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**MA Thesis**

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Exit, Voice and Loyalty as Responses to Dissatisfaction with International Regimes; Comparing

Responses of Turkey and Poland to Istanbul Convention

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## Abstract

Cooperation in anarchic international politics has been one of the most widely debated topics in the International Relations discipline. While some scholars investigated the underlying motives to understand the cooperation (Keohane, 1984; Galbreath, 2009), others tried to analyze the incentive of not participating (Slapin, 2009; Lavelle, 2007; von Borzyskowski & Vabulas, 2019). While trying to understand the incentive of not participating, each researcher identified one and repeated motive; dissatisfaction. According to Hirschman (1970) actors would respond to dissatisfaction in three different ways; an actor can *exit*, it can *voice* its dissatisfaction or it can simply remain *loyal*. In this study, Hirschman's theory will be adapted to international relations to understand the variety of responses with dissatisfied regimes. This study puts out the hypothesis that type of response will be affected by the level of combined costs of anticipated audience cost and reputation cost. This hypothesis is tested by conducting comparative research between Turkey and Poland in the context of dissatisfaction with the Istanbul Convention. The analysis shows that a 'high' level of combined costs will lead states to make milder decisions while still expressing their dissatisfaction, such as 'voice' whereas, to 'low' or 'medium' level of combined costs suggests that states are more likely to take more drastic actions such as 'exit'. This result of the study helps researchers to identify reasons that lead states to respond in varying ways to international regimes, even though they are considered as 'golden standards' for every state just like the IC (Amnesty International, 2021b).

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## **List of Abbreviations**

**NGO:** Non- governmental organization

**MSSD:** Most similar system design

**IC:** Istanbul Convention

**AKP:** Justice and Development Party

**PiS:** Law and Justice Party

**RN:** National Movement Party

**SP:** United Poland Party

**MYK:** Central Executive Board

**NUTS:** Nomenclature of Territorial Units for Statistics

**EU:** The European Union

**IV:** Independent Variable

**DV:** Dependent Variable

**KADEM:** Women and Democracy Association

**LGBT:** Lesbian, gay, bisexual, and transgender

**ETUC:** European Trade Union Confederation

**WAVE:** The Women against Violence Europe Network

**EWL:** European Women's Lobby

**OSCE:** Office for Democratic Institutions and Human Rights

**TEU:** The Treaty on European Union

**TFEU:** Treaty on the Functioning of the European Union

## **Introduction**

In today's world, gender-based violence and domestic violence that derives from it has become an exceedingly common phenomena. This phenomena was present before the Covid-19 pandemic in the patriarchal society, yet, with Covid-19 it had exceeded its limits. One of the biggest illustrations of this is the research that was conducted during the period of isolation because of the pandemic. As the research shows the rate of domestic violence has increased significantly due to isolation at home to slow the spread of the disease. Although the studies that observe the effects of mandatory quarantine during the pandemic in the current literature are quite new (Yilmaz & Dogan, 2021), social media posts and NGO reports reveal the fact that the isolation had been a trigger for domestic violence (Peterman et al., 2020). During the pandemic, the number of reported domestic violence incidents in France has increased by 30%, the number of calls received by the emergency helplines increased by 30% in Cyprus, 33% in Singapore and 25% in Argentina (UN Women, 2020). When compared, the situation in Turkey is not much different from these examples.

Although the literature on the Covid-19 pandemic's lockdown and its effect to the increase of the rate of domestic violence is limited (Yilmaz & Dogan, 2021), when the data from 2019 and 2020 are compared, we can see that there is a 38.2% increase in the cases of violence against women in Istanbul, the most populated city in Turkey (Koyuncu, 2020). By looking at the data from Kadın Cinayetlerini Durduracağız Platformu on March 2020, it has been determined that 21

women were murdered during the first lockdown which only lasted 20 days (2020). Considering the obtained data both around the world and in Turkey, it is expected for the governments to take more protective measures against the phenomenon of gender-based violence. Regarding that, it would be also expected from governments to take constructive steps towards more effective use of the Council of Europe Convention on preventing and combating violence against women and domestic violence or in short the Istanbul Convention (IC) (2011), which was created and signed to prevent violence against women as the convention name suggests. The Istanbul Convention constitutes a golden standard in the field of violence against women, which is widely accepted within the Europe (Amnesty International, 2021b). Therefore, it is normal to expect the countries we have mentioned to increase their commitment to this regime. But on the contrary, it is experienced that despite the increase in gender-based violence incidents, countries that are part of the convention have grown dissatisfied with this regime. Not only have they grown dissatisfied but also they started to respond to the convention in varying ways. The most drastic example of this would be the unilateral termination of the IC by the President of Turkey, Recep Tayyip Erdogan, on March 19, 2021 (Erdogan, 2021).

According to Arthur Stein (1990) states are unitary and purposive actors that fancy to maximize their utility. Considering its strategic interaction the way of maximization could be cooperation. Thus, states would negotiate and cooperate upon bilateral issues as well as wider regional and international subjects, including human rights. Regardless of their political, economic and cultural systems all states have the duty to protect and fulfill human rights for everyone in non-discriminative means; it is a collective responsibility of all governments (Amnesty

International USA, 2020) which sets a ground for international norms and rules that could be referred as international regimes (Bradford, 2007). The IC can be considered as an example for human rights regime which desires to prevent and combat gender-based violence in non-discriminatory basis. Although it serves this common good of combating and preventing any forms of gender-based violence; it appears that some states which are part of this regime have turned to be dissatisfied with it.

