

Framing the Alimony Debates in Turkey: Struggle Between Feminist and Antifeminist Discourses to Represent “Women’s Rights”

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In this article, I analyze two media campaigns that have defended opposite positions about the amendments on alimony legislation in Turkey. The alimony debates reveal ongoing struggles not just to redefine the meanings of feminism and women’s rights in Turkey but also to redefine the role of the welfare state in alleviating poverty. One of the campaigns is run by leading feminists, and the other is run by profamily groups who claim that they are the victims of the existing alimony legislation. I focus on the intersections of gender and class and suggest that Turkey’s feminists might need new and subversive alliances in the current political moment characterized by the right-wing hegemony of the Justice and Development Party (Adalet ve Kalkınma Partisi, AKP). Reaching out to lower-class men and campaigning for gender equality by focusing not only on “women” as an identity category but also on poverty as a major source of oppression might enhance feminists’ chance to expand their base and push back on the conservative gender policies propagated by the AKP government.

Keywords: Turkish media, alimony, feminism, poverty, low-income men, communication campaigns

The national elections on June 24, 2018, put a new political system into effect in Turkey and gave President Recep Tayyip Erdoğan, founder and head of the Justice and Development Party (AKP), sweeping powers over the executive, legislative, and judicial branches of the government. On August 3 of that year, Erdoğan published the President’s Executive Program, which, under the goals set for the Ministry of Justice, included a short item that simply said, “bring fairness to the alimony payment system” (Presidency of the Republic of Turkey, 2018, p. 5). Soon after, the Ministry of Family, Labor, and Social Security (from here on, Ministry of Family), and the Ministry of Justice started working together to solve the problems of “alimony victims” (“Aile Bakanlığı,” 2018). Since then, the country has been preoccupied with the alimony debates that brought forth an intense struggle between pro- and anti-amendment platforms about whether to change the existing legislation on alimony.

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In this article, I focus on the alimony debates that have become the center of attention in Turkey since August 2018. The question of alimony is situated at the vertex of multiple controversial topics in Turkey. It involves debates about poverty, the role of the state in alleviating poverty, the racialization of lower-class men from rural areas, and the struggles over the definitions of “women’s rights” and “feminism.” Even though alimony lies at the intersection of multiple vectors of oppression, gender, and class, in particular, there is a big gap in the literature addressing the issue. Even the literature on the gendered nature of poverty and the welfare state (Dedeoglu, 2013; Dedeoglu & Elveren, 2012; Gökovalı, 2013) has not discussed alimony or addressed its potential to hinder or promote gender equality. The issue was not touched on in landmark feminist scholarly compilations (Abadan Unat, Kandiyoti, & Kıray 1981; Z. F. Arat, 1998; Bora & Günal, 2002; Tekeli, 1995), and the absence of research in this area indicates that women’s rights for alimony were considered a settled case after 1988, when legislation was last amended to remove the time limit on alimony after divorce. Feminist scholarship and activism focused on more urgent problems like violence against women or issues for which organized Islamist groups demanded attention, such as the headscarf controversy and veiled fashion.² The intersections of gender and religion have been covered extensively, but the intersections of gender and class remain understudied in Turkey (Sayan-Cengiz, 2016). The debates on alimony that started to receive public attention in 2018 revealed the topic’s potential to create controversy and to challenge the meanings of poverty, welfare state, and women’s rights in Turkey. I believe it is time to address this gap in the literature.

Next, I give information about existing legislation and introduce the two campaigns. I then situate the controversy in the current context of Turkish politics by using the hegemony theory of Ernesto Laclau and Chantal Mouffe (1985). I situate the controversy as part of an ongoing political struggle to control the meanings of “women’s rights” and “feminism.” Alimony debates have also revealed a struggle to clarify the role of the state in alleviating poverty. To address these issues, I turn to the literature on women’s rights, masculinities, and the welfare state in Turkey. I have used textual analysis to analyze the campaigns. My results show that both campaigns reproduced a binary approach to gender even though they appealed to different frames. Both campaigns claimed that their positions on alimony represent women’s best interests. Finally, the campaigns struggled to define the “real” victim and the role of the welfare state in helping poor men and women.

The Legislation and the Two Campaigns

Under the Turkish Civil Code (n.d.; Articles 175–176), there are two types of alimony after divorce: child alimony and poverty alimony. The current debate is about “poverty alimony,” paid to an ex-spouse if he or she falls into poverty because of divorce. The recipients are entitled to their payments as long as they stay in poverty. Although the legislation is gender neutral, most alimony recipients are women.³ The alimony

² The sheer volume of studies on Islamist women, veil, and fashion in Turkey is overwhelming and cannot be listed here.

