

THE SATURDAY PROFILE

# Under a Scarf, a Turkish Lawyer Fighting to Wear It



Carolyn Drake for The New York Times

Fatma Benli supports the right of women to wear Muslim head scarves at Turkey's universities.

By **SABRINA TAVERNISE**  
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## ISTANBUL

FOR Fatma Benli, a Turkish lawyer and women's rights advocate, the controversy over Islamic head scarves has the irritating sound of a broken record.

Ms. Benli, who is 34, wears one herself. (On Wednesday, it was light brown with a floral print, tucked into the neck of a white turtleneck.) But she would rather talk about other things.

"I could tell you about domestic violence, about honor killings, about the parts of the criminal code that discriminate against women," she said, ticking off her areas of expertise in rapid-fire sentences. "But we can't move on to those issues.

"The head scarf is where we are stuck."

The story of how Turkey got there is also, in large part, the story of Ms. Benli, who has been a central, if reluctant, participant in the fight in Turkey over whether covered women should be allowed to go to college. The governing party of Prime Minister [Recep Tayyip Erdogan](#) has taken their case to Parliament, trying to lift the ban at universities, a move that has enraged Turkey's secular establishment. A final vote on lifting the ban is scheduled for Saturday.

Ms. Benli's family came to Istanbul from rural Turkey before she was born. They were part of a huge wave of migration to cities that began in the second part of the last century, as uneducated religious Turks sought work in newly developing industries. In the process, Turkey changed into an urban society from an agrarian one, with more than 70 percent of the population living in cities today. By the 1990s, their children began to go to college.

Still, the state remained divided by class, and the secular elite who controlled the state through institutions like the military and the judiciary watched warily as growing numbers of covered women, whose mothers had not been educated, entered campuses.

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Ms. Benli was the first person in her family to get a college education. She earned her law degree before the state began to enforce the ban in the late 1990s. But her two years of additional graduate work was stopped by the restriction, an interpretation of an earlier court ruling. A 300-page master's thesis at Istanbul University law school had to be orally defended on campus. Her mother, also covered, pressed her to remove her scarf, to no avail.

"I just couldn't do it," Ms. Benli said in an interview in her small law office this week. "I left the room crying. They marked me absent."

She says the reasons, deeply personal and hard to put into words, are a combination of her relationship to God and her aversion to accepting what she sees as misplaced authority.

"This is related to my private life," she said. "It's my personality. My wholeness."

In one particularly traumatic example, as told to Ms. Benli by several of her clients, a university rector forced several women to uncover their heads in front of him, in order to obtain his signature to allow them to transfer out of the college he was taking over and no longer allowing them to attend.

The state, she said, was saying, "No matter what you think, I can make you do what I want," an attitude which, if obeyed, made one feel "degraded."

MS. BENLI contends passionately that the ban moves Turkish society backward by keeping women like herself out of skilled professions. The women in her generation of the family include a doctor, a dentist and a teacher, but their daughters have fewer opportunities.

"There's a sense of defeat," she said. "Now, the objective is to have a family, to make a nice marriage. They do not have the ideals we once had."

For the past decade she has been defending cases of covered women who argue that the state has violated their legal rights. She has medical students who cannot get their diplomas, a housewife who is not allowed to take driving lessons, a woman whose husband, a civil servant, takes another woman, uncovered, to official ceremonies as his wife.

Because of her scarf, which is also banned in public buildings, Ms. Benli cannot defend the cases in the courts, and so has to send uncovered partners to do so for her. Last month, one of her law partners took up the veil, and now they are both looking for new partners.

"They say you are not a person," she said last Saturday at a women's center in Istanbul. "We can limit you because you don't deserve it. They don't cite laws. They say you are a threat."

Life is hard enough in Turkey as a woman, Ms. Benli argues, but being covered brings an additional discrimination, even from other women.

Once, several years ago, she said, she prepared a research report on domestic violence in Turkey. She wanted it to be circulated widely, and so shared it with another women's group. The response was positive.

"They said, 'This is very good,' " she said.

But when she met the group's members face to face, she could feel the women draw back. " 'Oh, you're a head scarf woman,' " she said, recalling their response. "They didn't invite us back."

That kind of attitude leaves a mark on women, she said. Covering is frowned upon in secular society as backward and old-fashioned. She knows women, now covered, who try to avoid passing by former college campuses, where they were required to be uncovered.



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Memories can have an unpleasant taste.

TURKISH society is consumed with discussions about the head scarf. Talk shows blare loud debates. Newspapers declare victories and defeats in headlines. That has led to a lot of talk, some of it deeply uninformed, about whether Islam requires the veil.

Ms. Benli said she did not want people untrained in religion to decide for her.

“This is like a foot doctor making a diagnosis on the teeth,” she said, smiling.

The ban has caused bursts of ingenuity by the women and the state they are trying to circumvent. To obtain identification cards with photographs of uncovered heads, young women have used computer graphics programs to draw hair over their scarves.

But Turkey’s Higher Education Council, responsible for enforcing the ban, has countered by sending its own photographers to campuses and requiring women to have their pictures taken by them.

To elude the ban, some women began attending college in northern Cyprus, which Turkey controls, but Turkish authorities followed, according to Ms. Benli, setting up rules that forbid Turkish citizens to wear their scarves in schools there. Yet other Muslims, from Europe and Africa, are free to wear them. Turkey has even asked Bulgaria to require Turks to uncover in college, Ms. Benli said.

“They called religious people uncontemporary,” she said. “Now they are applying very uncontemporary methods.”

Meanwhile, the fight over the scarf goes on. A mainstream secular newspaper ran an article about Ms. Benli and a group of activists demonstrating in a public area, saying they were subversives and religious radicals. The photograph, however, told a different tale. She was in the center, she said, flanked by other women, some covered, some not.

“I was in pink,” she said, smiling playfully, “and I was very beautiful.”

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