It can be argued that mentioned dissatisfaction mainly originates from the understanding of 'gender ideology.' The term gender ideology here does not refer to gender studies, but rather it was created to oppose women and LGBTQ+ rights. The term itself was formed by the Vatican in 1990s and according to Mary Anne Case (2011; 805) for them it meant a created "war between the sexes the devaluation of motherhood, the promotion of contraception and abortion, the acceptance of homosexual partnerships and parentage, and the decline of marriage." In a less dramatic way, it can be explained as the explanation of gender on culturally constructed bases rather than the natural nature of it (Philips, 2001). Therefore, it creates a threat for children and their families by defining it in the cultural means rather than biological ones (Kuhar & Paternotte, 2017; 6). Some even take it a step further like Kuby (as cited in Kuhar & Paternotte, 2017; 6) who argues that gender represents "a form of totalitarian ideology that is more dangerous than Marxism and Fascism."

This understanding can find support in the relatively more conservative sections of the society. This is usually achieved by selecting the articles of the agreement that defines gender as a constructed norm, therefore the narrative of "hidden agenda" can be created. In this way, the



relevant articles and the general agreement can be politicized. This opposition can find its place in right-wing governments. Especially in Eastern European countries (de la Baume, 2021). Examples of this politicization and the responses that come along with it can be found in the withdrawal of Turkey which was the host country and the producer of the convention, also in Poland, which is signaling that it is currently questioning the convention and in other countries such as Bulgaria, Czech Republic and Hungary which did not even ratify the convention yet (de la Baume, 2021). Governments in the listed countries are in opposition to IC for more or less similar claims on erosion of the traditional family values (de la Baume, 2021). However, it is apparent that this opposition does not manifest as the same response. When we look at the example of Turkey, we see the withdrawal decision, yet in the case of Poland the response is rather in the form of expressing dissatisfaction with reservations and withdrawal proposals (Council of Europe, 2015; Ciobanu, 2021) In countries such as Hungary, Bulgaria, slowing down and postponing ratification (de la Baume, 2021).

This study will focus on the variation of the responses to the IC and will try to answer the question of ‘‘what affects the responses of states when they are discontent with an international regime?’’ When we observe the responses of Turkey and Poland to the IC it can be seen that there is a puzzle of differing responses deriving from the similar sources.

Table 1: Responses of Poland and Turkey to the IC

Country	Signed	Ratified	Reservation	Denunciation
Poland	Yes	Yes	Yes: Ratification within the limits allowed by country's constitutional law	-
Turkey	Yes	Yes	No	1 July 2021

Despite the fact that the IC was signed and ratified by the both states, there is a nuance in the denunciation from the convention. This nuance is needed to be studied to understand the means and motivations of states while making foreign policy decisions. In order to understand this nuance the theoretical framework from Exit, Voice and Loyalty by Hirschman (1970) will be used.

Scholars who adapted Hirschmann's theory to International Relations before such as Slapin (2009) foresee that this decision-making process is cost-based. Thus, in order to understand the variation the anticipated audience cost will be considered for internal costs. Audience costs can be briefly explained as costs that would derive from the public opinion within the state (Fearon, 1994; Tomz, 2007). For the international costs, reputation costs will be looked at. Reputation cost can be briefly explained as costs that derive from international actors' reaction on the international level (Brutger & Kertzer, 2018). These two cost types will be analyzed and their effects on the response decision making process will be observed. This study considers the dissatisfaction

situation as a control variable and predicts that the actors will choose the voice in situations where the costs are high, and on the contrary, they will turn to the exit option when the costs are lower.

A comparative study will be conducted to test the hypothesis. This comparison will be made between Poland and Turkey, as the IC dissatisfactions are built on similar foundations in those cases. As mentioned before, while Poland voiced its dissatisfaction, Turkey showed by leaving the agreement. In this context, the MSSD method will be used. As expected, different methods will be used to measure the effects of reputation and audience cost. While the content analysis method will be used to measure reputation cost, audience cost will be measured with datasets from survey results from both countries. In the content analysis, description on the IC and the withdrawal decision will be inspected along with the stress on Europe and the EU membership, which is predicted to have an effect as an intervening variable. With the surveys, the public opinion on the IC will be examined.

When we check the current literature, it can be seen that there are several studies that discuss why states may choose to cooperate, however, when it comes to the voluntary withdrawal of these states from the archived corporations; there is a decrease in the diversity of the literature. Although there is a decrease, there are still a number of studies that discuss the exit phenomena (von Borzyskowski & Vabulas, 2019), it falls short to explain it at the regime level. In this study, dissatisfaction-induced responses will be discussed at the international regime level, unlike the current literature. Thus, we will be able to question international regimes and the responses to those regimes in cases of dissatisfaction.

In the very first chapter of this study, there will be an overview of international cooperation. This section will be helpful to understand why states choose to cooperate. By understanding the rationale behind cooperation, there will be the possibility to further analyze the contrary actions. Alongside with a foundation on cooperation there will also be an explanatory part for the dissatisfaction of case countries. In the following part of the first chapter, Hirschmann's Exit, voice and loyalty theory will be explained along with anticipated costs. In the next chapter, I will be further explaining my methodological framework and the rationale behind the case selection of the study. Moreover there will be explanations for the used methods. After the explanation of the methodological framework, I will discuss my findings individually for each cost type in each state followed by each response type for the individual cases. This will help us to draw out a conclusion for the study.

### **1. Theoretical framework: Exit, voice, and loyalty: how states respond to dissatisfaction with international regimes**

In this chapter of the study, the theoretical framework of the study will be presented. Firstly, this part will engage with the concept of international cooperation, the role and function of international institutions in facilitating cooperation along with international regimes. It will also shed light into the reasons why states participate in international cooperations. In a second step, this chapter will include the latter responses to international regimes that states have grown dissatisfied with. Later, explanations for how states respond to regimes they have grown dissatisfied with will be discussed in the framework of Hirschman's (1970) Exit, Voice and Loyalty theory.