³ All sides of the debate agree that women are the main recipients of poverty alimony. The impartial lawyer in the Woman TV’s television debate mentioned that 95% of the recipients are women (minutes 19:35–20:10; please see references for the link). She did not mention her source. I have not been able to verify this figure; however, considering that the whole controversy revolves around this theme, I tend to think this number accurately represents the current situation.

payments are automatically terminated if a recipient dies or remarries. The payments are terminated by court order if a recipient gets out of poverty, starts to cohabit with someone without getting legally married, or leads a "dishonorable" life. To terminate the payments, the payer must prove the existence of any of these conditions. If the payer's circumstances change, he or she can file a claim in court to decrease the amount. In practice, alimony does not become a source of controversy when both parties have salaries above the minimum wage and have jobs within the formal economy—that is, jobs registered in the social security system.

Two active platforms represent the "alimony victims" who claim that the absence of time limits in the legislation put payers into a severe disadvantage and that men end up paying years-long alimony even after marriages that lasted only 10 days (Aksan, 2018a). These are the Platform for Divorced People and the Family (Boşanmış İnsanlar ve Aile Platformu/<https://twitter.com/trbiaplatformu>), and the Platform for the Victims of Unlimited Alimony (Süresiz Nafaka Mağdurları Platformu/<https://twitter.com/snmplatformu>). The Platform for Divorced People and the Family was established in 2014 and is chaired by a woman, İlknur Birsnel Büyükakça (from here on, Birsnel), one of the leading faces and voices of the proamendments campaign. She founded the platform after her own son became an alimony victim following a marriage that lasted for four months (Birsnel, 2019, 1:02:10–1:02:27). Birsnel had numerous appearances in broadcast media, advocating for placing a time limit on legislation and explaining alimony payers' rationale for seeing themselves as "victims." These platforms propose that the legislation on alimony take a series of factors into account: the length of marriage, the number of marriages, the age and education level of the recipient, and the existence of children born into the marriage. They want a maximum three-year time limit on alimony payments. They want the government to take an active role in providing trainings and job opportunities to the recipients; they want the government to step in and pay the recipients if they are still poor three years after divorce. They want the threshold of poverty redefined. Finally, they want jail sentences to be removed when payers fail to make payments ("Nafaka düzenlemesinde," 2019; Platform for Divorced People and Family, n.d.). In the following sections, I will refer to these two platforms simply as the proamendments campaign.

In June 2019, feminist activists started a signature campaign against the proposed amendments: "Don't Touch Women's Right for Alimony!"⁴ They defined alimony as an acquired right for women that cannot be taken back and argued that existing legislation should be kept intact. Rümeyza Çamdereli, one of the campaigners, wrote a blog post with the title "Alimony is a right without question!" ("Nafaka sorgusuz sualsiz bir haktır!," Çamdereli, 2019). The feminist campaign sees the proposed amendments as part of a larger political plan to restrict women's rights in Turkey and confine women to marriage and family. The campaign was launched with a hundred signatures from well-known businesswomen, lawyers, academics, celebrities, and other female opinion leaders ("100 kadından," 2019). The "Alimony Story" (Nafaka Hikayesi) on Twitter has become the main venue for the feminist campaign. In the following, I will refer to the feminist campaign as the anti-amendments campaign.

As of this writing, in February 2020, the AKP government still considers the issue as part of its justice reform package, and the new legislation has not yet passed. The news reports suggest that the government is

⁴ Please find the signature campaign here: <https://nafakahakkinadokunma.com/>

willing to adopt a system based on the length of marriage: a minimum two years' alimony payment for short marriages, and as long as the length of marriage for longer marriages ("Nafaka düzenlemesinde," 2019).

Theoretical Background

To analyze the controversy on alimony legislation, I depart from the basic premises of Laclau and Mouffe's (1985) hegemony and discourse theory. While applying their complex theory to media studies, Nico Carpentier (2017) succinctly summarized their basic points as the following:

Discourses . . . obtain their meanings through political struggles. This means that discourses are not necessarily fixed and their meanings is to be taken for granted. On the contrary, it means that particular groups in society engage in struggles, attempting to render "their" discourses dominant, also by eliminating competing meanings and discourses. . . . Of course, in some cases there is a discursive victory that results in a discursive fixation and stabilization, even in sedimentation. This situation of a particular discourse becoming dominant, being turned into a horizon that defines and delimits our thinking, is what Laclau and Mouffe call hegemony, following in Gramsci's (1999) footsteps. This discursive fixation can be very stable, but at the same time, contingency continues to play its role, allowing for other discourses to come up and undermine a hegemonic discourse. (Carpentier, 2017, p. 61)

