Jewish and Greek entrepreneurs and give the reports to other businessmen who they knew, then the reports were copied and the credit was given to the friends of

the bank officials. The original reports were returned to their owners and rejected their credit applications for the reasons such as, missing stamps or signatures, etc.

In our neighbourhood I had very close Turkish friends in my childhood. We had a 16 piece draughts set and the unconquerable armada; Dino, Mıgır, Ali, Bülent and I. Ali's father was a caretaker, he was so smart. I also wrote this story in the Beyoğlu Newspaper. The children of the neighbourhood used to get on very well. At the Easter we would go to the church. Following the candles ceremony as a commemoration of the resurrection of Jesus Christ and it was considered to be good luck to carry the candles home without them blowing out and light our oil-lamps at home. When we left the church, some Turkish children around used to come and try to blow out our candles, however, the Turkish children of our neighbourhood used to help us keep the flame alive. But those same Turkish friends of ours used to try to blow out the candles of the children in other neighbourhoods!

If Ali gets to know Mihail as Mihail and Mihail gets to know Ali as Ali there will not be any problems between them but if Ali is recognized as Greek, his behaviour towards him changes. There is striking example of this: during the events of September 6 and 7 1955²⁷. When the mob arrived at our apartment building to destroy everything, Ahmet our caretaker he took a Turkish flag and stood in front of the building and closed the main door behind and discarded the mob by telling them "There are no infidels in this building, everyone is Turkish in here." However, except from Ms Bilge on the second floor we were all non-Muslims. After the hooligans left, he put the flag and took an axe and went to destroy the Greek buildings and shops on the street because they were just Greeks for Ahmet. He did not know them, but we were Mihail, Madam Mari, and Madam Katina for him.

27 On 6th and 7th September 1955 there were serious attacks on the Greek population and their property in İstanbul.

When I was about three years old officers came to our apartment for the sequestration of our goods. They were putting our household goods to the room that my father had used as his clinic. After they finished their job they would seal the room. In that room was my toy horse. There was a porter with the officer. When they finished their job and closed the door, the porter opened the door again and let me take my horse and leave. I was holding my toy horse, which was bigger than me, tightly between my arms. Suddenly the officer came and pulled away my toy horse from me. He opened the door and threw it into the room and told the porter, "Seal it!" His silhouette is still in my mind. The poor porter was surprised, his eyes were filled with tears and I turned to the officer and threw such a look at him, he had to turn away and went into another room to keep on doing his job. There is a complete contradiction between the behaviour of these two people. While that uneducated porter felt sorry for the child, the educated officer saw a Greek there, or a Greek child at most, but not a child. So discrimination is a motivated situation. What I mean is that generalizations like; Americans are stupid, Russians are smart, or the Turkish are racist, are wrong. Such nationalist and racist feelings are not inherent to human beings. They are learned afterwards. So the owners of these behaviours should not be considered as responsible for the behaviour, but those who taught and led them to behave in that way should be blamed. This is an education to create a nation; "Happy is the one who says I am a Turk", so, should a Chinese or a Russian be unhappy? Think about Peyami Safa, for instance. He writes terrible things about the Greeks, he presents them as treacherous people or brothel owners however, in his memoir he writes, "We had a doctor, Mr. Petrus. Once my mother got very sick and he came from a very far place on foot and saved my mother's life." If that Greek doctor saved your mother's life, why are you slandering Greeks in your writing? These are all the products of the efforts of creating a single religion, language, and nation.

The most important event that changed my life is related to discrimination. I had to break up with a Turkish girl whom I loved very much. Both she and I were heavily pressured and I had to leave Turkey for Greece. Then,

I, who was considered as a Greek in Istanbul, was considered as a Turk by some groups in Greece. I published a newspaper there and wrote in the way I did in Turkey. In my articles I wrote about the meaningless clash between Turkey and Greece, which is of no use for the two nations, and about the Turkish minority in Western Thrace, must not be exposed to oppression because I, who had lived as a member of a minority, knew what oppression was. Those who were annoyed by these articles insulted me in their writings.