## **1.1 Understanding international cooperation:**

Before trying to explain why an actor would feel the need of leaving an international regime that it has grown dissatisfied with, as is the case with Turkey and Poland and the IC, we would first look at why it would feel the need of cooperation. Here, we would look deeper into the questions of what is a cooperation in international relations and why do states engage in cooperative behavior. Looking at international politics we can answer this question simply that states come together to cooperate towards a common and a collective goal; goals that can be achieved if only states work together (Stein, 1990). To understand this better we can take a look at a more micro level example by taking people as our starting point rather than the states. In our own societies we can see examples of cooperation around common and collective goals; in a modern state as the people we would not individually work in areas of building collective systems such as roads, telecommunication but rather come together and pay the state (via taxation) to serve those on behalf. Taking this as a starting point and adapting it to states, it can be seen that this formation of cooperation can happen because of common interests or common challenges on a national level as well as the international level (Galbreath, 2009; 123). Another explanation can be that states choose to work together in order to avoid collective bad. According to Stein (1990) states not only cooperate in the goal of gaining collective goods they also avoid the flip-side of it which would be the collective bad. For instance, in a world where there are no rules on improving air quality, it would only take one state to ruin the air for the rest of us. Thus, states choose to work together to reach goals neither could achieve individually, or by necessity, to avoid negative consequences of uncoordinated action.

With the states, our starting point remains the same: that states cooperate in order to gain collective good; yet, the means of achieving can differ. On the international level according to Keohane (1984: 51) ‘‘Cooperation ‘requires that the actions of separate individuals or institutions – which are no in pre-existent harmony – be brought into conformity with one another through a process of policy coordination.’’ Although there are varying roles of cooperation such as enabling actors to cooperate despite their overlapping interests, this brief explanation helps us to understand how this cooperation would be carried out in the means of collective goals.

The common goal that the cooperation is moving towards can vary. Namely, it can revolve around more material interests such as economics as well as non-material interests such as human rights. Some scholars can argue in order to form a type of cooperation states would need to revolve around similar ideas however, Keohane argues that ‘‘International cooperation does not necessarily depend on altruism, idealism, personal honor, common purposes, internalized norms, or a shared belief in a set of values embedded in a culture’ (1988: 380). Instead, cooperation revolves around the interests of the individual states. Therefore we can argue that ‘cooperation’ is more result oriented rather than being value based<sup>1</sup>. This can be seen in gender related cooperation types as well. Different cultures, therefore different states, can have varying understandings of gender and values built around it yet, disregarding the values surrounding it, states get together around a common goal of overcoming inequality in gender.

Briefly, it can be argued that international cooperation is the engagement of states in cooperative behaviors that occur when there are collective goals among the actors. The collective

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<sup>1</sup> Throughout the study Keohane’s ‘rationalist approach’ will be used with the assumption that actors act on the basis of cost benefit calculations.

goals can be varying. In our study, we will be focusing on non-material interests such as human rights.

## **1.2 International institutions; facilitating cooperation between states**

Although the cooperation mostly formed bilaterally- it can also occur in the hands of institutions. International institutions are gradually starting to play an important part in institutionalizing and hence facilitating (Gelbarth, 2009; 122) even though they are fairly new in the history of international relations in comparison to cooperation. Understanding the history of the institutions and the reason behind the need of it we can have a better idea on it. International institutions mainly came from the changes in the international system. Therefore, it would not be so surprising that the first international institution was created as a result of the Napoleonic Wars (1804-1815) in Europe. With the Congress of Vienna which followed the defeat of Napoleon Bonaparte, an effort of cooperation and consensus among different actors had occurred which led the Congress of Vienna to become a precedent to a long lasting institutionalized forms of cooperation (Gelbarth, 2009; 126) To simplify Gelbarth's definition we can refer back to Keohane; according to him what differs an institution from a cooperation is it is being formally or informally organized. So far we could draw out the different factors between cooperation and institutions, considering that this study will be focusing on the IC, the international regimes should also be explained in detail.

### **1.3 International Regimes; setting standards for states**

Although there is a debate on the precise definition of the international regime, it mostly refers to a set of principles, norms, rules and decision making procedures in certain areas of international relations (Krasner, 1982; 185). By setting rules and norms, regimes expect to establish standards for actor behaviors which would help to mitigate the anarchy prevailing in international relations and this way it can facilitate cooperation. Whilst this definition for the regimes is well accepted, there are some new formulations for it like Keohane and Nye's reference to 'sets of governing arrangements' (1977; 19). That way it could create centralized authorities in different domains of international relations to govern and stabilize international politics. Those domains can be in any related area of the international relations sphere. It can include collective security regimes such as the United Nations norms on use of force; it can include economic regimes such as the International Monetary Fund (IMF); it can include environmental regimes such as norms on biological diversity and last but not least it can include human rights regimes involving the European Convention for the Protection of Human Rights, and the Istanbul Convention (Bradford, 2007; 2.)

An international regime can be distinguished from an international institution simply by its scope. A regime can be accompanied by an institution but at the same time it can consist of a looser set of norms that aim to shape state and non-state actor's behavior. To be more specific a regime can be referred to as 'being restricted to a particular issue area of international relations' (Bradford, 2007; 3) such as human rights or in a more specific scope, like gender based violence.



The function of a regime is mainly shaping the actor's behavior by setting a standard for them, where agreements can be costly for the actor; an actor can choose to comply with rather more broadly defined rules that regimes provide. Subsequently, the actor can increase its reputation. Thus, a state or non-state actor that cohere the regime commitments will eventually earn a positive reputation for it which will make other international actors to be more willing to cooperate (Bradford, 2007; 4.) In other words; besides facilitating direct benefits from cooperation, regimes can also have a secondary benefit, namely participation in a regime can increase the reputation of a state as well as the opposite of it in cases of non-participation or cheating is decreasing the reputation.

