

## The Tradition Effect: Framing Honor Crimes in Turkey

An honor crime is commonly defined as the murder of a woman by members of her family who do not approve of her sexual behavior.<sup>1</sup> While there are no official statistics on the crime in Turkey, an incomplete collection of the cases that received coverage in the national media shows that in the three-year period between 1994 and 1996 a total of fifty-three women fell victim to honor killings (see Yirmibesoglu).

Recently two events brought the issue to international public attention: the murder of Fadime Sahindal in Sweden by her father and the death sentence against Amina Lawal and its subsequent overturn in Nigeria. Sahindal was a member of the Kurdish minority in Sweden, where her family migrated from Turkey twenty years before her death. She was a vocal critic of honor crimes, bringing the issue to attention through her legal and public appearances. The series of court cases against Amina Lawal took place in the background of the divide between Christian and Muslim elements in Nigeria and the ensuing tensions between the federal and local juridical structures of the country.

Various actors, including the media, political parties, activist circles of various sorts, state institutions, and international bodies of

governance see honor crimes as primarily caused by tradition, alternately called “codes of honor,” or more broadly, “culture.”<sup>2</sup> Yet, even the most superficial examination of such publicized cases as those of Ms. Lawal or Ms. Sahindal reveals that factors such as one’s ethnic identity as a minority, one’s activism, or one’s position in relation to state structures and contestations are integral to the perpetuation of honor crimes. In other words, honor crimes stand at the intersection of multiple political and social dynamics.

Clearly, this is an observation that applies not only to honor crimes but to most so-called traditional practices attributed to non-Western societies and to migrants from these societies. Indeed, the debate on honor crimes unfolds in dialogue with debates on other “problematic non-Western practices”<sup>3</sup> such as female genital mutilation, sati,<sup>4</sup> arranged marriages, and dowry murders. Feminists from third world countries, addressing first world feminists in particular, have noted that to frame such practices as tradition is to ignore the structures of power and inequality at play.<sup>5</sup> Given the multiplicity and complexity of the institutions involved directly or indirectly with honor crimes, it is impossible to think of women in the third world as falling prey solely to traditional patriarchal structures. (See Lazreg, “Feminism,” Mani, Mohanty, Narayan, and Spivak.)

In contemporary Turkey honor crimes take place in the context of the actions of such institutions as the Turkish state, the European Union, political parties of various sorts, national and transnational markets,<sup>6</sup> national and international media, and feminist and human rights organizations. As I will show, what are defined as honor crimes and the ways of dealing with them are produced in relation to these institutional practices and discourses. That is why, following fellow third world feminists, I argue that the analytical framework for examining honor crimes and other so-called traditional practices should shift from a focus on “tradition” or “culture” to an examination of the effects of various institutional structures.<sup>7</sup>

Third world feminist criticisms have been relatively well received in some Western feminist circles.<sup>8</sup> The continuing dialogue among third world and first world feminists about such so-called traditional practices is an extremely important achievement. Nevertheless, it is clear that arguments similar to the ones criticized by third world feminists continue to be deployed by international institutions. Neither is the national political field immune to the appropriation of arguments of “tradition” in the making of gender inequality and violence against women.

In Turkey, for instance, an equally popular name for honor crimes is “crimes of tradition.”<sup>9</sup> The prevalence of this discursive framework makes clear that the third world feminists’ critique is still relevant to both national and international power struggles.

If the so-called traditions are made and remade in relation to the actions of institutions, then the reduction and eventual extinction of honor crimes require targeted intervention on the part of the institutions. This necessitates an examination of institutions’ conduct and actions in local, national, and international sites of operation. Clearly, if none of the institutions were to play into the hands of these “traditions,” the crimes would still not instantly disappear. Yet I argue that institutional changes could go far to reduce the effects of these practices. Unfortunately, what happens on the ground is often quite the opposite: rather than working to diminish the force of “tradition,” institutions more often than not invoke it.

My argument here is analogous to Foucault’s in his analysis of the individual. He writes: “[I]t is already one of the prime effects of power that certain bodies, certain gestures, certain discourses, certain desires come to be identified and constituted as individuals. The individual, that is, is not the vis-à-vis of power; [ . . . ] it is one of its prime effects” (98). As we know, Foucault does not argue that there are no individuals as acting living persons; nor does he deny that it is as individuals that many people come to think of themselves. His thinking is, rather, a call to critical reflection on precisely the effects of the notion of the individual on the distribution of power in society. In a similar way, I do not mean to say that traditions do not exist, nor do I deny that people give meaning to their actions by evoking notions of tradition. I am simply arguing that every deployment of tradition has its effects in terms of the distribution of power.

By focusing on the ways in which this effect plays out in the discourses and practices of institutions, particularly through the distribution of institutional responsibility, I will show how, once tradition as such is invoked, the role of the institution in question fades into the background. This dynamic is visible in the case of those institutions that explicitly or implicitly bear a “modern” identity. When violence against women is framed as a matter of “tradition,” a distinction is established between, on the one hand, traditions—which are seen to be native, timeless, and unchanging—and on the other, institutions—which appear as contemporary and timely. The utterance of “timeless tradition,” in other words, serves to produce its other, the modern, enlightened institution.

A given institution may be chronically underfunded or ineffective, and it may not work in ways that are prescribed by law. Even when an institution operates legally or efficiently, the undermining of women's rights may be an integral part of its daily modus operandi or its ideological structure. In other words, institutions, as themselves the products of political struggles with their own historical particularities, may not work in ways that are emancipatory for women. Nevertheless, almost by virtue of existing, they are imagined as "modern" and as working against tradition. Yet, once tradition is invoked, the complex picture in which honor crimes come to occur, including the involvement of the institution, is ignored. If honor crimes are seen as the result of tradition, then so-called modern institutions are imagined to stand outside of or in opposition to them.

Once this segmentation is achieved and tradition is properly blamed, there remains no necessity to inquire into the ways in which a particular institution may be implicated in the making of honor crimes. The gender policy of the institution, its daily practices and positions on particular issues, can remain unscrutinized. Such framing enables actors in social institutions to eschew responsibility for their own complicity.

This is not a matter of conscious planning or design. The institutions in question do not necessarily engage in a willful repression of women and then call it tradition. The effect is, rather, a matter of the discursive construction of the institutions and their practices. The manner of framing the issue delimits the universe of meaning through which it can be understood and the institutional mechanisms that can be produced (see Bourdieu, *Logic*). Traditions, especially traditions of the "other," are considered static cultural features that are not easy to understand fully. These traditions are also presumed to be resistant to change. In this framing, there remain few viable options for the institution to pursue. In the face of such an impervious and inscrutable force, what one hears most often is a superficial re-citation of tradition as the root cause of honor crimes. Consequently, not much effort goes into examining the ways in which an institution's own acts may be participating in the perpetuation of this allegedly timeless "tradition." With the utterance of tradition, questions of violence against women and of the violation of their most basic rights fade away without being seriously addressed. This is what I call the tradition effect.<sup>10</sup>

The tradition effect prevails in multiple social domains; it appears in different guises and effectively enables the reproduction of

these very “traditions.” Yet, while the invoking of tradition stops self-reflection on the part of the institution, there is nonetheless significant variation in the ways in which the tradition effect plays out. In other words, traditions are evoked in different ways by different institutions, depending on the political struggles involved and the discursive context within which they are implicated.

