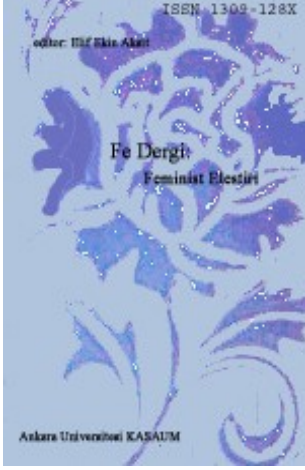


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Adres: Kadın Sorunları Araştırma ve Uygulama Merkezi, Cebeci 06590 Ankara



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Canan Aslan Akman

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***Locating the Opposition to Istanbul Convention in the Multilayered Dynamics of Gendered Challenges, and Reflections on an Actor-Centered Analysis on Eastern Europe: Politicizing Gender and Democracy in the Context of the Istanbul Contention, by Andrea Krizsán and Conny Roggeband (Palgrave Macmillan, 2021)***  
Canan Aslan Akman\*

*Over the past decade, anti-gender campaigns have been extended into debates targeting the Istanbul Convention (IC). This review looks at the conceptual and explanatory frameworks, and the inferences of Andrea Krizsán and Conny Roggeband's comparative study of the anti-IC actors in Hungary, Poland, Bulgaria and Croatia. This well-structured analysis deals with the opposition framings and strategies, and it identifies a reconfigured relationship between state and societal forces. The actor-centered approach of the study also looks at the VAW policy and actors impacted by the politicized disputes in the context of democratic erosion. This review highlights the critical role of the state actors, and draws attention to those issues to be explored further in the context of anti-IC debates and VAW policy problems.*

*Keywords: Istanbul Convention, Violence Against Women (VAW), gender ideology, contestation, frames, backsliding*

***Çokboyutlu Toplumsal Cinsiyetli Karşıkoyuşlar Çerçevesinde Doğu Avrupa'da Aktör Odaklı Bir Analiz Üzerine Değerlendirmeler: Toplumsal Cinsiyet ve Demokrasinin İstanbul Sözleşmesi Bağlamında Siyasallaştırılması, Andrea Krizsán & Conny Roggeband (Palgrave Macmillan, 2011)***  
*Geçtiğimiz on yılda, toplumsal cinsiyet (eşitliği) karşıtı hareketler, İstanbul Sözleşmesini de hedeflerine aldılar. Bu inceleme, Andrea Krizsán ve Conny Roggeband'ın Polonya, Bulgaristan, Hırvatistan ve Macaristan'da Sözleşme'ye karşı çıkan aktörleri ele alan karşılaştırmalı çalışmasını kavramsal ve açıklama çerçevesi ve temel çıkarımları açısından değerlendirmektedir. Eserin güçlü analiz kurgusu, muhalif aktörleri söylemsel çerçeveleri, stratejileri ve dönüşen ittifaklarıyla incelemektedir. Otoriterleşmenin siyasi bağlamı içerisinde, aktör-odaklı bu makro analiz, siyasallaşan İstanbul Sözleşmesi tartışmalarının şiddetle mücadelenin politika ve aktörlerine etkisini de değerlendirmektedir. Bu inceleme, çalışmada öne çıkan devletlerin kritik rollerine vurgu yaparken, diğer ülkelerdeki benzer tartışma ve süreçlerin incelenmesi için gerekli sorun alanlarına da dikkat çekmektedir.*

*Anahtar Kelimeler: İstanbul Sözleşmesi, kadına karşı şiddet, toplumsal cinsiyet ideolojisi, itiraz, (söylemsel) çerçeve, geriye gidiş*

### **Introduction: From Gender-Blind Approaches of de-democratization to Problematizing Gendered Debates over the Istanbul Convention**

Over the past decade, scholars have taken a closer at the conservative mobilizations that threaten gender equality in Europe, which are collectively known as “anti-gender campaigns” (Kuhar and Paternotte 2017; Dietze and Roth 2020; Verloo 2018; Vida 2022). Recent research aiming at overcoming the gender-blind approaches of extant studies by analyzing the illiberal threats to women's rights, sexual rights, and gender minorities have demonstrated that the politicization of gender issues is driven by multiple forces under diverse national dynamics. In this context, the publication of *Politicizing Gender and Democracy in the Context of the Istanbul Contention*, by Andrea Krizsán of the Central European University in Vienna, and Conny Roggeband of the University of Amsterdam in Palgrave Macmillan's Gender and Politics Series has been quite timely. Problematizing the actors of the politicization of gender issues challenging the Convention, the book provides an extensive discussion of its consequences for the policy of Violence Against Women (VAW), and a critical evaluation of the state of democracy in the hands of right-wing forces.