#### **1.4 The Istanbul Convention as an international regime – and Turkey & Poland's participation in the Istanbul Convention**

The IC can be considered an example of such an international regime that has been discussed above. As mentioned in the previous chapter, international regimes can consist of 'human right regimes' and even more specific sub-groups. Gender-based violence can be a considerable example for one of those. Considering that regimes can be accompanied by institutions as well as treaties, we will be further examining the Council of Europe Convention on preventing and combating violence against women and domestic violence or in short the Istanbul Conventioin (Council of Europe, 2011).

The IC was introduced as the standard on combatting and preventing violence against women and moreover the domestic violence in general (Amnesty International, 2021). Domestic violence and namely, gender driven violence against women has been a boiling topic in almost

every nation of the world, and it became a topic of international recognition. Thus, the international standard was needed. The very apparent instance of this was the Opuz case that took place in Turkey (Karakus, 2021). Nahide Akgün, who was married to Huseyin Opuz, was repeatedly subjected to domestic violence. Although numerous complaints were issued against the husband, each time Huseyin Opuz was released due to lack of evidence. Even when he stabbed Nahide Akgün back in 2001, Turkish court decided to release him after issuing a small amount of fine. Being the subject of systematic violence Nahide Akgün's complaints did not yield any concrete results. She even had to withdraw some of the complaints because of the threats she had been receiving. Not getting enough help from the police and the prosecutors, Akgün decided to escape from the city where she lived with her children and mother. They decided to move to Izmir, a western province in Turkey, as the last resort. Yet, once again the Turkish government fell short to protect Akgün and her family when their path was cut off by the husband. This encounter ended with Opuz killing the mother of Akgün while she was trying to protect her daughter and grandchildren. Dissapointingly, even after the murder, Opuz was sentenced only for 15 years and was released only 6 years later in 2008 (Karakus, 2021).

This case was the clear proof that the Turkish police and judicial authorities, namely the state, who were insensitive to the ex-husband's behavior towards Nahide and her mother, violated the articles of the European Convention on Human Rights on the right to life, prevention of ill-treatment, fair trial and discrimination. Thus, by Akgün's attorney an application was made to the ECHR. In the application, it was emphasized that this insensitivity was caused by the inequality of women and male domination. The court ruled that Turkey discriminated against a

woman who was subjected to male violence by failing to protect her from her husband, even though she applied to the prosecutor's office. He sentenced Turkey to 36,500 Euros of compensation (Bianet, 2009).

With the *Opuz vs. Turkey*, for the first time a state was found guilty of causing death by failing to prevent gender driven violence against women. This decision was crucial to indicate state's responsibility and obligation to prevent violence against women and convey ways to prevent such cases (Buyukgoze, 2020). This instance led to a broader understanding among states when it comes to the state responsibility which successfully turned into a legal instrument with the Council of Europe's continuous efforts. This European legal instrument on prevention and combating violence against women and domestic violence was established on the comprehensive basis. This legal instrument was negotiated by the Council's 47 members and was adopted on 7 April 2011 by the Committee Ministers, in Istanbul. After the decision of the *Opuz* case, the Justice and Development party (AKP) government back in time felt obliged to pioneer this new comprehensive instrument. Therefore, it became the first signatory of the Istanbul Convention as well as being the first country to ratify it. To this date, 34 members of the Council of Europe have signed and ratified the convention which led them to adopt measures to fulfill their commitment on preventing gender-based violence. Along with the 34 members that ratified the convention, there are 12 other signatories with the European Union (EU) which have not yet ratified it (Council of Europe, 2021.) Namely, this suggests that the 46 states which have signed the convention to become a member of this regime somehow considered this international regime beneficial. Poland and Turkey are also among those states which have signed the document as well as in the list of

34 members which ratified it. This suggests that, initially, Poland and Turkey also considered this international regime to be beneficial for their state.

Whilst it is a widely accepted convention there are still discussions (Amnesty International, 2021b) questioning the effectiveness of the convention because of this reality there is also a need to understand how this instrument is built and on what basis it is actually usable and preventative. As the most far-reaching international treaty on gender based violence, the IC sets minimum standards for the signatory governments. Those include provide protection and support services that are mentioned in articles 20 (general support services,) 21 (assistance in individual/collective complaints,) 22 (specialist support services,) 23 (shelters,) 24 (telephone helplines,) and lastly 25 (support for victims of sexual violence) such as:

- Shelters
- Crisis centers
- Helplines that would work for 24/7
- After care for victims of domestic violence including, psychological counseling and medical care (Council of Europe, 2011)

Apart from the protective measures it also considers ensuring education on gender equality and sexuality. This is also crucial to check since it creates the foundation of dissatisfaction on the IC by the way it emphasizes 'gender' which will be latter discussed in more depth. Article 14 of the convention provides a framework on the educational obligations of the signatory states. According to the article 14 states should take the necessary steps to involve issues such as 'on

issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity” in all level of education in educational facilities of the signatory state (Council of Europe, 2011).

Another key factor of the IC is its emphasis on anti-discrimination. The IC obliged every state to implement provisions without any discriminative frame which means the discrimination against the sexual orientation is strictly expunged. On Article 4 it is stated that there should not be any discrimination on the grounds of ‘sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status’ (Council of Europe, 2011). This article also creates a motive for the dissatisfaction among signatories which will be discussed further in the following chapters.

Even though it is the most extensive instrument when it comes to international norms surrounding violence against women, it is also one of the most disapproved ones, causing it to be the center of many attacks revolving around the idea of it being the promoter of ‘gender ideology’ (Krizsán & Roggeband, 2021; 2). This interpretation mainly derives from the previously discussed articles of the Convention.