This implies that the meanings of "women's rights" and "feminism" and "alimony" are open-ended and defined through political struggles. Justice and Development Party's 18 years in power (2002–current) destabilized the previously established (albeit not totally fixed) meanings of these ideas as signifiers. Recep Tayyip Erdoğan has been a staunch antifeminist and has been in favor of a conservative gender vision that prioritizes motherhood and the family (Arat, 2016; İlkaracan, 2014; Kandiyoti, 2016). Erdoğan sees feminism as a Western project destroying the Turkish family. During the last 18 years, except for brief moments of cooperation, Turkey's feminist groups, which are mostly on the left, have found themselves in a constant political struggle with an increasingly authoritarian government that aims to establish its own hegemony of "women's rights." Feminists lost big battles at the institutional and structural levels. For example, the AKP government replaced the Ministry of Women and Family with the Ministry of Family and Social Policies in 2011, signaling the disappearance of women at the institutional level. The government supported right-wing, pro-Erdoğan women's organizations at the expense of feminist, women's rights organizations on the left. KADEM, for example, vicechaired by Erdoğan's daughter, represents an effort to establish a gender hegemony in line with AKP's ideology. KADEM emphasizes family and motherhood and is against LGBT rights. Some conservative men in the AKP and in pro-AKP media find even KADEM too progressive. Yet the conservative women in the organization play decisive roles in reshaping gender policies in Turkey in line with AKP's ideology. Zehra Zümrüt Selçuk, a former KADEM member, is the minister of Family and Social Policies as of February 2020 and is in charge of changing the legislation on alimony.

AKP has succeeded in establishing a new hegemony in Turkey. The party did that by exercising tight control over the media.⁵ In addition, the AKP has proved skillful in identifying controversial issues and co-opting them to garner support for reinforcing a conservative political program. I argue that demands by the "alimony victims" to amend the legislation gave the AKP government a new opportunity to frame feminism as incapable of representing the women's rights in Turkey. Seen from the perspective of hegemonic struggle, the meanings of "alimony" were fixed before these organized groups destabilized its meaning. There is no position that can be identified as inherently "feminist" or "antifeminist" in the alimony theory.⁶ These positions are defined during political struggles. The proamendments campaign sees feminist activists as their main adversaries, and the feminist activists see them in the same way in return.

Who are Turkey's feminists, then? Feminism in Turkey has multiple strands, with leftist, Kurdish, and Kemalist versions (Diner & Toktaş, 2010; Mutluer 2016). Some even argue that an Islamist version of feminism exists in Turkey (Akman, 2013; Arat, 2016; Unal, 2015), yet others contend that "Islamic feminism" is a misnomer that gives a misleading progressive twist to pro-Erdoğan, right-wing women (Merçil, 2007; Özbudun, 2016; Özcan, 2019). In this study, when I talk about feminism in Turkey, I refer to the institutionalized feminism on the left, to women's rights groups who have claimed feminism. Despite AKP's political repression, they are still the most organized, both in the form of NGOs like Mor Çatı (Purple Roof, a leading feminist NGO that advocates for shelters for battered women) and the Committee of Women's Law (Türkiye Barolar Birliği Kadın Hukuku Komisyonu, or TÜBAKKOM), organized under the Union of Turkish Bar Associations. Both organizations have been involved in the debate. They have access to feminist-friendly media and can articulate the dominant meanings of feminism in Turkey.

That said, feminism does not have a fixed, single meaning in Turkey, no matter how different feminist organizations try to define "feminism" or "women's rights." Furthermore, the same "feminist" arguments can be mobilized for opposing political projects (Yılmaz, 2015). Schreiber (2008) showed how right-wing women in the United States have challenged feminism by using feminist arguments. Others have shown how feminism has been appropriated by the far-right movements in Europe to promote xenophobic and discriminatory policies toward immigrants (Farris, 2017; Yılmaz, 2015) or to support colonialist and imperialist projects (Abu-Lughod, 2013; Mohanty, 1984).

As I emphasized above, the alimony debates lie at the intersections of the debates on women's rights, poverty, and masculinities. The minimum wage is, as of February 2020, 2020TL in Turkey, or approximately USD337. Eleven of 80 million live below the poverty line. Thirty percent of women and 70% of men participate in the labor force, and "women are paid 62 percent of what is paid to men for similar jobs" (Candaş & Yılmaz, 2012, p. 15).