\*Assoc. Prof. Dr., Middle East Technical University, Faculty of Economics and Administrative Sciences, Department of Political Science and Public Administration, <https://orcid.org/0000-0003-0773-2274>, aslan@metu.edu.tr

The Council of Europe Convention (CoE) on Preventing and Combating Violence Against Women and Domestic Violence (the Istanbul Convention-the IC), entering into force in 2014, constituted the most significant driving force for the VAW policy process in the 2010s. It was opened to signature in Istanbul in 2011 where the Turkish government was the first to sign and ratify it. Turkey then pulled out of the Convention through a controversial presidential decision in March 2021. This had been preceded by intense mobilizations against the IC in some Central and Eastern European countries (CEECs) resulting in the submission of the draft of the International Convention on the Rights of the Family by Poland to the EP on July 27 2020. Krizsán and Roggeband's book puts together a wealth of contextual detail, a timeline of events to contextualize the politicized debates, and details of anti-IC activism. Based on archival sources, documentary evidence from official and NGO sources, and interviews with feminist activists, policy makers, and experts, along with the content analysis of the discourses of politicians, media reports, and court decisions, this macro-level actor-centered analysis unravels the interrelations of the state and societal actors in the IC contestations. This review summarizes the book's conceptual framework and its approach to the IC controversies, and reflects on the book's key findings and its crucial inferences, as well as its contributions that inspire new directions for research into the VAW domain with repercussions for a "gender equal democracy"(p.45).

The holistic framework of the IC is marked by an inclusionary vision and a gender perspective, which underscored patriarchal construction of women's roles and social identities as the root-cause of discrimination. Hence, the design, execution, and monitoring of domestic violence policies with binding standards represent "a gender-sensitive approach"<sup>1</sup> (p. 28). As of March 2021, among the CoE countries, 35 had ratified the IC, while thirteen remaining, including Hungary and Bulgaria, had not.<sup>2</sup> Croatia and Poland ratified the Convention under polarizing debates, which threatened its status and implementation.

While this historically-informed study also builds upon the authors' previous work, *The Gender Politics of Domestic Violence: Feminists Engaging the State in Central and Eastern Europe (2018)* and *Gendering Democratic Backsliding in Central and Eastern Europe: A Comparative Agenda (2019)*, it shifts the analytical lens exclusively to the disputes around the adoption (signature, pre-ratification, post-ratification, and backtracking), and the implementation of the IC. As underlined in these previous works, VAW policies in general had not constituted a specific target of right-wing attacks against gender equality. With this starting point, the puzzle of this book is the "tension" identified between the transformative perspective of the IC, and the predominantly gender-neutral approach of the previous anti-violence policies (p. 225).

### **Rising Hostility to the Istanbul Convention: The Conceptual and Explanatory Approach to Making Sense of the Debates**

The integration of VAW into the agenda of the international human rights regime, and the success of transnational feminist activism since the 1990s brought about the mainstreaming of VAW in national legislation. As noted by the authors, twenty years later, the IC forged an explicit link between violence and gender inequality. Despite its gender perspective, the Convention put more emphasis on women, and their exposure to all kinds of violence than on men and non-binary gender groups. It refrained from forging a direct connection between VAW (violence suffered by women because they are women) and gender-based violence (violence directed to all individuals or groups on the basis of the patriarchal constructions of femininity and masculinity). Nevertheless, the disputes over the gender aspect of the Convention, permeating its spirit and policies, have provided fertile ground for politicized debates. The book's comparative perspective explains the different outcomes emerging from these controversies across similarities or divergences in the political backgrounds and in women's rights agendas in these four CEEC countries. The observed and documented differences (in the preceding VAW policy progress, the relative weight of social actors, and the strength of women's advocacy actors) orient the hypotheses toward the causal processes, focusing on both state-led and non-state actors expecting stronger contestations generating ratification delays or obstruction, and significant changes in VAW policies. (p.6).