On September 6 and 7 in 1955 thousands of people were on streets ready to destroy not only Greek property but also Greek people. On September 6 and 7 in 2005, there were only twenty people to distribute leaflets advertising a photograph exhibition of the 1955 assaults on the Greek community. If you ask whether there is discrimination today, I will say, "Of course there is." In the past there was not any discrimination between people who knew each other and who had a relationship in any field of life, and neither is there today but we are exposed to discrimination as a community. The foundation properties confiscated in the past have not been returned to the community. Our foundations are described as foreign foundations. We objected to this description and now the expression "foreign foundations" is no longer used. However, the attitude is the same, the only difference is that it is sneakier now. As far as I understand the aim is to disband minority foundations by the time Turkey joins the European Union, so that Turkey will not to be obliged to recognize the minority rights in the EU legal acquires.

I said at the very beginning, I do not want to talk a lot about past events because there is not end. I would like to leave everything behind but I cannot shake the memory of my toy horse torn out of my arms. I cannot forget that.

Those with a magic halo'': both visible and invisible.

The practice and the enactment of discrimination is caused by an attitude of regarding a whole group of people having the same archetypical characteristics

with each individual member of the group and the separation of this group from the rest of society by naming it in way that the group itself would not approve. The group is usually named after some negative metaphors or some traumatic historical events in the collective subconscious of the society.

Discrimination against covered women is practiced in similar ways. The women who explain that to cover their heads is required by their religious duties are answered with a reinterpretation of their own religious beliefs and told that they cover their heads for particular political reasons and they use headscarf as a symbol of a political view that threatens the majority. The expression of "turban" is deliberately used instead of "headscarf" and thus covered women are separated from the women wearing headscarves and they are made a target of prejudices prejudicial treatment

"It is insistently argued that turban is different from the traditional headscarf to manipulate the society into thinking that covered women serve a special political, or even a secret aim. This point of view has been summarized as that the women not only wear a headscarf but they wear it in a particular style, e.g. in a special way of tying or pinning because their real aim is to represent the religious movement that they are associated with. Trying to infer a special meaning even from the way women cover their heads is something that a covered university student would never think about. This is a very clear example of scaremongering policies created by the system.

Hidayet Şefkatli Tuksal, theologian and writer, is described as an Islamic Feminist both by conservatives and liberals. She says, "Perhaps we will see the day when those women question about the painful days beginning from their husbands and the political parties they support." Tuksal graduated from the Theology Faculty of Ankara University. She gained her PhD degree in the School of Hadith and with her thesis "The Effects of Patriarchal Tradition on the Rumoured Stories against Women". The thesis aroused some bitter reactions from religious people and theologians. Tuksal is continuing her studies on Islam and issues relating to women, she has been the director and an active member of the Women's Platform of the Capital City Association. She tells the story of how she decided to cover her head:

When I finished high school I had more time to think and read by chance I found a book by Şule Yüksel Şenler who is a covered women. In the book there were the "salvation" stories of some non-Muslim women who later converted to Islam and I was really impressed by their stories. Then I thought "I am a Muslim by birth and I practice my religion and pray five times a days. I am supposed to be religious but look at those women and their enthusiasm and self-sacrifice! I do not take my religion as seriously as them. Shame on me!" Then I decided to cover my head as a first step of becoming a better and a more serious Muslim.

Tuksal comments that covered women are considered to be ghosts who sometimes become visible and sometimes invisible. She says,

"When you look for an answer to questions like 'what do these ghosts eat and drink? Where do they live? What do they look like? Most importantly, how can they manage to become invisible? You will see that they live their lives just the way everyone else does. Yet once they put on those magical halo that is called a 'turban' they immediately become both quite visible and invisible. In both ways covered women are turned into 'anonymous' characters about which everyone knows everything. So when you talk about them, try to change them, kick them out of somewhere or become ashamed of them, you act as if you talk about, try to change, kick out or become ashamed of some figures pictured on a piece of paper, and not individual women who have their own miseries and joys, thus you can treat them cruelly by assuming a surrealist insensitivity."