My aim here is to offer examples of this variation in the operation of different institutions in the context of Turkey. The state and judicial authorities that I examine reproduce the mainstream Turkish nationalist and statist view that honor crimes are traditions on their way to obsolescence thanks to the modernizing project of the nation-state. In this teleological framing, modernization will eventually put a stop to honor crimes in any case; therefore, they do not merit high priority. The governing Islamist Justice and Development Party denounces the violence while appropriating strong understandings of family and family honor in line with its own ideology of separate spheres. In the discourses of the European Union, the issue of honor crimes loses its urgency as a result of the lesser emphasis placed on gendered entitlements not readily framed by market imperatives and the so-called specific conditions of each country. Finally, the representations of honor crimes by the international media recycle and reproduce existing dichotomous understandings of “East” and “West” that presume essentialized identities in a hierarchical way.

In contemporary Turkey, the issue of honor crimes constitutes a field in which multiple actors contest among themselves both the definition of the term and the measures that would eradicate it. Feminists of various sorts, national and international human rights activists, Kurdish parties and political groups, extreme nationalists, and national media are only some of the important actors engaged in these struggles; however, providing an exhaustive account of the field by focusing on these actors and their struggles is beyond the scope of this paper. By naming the ways in which the tradition effect comes into play within a select group of institutions, I hope, rather, to suggest how one might begin to understand it.

### *Law and Other State Institutions*

The criminal process of adjudicating honor crimes validates the “stain” a woman’s sexual acts allegedly bring to the family, a recognition that leads to substantial reductions in the punishment of perpetrators. Former Article 462 of the Turkish Criminal Code, for instance, deemed the

situation provocation if the perpetrator had discovered or was convinced that one of his first-degree relatives involved in an illicit relationship. If the person then committed murder, the punishment could be reduced by one-eighth. This article was used often in combination with other articles, such as Article 51, which offers a second legal argument for leniency. The latter holds that if a suspect has committed murder because of “uncontrollable grief” or as a result of provocation, the sentence may be reduced by two-thirds. The effect of the two articles together could result in substantially reduced sentences.

The problematic nature of these laws has been well publicized. Indeed, Article 462 was recently revoked as a result of Turkey’s efforts to gain accession to the European Union. Yet, as this paper goes to press, Article 51 and other problematic articles remain in effect. In today’s criminal code, concerns about family honor are, in fact, deemed so important that they can be shown to be a mitigating condition even of infanticide or the abandonment of a child. “Infanticide for family honor,” the legal term for a crime differentiated from manslaughter, draws a sentence of only four to eight years instead of the twenty-four to thirty years for “regular” manslaughter (Article 453). Likewise, according to Article 475 of the criminal code, if members of the “dishonored” family abandon an illegitimate child, the punishment is reduced to somewhere between one-sixth and one-third of the regular punishment for child abandonment. Such reductions are often combined with age reductions, leading to cases in which the family of the victimized woman designates a younger member to commit the crime so as to benefit from all possible legal mechanisms that can lessen the sentence. Clearly, then, legal texts in Turkey contribute in more than one way to the making of honor crimes by effectively rendering bearable the punishment of an honor crime.

Existing laws could be used to different ends in the adjudication of honor crimes. One alternative would be to use the same criminal code but apply other clauses, such as those regarding the ill treatment of minors, given that the women who are murdered are often minors. If the crime were conceived in this way, legal sanctions could be increased rather than reduced. Furthermore, in cases of honor crimes, it is almost always a family member who commits the murder of the woman or the violence against her. Legally, when an adult murders a woman, the penalty is increased if the victim is a minor and a family member. Yet, while these articles and others point to alternative ways that existing laws could be applied, criminal judges and prosecutors almost never take up these alternatives.

The value placed on family honor at the expense of women's welfare is evident both in legal text and legal practice; it is not the problem of just a few problematic codes (see Sarihan). What we see here is a juridical convention, an established way of interpreting and applying laws that is reproduced through the social relations of legal professionals.<sup>11</sup> As part of this convention, legal professionals select certain legal texts over others and deem some legal excuses more valid than others, though they certainly have choices. It is possible to see this convention at play in the daily operation of the law. The civil court judges I interviewed in the civil courts of a low-income district of Istanbul were, in fact, quite open about it.<sup>12</sup> They saw family honor as a fundamental aspect of tradition, which was all the more interesting in that in the civil code, unlike the criminal code, there are fewer and far less significant references to family honor.<sup>13</sup> While these legal professionals found it "primitive" in content, they noted that it would take a great deal of time for Turkey to modernize and eventually do away with these traditions. In their view, honor crimes were the result of "an unlucky turn of tradition," a case of "traditions getting out of hand." They said they were certainly against the victimization of women in these cases, yet they sympathized with their colleagues in the criminal courts who routinely ordered reduced punishments for perpetrators of honor crimes. Civil court judges saw their colleagues as "appropriately" taking social norms into consideration when judging.

During my fieldwork, I came across numerous instances of judges taking into account what can be called women's "performance" of honor. This was most visible in divorce, alimony, and custody cases, in which it was common to see a judge and a court clerk discussing the woman's dress and her and her opponent's narratives in terms of unwritten criteria of honor. Women considered honorable would be treated more favorably in the trials, while there was no comparable consideration of men's behavior. One judge's response to my probing is illustrative:

*No, we do not judge a woman's honor here. Who are we to do that, after all? It is something personal. But, of course, when you are entrusting a minor to a woman, you want to make sure she has certain characteristics. For instance, it wouldn't be appropriate to hand her the child if she sleeps around all the time. She has to behave in socially accepted ways, in line with what is customarily considered to be a good mother. Honor, after all, is a very important virtue. We cannot expect women to be without it. (Interview 2000)*

A comparison with another so-called tradition, “blood feud,” demonstrates the importance of gender in institutional attitudes towards crimes generated by “tradition.” Blood feud is an enmity between two families in which each family kills a male member of the rival family by turn. It entails concerns of family honor and the representation of the family in the public sphere. Unlike in honor killings, the victims here are almost without exception men. In the juridical handling of blood feud, there are no reductions due to the recognition of tradition. In fact, the law increases the penalty if a killing is seen to be the result of blood feud, which is to say, the law on the books interprets tradition contrary to the way it is interpreted in cases of honor killings. In legal practice as well, criminal judges and prosecutors routinely condemn the practice of blood feud and emphasize its total unacceptability (Sahin). When it is men or the masculine public order that seem to be threatened by practices deemed traditional, state institutions seem keen on eradicating the effect of tradition. When it comes to traditions that threaten the well-being of women, however, these “traditions” suddenly become resistant to change, and the law imagines itself as impotent to counter them.

The law is not the only state institution in which professionals dealing with honor crimes routinely take family honor into consideration even when they have other options. For instance, the State Institute of Statistics does not collect statistical data on honor crimes. The absence of reliable data in turn makes the topic vulnerable to speculation and opens the door to the blaming of tradition. The prevalent use of virginity exams, performed by state hospitals at the request of families, is also problematic (see Parla). (These exams are generally performed in order to determine whether or not the woman or girl in question has had sexual intercourse.) Commonly forced on minors by their families, the exams have an immense effect on the girls who experience them. The feelings of shame and humiliation evoked are often precisely what the families want their daughters to feel.<sup>14</sup> Journalists and human rights and women’s rights advocates have noted that police forces routinely side with members of the family in such cases.<sup>15</sup>

The picture gets even bleaker when we consider the limited recourse available to women who are victimized due to reasons of honor. Suffice it to say that in modern-day Turkey, with a population of seventy million, there are a total of eight women’s shelters and no twenty-four-hour hotlines for any form of violence against women. In such a context, it is striking that instead of focusing on institutions and their role in honor



crimes, the bearers of these institutions end up blaming a tradition that is deemed too strong to be dissolved.