The research procedure of the study is based on mixed qualitative research methods involving "narrative process-tracing and critical frame analysis" to analyze the opposition to the Convention in terms of the strategies and frames appealing to both domestic and transnational platforms (38). Before proceeding to the in-depth analysis of IC contestations, the authors provide an informative assessment of the "gender sensitivity" or transformative nature of anti-violence policies.<sup>3</sup> It is rightly noted that the VAW domain is both a policy issue and also one of democracy in the substantive sense involving social justice and equality aspects. Gender

transformative frames of VAW policies include the measures to eliminate its root causes through women's empowerment and gender sensitive education, and cooperation among women's rights NGOs to achieve implementation. Nevertheless, in Eastern Europe, the general picture was a restricted gender transformative approach marked by a "remarkable absence of any gender policy components" (pp. 28-29).

Thematically, the first concern of the analysis relates to the incongruence between the preexisting VAW policy domain (which progressed along specific dimensions among the new members of the European Union through international norm diffusion), and the more nationalized processes leading to the adoption of the IC, and subsequently, to delegitimizing challenges. A crucial aspect of this analysis is the identification and categorization of "policy frames resonant with gender quality objectives" and "frames opposing gender-sensitive domestic violence interventions" (pp. 22, 32). Process-tracing based on meticulous description of the cases indicated that the anti-IC contestations were not limited to the previous opponents of gender equality who, nevertheless, supported VAW policies from a protectionist, essentialist and gender-complementary perspective (p.35). As the comparative analysis of the strategies and the discourses of anti-IC campaigns and activism revealed, the pre-existing networks of conservative actors which had mobilized against women's rights, feminism, and LGBTQ rights and "the gender ideology" of the conspiring global forces were expanded through new politicizations around the protection of the family, national security, and values. For example, the IC's gender sensitive perspective on migration and asylum procedures was turned into a major bone of contention by the Polish & Hungarian governments and right-wing actors.

### **The Strategies and the Framings of Contestations: Multiple Actors and Diverse Agendas, under National Contexts of Politicization**

As the bulk of the book deals with the anti-IC actors, the research puts into closer focus "the master frames" of the anti-gender discourses reflecting an obsession with national sovereignty national security, and identity of the Church, think tanks, conservative NGOs, right-wing governments, and politicians. However, the actors who initiated and led the opposition were different in each country. Accordingly, the narratives on these cases provide details about these actors, the shifting strategies, and their domestic and transnational alliances. For example, the Polish case was significant due to the centrality of the Catholic Church, and there was a close affinity between anti-gender mobilizations and the IC debates. The campaigns of pro-family conservative actors within the conservative CitizenGO Platform struck a responsive chord among Polish politicians. The parliamentary committee "Stop Gender Ideology" was created in 2014 by a conservative MP (p.58). In Poland, despite intense lobbying against the IC, ratification took place thanks to the Civic Platform (PO) and the political will of Ewa Kopacz, who was prime minister between September 2014 and November 2015. In a similar vein, in Croatia, the contestations were spearheaded by the Church, its affiliate organizations, and also such civic initiatives as *In the Name of the Family* and *the Truth about the IC* after the IC was signed by the Social Democratic government. The high point of this campaign was the constitutional referendum of 2013 which banned same-sex marriages (p. 63). In Hungary, the IC was signed under the FIDESZ government led by Victor Orban, excluding major women's rights organizations. The ratification process was heavily shaped by the asymmetric power of the conservative civil society (including the Center for Human Dignity, the Centre for Fundamental Rights, men's rights organizations, and the Hungarian Branch of the CitizenGO). The detractors of the IC successfully appealed to the government and public opinion, and urged the CoE for amendments to the Convention. The opposition coalescing around the gender concept and the threat of migrant flow to Hungary resulted in a legislative decision rejecting ratification (p.70). In Bulgaria, the signing of the IC in 2016 and its first gender equality laws had received support from political parties and civil society. Nevertheless, the major actor of the anti-gender and pro-family opposition, the Society and Value Association (SVA), organized a petition campaign backed by the Orthodox Church. After the ratification bill was withdrawn from parliament, the government applied to the Constitutional Court, which blocked the ratification (p.74).<sup>4</sup>