⁵ AKP's control over the media is well documented. For examples, please see Akser, 2018; Koçer, 2018; Yesil, 2016.

⁶ According to Cynthia Lee Starnes, "there is still no consensus on a contemporary rationale for alimony. In extreme cases, the pragmatic justification for alimony is easy enough: alimony protects the state from the job of supporting a divorced spouse who, without alimony, would be thrust into poverty" (Starnes, 2011, p. 271).

Feminist literature on the welfare state in Turkey criticized the patriarchal nature of the system because of benefits given only to women. For example, girls were entitled to stay on their fathers' health insurance until they married or formally employed, no matter how late, even though sons ceased being eligible once they turned 18 (Kılıç, 2008, as in Dedeoglu, 2013). Turkish feminists saw this as evidence of the patriarchal nature of the Turkish state, placing women under the protection of fathers and husbands instead of recognizing them as individuals. Between 2004 and 2006, within the framework of the EU candidacy reforms, feminist scholars approached the removal of such women-only benefits as a step toward women's independence and liberation (Dedeoglu, 2013). As I will point out while discussing the findings in the conclusion, the alimony debates signal the abandonment of this position by the feminists in Turkey.

The status of men in Turkey presents us with a complicated picture too. Scholars of masculinity studies documented the ways in which patriarchy as a system has disadvantaged not only women but also men (Brod & Kaufman, 1994; Connell, 1995; Kimmel, Hearn, & Connell, 2004). R. W. Connell (1995) complicated the theories of patriarchy by pointing to the ways in which some men and women establish hegemony over some other men and other women. To mention a few studies about masculinities in Turkey, Nil Mutluer (2011) wrote about the plight of the Kurdish migrant men in Istanbul who had suffered tremendously from the violence of the state in the Kurdish-majority regions of Eastern Turkey. Ayşe Öncü (2002) pointed to the racialization of lower-class men in humor magazines in Istanbul during the 1990s. These magazines depicted the lower-class men who migrated to Istanbul from rural areas as symbols of ugliness, bigotry, and sexism (Öncü, 2002). Cenk Özbay (2013) suggested that "white-collar manhood" (p. 194)—being middle class, employed, urban, and married to a woman who is also employed—has become the ideal for men in Turkey.

In this study, I aim to delineate the strategies that the two campaigns have used in their struggle to define the terms of the debate in ways that would produce their desired results and establish their point of view as the hegemonic and commonsensical one. The alimony debates present an invaluable opportunity to explore the intersections of gender and class in Turkey. As a feminist scholar myself, I am particularly interested in evaluating the success of the feminist campaign in addressing forms of oppression that stem from both gender inequality and poverty.

Methodology

I followed the Twitter pages of the two campaigns in the summer of 2019, through June, July, and August. This period is the immediate aftermath of the start of the signature campaign by the feminist groups. For the proamendments campaign, I followed the Twitter pages of the Platform for Divorced People and the Family (Boşanmış İnsanlar ve Aile Platformu) and the Platform for the Victims of Unlimited Alimony (Süresiz Nafaka Mağdurları Platformu). The Platform for Divorced People and the Family launched its Twitter page in April 2018, and the Platform for the Victims of Unlimited Alimony launched its page in the same year in October. Both platforms aggressively tweeted since their inception. Until February 2020, the Platform for Divorced People tweeted an average of 472 times per month, and the Platform for the Victims of Unlimited Alimony tweeted an average of 637 times per month. Combined, they send an average of 36 tweets per day, including retweets from other sites.

For the feminist, or anti-amendments, campaign, I followed the Twitter page of the Alimony Story (Nafaka Hikayesi), launched at the end of April 2019, a year later than the Platform for Divorced People and the Family. The feminist Twitter campaign is far less aggressive than the pro-amendments campaign. In nine months, the campaign sent 282 tweets in total, with an average of one tweet per day, yet with more activity during the summer. The Alimony Story sent 117 of its tweets during the summer months.