Conservative actors within different states consider this identified concept of gender as a threat to traditional values of family and understanding of societal roles of women and men (Krizsán & Roggeband, 2021; 2). This portrayal of threat is causing the Istanbul Convention to get politicized in many parts of Europe. This dissatisfaction surrounding the Convention is being

used as a foreign policy tool by different states in varying ways. For the case of Turkey, it has been demonized and this procedure resulted with withdrawal of the state (Amnesty International, 2021b) and for Poland, it has become an effective tool to voice its dissatisfaction with 'European' values (Krizsán & Roggeband, 2021; 156). Although both governments are not satisfied with the ideas the Convention put out, we experience a difference in their response, namely as withdrawals or threats to withdraw. This duality in responses observed in the context of some members of the IC brings one question to mind; when and why states get dissatisfied with regimes and how do states that have grown dissatisfied with a regime respond? The following section is going to provide insights on this, based on existing literature of state response.

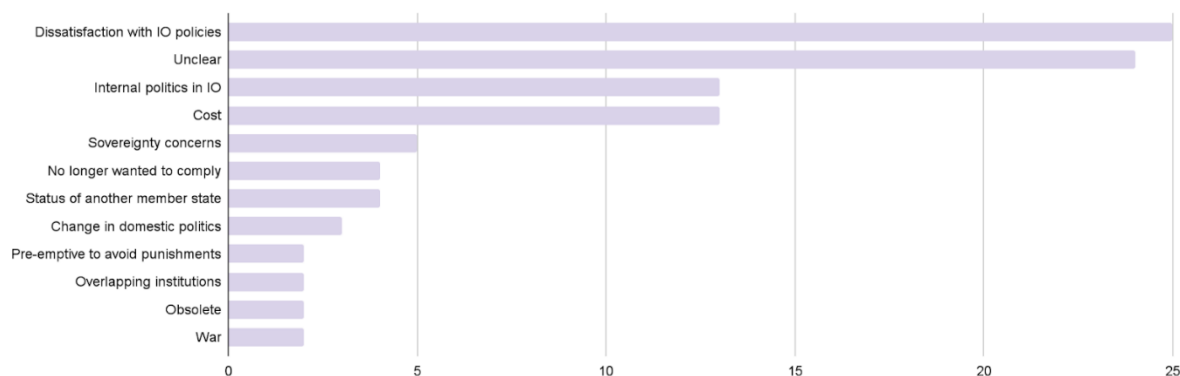
### **1.5 Turning dissatisfied: When and why states grow dissatisfied with international regimes?**

While above, the role of regimes was explained, and whereas the regime literature introduced foreground benefits states receive from building regimes, there are, as the IC shows, also possibilities that may change. States that are members of a regime which no longer benefit or do not consider themselves to benefit from that particular regime can consider responding in various ways. Although states being part of a regime they do not consider as serving their interest may seem puzzling at first, and is not usually considered by the regime literature, it can be explained by reference to shifts in democratic norms and changes in the domestic politics.

In this section, I introduce conditions on when states would participate in withdrawal. According to some scholars such as Borzyskowski & Vabulas (2019), the rise of populist nationalism created a driving force for states to come up with withdrawal decisions. Most of the

time, examples of the Trump administration's withdrawal from UNESCO and threats to withdraw from NATO and NAFTA were given to describe this phenomenon. Moreover, Brexit, the United Kingdom's withdrawal from the European Union, was also used to explain how nationalism and sovereignty concerns affected the foreign policy decisions of states. However, this vague explanation is found skeptical by some other scholars such as Borzyskowski & Vabulas. In their recent study, they argue that even though we may encounter an increased desire of withdrawal by the populist-nationalist voters; this does not actually cause *"a rise in actual IGO withdrawals due to the lower salience of international issues in voting decisions due to alternative options, and due to the difficulty of actually withdrawing"* (von Borzyskowski & Vabulas, 2019; 337) Therefore, there must be more effective reasons for such action to be actually taken. In the same study, research conducted using a dataset of 493 Intergovernmental Organizations documenting 200 examples of withdrawal from 1945 to 2014 reveals that; contrary to popular belief, rather than sovereignty concerns, dissatisfaction with the organization's policies and performance was the driving force for most of the withdrawals.

Graph 1: Reasons for IGO Withdrawals, 1945-2014



Domestically, leaders can tend to portray their foreign policy actions as a necessity to protect the wellbeing of the social organizations of the state. This ‘wellbeing’ can be defined in different frameworks according to the dissatisfaction.

To conclude, this means that even when the regimes do not change and continue serving the same objectives, this does not mean that states that had initially considered them beneficial will continue to do so. Due to various reasons changing from domestic politics, change of ruling party and change in the political positioning of the party in power; states can ‘change their minds’ on a regime they are part of. Thus, domestic changes can explain the rationale behind a state’s ‘grown dissatisfaction’ with international regimes. In the following section, this process is illustrated individually for Poland and Turkey. By illustrating the dissatisfaction, it can be indicated as the control variable of the study.



## **1.6 Poland's Dissatisfaction with the content of the Istanbul Convention**

In this section, I provide a brief overview of the trajectory of Poland's engagement with the IC, more precisely how it changed its position from being one of the members to become dissatisfied with it. The IC was opened to signature in May 2011, and it was finally ratified by Poland in 2015. However, even before its ratification the controversy around it started to take place in Poland. As early as April 2012 different figures in Polish politics began to voice their concerns over the Convention's legitimacy, Jaroslaw Gowin, the Minister of Justice at the time being one of them. According to Gowin, convention served just as an instrument to express feminist ideology onto Polish people which did not coincide with the traditional family values of them (Wiadomości Onet, 2012 as cited in Krizsán & Roggeband, 2021). This clear statement can be considered as the first manifestation of 'dissatisfaction' surrounding the IC in Poland. Although the convention had been ratified against the contestation of Gowin and many other political figures, the idea of withdrawal from it has not left their agenda. Thus, the anti-gender based propaganda of political parties as well as the conservative civil society groups continued to center the IC. In both cases, the links of organizations and groups advocating traditional values to the political parties opens a door for them to create an opposition to IC in the formal politics scene. (Krizsán & Roggeband, 2021).