This framing of honor killings as stemming from tradition seems to contradict the ways state institutions are imagined in Turkey, where modernization is seen as a complete civilizational shift from the Ottoman Empire's "backward" and "traditional" social order to one that is "modern" and "Western" (see Ahmad and Zurcher). As a result of this shift, Turkey is to have become the only country with a predominantly Muslim population that has entirely embraced secularism in its legal and institutional framework. Such a view imagines Turkey's institutions as antithetical to tradition. Why, then, do institutional practices that are otherwise legitimized through their confrontation with tradition stop at the door of honor killings? Why, when it comes to honor killings, does the Turkish Republican contraposition of institution and tradition break down?

An answer to this question can be found in the ways in which the politics of gender have played out in the constitution of political and institutional realms. Chatterjee points to a dilemma shared by nationalist movements in a number of non-Western contexts. On the one hand, the nation must be unique in its realization of its own essence. On the other, it must appropriate Western modernity, which in effect means changing and becoming like the West. How can the non-Western nation be both unique and like the West? Chatterjee notes that this is the question that has lain at the heart of many of the movements and projects of non-Western nationalism.

In the Republican era that started in the 1920s, a narrative asserting the similarity of "ancient Turkish ways" to Western modernity became the hegemonic way of resolving this dilemma. That is, the "Turkish groups" that lived in Central Asia before their migration to Anatolia and before conversion to Islam (third century BC to ninth century AD) were taken to be the ancestral communities of the nation, and these groups were thought of as having lived in ways very similar to contemporary Europeans. Democracy and gender equality, traits taken to characterize the "West," were also seen as characterizing the life of these ancestral Turks.<sup>16</sup> Westernization, then, was not something alien to Turks, but was, rather, a return to their original national roots and national essence. The Republic tried to dissolve Islamic and traditional identities by alluding to a tradition that was allegedly much older and supposedly more essentially "Turkish." In other words, the Republican elite resolved the dilemma of non-Western nationalism by positing that there was no such dilemma.

Any trait that was perceived as “Western” and/or “modern” was actually always already Turkish.

Women’s rights and the constitution of the gender regime of the Republic took place in this historical context. The 1930s saw women gaining suffrage and other legal rights, such as the right to inheritance and to education. However—and this is crucial—the prevailing conception was that these rights were “grants to women” by the state as the conditions for modernity and for the well-being of the nation. The legal rights that promised substantial improvements in women’s lives thus went hand in hand with the disbanding of the women’s movements that had demanded those rights (see Zihnioglu and Sirman, “Feminism”). The state was neither to negotiate these rights with women nor to deliver them in response to demand. Women’s rights and reforms towards gender equality were, rather, a primary way of exerting a new national identity that was in opposition to the Ottoman Empire and its Islamic identity (see Kandiyoti, Sirman, “Gender,” and Tekeli). The unveiled, educated, and “modern” woman of the Republic was the marker of this transition from an imagined “backwards” and “traditional” past to a fresh and “modern” future (Gole). Women were supposed to be grateful for this change and for the rights they gained. They were to work for the good of the nation and family, the two entities often posited interchangeably in the hegemonic discourses of the Republic at the time. Women’s rights or the presence of women in the public sphere, then, did not challenge the fact that women’s roles were defined primarily with reference to the family.

What the Republican era did transform was the way in which the family related to the gendered public sphere. In the last century of the Empire, those who could speak in the name of a large household were the ones who could take on the task of political representation in the public sphere. The eldest and most powerful man of the family would represent the elite households made up of the nuclear family, members of the extended family such as cousins and grandparents, as well as slaves, and servants (see Peirce and Sirman, “Gender” and “State”). The Republican regime, itself growing as a reaction to this social order, offered a promise and a window of opportunity for young men (see Mardin, *Genesis* and “Power”). In the new regime, not only old and elite men but all men could become part of a constitutive public. In order to be recognized as equal participants in the public sphere, they needed only to perform military service and to establish a nuclear household. Thus, the young Republic underwent a transformation from a masculine public made up of heads of

big households to another masculine public comprised of heads of nuclear families. The importance of family as the unit of representation continued, and the task of representation continued to be seen as primarily a task of men (see Saktanber and Sirman, “Gender” and “State”). Women in this social order were to assist the men and take care of the family. Regardless of their successes in the newfound public life, they continued to be defined mainly by—and they themselves defined their identities in relation to—the family (Durakbasa).

Institutions in Turkey today are marked by this hegemonic way of resolving the dilemma of third world nationalism and the ensuing gender politics. Family continues to be the construct through which women are defined, while men can claim more space in asserting their entitlements as individuals. Women’s presence in the public sphere, an important symbolic marker of the “modernity” of the Republic, did not quite translate into empowerment in their daily lives as individuals independent of the family. Consequently, women’s honor is perceived as bound by family honor. Social and institutional formations in Turkey presume men to be in charge of the family, and women’s honor is determined by men’s actions in the public sphere that reflect the honor of the family.

The Republic, then, bears remarkable historical continuity with the Ottoman era in terms of the centrality of the family both to public life and to the definition of women’s social roles. In the framework deployed by most civil servants, however, this historical continuity and the gendered nature of the Republican public sphere is erased from the picture. Women’s legal rights in Republican legal texts are compared favorably with the flat representations of other Middle Eastern countries or with the supposed lack of power of women in the Ottoman era.<sup>17</sup> Honor crimes and the legal responses to them are seen as exceptional moments in which tradition finds its way into state institutions. The modernizing elements of the state that have granted women’s rights will “eventually” tackle the issue, since full gender equality is seen as the *sine qua non* of modernization. In the meantime, women should appreciate the rights they have and the value of the modernizing Republic. Women have “simply” to be patient.

The tradition effect here works to increase the amount of time deemed necessary for institutions to eliminate honor crimes. The “future” of modernization becomes the main reason that existing traditions must be endured and even accommodated. This constant reiteration of the future means *de facto* that women’s rights cannot become a priority arena for an agenda of social change that is meaningful to their lives. It also works

to render invisible the complicity of state institutions and the juridical apparatus in furthering the conditions that give rise to honor crimes. In fact, the more a modernizing egalitarian narrative is disseminated while not being realized, and the more the mechanisms through which state institutions contribute to the perpetuation of honor crimes fail to be accounted for, the more honor crimes become “traditions” that somehow (!) find their way back into the lives of women.

### *The Justice and Development Party*

The Justice and Development Party (JDP) came to power in November 2002 as the first noncoalition government in Turkey in the last two decades. Its political idiom follows the line of prior populist-Islamist parties dissolved in the last three decades of the Republic. Yet it stands apart from them in its embrace of the secular framework and of what are deemed “Western” institutional structures such as the European Union.

The party’s program devotes a significant amount of attention to women’s concerns. It includes a discussion of national and international remedies such as the use of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Honor crimes are also specifically addressed in the program in the following way: “[I]n places where women’s suicides, murders of tradition and of honor are seen in abundance, the party will organize preventive and educational programs targeting women and their families.” In this framing, honor crimes are collapsed into women’s suicides. Unusually high rates of suicide among young people are a rather recent phenomenon. The reasons for such suicides—their potential links to pressures having to do with family honor, to the effects of the armed conflict between Kurdish guerillas and the Turkish army, or to the economic situation—have not been sufficiently explored.