The campaigners shared news stories, links to debate programs, and interviews on these Twitter pages. I used my regular reading of the tweets to familiarize myself with the basic arguments used in the campaigns and to identify the news stories that the campaigners thought represented their points of view and found worthy of sharing. I collected articles and videos by using snowball sampling. I identified *Bianet* (Bağımsız İletişim Ağı/Independent Communication Network) and the leading progovernment newspaper *Yeni Şafak* as two news sources that aligned with the positions of the campaigners. I collected all the news stories that were available on *Yeni Şafak* and *Bianet* as of August 2019: 13 news articles and two minidocumentaries (both around eight minutes) obtained from *Yeni Şafak's* webpage⁷ and 10 articles from *Bianet*. Based on my own engagement with feminism in Turkey, I identified two interviews with the leading feminists and five opinion pieces written from the anti-amendments perspective as significant. In addition to these materials, I analyzed one television debate program that lasted an hour and four minutes. The debate program, broadcast at Woman TV (2019), brought together two women from the opposing campaigns (one from each) and an impartial female lawyer. Finally, I analyzed the anti-amendments campaign's signature text, the feminist organization Purple Roof's (Mor Çatı) rationale to oppose the amendments and the feminist lawyers' report that opposes the amendments (Türkiye Barolar Birliği, 2019).

I used textual analysis to conduct an in-depth analysis of these materials. According to Elfriede Fürsich (2013), textual analysis "concentrates on qualitative interpretations of cultural output" (p. 1). It lends itself well to the exploration of multiple meanings of cultural output and entails a repeated reading of the material at hand (Fürsich, 2013). I read the articles and watched the videos multiple times. Throughout my engagement with the material, I aimed to identify the dominant themes that emerged during the debate and to see how, throughout the political struggle taking place, each campaign tried to establish its own position toward the alimony legislation as the legitimate and commonsensical one.

Findings

Feminist lawyers are the leading voices of the anti-amendments campaign. They are the main sources of information in *Bianet's* coverage. (For an example, see Kepenek, 2019a). Feminist lawyers narrate their clients' stories of victimhood, speak on behalf of "women," and act as mediators between the disadvantaged women and the feminist-friendly media. The pro-amendments campaign, on the other hand, made "ordinary" men and women visible and let them speak in broadcast, online, and print news coverage ("*Sokağa sorduk*," 2018; Kaya, 2018a, 2018b). Ilknur Birsal played a leading role in the campaign and situated herself as a woman speaking against a problem in legislation that causes injustice.

⁷ For the minidocumentaries, see "*Sokağa sorduk*," 2018.

Both campaigns have reproduced a binary approach to gender and discussed the issue within the contours of heterosexual marriage. No scenario that might discuss the question of alimony in relation to gay and lesbian couples was on the horizon.⁸ In Turkish, the word "insan" refers to both "person" and "human." The proamendments campaign emphasized the category of "human" ("divorced people" translates literally as "divorced humans") and claimed that their proposals would benefit both men and women. The campaign framed the issue as a question of human rights.⁹ The anti-amendments campaign, on the other hand, has framed the issue as a question of women's rights, constructing men and women as antagonistic groups and reproducing a "battle of the sexes" frame. This may be because of the prominent lawyers in the campaign who regularly defend women clients in the courtroom and are used to seeing the issues in binaries, like winning or losing a case.

The stakes are high in the controversy. If passed, the proposed changes in the legislation will set the terms for the alimony payments in the decades to come, strengthening the hands of profamily groups and their approach to gender equality. My analysis showed that three themes dominated the controversy. The pro- and anticampaigners had different takes on the role of the welfare state in relation to alimony and poverty. Throughout the controversy, the campaigners struggled over the definition of the "real" victim. Finally, they both claimed that they, not the other campaign, represented women's best interests.

What is the Role of the State in Alleviating Poverty?

The proamendments campaign makes a series of demands of the state. Birsal (2018) argues that the current legislation burdens the poor to take care of the poor, and she calls for the welfare state to step in. She suggests that the government should raise funds (i.e., through fees when people apply to marry, or through taxing the wealthy divorcees) to support the divorcees who remain poor following a limited number of years after the divorce. The campaigners ask the government to fund programs that would help women acquire skills for the job market following divorce. According to a campaigner on Twitter, "a divorced man is not a welfare state" (Emin Arkan, 2019). In other words, the role of the welfare state in helping the poor is one of the central foci of the proamendments campaign.

The proamendments campaign has also problematized the definition of "poverty." The campaigners questioned a higher court decision that ruled that "women earning minimum wage are not out of poverty" and demanded that this ruling be annulled. As a result of this ruling, the campaigners argued, an ex-wife on minimum wage stays eligible to receive poverty alimony even when the ex-husband is also on minimum wage.¹⁰

The feminist anti-amendments campaign, on the other hand, is characterized by a deep mistrust toward both the state and the AKP government. The feminist advocate in the TV debate that I analyzed

⁸ The AKP government has targeted LGBT community as well, and the community has been facing growing hatred. These discussions are probably missing because of the risks and dangers involved in publicly discussing LGBT relationships.