Following Gowin's comments on the IC, the Church and the conservative Catholic factions also came into picture. Along with those preminent actors Catholic women's organizations also joined in criticism. Those additional actors tried to pause the process of ratification of the IC by issuing letters to the Prime minister as well as organizing protests.

(Ksieniewicz 2013, pers. comm.2013, as cited in Gruzziel, 2015). In general, issued letters were censorious about the alleged unfair consultation process. According to them, pro-family, defender of traditional value groups were excluded (Konferencja Episkopatu Polski, 2012; Polonia Christiana, 2012 as cited in Krizsán & Roggeband, 2021; 57, 58) Although the hard effort on mobilization of the IC in December 8, 2012 Convention was signed with reservation dismissing the opposing parties. However, the controversy surrounding the IC did not end with the signature. Mainly the listed actors continued their campaign against the IC which peaked in 2014-2015. In 2014, “Gender ideology” was directly mentioned in the programs of three right-wing parties in Poland politics– PiS, RN, and SP (Grzebalska, 2015; 88) which makes it clear that the concentration did not leave the agenda of right wing parties. Along with the programs, the Parliamentary Committee named ‘Stop Gender Ideology’ was created by Beate Kempa, who is known for comparing gender politics to Marxism, Leninism and Nazism. Overall the agenda consisted of several main assumptions “foreign-imposed threat to family and Polish national values: equality policies based on a constructivist definition of gender, sex education, and the influence of transnational institutions on Polish law (Grzebalska, 2015: 89.) Towards the ratification of the IC, opposition also intensified. Many of the opponents created petitions against the IC and continued to mobilize it with their statements such as the Chairman of PEC Family council statement which mentioned that the IC was “not aimed at building positive relationships between people but serves a project of rebuilding society on an ideological basis. For this reason, it cannot be accepted” (Konferencja Episkopatu Polski, 2014; as cited in Krizsán & Roggeband, 2021) Despite the popularity of the petitions in February, 2015 the ratification was decided by the Sejm. This step led to the change in targets for the campaign. Now with the ratification decision

Seneta and the President was under fire which may have affected the outcome of the next presidential elections during which the future President Andrzej Duda had an agenda against the convention (Krizsán & Roggeband, 2021).

Although right after the elections, the newly formed PiS government already started working on a withdrawal plan (Ciobanu, 2020) the topic kept being forgotten until 2019 when a new era of ‘anti-gender campaign’ started to take place. At the very beginning of 2019, Ordo Iuris started to run a petition called ‘Stop gender’ ([zatrzymajgender.pl](http://zatrzymajgender.pl); as cited in Krizsán & Roggeband, 2021; 61) which collected 34,000 signatures (Stowarzyszenie Kultury Chrześcijańskiej, 2019; as cited in Krizsán & Roggeband, 2021; 61) Following the petition, Iuris prepared an application as his next step that called constitutional court to ‘throw the gender convention from Poland.’ This new application also gathered 41,000 signatures (ZatrzymajGender, 2021; as cited in Krizsán & Roggeband, 2021) which indicates the interest of the society was getting higher. Again in 2020, there had been another petition initiated by CitizenGO which once again called for the government to withdraw from the IC (CitizenGO Poland, 2020). With all the pressure the petitions created, the minister of justice announced that Poland will be taking steps to exit from the IC. However, this time the PiS government itself stayed reluctant to take radical actions such as withdrawal (Reuters, 2020b).

Although many opposers state that the convention as a whole serves a so-called hidden agenda and should be taken into consideration as a whole the main drivers of the dissatisfaction can be identified as articles which mentions ‘gender.’ As discussed earlier, convention obliges signatory states to promote education on gender and non-discrimination on any base that would

arise from gender and sexual orientation. Along with previous articles, the Polish disapproval's main driver is article 3 and its definition of the word gender. According to the IC, article 3 gender refers to socially constructed roles, behaviors and activities (Council of Europe, 2011.) Thus, it does not foster a biological look, which causes the interpretation that the IC is promoting the so-called 'gender ideology' upon innocent Polish youth by blurring the biological differences between men and women. Article 3 also calls parties to take needed measures to promote changes in those social and cultural patterns of behavior and roles. This is interpreted as that the IC aims to change the traditional understanding of family and the roles of men and women (Krizsán & Roggeband, 2021).

It can be concluded that public opinion on the IC in Poland has been divided since the very beginning. This also affected the domestic politics which created a narrative for the politicians. Politicians, including Duda, did not hesitate to use the narrative against the IC in order to politicize it. Thus, the dissatisfaction has increased. The increased dissatisfaction with the content of the IC also manifested as different steps taken against the convention such as the withdrawal proposal.