The single clear fact about the suicides is their location: south-eastern Turkey. Since honor killings are thought to be most prevalent in the Southeast, the JDP collapses the two. In this way, the party contributes to the mainstream view that honor crimes are a phenomenon contained in the Southeast, a view held by people of various political orientations. In the absence of national and regional statistics about honor crimes, it is difficult to assess this assumption, although media reports in other parts of the country make it seem hardly realistic. And even if killings per se are more prevalent in the Southeast, other practices that can be placed under the rubric of honor crimes, such as the limits imposed on women’s rights

to travel or to receive education,<sup>18</sup> and other forms of violence women face in the name of the protection of honor, are fairly commonplace even in cosmopolitan centers such as Istanbul, Ankara, and Izmir.

To single out the Southeast implies that honor crimes are primarily a Kurdish phenomenon, as the area is populated primarily by Kurds. Such a portrayal amounts to the stigmatization of Kurds, a process that is already very much under way due to past armed conflicts between the Kurdish guerilla forces and the Turkish military, with the ensuing forced migration and poverty of Kurds. Here we see the ethnicization of the tradition effect: honor crimes attributed to the traditions of an already disadvantaged ethnic group and its region. This enables other parts of the country to be imagined as somehow immune to the problem.

The solutions the JDP offers to the problem of honor crimes are equally problematic. Education programs that target primarily women and their families are offered, and yet the content of these educational programs remains unclear. As mentioned, such institutional remedies as shelters or hotlines that help protect women from honor crimes and other types of violence are extremely few or altogether absent. In such a context, education, no matter what the content, is clearly insufficient to curtail crimes of honor. Moreover, the idea of providing such an education to women together with their families is problematic in that family members are the perpetrators or potential perpetrators of the crimes. In such an educational atmosphere, women, or at least less powerful women who are at risk of being victimized due to reasons of family honor, will not be able to make their concerns heard.

The JDP's political emphasis on family thoroughly informs the party's stance and policies with regard to women's issues, which are commonly subsumed under the rubric of family and the roles of women in it. The introductory statement of the section called "Woman" in the party's program is illustrative: "Women are not only important because they make up half of our population, but they are the most important because as individuals they are primarily responsible for the rearing of healthy generations." Family is seen as the building block, the foundational unit, of society. Women's individuality is conceptualized as the enabling feature of the social order as it is meant to sustain this foundation.

Actions of the JDP on gender issues in general and honor crimes in particular reflect a line that follows the party program. In August 2003, the parliament, dominated by the party's representatives, passed a package of laws and legal arrangements for purposes of admission to the European

Union. Article 462 of the criminal code was cancelled as part of this package. As mentioned above, this was one of the problematic articles central to the adjudication of honor crimes, reducing penalties for perpetrators by putting family members' concerns under the legal category of provocation. The cancellation was a most welcome development for advocates of women's rights who had spent considerable effort on this annulment. Yet, again, the problems with the legal handling of honor crimes were not limited to this article and therefore not solved by this single legislative act. Not only is there more than one problematic clause but there remains in place a convention of juridical interpretation of honor crimes that allows judges to pick out and apply certain clauses at the expense of others.

At the time of the revocation of Article 462, feminists in Turkey who had for a long time voiced their critique of the existing criminal code were anticipating the drafting of a new law expected to address problems of gender equality and to effect the development of new and egalitarian juridical conventions. Immediately before the passage of the E.U. package of laws, the JDP delivered a bitter blow to these expectations by revealing its plan for the reform of the criminal code. To the grave disappointment of women's rights advocates, the proposed code was in many ways even more problematic than the existing code. The draft law, for instance, reinstalls the provocation clause that can be interpreted to legitimize honor killings, that is, it is the equivalent of the infamous Article 462 that was revoked by the JDP. Penalty reduction for infanticide in the case of children born out of wedlock remains in place, and moreover, in the case of rape, if the rapist marries the woman, he can be released from punishment.<sup>19</sup>

Although the JDP does give in to political pressure, especially where admission to the E.U. is concerned, in the larger picture its form of gender politics is still shaped by a particular version of family ideology. At times the nature of honor crimes becomes acutely clear, and it is then that the crimes are projected onto the Kurdish population and southeastern region, as if the problem could be contained, kept out of the reach of national politics. At other times, when elements of honor crimes can be more easily accommodated by accepted notions of tradition, the familial aspects are highlighted at the expense of the criminal acts.

Audiences located outside Turkey often perceive the JDP as a group of fundamentalists whose attitudes towards women and family honor reflect the flat and unforgiving traditionalism of Islamist extremism. Examining the JDP's actions yields a different view. The JDP advocates admission to the European Union and quite seriously addresses human

rights and bureaucratic reform issues that had gone relatively untouched in prior governments. In the Turkish political spectrum, it aims to become a party of the right-wing center. The party's efforts over the course of the last year to redefine its identity as "conservative democrat" also reflect this stance.

The key to the party's gender politics and its position on honor crimes can be found not in its alleged fundamentalism, but in the alternative resolution it attempts to bring to the dilemma of third world nationalism. The party's stance on this key issue is significantly different from the hegemonic position disseminated by the state institutions discussed earlier. Here, it has to be remembered that the Republican People's Party, the single opposition party in parliament, gives political voice to the naturalized dispositions of actors in legal and other state institutions.

The JDP resolves the dilemma of third world nationalism in a way similar to Indian nationalists of the nineteenth century as described by Chatterjee: by separating spheres of life into binaries such as home versus public, spiritual versus material. These dichotomies came to be superimposed on each other and then aligned with gender difference. Thus, while women came to represent home and the spiritual domain of Indian life, men came to represent the material and the public. This meant that as long as women reserved what was essentially Indian, by representing spirituality and staying within the boundaries of the domestic sphere, men could go ahead and embrace Western civilization.

Unlike the total and relentless acceptance of all things Western and "modern" by the Republicans, the JDP, like the Indian nationalists, conceives of separate and gendered spheres of social life. The domestic domain and women are seen as repositories of tradition and the bearers of the essence of Muslim Turkishness. The public sphere is once again perceived as male by the JDP, but in a different way, for it is there that Westernization is to take place, and men, by virtue of not being primarily responsible for the domestic sphere, are seen as the principal public actors. Moreover, the two domains are seen as complementary. Protection of the home and the family is what enables Westernization and economic development. For modernization and economic development to be successful, the family, as women's "traditional" sphere and thereby the locus of national/cultural essence, must be protected. The JDP's efforts to find solutions to women's problems in general and honor crimes in particular by asserting the centrality of the family are meant to secure the home part of the equation of national development.

In this way, the tradition effect enables the Justice and Development Party to resolve a basic tension. On the one hand, it is the most open Islamist party so far to embrace a certain set of democratic freedoms, human rights, and secular institutions. On the other, it has an electoral base that requires the protection of some fundamental Turkish and Islamic traits. A relatively risk-free way to strike a balance between these two tensions comes in the form of preserving traditions, especially when they revolve around such a central tenet of the JDP as “family.” This enables the positing of cultural difference from the West and secures the identity of the Turkish Muslim electoral base. Such a cultural difference is all the more significant at present as the party strives to gain accession for Turkey into the E.U. Simultaneously, this kind of a “differentiated” approach to Westernization and modernization allows the JDP to distinguish itself from the Republican People’s Party, its primary rival and the main opposition party in parliament.<sup>20</sup>

### *The European Union*

Since 1999, Turkey has been a candidate for admission into the European Union. The Union set the start of official negotiations for admission conditional upon Turkey’s meeting a set of economic, social, and political criteria.<sup>21</sup> In other words, for the “beginning of the beginning” of membership, Turkey has to establish that it has a stable institutional environment guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. These have necessitated a number of significant reforms in the country’s political and institutional context. Turkey’s overall performance in meeting these requirements has been considered significant but insufficient. As a result, its process of negotiation currently lags behind the other twelve candidate countries, most of which have passed this stage and are in the process of initiating their full membership. At the moment, Turkey is scheduled for an overall evaluation in 2004. Whether and, if so, how Turkey’s negotiations for membership will begin depends on this evaluation.