⁹ Birsal (2019, 1:03:52–1:03:54) has stated in the television program: "Unlimited alimony is against human rights."

¹⁰ Both these points are mentioned in the following video listed in references: (Birsal, 2018).

argued that, if the welfare state were to step in, the judges might tend to protect the resources of the state and might set low alimony amounts for women. Feminist lawyers have rejected the procampaign's proposal that the welfare state should step in if an alimony recipient remains poor following a limited number of years. The Committee of Women's Law at the Union of Turkish Bar Associations rejected the proposal too, on the grounds that the alimony payments are based on the principle of social solidarity, not on the principle of the welfare state (Union of Turkish Bar Associations, 2019).

Yet the anticampaign did not clarify why the ex-husbands should be more reliable than the welfare state. The Committee of Women's Law at the Union of Turkish Bar Associations did not articulate the difference between the "principle of the welfare state" and "the principle of social solidarity" and what this would mean in the context of the alimony debate. Although the anticampaigners are not in favor of the idea that the welfare state should take over the payments, they see childcare as the main obstacle to women having jobs, and they want the state to take a more active role in providing affordable childcare services. This reflects an ambivalent attitude in the feminist campaign toward the role of state.

Because of their mistrust of the Turkish state, the feminist campaigners invoke the international treaties that Turkey has signed to protect women's rights: CEDAW (The Convention on the Elimination of all Forms of Discrimination Against Women) and the Istanbul Convention. The feminist lawyers in the Union of Turkish Bar Associations emphasized that most alimony recipients are women and that changing the existing legislation will constitute indirect discrimination against women, violating CEDAW. On this basis, they call the Turkish government to fulfill its promise to establish full gender equality first: by securing equal access to the job market for men and women, and then considering any changes to the alimony legislation.

Who is the Real Victim?

The campaigns struggled to define the "real" victim of the current alimony legislation. Disabled men with low incomes were the model victims of the proamendments campaign and were given a direct voice in news stories.¹¹ In his dossier on alimony, the progovernment newspaper *Yeni Şafak*'s reporter talked to a disabled man who received a jail sentence because of his accumulated alimony debt to his ex-wife (Aksan, 2018b). The man told the reporter that because of his disability, it was hard for him to find jobs. Following a period of unemployment, during which he was not able to make alimony payments, he was sentenced to three months in jail because of his failure to pay. When he got out, in addition to the accumulated alimony payments, he had to pay the court fees and the lawyers' charges with interest: a sum of money that far exceeds his capacity to pay as a man who can barely cover his own rent. He says he stayed married only for three months.

The anti-amendments campaign, on the other hand, focused its energy on proving that women were the "real" victims because of the uncollected alimony debts (Işık, 2019), unpaid domestic work, and limited access to jobs and employment (Kepenek, 2019b; Şubatlı, 2019). To prove women were the "real" victims, feminists referred to the data about women's employment in Turkey: around 30% of women are employed

¹¹ For a news broadcast on *Show TV* about a disabled male "alimony victim" see Platform for Divorced People and the Family (2018) at <https://twitter.com/trbiaplatformu/status/1047177622332100609>

in Turkey, while the same figure for men is roughly 70% (Demirbaş, 2017; Presidency of the Republic of Turkey, 2019). Feminists argue that under these conditions, where only a small percentage of women are in the workforce, changing the alimony regime would be detrimental for women. They claim that with limited access to alimony, women will not have the courage or the sense of financial security to leave the marriages from which they suffer (Işık, 2019). They argue that, compared with men, it is mostly women who leave their jobs for marriage, childcare, and elder care. They emphasize the conditions that burden women with childcare after divorce. They demand full gender equality between men and women before reconsidering the current alimony regime.¹²

For the anti-amendments campaign, proving that “women” were the real victims entailed denying the possibility that men might fall into disadvantage too. The feminist lawyers emphasized the small amounts of alimony, such as 150TL or 350TL, and argued that no man becomes disadvantaged by paying such small amounts (Kepenek, 2019a). Two articles on alimony in *Bianet* included the same photograph showing a woman in a feminist demonstration carrying a banner reading, “They talk about disadvantaged men, I cannot stop laughing” (“İstanbul Barosu,” 2019; Kepenek, 2019c). Aksu Bora, a leading feminist, asked in an article, “Why did we ever think that because of troubled masculinity men find it hard to ask for help or always try to look strong, while they are so willing to find a ‘victimhood’ and cry?” (Bora, 2019, para. 4). Feride Acar, a feminist scholar and one of the lead architects of Istanbul Convention, had a full-page interview in *Cumhuriyet* (Köse, 2019). Acar was concerned about female poverty but did not mention poor men. Mor Çatı (2019, p. 5) claimed that men are not disadvantaged; on the contrary, they seize women’s rights in a planned and deliberate fashion.