### **1.7 Turkey's Dissatisfaction with the content of the Istanbul Convention**

In the preparation phase of the IC, Turkey has played an important role. After the Opuz case Turkey felt the obligation to participate in a regime that would combat gender-based violence. That was also the reason for it to become the first signatory of the convention. Even though the AKP government at the time was supportive of the negotiation and ratification phases of the IC, it already became a target for the conservative groups. The general rhetoric was very

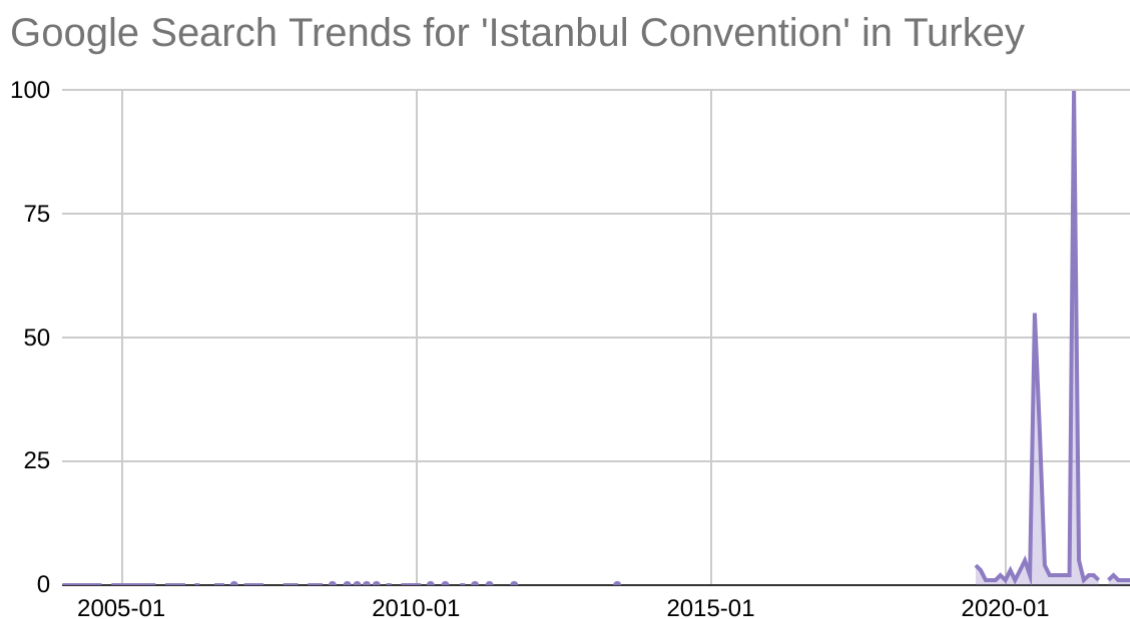
similar to the opposition in Poland; people believed that the convention had the ulterior purpose to 'destroy the traditional Turkish family.' Believing this secret agenda of the IC, conservative groups made efforts to have it abolished from the day it entered into force. Although it gathered opposition from the newspapers like Yeni Akit, Milli and political parties like Saadet for years, the AKP government was rather protective over the convention and ratified it with absolute majority.

The opposition of conservative groups to the Istanbul Convention, which entered into force on August 1, 2014, first started with some marches. Claiming that the convention 'dynamites the family structure', 'destroys the family', and has 'hidden purposes', these groups also demanded the repeal of the Law No. 6284 which came into force in 2012 and considered the most important legal guarantee of women against gender-based violence (Avcı, 2020) on the Protection of the Family and the Prevention of Violence Against Women, which was enacted based on the convention.

Yeni Akit newspaper, Milli Gazete and Saadet Party circles always kept the demand to exit the contract on the agenda. Many cult leaders such as İhsan Şenocak and Cübbeli Ahmet came to the fore with their statements against the convention. However, the real discussion started after Erdogan's statements in a non-public iftar meeting in 2019 in which he stated that the IC does not create a criteria for the Turkish legal system and it is not a hadith, the prophet Muhammad's saying that should be followed by his believers (Arslan, 2019). After this statement discussions surrounding the IC have flared up. While the conservative groups along with Erdogan were discussing the hidden agenda of the IC, with the femicide of Pinar Gultekin in July 2020,

the hashtag #IstanbulSözleşmesiYasatir (in English: Istanbul Convention saves lives) started to gain wide participation among women's rights organizations, which caused the IC to become a crucial matter for their agenda as well (KONDA, 2020.) Google search trends also show that the IC started to gather attention from the public around this time.

Graph 2: Google search trends for 'Istanbul convention' in Turkey



The discussion exacerbated with Ali Erbas's statement, the President of Religious Affairs, targeting the LGBT people (Reuters, 2020a). That way the door to relate LGBT and the IC was also opened for good. After this statement and the new rhetoric around the IC and its relation with

the LGBT people new statements have started to appear mentioning that MEPs at the time who voted in favor of the IC such as Mehmet Metiner did not know what they were voting for and was not aware of the convention fully. He proceeded to comment on the matter that they have made a mistake (Milli Gazete, 2020). This regret evolved into a new rhetoric among AKP members to back the exit from the convention option.

Once the participation in the IC was opened for discussion the statements from AKP deputies began to come one after another. AKP Deputy Chairman Numan Kurtulmus stated that the signing of the IC was “very wrong” in his comments that followed ‘there is a great expectation in public for us to withdraw from it.’ Apart from the statements in the iftar meeting mentioning that the IC is not a hadith, Erdogan had not made a public note on the matter while the discussion was taking place between women’s rights organizations and conservative groups until the AKP Central Executive Board (MYK) meeting in July, 2020.

During the meeting, many members expressed their request for withdrawal from the convention. Faced with these expressions Erdogan instructed to work on the consequences of "unilateral termination of the contract" or reservations on controversial articles. In this meeting Erdogan stated that if the public demands the government to remove this convention from the Turkish legal system, then, they will review the options to execute this demand (Erkasap, 2020).

As expected, Erdogan’s announcement that they will be working on options to limit the IC brought along opposition. First very salient one was from the Women and Democracy Association (KADEM), which was managed by President Erdoğan's daughter Sümeyye Erdoğan Bayraktar, stood by the IC and published a booklet to answer questions about the IC and the

controversy surrounding it. In the booklet, it was mentioned that the IC does not contain provisions to create a new third gender like the anti-LGBT rhetoric suggests along with stressing that they also consider LGBT as a threat to next generations (Kadem, 2022). Simply, they were sharing the idea that LGBT was harmful to Turkish youth but the IC did not have anything to do with the marginalized group. KADEM was not the only party within the AKP to question the possibility of a withdrawal or revision decision; spokesmen of the Grand National Assembly of Turkey, Mustafa Sentop, also mentioned that participation to the IC was one of the biggest steps taken towards to combat violence against women in Turkey, and it is not beneficial to exit from it (Erkoçak, 2020).