In Turkey there is a general expectation that admission to the European Union will boost the economy and be a major step in the realization of long awaited social and institutional changes such as the consolidation of civil society, democracy, and the rule of law. While most political and professional sectors support these developments, there are also serious differences within *and* among each of these groups. As in



other candidate countries, membership in the European Union and the ensuing reviews is a process that cross-cuts the interests of different professional groups like the army and the government bureaucracy, as well as affecting the interests of the bourgeoisie and different political groups such as those of the nationalists, the Islamists, and so on. These different sets of interests are intimately tied to the admission process, sometimes for and sometimes against. Thus, the process of admission into the E.U. has immense effects on the political atmosphere in Turkey as it stands at the center of multiple political contentions.<sup>22</sup>

In the midst of these struggles for political power, the E.U. has nonetheless consistently been an important force for social and institutional reform in the last decade. According to a recent Human Rights Watch report, “The process of Turkey’s accession to the E.U. has, since 1999, emerged as the most important catalyst of reform in Turkey” (Human Rights Agenda). An issue gets accelerated attention from government officials, media, and other social sectors when it is put on the agenda of admission into the E.U. Honor crimes are generally placed under the heading of economic, social and cultural rights within the section on human rights and the protection of minority rights.<sup>23</sup> As such, they are placed within the set of mid-range requirements for Turkey’s accession.

One way that Turkey has been dealing with demands for reforms has been to prepare legislative packages that make changes to several laws at once. Since February 2002, seven such packages have been legislated by Parliament. The famous Article 462 was revoked as part of the sixth of these packages. Indeed, in the last few years the issue gained increased attention in negotiations of feminists and the E.U. with the Turkish government, which has facilitated the process of raising awareness about honor crimes and creating policies about it. The negotiating process can be said to have given women’s rights advocates leverage in their lobbying efforts.

This, however, is not to deny the fact that the general representation of honor crimes by the Union is rather flat, and the institutional and political capacity of the E.U. to curtail the crimes is far from realized. A more expansive approach could easily formulate honor crimes at the intersection of civil and political rights or at the intersection of the rule of law and democracy. Were honor crimes to be implicated in terms of civil, political, social, and economic rights, they could be moved from the category of mid-range to short-range issues in Turkey’s E.U. admission timetable.

As the main elected body of the European Union, the Parliament is the organ that generally takes positions by way of preparing reports on issues like honor crimes. These, then, are reflected in the policies adopted towards relevant countries by the executive branch, the European Commission. This process involves an assessment of the specific circumstances of a country, with its strengths and its problems, followed by the establishment of criteria and priorities for change in line with this assessment. The European Commission then periodically examines the given country's progress and prepares reports about the required transformations.

The Parliament works through a number of committees. In the case of honor crimes, the relevant committee would be the Committee on Women's Rights and Equal Opportunities. Yet, to this day, the Parliamentary Commission has not prepared a report or a resolution on honor crimes.<sup>24</sup> Without such a resolution, the issue gets less attention in the European Commission. Consequently, the issue of honor crimes is listed in the progress reports as just another problematic item among Turkey's political and human rights issues.<sup>25</sup> Within this framing, the issues of courthouse practice discussed above are not addressed at all, and the numerous legal issues are reduced to just a few. The juridical convention that often defines women primarily with regard to family goes unnoticed. Even the problematic nature of the drafted criminal code or the fact that it reinscribes the offensive former laws is not adequately addressed. Without sufficient attention to these dynamics, honor crimes are ultimately subsumed under the rubric of entrenched traditions.

This oversight can be understood in the context in which the European Union imagines itself and produces its policies. Indeed, it is fruitful here to emphasize the fact that the European Union itself is very much in the process of formation and transformation. Not only its fine points but certain key aspects of its governance—such as the weight to be given to national jurisdictions in different matters, commonly known as subsidiarity, and the place of religion in the Union's political organization—are being contested, as is clear in the process involved in the drafting of the E.U. Constitution. The progress of candidate countries is, therefore, not only a function of domestic dynamics but also of their dialogical relation to the formative dynamics within the Union.

Integration of new member states into the European Union is framed by reference to the economic sphere; that is, market ideas and practices form the basic framework of E.U. institutionalization and legitimation (see Gilbert, McCormick, and Hayward and Page). As one area

of integrated policy-making in the Union, gender both enjoys *and* suffers from the framework that posits the market as the main element of European integration. Without downplaying the impact of feminist struggles for reform in market-based areas, we can still say that priority is usually given to those areas of gender policy that are crucial for market imperatives. For instance, equal participation in the labor market and social security, both of which are closely related to the regulation and restructuration of markets across Europe, have thus far been the two main areas of the E.U.'s gender policy-making. In a related vein, equal opportunity between women and men—an issue compatible with market-based thinking—has emerged as a definite precondition for the accession of candidate countries (see Rees).

Concerns about gender equality that are not easily framed within the market paradigm, however, are marginalized. As they are harder to accommodate within the policy framework of the Union, they are not only rendered tangential to the mainstream of E.U. politics, they also fail to appear on the list of short-term priorities for accession of candidate countries. Issues of this kind are often left to the national jurisdictions of individual countries (see Hoskyns). Honor crimes—probably due to their serious nature—are not entirely left to the jurisdiction of the national authority. However, because of the difficulty of translating them into the market paradigm, the approach to them is generally timid and low-key.

The principle of “gender mainstreaming” in E.U. policy-making is something that also affects the development of measures to curtail honor crimes (see Mazey). In its Communication of 1996, the Commission defines gender mainstreaming as “mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situations of men and women.”<sup>26</sup> Examples of such mainstreaming can be found in the E.U. Parliament in such issues as “Mobilizing Women to Enrich European Research” or “Gender Budgeting: Building Public Budgets from a Gender Perspective.” Programs that give women an advantage over men—in ways comparable to affirmative action measures in the U.S.—are now to be coupled with those that bring gender concerns to the mainstream. The “double approach” is the goal of current policy-making and implementation.

This double approach is the product of decades of feminist work in the countries of the European Union to ensure that issues of gender are no longer ghettoized. Gender issues are now seen to involve the social

domain as a whole and for this reason to require institutional and social restructuring. However—and this is the double-edged nature of the feminist achievement—the success in institutionalizing at least some of the former concerns means that the emphasis now falls strongly on gender mainstreaming. In the context of Turkey, given the abovementioned insufficiency of institutional resources and mechanisms to combat violence against women, the most basic changes to institutional structures could make a difference. That is, the issue of honor crimes as it currently stands lands squarely in the arena of specific projects targeting women, which lie in the opposite direction of gender mainstreaming. Due to these dynamics, the problem of honor crimes falls out of sync with the dominant trend in E.U. policy-making and enforcement.