As highly relevant to exploration and analysis of the significance of anti-IC debates in other national and transnational contexts, specific organized actors have been notable in the pressures within the opposition front toward turning governments against the ratification or implementation of the IC. The actors of "alternative knowledge production" (think tanks and experts actors), the Churches and their affiliate organizations, conservative NGOs and pro-family networks were also visible in all cases. One of the major strengths of this study is its comprehensive coverage of these opposing actors which draws attention specifically to the dark side of civil society with their illiberal and antagonizing orientations towards the rights of minorities and individual

freedoms. This is a striking development contradicting the rights-based approach of the EU's democratic conditionality, which could have presumably positively impacted civil societies during the EU accession processes. On the contrary, these CEEs, new NGOs and platforms came into being to defend the traditional values and the family (p.78), and conservative think-tanks skillfully manipulated human rights rhetoric to project an image of being defenders of the rights of children and women. Moreover, as the book documents, these actors were included by governments in the formal consultation processes during ratification. Worse still, they were allowed to intervene in the judicial deliberations as in Croatia and Hungary (p.82). Closer relations between the governments and these conservative entities made the hands of the state stronger *vis a vis* the IC advocates. This is one of the crucial inferences in a comparative sense. The Churches also remained influential anti-liberal forces, as in Croatia and Bulgaria (along with the Mufti office representing the Muslims), which provided anti-gender campaigns greater leverage in relation to those governments which had initially supported the IC (p. 79).<sup>5</sup> Obviously, the identities of these secular and religious NGOs and the dynamics of their alliances with the governments and parliaments will remain a crucial issue to explore further in other countries on the trajectory of anti-gender and democracy debates embedded in nationalist arguments.

In terms of the dominant opposition framings, in all cases, "gender ideology" problematized the threats from the IC to the education system, traditions and cultural norms, the family (p.92) and national sovereignty. The EC and other international actors were accused of a conspiracy. Overall, the content of opposition frames was "strikingly similar" (p.100). The analysis draws attention to the status quo orientation of the opposition in their conventional strategies of influencing governments. It should be underlined that in terms of their contribution to democratic backsliding literature, the authors' particular emphasis on the misuse of means of direct democracy, such as calls for referenda and public petitioning with majoritarian appeals, is crucial (p. 86). Since the study presents a macro analysis of opposition strategies, it does not sufficiently inquire into the concrete mechanisms used by these civil society actors to attract support from the public and transnational organizations. Nevertheless, this issue also offers another research problem on other countries.

### **Advocacy Actors and the VAW Policy**

Against all odds, and in almost all cases, the anti IC contestations have led feminist activism to resist these gendered challenges and anti-IC debates more vigorously. This was particularly evident in post-2020 Poland where NGOs embraced diversified strategies, often with backing from women MPs. The 24 July 2020 protests in 25 cities in Warsaw took place in front of the leading conservative think tank *Ordo Iuris*. In Croatia, despite the low profile of the women's movement in the anti-violence policy after 2009, the *Isign* campaign in 2013, supported by the CoE and the European Women's Lobby, influenced the ratification decision in April 2018, and the Handmaids protests staged by the Women's Network of Croatia and Women's Rights Center were also noteworthy. In Hungary, women's movements entered a new era of struggle with civil society allies after 2016 in the face of rising conservative opposition, which resulted in "the Political Declaration of the Parliament instructing against ratification" in 2020 (p.134).

The interviews with activists and leaders of women's NGOs demonstrate how the IC debates forced these NGOs to develop new strategies and seek new alliances with actors previously outside of the VAW coalition (e.g. human right organizations), in order to counter any anti-gender backlash, and prevent opponents from blocking ratification. However, when the anti-IC actors allied with the incoming governments or divided the parliaments or coalitions on ratification, women's movement were weakened (p.138).

There were other, and no less significant, repercussions of the anti-IC challenges targeting women's advocacy organizations, as revealed by the testimonies of the actors. Direct and indirect attacks, smear campaigns and intimidation have taken their toll on their organizational capacity, through budget cuts and loss of volunteers, and impacted individual morale and resilience. Hostility and threats forced some women's organizations to engage in strategic debates on how to protect themselves and sustain their capacity, and compelled them to refrain from inflated politicized debates (p.166). This problem is again amenable to further exploration in other cases of IC contestations including Turkey, where women's NGOs and anti-violence activism have been under governmental repression and institutional challenges.