Tuksal states that this perception makes the enactment of turban prohibition and its internalization easier, so millions of women are suffering from the prohibition and they become invisible.

In research called The Covered Truth of Turkey and carried out by the Caspian Education, Culture, and Solidarity Association it was found that the women who are forced to uncover their heads are deeply affected by this. 78% of them stated

that their personality was impaired and 68% of them said that they felt insulted. Many women prefer to be unemployed than to uncover their heads. It can be said that the covered women feel the worst effects of the discrimination against them in the field of education. Tuksal states that with the strict prohibition of turban in universities, some of the young covered women had to drop school, some had to uncover their heads feeling traumatized, and others had to continue their education wearing wigs. She believes that they should not remain silent for the discrimination against covered women and adds that

“Even if covered women could continue their lives uncovering their heads , they are still the victims. They should petition the local Human Rights organizations or the Prime Ministry Human Rights Committee against the prohibition of turban so that the number of them can be detected more accurately.”

Tuksal states that one of the most important reasons for the fact that the troubles caused by the prohibition of turban did not attract much attention in the international arena is that women are forced to cover their heads in some countries that are governed by so-called Islamic regimes. According to Tuksal another reason for the fact the prohibition of turban was that the public partly supported the claim that this prohibition actually helps the freedom of women. She says

“When the reason for discrimination becomes is a piece of cloth, turban, it is considered to be something trivial because it can easily be taken on and off unlike discriminations based on the inherent features of human beings such as skin colour or race. It is considered that the discrimination can be eliminated with the elimination of the turban, which is an interesting illusion. Many people, including some defenders of human rights, do not take the consequences of this prohibition seriously enough. They believe that women had better stop the drama by just taking off their headscarves.”

In Turkey covered women had the worst days of their lives after the coup in 28 May 1997. Women were prohibited from covering their heads in all educational institutions, including those giving religious education. Moreover many women working in public institutions who continued to cover their heads were dismissed from the civil service. An official from the Education Ministry unofficially declared the number as about five thousand however, despite the insistent petitions of the Association of the Capital City Women's Platform, the actual number of the women who lost their jobs in that period was not confirmed. Because of the increasing pressures in that period many women working in the private sector were also dismissed from work or moved to a different position where they could not be easily seen. In all cases the covered women were exposed to unfair treatment.

As a result of the efforts of the Capital City Women's Platform, Akder (Women's Rights Association against Discrimination), and CEDAW Executive Committee in Turkey who informed the UN CEDAW Committee about this dramatic prohibition of the turban, The Committee focussed on this prohibition in its recommendations to Turkey and demanded a report from the Turkish government on the conditions and numbers who were excluded from their employment or education facility because of this prohibition. Nevertheless, no efforts on the point have been seen from the Turkish government for five years.

Is betrayal in the genes of Çerkes Ethem²⁸?

Cumhur Bal, who is the general coordinator of the Federation of the Caucasian Associations²⁹, which consists of fifty-six associations, articulates a feeling that most of us are familiar with. The case of the Caucasian, Çerkes Ethem, which was quite frequently mentioned and always besmirched in the [Turkish] history textbooks, created a negative attitude towards citizens of Caucasian origin.

28 **Çerkes Ethem** (1886-1948) a Turkish militia leader of Circassian origin who initially gained fame for fighting against the Allied powers invading Anatolia in the aftermath of the World War I and afterwards during the Turkish War of Independence. He was instrumental in putting down various rebellions against the authority of the Grand national Assembly of Turkey. http://en.wikipedia.org/wiki/Cerkes_Ethem last accessed 18/11/2009

29 Website in turkish <http://www.kafkasfederasyonu.org/> last accessed 17/11/2009
For further information in English see also Caucasian Centre for Strategic studies: <http://www.kafsam.org/indexe.php> last accessed 17/11/2009