The particular ways in which the E.U. imagines itself as primarily a community of markets and the particular dynamics of its gender policies thus affect the ways it deploys its institutional resources to curtail honor crimes. Through these policies of less than full engagement, honor crimes end up falling from the agenda of serious short-term reform. Clearly, the arena of short-term issues is where the E.U. confronts Turkish authorities most seriously and directly about the complicity of state institutions in the perpetuation of practices deemed unacceptable to the E.U. Unfortunately, it is precisely there that honor crimes fail to appear. This failure amounts to the relegation of these crimes, their reasons, and their effects to an inscrutable and impervious tradition.

### *International News Media*

The coverage of honor crimes by the international news media offers another perspective on the way the tradition effect operates. The reporting of Semse Allak's case is a good example. Ms. Allak was the object of much press attention as she lay in a coma after being stoned by her family. A recent *New York Times* article on her death noted:

*Much of Semse Allak's story has been lost in a whirl of conflicting versions of her death. By most accounts, Allak fell victim to the age-old honor code that survives in the villages of Southeastern Turkey, a system so unforgiving that some villagers said they were relieved to learn of Allak's death. If she had survived the villagers said the family of the man who had been killed with her would have been obliged to take revenge on Allak's family,*

*since it was Allak's brother who was suspected of his murder.  
(Filkins)*

Here, the author posits the “age-old honor code” as the reason for Ms. Allak’s death and goes on to connect the question of this death with the annulment of Article 462 discussed above. He frames the death, then, as integral to the matter of assessing Turkey’s “civilizational status”: “The legislation was part of a broader effort to secure Turkey’s long-hoped-for admission to the European Union and, more profoundly, to answer the centuries-old question of Turkey’s place in the world: whether in Europe or in the Middle East.”

Later in the article, a historical dimension is added to this oppositional pairing of Europe and the Middle East: the practice is defined as “medieval.” The “age-old honor code” is what makes Turkey medieval, and Turkey has to make a choice between these geographical and historical positions. In other words, the problem of honor crimes is displaced from the question of women’s rights or from matters of policy onto the matter of Turkey’s placement in an imagined comparison of civilizations. Such dichotomies collapsing time and space in an orientalist fashion are common in media portrayals of honor crimes. They posit an essential “East” and “West,” “Middle East” and “Europe,” past and present, tradition and modernity (see Said). “East,” “past,” and “tradition” are collapsed into each other only to be opposed to a union of “West,” present, and modernity. The result is a dramatic picture in which primordial forces are pitted against each other, and all local, national, and international complexities are rendered invisible.<sup>27</sup>

Another theme of the international news media is the anxiety over the transplantation of honor crimes into areas that are not its “native habitat.” Here, it is Europe or the “West” at large that must be protected from such onerous traditions. News headlines such as “Young Kurd’s Murder Shocks Sweden” abound (BBC 26 Jan. 2002). A *Washington Post* article reads:

*People put their tradition into their luggage, along with their pillows and sheets, says Mehmet Farac, who wrote a book on honor crimes in Turkey and has conducted some definitive research on the subject. Therefore they cannot break their ties with their society and traditions. Sometimes a girl wearing jeans or lipstick, combing her hair, or the way she looks in a mirror can make the family uncomfortable. (Moore)*

It is as if a healthy Western civilization runs the risk of contagion by these crimes—infection brought in with pillows and sheets (see Douglas).

Such reporting seems to parallel the national view of the issue as contained in the Southeast. Honor crimes are imagined as the sudden eruption of the traditional, the past, and the problematic East where they are not supposed to appear. This in turn works to reconstitute the intact European and/or “Western self,” depending on the ways in which the dichotomies are aligned.<sup>28</sup>

The tradition effect and the ensuing dichotomies enable the media to address their audiences in a more dramatic way (see Soothill and Walby, and Signorelli and Morgan). Political and institutional issues are transformed into moral and/or identitarian dualities. Moreover, chronicles of deaths foretold by victims themselves—such as Fadime Sahindal, who was murdered in Sweden after her activism on the issue—offer more stirring reading than the issues as raised by the activists when they were alive. The larger question honor crimes pose to Sweden or England and the European Union at large, about the institutional ways immigrants are incorporated into national markets and polities, remains underexplored.

Finally, the tradition effect seems to posit the unity of Europe or the “West.” Pointing out the problems of the “other” enables the Western self to be seen as immune to such problems as violence against women in the name of family. At a time when local, national, and global forces are intermingling and the struggles to consolidate the European Union are ongoing, the allusion to tradition becomes one way that “Europe” can be imagined through what it is not.

In this way, the international news media practice a mode of representation that is comfortable for the reader; the issue is made to seem comfortably exotic, having nothing to do with the reader’s experiences in and of institutions. The appeal of the news item on honor crimes is that of cultural difference in which difference bears the mark of violence. The reader can then have voyeuristic access to a sexualized violence and at the same time enjoy the ensuing feeling of moral and cultural superiority.

### *Conclusions*

While tradition is the shared reference point in institutional discourses that address honor crimes, the ultimate vagueness of this reference is significant. Whether in party programs, legal arguments, or newspaper articles, central questions about the nature of these traditions

remain unanswered. For instance, under what circumstances does the killing of a woman become an honor crime? If it is the cultural practice of killing women who engage in unapproved sexual acts, what constitutes such an act? What are the crime's relationships to other traditions? What exactly is the source or the location of this tradition? Is it a tradition based on ethnicity or nationality? Is it Turkish, Kurdish, Iraqi, Pakistani? Is it part of religious identity, that is, is it an Islamic phenomenon? Is it a tradition specific to a region such as the Middle East or the Mediterranean? None of the institutional discourses examined so far give concrete answers to these questions. Such a degree of indeterminacy regarding an issue that affects so many women's lives is significant. Arguably, a comparable indeterminacy would be considered intolerable by political or legal institutions should the question have to do with something like state security or disaster management.

I argue that this elusiveness when it comes to understanding the "tradition" of honor crimes cannot be reduced to an inability to gather information but has to be understood in light of the ways in which the tradition effect plays out. As mentioned earlier, the gesture of declaring an arbitrary line between the institution and tradition is common to all institutional discourses; the operations of the institutions are seen to be independent of the mechanisms of tradition and immune to their impact. The institution thus sees itself as outside tradition. In this way, clarity and transparency are on the side of the institution, and murkiness and imprecision are projected onto the tradition part of the binary.

As I have tried to show, this discursive dynamic unfolds in several institutions simultaneously. In other words, tradition is seen to be external to the activities of, at once, political parties,<sup>29</sup> judicial authorities, the European Union, and the international media, as well as to such structures as national and international markets. When a putatively singular domain of life—tradition—comes to be seen as external to so many different institutions, an interesting picture emerges. While tradition continues to be conceived in the singular, it nonetheless comes to signify multiple things at once. For instance, the signification of tradition by the international news media operates through the seemingly timeless binaries of East/West or past/present, while the discourse of Turkish judicial authorities situates tradition as the source of an ultimately temporary resistance to modernization. The two discourses overlap, of course, but work with very different assumptions in the end.

Tradition thus comes to be entangled in the different oppositions that institutions produce along with their institutional politics. As such, each institutional discourse evokes different meanings with the term, and when multiple institutions produce knowledge about relatively different processes under the same rubric, the net result is a somewhat elusive body of knowledge. However, this elusiveness is not seen as an effect of the knowledge production process, itself lying at the heart of multiple political contentions. Instead, it is projected back onto the category of tradition. Tradition becomes this “thing” that is inherently hard to pin down.