While depicting men as disadvantaged, *Yeni Şafak* depicted feminists as out of touch with the struggles of poor men. One of the videos on *Yeni Şafak*’s website (Kaya, 2018a) featured a male alimony “victim.” The video interrupted his narrative with clips from anti-amendments demonstrations, showing feminists dancing and shouting slogans. Juxtaposing his story of struggle with the shouting feminists, led by urban and academic women, framed the feminists as privileged women of middle- and upper-middle class-habitus, without the capacity to represent the category of “women” in Turkey.

Who Represents Women?

The feminist anticampaign has presented itself as the natural address to defend “women’s rights.” The pro-amendments campaign, in return, struggled to challenge this feminist claim and present the other campaign not just as sexist toward men but also as incapable of representing women’s best interests.

The pro-campaign claims that feminists represent a sexist approach with an antimen bias. According to Birsnel, even if a man does not have a job, as soon as a divorce is filed, the courts ask the man to pay a cautionary alimony of 150TL (USD26, the smallest amount that the courts assign). Birsnel sees this as invoking “the man as breadwinner” stereotype: asking men to “man up” and provide for their families even when they are unemployed. Birsnel also emphasizes that, in time, as more women become payers, more

¹² Please see the video “Süresiz nafaka” tartışması (2019, 0:46–0:59).

women might become the victims of "unlimited alimony" as well. She refers to this point to emphasize that they, those supporting her campaign, are not sexists.

The proamendments campaign accuses feminists of keeping women dependent on their ex-husbands, with whom they had troubled relationships in the first place, instead of empowering and helping them to become financially independent. The campaigners argue that the current alimony legislation is harmful for divorced women because it does not encourage women to look for jobs and gain financial independence. They argue that under the current system, a woman not only becomes financially dependent on her ex-husband but also finds herself in an unending hostile relationship with her ex-spouse. According to existing legislation, an ex-spouse loses her alimony if she remarries, starts having a marriage-like relationship without getting married, or leads a "dishonorable" life. The campaigners problematize the word "dishonorable" and argue that the legislation is humiliating for women. They also argue that the legislation leads men to monitor their ex-wives' private lives to prove them dishonorable or that they have begun "marriage-like" relationships. They claim that efforts to prove women dishonorable easily escalate to violence. Following from that point, they present the amendments to alimony as a measure to prevent men's violence against women.

According to the procampaigners, feminists fail to empower women financially, fail to protect them from violence, and, finally, fail to represent all women because they are not interested in protecting second wives. The proamendments campaign presents the second wives as the female victims of the legislation. Birsal has frequently blamed the feminists for representing only some women's rights and called the definition of "women" into question:

Unfortunately, the second wives, the mothers who pay for their sons' alimony debts to prevent them from going to jail and the sisters who pay for their unemployed brothers' debts, are not seen as women by the women's rights advocates who are against placing a time limit to alimony. (Dursun, 2018, para. 8)

Yeni Şafak's reporter (Aksan, 2018c) talked to the second wife of a policeman. She is unhappy about losing one fourth of her husband's income to his ex-wife from whom he separated years ago. It is not only the money but also the family time lost to his ex-wife that bothers her. Her husband works second shifts to make ends meet, and she wants him to spend the time lost in second shifts with her and their children instead. On its YouTube page, The Platform for Divorced People and the Family featured a second wife who claims to work in a stone mine (a typical male job) to provide not just for her family but also for her husband's ex-wife (Platform for Divorced People and the Family, 2019). She says she does not believe it when the countercampaigners argue that it's harder for women to find jobs (Platform for Divorced Women and the Family, 2019, 0:44–0:56). The campaign also uses such examples to argue that women are strong, not weak, and they do not easily become victims as the feminist campaign depicts them.

The anticampaigners ignored the question of "second wives," and did not effectively handle this issue when they addressed it. Hülya Gülbahar, a leading feminist lawyer, replied to a tweet critical of "unlimited" alimony:

So, "the family is sacred," right? Just because you got bored and ran to another woman . . . your first family, the family you wrecked, is not a "family" anymore? We can understand it when love ends and starts again, but never understand sidelining reason and conscience. (Hülya Gülbahar, 2019)

Even though Gülbahar did not directly blame the second wives, she invoked the homewrecker stereotype and did not engage in dialogue with women who claim to be the victims of the existing legislation. She also reinforced the idea of the heterosexual family.