Ethem's bad reputation, he was called "the traitor" by the historians of the Turkish Republic, was attributed to the whole Caucasian society and as a result they needed to hide their identities, this had had irreversible psychological effects on Caucasian children, and most importantly they lost their enthusiasm to live within their own culture. Later Bal elaborates on the case of Cerkes Ethem. First here are the views of Bal, himself a Caucasian, concerning the problems of Caucasians and the discrimination they face:

The Caucasus region contains many different ethnic structures, such as Northern Caucasians, Southern Caucasians, or Transcaucasians as the Europeans say, Armenians, Azerbaijanis, Georgians, Sassanians, the Turkish, and Russians. Actually there are more than forty different ethnic groups in the Caucasus. We call ourselves Caucasian in Turkey but the notion of Caucasian is actually a subject of discussion; it is the name is given to us by others. Some only use this name only for the Adyghe, and others for the Adyghe, Abkhaz and Ubyhk, the Western Caucasians. In Turkey we use the name for the autonomous Adyghe, Abkhaz, Daghistan and Chechen societies who are indigenous to the Caucasus.

Many people from different nations in the Caucasus live in Turkey. If we consider the Caucasian society as the inhabitants of the autonomous nations who came to Turkey after their exile in 1864, we should talk about a population of over six million. This is the finding of Professor Kemal Karpat³⁰ who has engaged in the most detailed research on this issue. He says that there must have been about eight million Caucasians but for reasons like assimilation the number dropped to 6 million. 4.5 million were Adyghe or Western Caucasians. 500 to 800 thousand are Abkhazian. There are about 50 thousand Assatins, Ossetians and Chechens. There also 50 to 100 thousand from Daghistan. These people are all called Caucasian. After dissolution of the Soviet Union in 1990, the different ethnic structures there became clearer and were also accepted by Turkey as they are and they identified themselves with their nations. For instance, before 1980 the Karachays, Assatins, and Sassanis identified themselves

30 Professor, Emeritus, Department of History, University Wisconsin, Madison, USA.

as Caucasian and they even took places in the administrative board of the Caucasian associations. Yet when the Karachay Republic was founded and they found that they were also of Turkish origin and because of their relatively large population, some of them preferred to be called Karachay. As a result some other specific groups appeared such as the Caucasian Chechen Association or Caucasian Abkhaz Association but once they had belonged to Northern Caucasian or the Caucasian Culture Associations.

We did not pay much attention to discrimination but we think that it should not be practiced in Turkey. We do not expect a positive discrimination or a different treatment but we want to have the same rights as the majority [in Turkey]. If we are unable to enjoy our rights or if we are disadvantaged we think that there should be a positive discrimination for us. If the disadvantaged groups have been discriminated against for tens or hundreds of years, their disadvantages can only be eliminated with a positive discrimination.

Caucasians have been living in Turkey for a hundred and fifty years. It is only because they are Caucasian that they could not enjoy the same rights as the majority of the population. Our association is the oldest institution on the street. So we wanted the street to be named Caucasus Street. We did not officially demand that but it should have been our name given to the street and the Caucasian representative in the Municipal Assembly made this request. But now plates are distorted and new words have been created, for example, the name on the plate, Kafkas (Caucasian), by changing a letter has been turned into Kazfkaz ('kaz' means 'goose' when translated from Turkish into English). The municipality workers xed that but I think they still have some objections. If the name of my street where I have been living for twenty years is going to be changed they should ask me first and if the name is objected just because the word of 'Caucasian' then all the street names must be rejected because all of them are named after something for example. Benazir Bhutto Street or Cinnah Avenue in Ankara.

In Turkey, the Caucasian identity could not be acknowledged until now and this is partly because of the Çerkes Ethem event. Nowadays there are so many books on Çerkes Ethem, one of the most significant of them is written by Cevat Kutay (source?). Çerkes Ethem can be considered to be a traitor or a hero, both are possible. Yet he was Mr. Ethem until 1922 but then in front of his name first 'Çerkes' and then 'traitor' thus he became the 'Caucasian traitor' so all the Caucasian people were accused.