Clearly, no single object of discourse, whether honor crimes, state security, or disaster management, lies “naturally” within the reach of the institution nor outside its reach. The assignment of these two different modes of knowing is inherently political. And yet, the political nature of the assignment of “inside” and “outside” is itself neither singular nor stable, but a matter of relations of power.

The only ray of light in this picture is that changes in the topography of these political relations can bring about changes in the perception of honor crimes. In fact, the tradition effect does lose its appeal once real-life actors with interests are identified, once politically motivated policies become the subject of debate, that is to say, once the power relations entailed in the handling of honor crimes are identified and demystified.

This, however, is not to celebrate institutionalized discourses nor to call for the production of more specific institutionalized knowledge on honor crimes. Incitement to discourse as expertise, eloquently described by Foucault, may not be the way to counteract the tradition effect. In other words, World Bank reports on honor crimes or academic critiques of “problematic third world traditions” may be equally ineffective in tackling honor crimes. These expert discourses, while producing knowledge, may well come up with institutionalized binaries of their own.

To address honor crimes from the perspective of women’s rights and well-being, it seems that a third way out of the grim choice between the tradition effect and the disciplinary effect is needed. This alternative discourse must be attentive to the many forms of knowledge about honor crimes and to the relationship between these forms of knowledge and different kinds of power relations. It must make visible the ways in which honor crimes come to be formulated by different institutions in line with their particular agendas. And it needs to develop alternative agendas that



prioritize the concerns of women themselves. This clearly means a discourse that is simultaneously deconstructive and constructive.

This is a task that implies no model. It can be taken up by feminists everywhere. We are by now familiar with third world feminist critiques of the ways discourses of tradition create the victimized and disempowered “third world woman” as their object, and the way such constructions allow first world feminists to speak in the name of all women and to claim the position of universal female subjectivity (see Lazreg, “Triumphant,” Narayan, and Abu-Lughod). While such positioning still happens all too often, there are also signs of change. To give an example, Maj Britt Theorin, chairwoman of the European Parliament’s Committee on Women’s Right and Equal Opportunity, criticized what she calls inaction on the part of the European Commission on the issue of honor crimes. In 2001, she noted that to continue membership negotiations without urging the Turkish state to take all necessary measures is in effect being complicit with the perpetrators. Also significant is that she does not give in to easy explanations of honor crimes by appeals to tradition. Instead, she highlights the role of institutions, those of the European Union as well as those of the Turkish state:

*The [European] Commission has promised to raise the issue, but so far the results have not been seen. This inaction by the Commission is inexcusable, as Turkish police and judges still overlook these crimes, seldom prosecute offenders, and when judges do find a guilty verdict, they only give these murderers a few years in prison [ . . . ] [W]e cannot hold our heads up and move forward with Turkish membership until there are concrete results.<sup>30</sup>*

Theorin takes this stance not only as a feminist but also as an active participant in institutional policy-making. Such positions taken by feminists situated both inside and outside institutions are crucial to the critical evaluation of institutional discourses and policies on honor crimes. Exploring the complicit roles of international organizations such as the European Union, the IMF, the World Bank, and the United Nations, as well as their national counterparts, can ultimately lead to the modification of those roles.

To address the problem of honor crimes and the tradition effect, it does not matter what one’s personal attitude is toward “tradition.” Some feminists may want to define and hold on to a social realm understood as “tradition,” while others may want to do away with it entirely. What mat-

ters in the struggle against the tradition effect is not a focus on tradition per se, its importance, or the question of who is licensed to speak about it, but an analytical shift to focus on institutions and their framing operations. In other words, to tackle the tradition effect, feminists around the world do not need to agree on what “tradition” is or who is authorized to speak about it. All they need to do is to look closely at institutional policies, especially when those policies imagine that they themselves are contesting tradition. Yet, the future of such efforts remains seriously bound up with the way the tradition effect unfolds in various fields. Those feminists who see themselves as supporting “women in non-Western locations in the grip of traditions” may find it difficult to complicate the picture so as to ask what other structures implicate these women. Those who work in and who claim the very discursive space that the tradition effect opens may find the shift to an institutional analysis difficult, with muddier politics and a less comfortable position from which to speak as a singular subject. To what extent feminists around the globe will try to understand the institutional dynamics that reproduce honor crimes is an open question. What is clear, however, is that without such efforts to read between the lines of institutional discourses and work for institutional change, the tradition effect is bound to continue to do its work. Given the stakes, it may very well be the time for feminists everywhere to grapple with the burden of the next honor crime, the next “death by tradition.”

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## Notes

- 1 The term “honor crime” is itself debated in feminist circles. Other terms such as “the crime of killing women for family honor” have been suggested, as they highlight the violence of the phenomenon. As my focus in this paper is on the various ways in which the phenomenon is framed, I prefer the most widely used term “honor crime.”
- 2 “Islam” posited in the singular is often implicitly and at times explicitly cast as the root cause of these “problematic traditions.” What is interesting about such an assumption is that the singular Islam is rarely placed in relation to national and international institutional structures. For a careful comparative analysis of the state and legal structures

- of Muslim countries in terms of domestic violence, see Hajar. She concludes that there are important differences in the legal handling of domestic violence, contrary to expectations about the singular “culture of Islam.” The existence and effectivity of women’s recourse in cases of domestic violence seem to depend on the legal arrangements undertaken in the name of Sharia (Islamic Law) in relation to the particular history of the country in question.
- 3 See Abusharaf, who shows how women involved in such “objectively” problematic practices as female genital mutilation can attach a multiplicity of meanings to them. These meanings, she convincingly argues, are simultaneously cultural and subjective. Her discussion is a good corrective to strictly behaviorist categorizations of so-called traditional practices, pointing to the need to develop more sophisticated analyses of these so-called traditional practices in order to understand their implications in terms of women’s empowerment.
  - 4 Sati is different from these other practices in that the debates around it have taken place mainly in the nineteenth century. Nevertheless, it remains a point of discussion in the current debates. See Daly. For a critique of Daly’s framing, see Narayan. See also Mani.
  - 5 Clearly, this critique is not produced only by third world feminists. See Volpp, “Feminism,” for an informed critical debate on these issues with a focus on their impact in legal developments in the u.s. See also her “(Mis)Identifying” for a discussion of the informal lawyerly practice of cultural defense in the u.s. legal system. Moreover, the term “third world feminist” is itself highly contested (Narayan). In this paper I use the term to refer to all feminists who write on gender issues and who emphasize that being situated in a third world location is a significant factor that defies facile generalizations about such universals as “women” or “feminists.”
  - 6 Except for a brief section in the discussion on the European Union, I do not engage with questions regarding the effects of market structures in this paper. This is by no means to downplay the importance of markets in terms of the ways they impact social and cultural contexts and so-called traditions in ways that impede women’s empowerment.
  - 7 See Shalhoub-Kevorkian for a discussion of the ways in which Palestinian state structures are complicit in the making of honor crimes. While her discussion is illuminating in highlighting this point, I find notions like “conspiracy of femicide” too monolithic to adequately elucidate the tensions in the reproduction of honor crimes.
 

While not directly on honor crimes or on feminism per se, the self-reflexive turn in anthropological scholarship has been important in opening the analytical space I pursue here. See Marcus and Fisher for an example. Also see Chanock for an analysis that combines the critical insights of anthropology with those of history. His discussion of the Central African context is illuminating in that he shows how “tradition” or “custom,” even when being codified as customary Law, was constituted by political contestations of the time. On the invention and policing of “custom,” also see Dirks.