Despite its claims to represent the position that would benefit women, the procampaign's arguments are quickly tied to misogynist discourses that frame the first wives as harmful for the family and as a threat to the nation. Even some campaigners on Twitter have expressed concern about the misogynist language in the campaign. For example, by using the voice of a second wife, *Yeni Şafak* (Aksan, 2018c) depicted first wives as the beneficiaries of a loophole in the legislation. For these women, money trumps everything. They avoid second marriages and lie about their relationship status only to continue to receive their payments. They don't care about the family, Turkish society's customs, and religion. As such, they present a grave danger to the society (Aksan, 2018c). This language, in turn, was of grave concern to feminists and the proof that the proposed changes were another attempt by the AKP government to keep women restricted to marriage and the family.

Conclusion

The alimony controversy presents the latest arena of struggle in Turkey over who gets to define "women's rights" and the role of the state in securing gender equality and alleviating poverty. Both campaigns have reproduced a binary approach to gender and discussed the issue within the contours of heterosexual marriage. The procampaign focused on the category of "human." The anticampaign emphasized the category of "women" and reinforced the "battle of the sexes" frame. More progressive positions within feminism—for example, positions that question marriage altogether as well as the gender binary—were invisible, and feminist lawyers have dominated the debate. The debate did not pay close attention to the differences within women and the differences within men. Finally, a discussion about poverty as *the* source of the controversy was missing in both campaigns.¹³

The campaigns struggled to define the "real" victim and the role of the welfare state in helping poor men and women. The procampaign questioned the feminists' capacity to represent women and did that by using feminist arguments. The campaign claimed that the feminists have failed to empower women financially and that they represent only a special group of women's interests. Although the procampaigners have claimed to be independent from the AKP government, the active involvement of progovernment media in promoting their case cast a shadow over their claim, and their case proved beneficial to AKP to reinforce its program to strengthen heterosexual marriage and family.

¹³ I'd like to thank Berrin Yenice from the Foundation for the Support of Women's Work for bringing this point to my attention. In a private conversation in July 2019, Yenice told me that the current debate focuses on an outcome of poverty, but not the poverty itself as the main source of the problem.

This public debate on the alimony legislation has wider implications on the future of feminism and the concepts of “gender equality” and “women’s rights” in Turkey. As suggested by the discourse theory, the meanings of these ideas are defined through political struggles. Turkey’s feminists’ engagement with the proamendments campaign and similar other controversies will probably leave feminism in a new place, opening new discussions within feminism on how to rethink gender equality and strategies to attain this goal. The feminist promise for gender equality is tested through such controversies. The feminist responses to these controversies play a critical role in shaping the wider audiences’ perception of feminism, its political power, and legitimacy as a movement.

A reading of my analysis considering previous literature on women and the welfare state in Turkey suggests that feminist positions on “women’s rights” seem to change depending on the context, the perceived ally, and the adversary. In 2004, when the EU regulations required that women not stay entitled to certain women-only benefits after age 18, feminists supported that measure despite the hardships it would bring to poor women who had been enjoying them. There was no campaign at the time that proposed that this should be postponed until equal access to the job market should be secured. I believe this contradiction stems from feminists’ ambivalence toward the Turkish state, which they deem patriarchal, and their growing mistrust of the AKP. In 2004, when they had the EU as an ally, they felt more confident about abandoning (patriarchal) protections that benefited only women.

The feminist campaign had a difficult time dealing with the idea that the current legislation might indeed put some poor men at a disadvantage and that these men might genuinely need support. Their skepticism of these men reflects the middle-class stereotypes toward lower-class masculinities that are generally portrayed as sexist and ignorant in popular culture. This makes it difficult to acknowledge the hardships these men might be facing. Feminists—most of whom are indeed middle- and upper-middle class, urban, and educated women, as can be seen from the first hundred signatories of the feminist campaign—instead might consider exploring ways to turn lower-class men into feminist allies, defining women’s best interests as their best interests. Seeing feminists as their antagonists, the lower-class men turn to the conservative politicians in the AKP to talk about their problems. Conservative politicians, in turn, appropriate these issues and frame them in line with their own political program. Working on scenarios beyond gender binaries and reaching out to poor men as potential allies might prove beneficial for Turkey’s feminists to subvert the power dynamics that shape gender policies in Turkey today.

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