People of my age and older all witnessed examples of this ethnic slur. Here is the experience of Ms Gülçiçek, now a retired teacher, when she was a student in Van teacher training school:

One day our history teacher came to class and said, 'Today our subject is the treachery of the Caucasians in the War of Independence!' But there was no such topic in the textbook with such a title. For the teacher the subject was not Çerkes Ethem but the 'treachery of the Caucasians!' Of course as soon as the teacher said those words, all of the forty or fifty of our classmates involuntarily turned to and looked at us, the two Caucasian girls and we blushed.

I also have witnessed such examples and told them all in Ms Gülçiçek's book. It is first of all a great psychological burden. My grandfather used to say, 'Son, do not say that you are Circassian and do not speak in Circassian at school.' On hearing this I used to think that being a Circassian is something really bad. When I asked for the reason, my grandfather used to say, 'Do not ask, you just do not say that you are Caucasian.' When I was in high school, everyone was aware of my origin because they knew that I was from a Caucasian village. At the beginning of every school term I used to check my history textbook to see the Çerkes Ethem event was included. If not, I felt relaxed. But when the subject was the Çerkes Ethem event in class, I used to hate to go to school that day. I knew that many Circassian students did not go to school when the subject in history class was Çerkes Ethem event and those who went felt so stressed about that. Even if you are accused in a court, you have

the right to defend yourself and there are judges and lawyers. But there were no such conditions at school; you cannot defend yourselves. You feel as if you are convicted with Cerkes Ethem. Those who lived far enough where others cannot understand that their villages are Caucasian villages strictly hid their origin and never disclosed it. We were assimilated for eighty years because of Cerkes Ethem. But today academicians like Cevat Kutay say that if Cerkes Ethem had not been there, there would have been no Independence War. But it does not help us anymore. We lost so much. How can they be compensated?

I am not sure about the situation today but in the past there might have been practices against accepting or promoting Caucasians to important official positions. We believe that this was the case especially in the period of the single party regime. Even today we see that the official ideology has not yet given up an attitude of not giving a higher position to the Caucasians because of their ethnic origins. It is rumoured that half of the MİT (National Intelligence Organization) staff is Circassian but when we research the situation we see that no Circassian is given a high position because of their ethnic identity. They manage to have an important position as a result of their own efforts and background and they strive for their post by working two or three times harder than the others and also they deserve their position because they are usually more diligent, more honest and more productive than the average person.

We already well know that Caucasians did not come to important positions because of their ethnic identities. You become obliged to accept the Turkish identity that is you will say, 'I am Turkish'. But we have our own differences; we speak a different language. If you are aware that you are Circassian but you do not say it out loud, you are an acceptable citizen for the system. But I still have the belief that if you consciously speak Circassian language and live its culture, it becomes a sufficient reason for you to be rejected from important positions even if you are very talented.

With the foundation of the [Turkish] Republic the slogan of a single language, single religion and single nation lead to the denial of Caucasian identity. The existence of the Caucasians was accepted but it was claimed

that they were in fact, Turkish. So to avoid facing problems we should say we are Turkish. But we are not Turkish, we are not Arabic, we are not Russian, we are Caucasian and we live in forty different countries in the world.

It was claimed that one cannot write in Caucasian because it has no alphabet. Yet we saw that there are seven million books written in the Caucasian language. So even the Caucasians who describe themselves as Turkish nationalists understood that it was wrong and they started to describe themselves as citizens of the Turkish Republic and of Caucasian origin. We sent a group of twenty students to Barkop and another group to Abkhazia. We have youth camps and we give scholarships to university students. Our federation belongs to World Caucasus Union and we work together to supply scholarships to students. In archaeological excavations it was found out that the Caucasian language and culture was in fact older than it was supposed to be. Then it is a horrible thing! We cannot be Arabic in Jordan, Turkish in Turkey or Russian in Russia. We speak the same language so we are something. We are Caucasian.

