Women’s Shelters as State Institutions

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Violence against women\(^1\) is largely recognised as a problem by society and public institutions in Turkey today, as is the case in many other countries. Evidence for this is afforded by the laws to address the issue which have come into effect since the 1990s, mainly as a result of campaigns by several feminist groups and by women’s rights activists.\(^2\) Feminists, however, have criticised the wording of both laws,\(^3\) arguing that the state’s recognition of the phenomenon basically seeks to protect women in the name of protecting

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\(^1\) According to “Violence against Women Prevalence Data” compiled by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) released in April 2011, 39.3% of women in Turkey have experienced physical violence at least once in their lifetime. This matches data from a 2007 survey by Ayşe Gül Altınay and Yeşim Arat, which found that 34% of women reported having experienced physical violence at least once in their lifetime. See Türkiye’de Kadına Yönelik Şiddet [Violence against women in Turkey], Istanbul, Metis Yayınları, 2008, p. 78.

\(^2\) Two main laws have been passed: (1) The law no. 4320 on the protection of the family (protection order), passed in 1998, provides for banning a perpetrator of domestic violence from contacting his victim and from approaching the joint residence for a period of time as decided by the Court. It was revised in 2012 under a new title and number, law no. 6284 on the protection of family and on the prevention of violence against women; and (2) The municipal law no. 5393 passed on 3 July 2005 states in its article 19 that it is the duty and the responsibility of municipalities with a population of over 50,000 people to open "protection houses" for women and children. But there are two problems with regard to its recognition of violence against women: firstly, the wording avoids using the term "women’s shelters," and secondly, no provisions are made to punish municipalities who fail to set up shelters.

\(^3\) Their views were taken up by academic circles too. A recent study has examined problems in the implementation of Law no. 4320: namely the failure of authorities to issue protection orders for women who are divorced or not legally married, and several other problems stemming from the mentality of those in charge of applying the law. Gökçeçik Ayata, Sevinç Eryılmaz, Seda Kalem, Ailenin Korunmasına Dair Kanun Kimi ve Neyi Koruyor? Hakim, Savcı, Avukat Anlatıları [Who and What Does the Family Protection Law Protect? Explanations by Judges, Prosecutors and Lawyers], Istanbul, Bilgi Üniversitesi Yayınları, 2011.
the family. They therefore deem that the laws only amount to a partial recognition of the problem of violence. They had originally brought up the issue of violence against women as part of a broader goal of combating gender inequality, but the way in which the problem has been reformulated by the state means that the issue is at risk of being eviscerated of its critical content. The question of whether violence against women is to be treated as a family issue or as a women's rights issue is ultimately based on the underlying question of whether violence against women was to be defined as a social problem or as a political one.

In addition to this, the way a problem is defined—and hence the language used when talking about an issue—is further significant in that it governs the way in which its ‘subjects’ are envisaged. As Gusfield rightly states with regard to Edelman’s analyses of the language of social problems: “we use words like ‘welfare’ and ‘helping’ and ‘social problem’ to emphasise the temporary and uncommitted nature of benevolence or control, rather than using the language of rights, which creates a different meaning. To use the language of ‘social problem’ is to portray its subjects as ‘sick’ or ‘troublesome’.”

And so it may be argued that the way legal regulations and services address the needs of women who have experienced male violence is in fact a crucial issue in the way violence against women is placed on the public agenda: are they seen as right-bearing individuals, as feminists would wish, or as troublesome subjects, as Gusfield puts it? In this chapter I shall argue that neither is fully the case with regard to the two women’s shelters in Turkey where I conducted my research. On the one hand, the fact that women’s shelters are state institutions, (unlike many other countries where shelters are mainly run by non-governmental organisations), could act as a hindrance to women’s autonomy, since such a perception resides largely on the sort of social problem perspective described by Gusfield. But on the other hand, the

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4 For a more detailed discussion of family policies in Turkey, see Umut Korkut, Hande Eslen-Ziya, “The Impact of Conservative Discourses in Family Policies, Population Politics, and Gender Rights in Poland and Turkey,” Social Politics, vol. 18, no. 3, 2011, pp. 387–418. Korkut and Eslen-Ziya argue that the low participation of women in the workforce is due to insufficient public childcare facilities, reflecting the reproduction of gender inequalities by the state, whereby the primary role of women is seen to be housework and childcare.