Prior to the attacks on the IC, there was significant policy progress on domestic violence and sexual violence policy, with improvements in the criminal justice systems, such as protective orders and policy coordination in Poland, and a strong legal domestic violence regime in Croatia. The study pays attention to the connections between the rationale of new policies, the tension between formal policies and implementation of

the VAW policies, and repercussions of the anti-gender campaigns which started before and/or overlapped with the IC disputes. The gendered frames of formal policy instruments, programs, actors, and mechanisms are evaluated by defining and operationalizing “policy progress” and “policy backsliding.” Overall, “dismantling by default” in the VAW area kept most policies intact, yet eroded the “institutional arrangements serving effective policy implementation”, and prevented a gender-sensitive paradigm. Also noted are implementation problems regarding budgetary issues and services to victims deviating from the IC standards, decreasing quality of services due to replacement of professional women’s NGOs by inexperienced organizations (e.g. in Croatia In the Name of the Family, in Hungary Family Friendly Country, the Association of Large Families). In the face of the ongoing disputes over the IC in these and other cases, these developments need to be placed under closer scrutiny. In the Turkish case, for example, the weakening capacity of the formal bodies within the VAW domain, and the reconfiguration of the roles of other institutions (e.g. the Turkish Directorate of Religious Affairs, the Violence Prevention Centers), endorsing alternative frames prioritizing strong families rather than women, should be noted.<sup>6</sup>

The above-mentioned processes account for a visible qualitative change in the VAW policies marked by family-centered concerns indicating the appropriation of the VAW policy domain by the lack of gender-sensitive approaches. In the CEECs, this shift enabled governments to divert state and EU funds, distributing them disproportionately to reward their partners supportive of the new right-wing agendas (p.210). Nevertheless, the book does not dwell on the reasons for and mechanisms of this failure in terms of state accountability, or the insufficiency of the EU to monitor financial aid. Finally, in all countries, as majoritarian appeals muted the spaces available for discussion of gender discrimination, delegitimization of the IC with hostile frames paved the way for impunity for perpetrators. As the book rightly underlines, this indicates the complicity of the states in spreading a misogynist and homo/transphobic message which stigmatizes feminists and LGBTQ actors (p.235). Meanwhile in the context of democratic backsliding, the anti-IC actors used pseudo-democratic arguments to conceal their objectives behind the continuation of protectionist VAW policies (p.234). In Hungary, Orbán’s frequent references to his “Zero Tolerance for Violence Against” motto is striking here, which have also been echoed in Turkish President Erdoğan’s speeches (sabah.com.tr, 2021).

### **Beyond the contributions: The issues and paths to pursue for transnational comparisons**

Given the ample attention paid so far in the literature on the role of the feminist movement and women’s rights advocacy organizations to the progress of the VAW policy, the insights of this book are particularly relevant in comprehending the critical role of state actors (governments, parties, individual MPs, ministers, elected presidents, and courts) in the success of organized anti-IC contestations. Although there is no distinct theoretical thread structuring the research question and the hypotheses, this study provides the first systematic comparative analysis addressing various aspects and actors of opposition to the IC. A minor flaw, which could be difficult to avoid in such an ambitious study with its broad scope, combining a descriptive account of timelines and analytical concerns, is the occasional overlaps between the chapters and repetitive accounts of the events.

This study’s macro- level analysis would remain highly relevant for the literature on the gendered pillars of illiberalism and right-wing populism, the trajectory of VAW policy and politics, the social movement and civil society - policy nexus, and mobilization under anti-gender movements. As for the relationship between IC debates and VAW policy, the findings of the book regarding the aspects of the VAW policy set-back would be relevant for studying other cases in Europe, particularly, the Turkish case, where the spirit of the IC was never incorporated into the Domestic Violence Law No. 6284 passed after the IC adoption. Moreover, several other issues which could have been pursued further in this study to complete the discussion would offer researchers interesting paths to pursue in prospective studies. In particular, the societal impact of the debates, (which could have been supported with public opinion data on the VAW policies and the IC), and the responses of the transnational pro-IC actors (WAVE; EP, EWL, UN bodies) to the opposition campaigns could be considered. As underlined in the book, women’s NGOs remained largely in the national context confined to their preexisting transnational networks (p. 168) as opposed to “the transnational embeddedness” of anti-IC actors. This disparity between pro- and anti-IC can also be raised as another issue or puzzle for future comparative or case studies of IC politicization.