As I said before, we send our children to the Caucasus region to learn the language and see our culture. The state follows such events closely and there are people who had problems because of that and the Turkish state is still taking it very seriously. Nevertheless, Turkey cannot yet interpret some issues and make them clear. We only say that every Caucasian has the right to go to the Caucasus region and we demand this right. We can never give up our Turkish citizenship. Our ancestors fought in Çanakkale and Independence Wars together with the Turkish people. As Atatürk said in the commencement of the second parliament, the Caucasians who know the meaning of losing a country very well fought to death in the Independence War. We have no problems with being from Turkey but we are disturbed by discriminative practices. We have the right to complain because we are from here.

We declared for ourselves that the next years will be 'The Year that the Caucasians Introduce Themselves'. We see that other civil society organizations and ethnic groups do not know who we are, the rightist

nationalist groups consider us as a leftist group and the leftist civil society organizations do not know about Caucasian. They think we are Azerbaijanis and nationalistic. This misinformation has occurred in a very interesting way. Over the last four or five years many groups of all political opinion who saw that we are in an important position. For example, the Human Rights Association and Mazlum-Der are such groups. This, to be honest, is for the sake of the requirements for the packages of harmonization process with the European Union and the law of associations issued in 2002.

In Turkey not only the Caucasians but many other groups are discriminated against, for example, homosexuals. Homosexuality is not a decision of people made by the toss of a coin and it does not matter even if it was chosen that way. This in the end is a preference of some people. I am strongly against the discrimination of those people. I feel upset for them because nothing is done to prevent the discrimination against them that is violently practiced by the state, society and the neighbours of those people. It is not possible to say that we are human beings unless we eliminate the discrimination against homosexuals and others.

According to our traditions we try to protect those who are discriminated against, whether in a village, in a city, or in an office. We have a high sensitivity against discrimination. Perhaps this is a result of the nature of Caucasian with its cold climate and high altitude. Last week in a conference it was said that the people who live in high altitudes are usually a little rebellious.

In Turkey Caucasians is a minority group in a sociological sense. The sociological description is very clear; if you have different culture and language from the majority you belong to the minority even if you do not refer to yourselves like that. Yet, we are not the minority in the legal sense. That is the result of some conventions. Nevertheless we do not want to be the minority. We do not want to be ahead or behind of others. We want to be given conditions in which everything can be shared and experienced on equal, free and just terms in Turkey.

NGO'S CONTRIBUTIONS TO THE STRUGGLE AGAINST DISCRIMINATION

There are various organizations in Turkey that are working towards overcoming discrimination and prejudice, this section outlines some of the work that is being undertaken.

Civil Society Development Centre Association

It carried out four-day training programmes on the struggle against discrimination in Eskişehir, Denizli, Adana, and Diyarbakır. The curriculum included the prohibition of discrimination in the context of international human rights laws, the role of the non-governmental organizations in the struggle against discrimination and the basic principles of the internalization of social gender from the process of programme preparation to its practice.

MEDİZ- Women's Media Watch Group (www.mediz.org)

Mediz³¹, which is coordinated by Filmmor Women's Cooperative, has been watching the sexism in media and working for the elimination of sexism in media through its efforts since 2006. In 2008 Mediz held out a campaign called 'Stop the Sexism in Media' and had the slogans "the 'beautiful' women on the back page of media", "the 'victim' in daytime TV programmes or the 'self-sacrificing mother' in murder stories", "good girl or the bad woman", "the headscarf or the gonfalonier³² in political arena" and "we are fed up with working in the kitchen and becoming invisible". The group watched the national media for two weeks for the study of "The Research of the Women's Representation in Media". The results of the media watch and the sexism in media was discussed in the conference called "For a Non-Sexist Media". The content of the campaign with its explanations, bulletins, visual materials and the whole research was made into a book under the name, *Stop the Sexism in Media*.