- 8 In some especially liberal feminist circles, debates continue as if third world feminist criticisms had never been made. For a relatively recent argument along these lines, see Okin, "Is Multiculturalism Bad for Women?" In this essay, she first declares culture(s) the cause of women's repression and gender inequality. She then conveniently couples this definition of culture with her version of multiculturalism. Neither in her definition of culture nor in her definition of multiculturalism does there remain enough analytical space for a discussion of the structures of power that implicate women.
- 9 The Turkish term for honor crimes is "namus cinayetleri," alternately called "namus suclari." The Turkish term for "murders of tradition" is "tore cinayetleri."
- 10 Mitchell's discussion of what he calls the "state effect" is a source of inspiration here. He notes that the political domain always comprises complex relations between what are deemed state and non-state actors. The drawing of the line between state and society enables certain areas and certain actions to be defined as nonstate, even though those areas continue to be formed in relation to the actions of state actors. This in effect allows for a reassignment of positions and relations of power as a matter of a perceivedly objective distinction between the state and its exterior, yielding a vision of nonstate actors as nonpolitical.
- 11 Here I use the term juridical convention in dialogue with Cover's discussion of legal tradition and normative universe. Cover explores the normative universe within which legal texts come to be interpreted:
- A legal tradition is part and parcel of a complex normative world. The tradition includes not only a corpus juris but also a language and a mythos—narratives in which the corpus juris is located by those whose wills act upon it. [ . . . ] These myths establish a repertoire of moves—a lexicon of normative action—that may be combined into meaningful patterns culled from the meaningful patterns of the past. The normative meaning that has inhered in the patterns of the past will be found in the history of ordinary legal doctrine at work in mundane affairs, [ . . . ] in apologies for power and privilege and in the critiques that may be leveled at the justificatory enterprises of the law. (101)*
- 12 These interviews were conducted as part of a research project that looked at questions of citizenship and the everyday reproduction of inequalities in the legal realm. While doing this fieldwork, I observed women's concerns as they live with honor—even when they do not die for it—and realized the prevalence of the notion.
- 13 Family honor is mentioned only in Articles 151 and 152, which are about the annulment of marriage due to the misrepresentation of one of the parties about his or her honor.
- 14 In the past, state institutions such as orphanages or the political bureau of the police department requested these exams, which resulted on at least one occasion with the suicides of two orphan girls. In 1992 a high-school headmaster ordered four girls to take virginity tests. Two of them committed suicide. In 1998 five girls from a state-run orphanage, aged twelve to sixteen, attempted suicide in order to avoid being forced to submit to the test. The

- examination was later forced upon them in their hospital beds. Following these and other similar incidents, a ban was passed on forced virginity exams. This ban remains highly contested, however, and only covers those cases where explicit pressure can be shown. See Human Rights Watch, "A Matter of Power."
- 15 See the Human Rights Watch Global Report, 1995.
- 16 Clearly, even then, this was an idealized and essentialized notion of a temporally static Western Europe and North America.
- 17 Turkish feminists have only recently started questioning Republican representations of Ottoman women as ultimately powerless. Cakir's work, despite its methodological problems, came somewhat as a revelation as it was the first exploration of the Muslim women's movement in the Empire. A second revelation that goes beyond the ethnocentric presumptions of most feminists who happen to be part of the Turkish and Sunnite Muslim majority has been the "discovery" of the women's movements of other ethnic and religious minorities. See Bilal et al. for an examination of the Armenian Women's Movement in the Ottoman Empire.
- 18 In Umraniye, a municipality of Istanbul with half a million residents, forty-one percent of women state that they need the permission of some family member to leave the house alone during the day. To go out in the evenings, this proportion increases to 96.2 percent (Ilkcaracan and Ilkcaracan). Concerns for "family honor" have been shown to legitimize these limitations. (This is a violation of the right to travel according not only to human rights norms but also according to Article 25 of the Turkish Constitution.)
- 19 This article, which is currently part of the criminal code, was supplemented by a decree during the term of a female Minister of Justice (Ms. Aysel Celikel) that required the judge to conduct an inquiry to learn whether or not the woman was willing to marry. In the proposed revision, this legal arrangement is to be revoked.
- 20 The Republican People's Party (RPP) is currently the only opposition party in the government. It is the oldest party and claims continuity with the nationalist statist tradition initiated by the national leader Mustafa Kemal (1881–1938). The party's program includes working to realize the terms of the Convention of the Elimination of All Forms of Discrimination, yet most of the program is devoted to women's equality in the work place and to women's education. Clearly, these objectives are in line with the nationalist agenda of pushing women into the public sphere. However, there is not much mention of challenging intrafamilial structures or defending women's bodily integrity. Out of ten concerns identified, only one is devoted to violence against women. Moreover, there is no specific mention of honor crimes. In general, then, the program of the RPP and its general approach to issues of honor crimes seem to follow the nationalist ideology that dominates the institutional structure I described in the section on Law and Other State Institutions.
- 21 These criteria are generally called the Copenhagen Criteria after the 1993 meeting.
- 22 The importance of the E.U. can be understood better when compared with the impact of other international bodies such as the United Nations or the Council

- of Europe. While these bodies produce annual reports that stress the importance of civil and political rights and freedoms and examine related problems in Turkey, their impact on the creation of substantive policies has seldom passed beyond lip service in the last two decades.
- 23 See the Human Rights Agenda for the Next Phase of Turkey's Accession Process, 2003.
- 24 There was, however, a resolution passed by the Council of Europe, Parliamentary Assembly (Resolution 1327, adopted 4 Apr. 2003). The Council of Europe is often confused with the Council of European Union—formerly known as the Council of Ministers. The Council of Europe, established in the aftermath of the Second World War, exists independently of the E.U. Currently it has forty-five member states, including all the E.U. countries. The 2003 resolution attends quite effectively to the specificities of the cases and to the multiplicity of ways in which states may take part in the social reproduction of honor crimes. However, it is much less effective than a comparable resolution taken by the European Parliament, as the former is an intergovernmental organization working mainly in an advisory capacity while the latter has more political power.
- 25 For instance, one report raises the issue in the context of facilitating Euro-Mediterranean cooperation. See “E.U. Policy towards Mediterranean Countries in Relation to the Promotion of Women's Rights and Equal Opportunities in These Countries” (23 Jan. 2002).
- 26 “Report on Incorporating Equal Opportunities for Women and Men into All Community Policies and Activities” (21 Feb. 1996) COM (96)0067.
- 27 For a discussion of representations of Turkish migrants in Germany in media other than the news, see Yalcin-Heckmann. Here, the author argues that patterns of objectification in the case of Turkish migrants are changing as they increasingly become active participants in the production process of German media.
- 28 Turkish media portray the crimes in a manner parallel to international media. The comments of the Turkish journalist/researcher Mehmet Farac in the *Washington Post* article exemplify this. In his own book, Farac does note the role of poverty and the problems of the electoral regime in reproducing honor crimes. Yet, despite such comments, the framework of his book is constructed around the blaming of tradition, evident in the name of the book: *Woman in the Grip of Tradition*. Moreover, Farac frames the issue as primarily contained in the south-eastern region.
- 29 The Justice and Development Party may seem to be an exception in that it appropriates tradition as part of its identity. However, that appropriation is selective. While endorsing some of what it considers traditional family honor, it externalizes other traditions, such as honor crimes. This very act of making a choice is enabled by the perception that the tradition is external to the institution.
- 30 See <http://gender-policy.tripod.com/backissues/February01.html>.

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