Furthermore, this analysis of the four Eastern European cases highlights the nature of the specific actors in the context of erosion of democratic quality, most notably “alternative knowledge production,” actors and government-supported organizations which were influential in “the use and abuse of rule of law” by the states

(p. 85) The claims of these anti-IC actors regarding the malfunctioning of the IC distorted the available data on VAW, and provided inconsistent arguments referring to the vulnerability of the family (by simultaneously underestimating the extent of domestic violence). Such arguments were also put forward by pseudo-intellectuals often with organic ties to alternative knowledge producers. This is another crucial issue to be pursued further; in the Turkish case, for example, it attests to the significance of pro-government circles (academic, legal experts, journalists, etc.) mobilized for the justification of the decision to withdraw.<sup>7</sup>

During the politicization of gender in the course of the IC debates, “coalition building” beyond the gender equality and women’s rights constituency raised in the book would also suggest new research questions for prospective analyses of other cases where the IC was actively contested during ratification or the case of the Turkish withdrawal. Exploring how the IC contestations paved the way for diverse, intensive and proactive instances of women’s resistance (e.g. The 8<sup>th</sup> March Nights Watch in Croatia) through social media networking and campaigns, street protests and petition campaigns (p.149) is also necessary in the face of the stagnation of VAW policies. For example, the Turkish case indicated schisms within conservative sectors of the women’s movement, evident in the criticisms of the withdrawal decision from the pro-government or state-led women’s NGOs (Ünal, 2021). It remains to be seen whether such contestations could be sustained to generate new alliances in the VAW domain and other struggles for democracy.

Finally, as Kandiyoti forcefully asserted, opposition to the IC has been, above all, a political issue conveniently employed by actors in quest of power for illiberal ends (bianet.com.tr, 2021). This clearly attests to the dangers of anti-gender contestations for human rights, mobilized around the IC. The 2021 enactment of the most restrictive abortion law in Poland (voanews.com, 2022), along with the bans on sex change operations for trans and intersex individuals in Hungary, are the most recent and obvious examples (Human Rights Watch, 2020). Therefore, future research will also need to look at the gendered repercussions of broader global challenges (such as the weakening of the normative power of EU institutions in the context of an economic downturn worsened in the aftermath of the COVID-19 pandemic), for conservative and populist anti-LGBTQ activism and anti-migration policies. In the face of these pervasive problems with democracy, this volume offers impressive and highly valuable scholarship for a large readership including students and scholars of gender studies, sociology and political science, as well as for policy practitioners and civil society actors. Its contribution to gender studies extends far beyond the controversies around the specific human rights instrument of VAW, making it an excellent addition to interdisciplinary scholarship. Above all, in terms of feminist praxis, its diagnosis of the reinvigoration of the women’s movement during IC contestations is uplifting for hopes for the future of gender-inclusive democracy.

<sup>1</sup>The extant work dealing with the IC so far focused largely on legal and human rights issues under its scope for implementation, such as J. Niemi et al *International Law and Violence Against Women: Europe and the Istanbul Convention* (London: Routledge, 2020); R. McQuigg. *The Istanbul Convention, Domestic Violence and Human Rights* (London: Routledge, 2017).

<sup>2</sup>As presented in Krizsán and Roggeband, in Table 2.2. p. 30. Most recently, the UK ratified in July 2022 making it the 37<sup>th</sup> country to do so.

<sup>3</sup>This part in the book is derived from the authors' previous work on VAW: A. Krizsán & Poppa (2014) "Frames in Contestation: Gendering Domestic Violence Policies in Five Central and Eastern European Countries" *Violence Against Women*, 20 (7): 758-782. A. Krizsán and C. Roggeband, *The Gender Politics of Domestic Violence: Feminist Engaging the State in Central and Eastern Europe*, (London,Routledge,2018), and A. Krizsán et al. "Domestic Violence, A Public Matter," In M.V Verloo.(ed) *Multiple Meanings of Gender Equality: A Critical Frame Analysis of Gender Policies in Europe* (pp 141-186). (Budapest : Central European University Press,2007)

<sup>4</sup>Anti-IC actors in Bulgaria also by applied the CoE for the amendment of the IC.

<sup>5</sup>Except for Hungary as the most secular case with no established religion and therefore no influential role for the Church.

<sup>6</sup> Ertan provides a succinct overview of the transformation of the gender equality regime in Turkey as "dismantling" as a background to the IC debates and VAW policies: see, S. Ertan, "The Crisis of Gender Equality Regime in Turkey" in V. Bianca (ed) *The Gendered Politics of Crisis and de-democratization* (ECPR Press,,Rowman & Littlefield, London, 2022).

<sup>7</sup>An excellent example of this in the Turkish case was the publication of Hilal Kaplan's *Ailenin Adı Yok Ya da Neden Feminist Degilim*, (Istanbul: Turkuaz Yayıncılık, 2021).

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