31 The organizations supporting the Mediz Project are; Adana Women Lawyers Initiation, Amargi, Feminists of Ankara, Avcılar the Cooperative of Women Working at Home, Turkish Coordination of European Women's Lobby (AKL-TK), Denizli Women's Platform, Feminist Environment of Women, Filmmor Women's Cooperative, İris Equality and Survey Group, Istanbul Women Lawyers Initiation, Izmir Women's Solidarity Association, İzmir Women Lawyers Initiation, Kadav – New Step Site, KADER, Women's Solidarity Association, Human Rights of the Woman – Association of New Solutions, The Association of the Solidarity with Women, KAMER, Kırk Örük Cooperation of the Struggle against the Violence against Women, Purple Roof, Pazartesi Journal, SOGEP, Van Women's Association, Yaşam Women, Environment, Culture and Management Cooperative.

32 Standard bearer

Alevi Cultural Associations (AKD) and Alevi Institute

The Alevi Cultural Associations (AKD) and Alevi Institute in joint partnership with the Department of Sociology Middle East Technical University (METU) and Hacı Bektaş Veli Anatolian Cultural Foundation (HBVAKV) embarked on the project "the Movement for the Struggle against Discrimination and Freedom". The project aims to encourage the Non-Governmental Organizations and other associations dealing with similar issues to struggle against discrimination and for Freedom, to defend human rights and them and to gather information and scientific and material evidence about the discrimination against Alevi people.

International Hrant Dink Foundation

The Foundation is undertaking a project called "Watching Hatred Discourse in Media" that aims to regularly watch and document the content of national newspapers and to start a discussion on the content of hatred discourse in Turkey and the ways of its elimination.

Mazlumder

In 2008 Mazlumder issued two important reports including interviews on the issue of discrimination based on race, ethnicity and religion and these reports are in the process of being published as a book.

Istanbul Bilgi University Human Rights Law Research Centre

This centre embarked on a project called "Combating Discrimination in Turkey through Documenting and Reporting" in 2009. The project aims to support the mechanisms that struggle against discrimination and the elimination of the ongoing discriminative practices. To achieve this aim it will try support the efforts of NGOs that fight "against discrimination on grounds of race or ethnic origin, religion or belief, disability and sexual orientation".³³ The project targets, among others, the representatives of NGO's and other associations that have similar tasks, activists, union representatives and lawyers. There is a mapping exercise in the project and "the purpose of the mapping exercise was to identify key NGOs, civic initiatives and trade unions actively working in the fight against discrimination on grounds of race or ethnic origin, religion or belief, disability and sexual orientation"³⁴. This research will create a profile of the institutions mentioned above and define their specialisms, their needs and their

33 <http://insanhaklarimerkezi.bilgi.edu.tr/pages/Announces>

34 *ibid*

difficulties in the struggle against discrimination. The study also will report on these institutions' need for research training in relation to the documentation and reporting of the discriminative practices.

Human Rights Joint Platform (İHOP)

İHOP was founded in 2005 and consists of Human Rights Association, Helsinki Citizens Assembly, Mazlumder and Amnesty International Turkey Office. İHOP, which carries out its studies in several dimensions, after working together with the experts in Turkey, prepared a bill entitled "Struggle against Discrimination" Minority Rights Group with the support of Minority Rights Group and presented it to the Non-Governmental Organizations. The bill was presented to the Turkish Parliament in October 2009. İHOP also watches international human rights mechanisms and provided a Turkish translation of the Report of Turkey presented to the Committee on the Elimination of Racial Discrimination and thus made it possible for the report to be read by a larger audience in Turkey. Raul Wallenberg started a project entitled "Equality Policies of Local Governments and the Struggle against Discrimination" with the support of the Human Rights and Humanitarian Law Institute and the first enactment was made with the staff of Çanakkale Municipality, Bursa Büyükşehir Municipality, and Nilüfer Municipality in July 2009.

İHOP continues the "mapping" of the discriminative practices and dynamics in Turkey. The first phase of the project will take 18 months and it has the following co-supportive aims:

- to disclose any discriminative practices on the basis of ethnic identity, religious origin, language, sexual orientation and physical or mental disability that one can be exposed to in any field of life, in daily life or in institutional or legal frames,
- to raise a social awareness of local or international discriminative practices and support the efforts of larger sections of the society to transform themselves by gaining a higher sensitivity,
- to develop the diagnosis and treatment abilities of NGO's in their struggle against discrimination.

As result of this study carried out by the local offices of the İHOP founding associations, there will be micro and macro maps and their strategies of the struggles against discrimination will be developed.

DEVELOPMENTS IN THE FORMAL ARENA IN THE STRUGGLE AGAINST DISCRIMINATION

Between the first and the second editions of this book, even if there is not any formal acceptance of discrimination in Turkey, some steps were taken.

TBMM (Turkish Grand Assembly) The Committee on Equal Opportunities for Women and Men³⁵

The law of The Committee on Equal Opportunities for Women and Men No.5840 was issued and published in the Official Journal on 24 March 2009. Its main aims are the protection and the development of Women's rights watching national and international developments on this issue and informing TBMM about them, evaluating both direct and indirect tasks give to them and give specialty commissions advices on the draft laws, law proposals, and decree laws.

After the enactment of the law, at the first meeting was held in 9 April 2009, Güldal Akşit was chosen as the President of the commission.

The Committee on Equal Opportunities for Women and Men is charged with the examination of the complaints about the violation of the equality of women and men and about gender-based discriminations and it can carry such to further places if it is found necessary. People can petition this commission with their complaints.

UN Convention on the Rights of Persons with Disabilities

"The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007"³⁶ and signed by Turkey and other 80 countries. It was approved by Turkish Grand Assembly (Law No: 5852) and published in the Official Journal on 18 December 2008 No: 27084. In 28 September 2009 Turkey became an official party of the convention by informing the UN mechanism of its approval. "States Parties undertake to

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36 <http://www.un.org/disabilities>

ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability.³⁷

Conclusion

Discrimination, which is one of the most important reasons for the hindrance of a full enjoyment of human rights and freedoms on an individual or group level, is prohibited by international human rights conventions. Discrimination is described as any kind of segregation, exclusion, restriction, or preference which has the purpose or effect of nullifying or impairing the principle that all rights and freedoms are to be ensured and enjoyed equally and are enjoyed equally by all individuals without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.³⁸

International covenants against discrimination have the purpose of the elimination of their being treated differently from the rest of the society on the basis of their religion, belief, culture, race, ethnic origin, language, physical appearance, age, sexual orientation, other qualities. States have a very significant role in the struggle against discrimination. They have the duty to protect individuals against discrimination, to take precautions to eliminate discrimination, and to take necessary steps against the individuals and institutions that practice discrimination. Besides this, it is also charged with the duty to make necessary legal arrangements to enable individuals to enjoy their legal rights entitled to them, to create the convenient conditions for the enjoyment of those rights, and to establish not only a legal, but also genuine equality between people.

The Appendix contains the original articles pertaining to the prohibition of discrimination.

37 *ibid*

38 United Nations Human Rights Committee, General Interpretation Number 18: Prohibition of Discrimination.

Appendix One

United Nations (UN) Universal Declaration of Human Rights (UDHR)

Article 2:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

International Covenant on Civil and Political Rights³⁹

Article 2.1:

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

International Covenant on Economic, Social and Cultural Rights⁴⁰

Article 2:

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

Article 3:

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

39 Turkey adopted this covenant by law 4868, published in the Official Journal no: 25142, 18 June 2003.

40 Turkey adopted this covenant by law 4867, published in the Official Journal no: 25142, 18 June 2003.

International Convention on the Elimination of All Forms of Racial Discrimination

Article 1

1. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:
 - (a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;
 - (b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;
 - (c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

- (d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;
- (e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

Convention on the Elimination of All Forms of Discrimination against Women
Article I

For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein

- and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
 - (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
 - (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
 - (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
 - (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
 - (g) To repeal all national penal provisions which constitute discrimination against women.

Convention on the Rights of the Child

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Appendix Convention for the Protection of Human Rights and Fundamental Freedoms

Article 14 Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol No. 12 to the Convention for The Protection of Human Rights and Fundamental Freedoms⁴¹

Article 1 . General prohibition of discrimination

1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

41 Turkey signed this protocol but did not adopt it.



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