### **1.8 State-response to dissatisfaction with regime: exit, voice, loyalty**

In this section, I will explain the possible state responses to the dissatisfied international regime. For this purpose, I mostly draw on Hirschman's exit, voice and loyalty theory which has developed explanations of how actors respond to dissatisfaction. In his book, *Exit, voice and loyalty*, Hirschman (1970) explores the rationale behind the contrasting responses of customers. Even though Hirschman's theory has been formulated with a view on firm and customer behavior, it will be applied to the international relations level. To do so, first the theory itself will be defined; second, it will be explained how the theory applies to the international level, and more specifically to responses to international regimes.

According to Hirschman, the argument starts with a firm producing services for different customers. Due to unspecified, random causes these services become subject to deterioration



which causes a decline in performance of the goods produced. In such situation, Hirschman argues that customers would behave in the following ways;

- Some of the customers can choose to stop buying the goods and services which would be the exit option.
- Other customers can choose to express their dissatisfaction directly which would be the voice option (1970; 4.)

Albeit looking different, each option serves the same idea; either by exiting or voicing dissatisfaction customers push the firm's management to search for ways and means to better their service, thus customers remain loyal. They do it in active means leading to constructive or destructive results for the firm.

Exit option is an active tool to display dissatisfaction. Stopping the purchases can lead to losses for the firm in question; in economics scope these can refer to revenue losses. By affecting the firm negatively, the exit option succeeds to show what are the faults of the firm and what should be changed (Hirschman, 1970; 4). However, for the consumers it is not easy to decide upon the exit option. It is expected for it to be reacted 'with incredulity and raised eyebrows', thereby, it is not the favored way of solution. According to Hirschman, rather than raising eyebrows by following the exit option, consumers can 'kick up a fuss' and force changes by remaining within the system (Hirschman, 1970; 30). This tactic to follow the voice option rather than the exit would end up alarming the firm actively to better their ways which are the core reasons for dissatisfaction., thus making the voice an effective tool to cause changes in practices

and policies. Albeit mentioning the effectiveness of it, voice can also be perceived like the exit if it is overdone. This exaggeration can become too harassing for the firm that it can come to a point that it is not constructive anymore. Hirschman argues that although it is an unlikely situation for economics the negativity can be experienced in politics (Hirschman, 1970; 31).

Whereas original theory developed with a view on firms, there are applications of it also to international politics by some International Relations scholars such as Lavelle (2007) and Slapin (2009). According to Lavelle (2007), states can exit by diplomatic means. For instance, they can lower their diplomatic ranks of officials or they can exit by economic means by lowering their contributions. Also, by doing the exact opposite, states can remain loyal 'by making the given forum their chosen outlet for conflict resolution.' (Lavelle, 2007; 373) As for the third option, a state can voice its dissatisfaction. Slapin (2009; 194) agrees with the point of Hirschman and argues that a state can cause a change in institutions by voicing its dissatisfaction. Additionally, a state can threaten to exit- rather than exiting in the literal means. Slapin also explains loyalty much differently by stating that 'other members can force the laggard state to accept the change.' (Slapin, 2009; 189)

For the sake of this study, there are three points to highlight. To begin with, both Hirschman's theory and the existing literature modifying it to international relations builds upon the 'dissatisfaction' that comes with a change in the policies and the practises of the firm or the organization, yet, this study will be building this theory upon an unmodified international regime. As discussed previously, dissatisfaction with the regime IC puts out emerges out of political reasons rather than material changes to it.

Secondly, in none of the given examples 'exit' is defined in the literal means. Yes, states can lower their contributions or they can threaten the organization but according to both of the studies they do not tend to leave- even though they are not obligatory to stay. However, in some rare occasions we see states which choose to exit fully; like in the example of Turkey's withdrawal from the IC. Therefore, we can see in some circumstances, a literal exit can be desirable for some states. Considering that, I will be suggesting a more literal definition to exit in the case of withdrawal unlike existing literature. In addition, whilst the definition of the voice will not be so different from mentioned studies, it will approach it as a way of expressing dissatisfaction and will be observed in the means of threats to leave as in the case of Poland.

### **1.9 Explaining the choice between exit, voice, loyalty: Costs states can incur due to their choice of response**

Insofar, the varying responses of dissatisfied actors have been discussed. Now, we have a comprehensive idea on how states can respond to an international regime that they are dissatisfied upon, however, we have not yet discussed how states make the decision among those three options of exit, voice and loyalty. This study reveals the main reason behind this distinction would be the difference in possible costs between both parties as Slapin (2009; 190) also argues. As the rational choice theory suggests this study also builds upon the idea that unitary actors such as states are rational and aware of their external environment. This awareness leads them to think strategically on how to survive in this anarchic environment. While playing this 'survival game' we expect actors to make rational decisions that would maximize their gain and minimize their losses (Shadunts, 2016). Thereby, it can be stated that the choice of action should be shaped by

the anticipated level of cost either of them entails when the actor opts for one or another. Rationally, the higher the anticipated costs of one type of action, the less likely the state will take this option, and instead opt for another, less costly way to respond to an unsatisfactory state of affairs.

On the international level, the estimation of anticipated costs is complicated, however, by the fact that costs are not easily calculated, states may have to anticipate different kinds of costs. Two widely discussed examples of those costs in the International Relations can be the reputation costs (Brutger & Kertzer, 2018) that would derive from international perception of an actor or domestic audience costs (Tomz, 2007; Fearon, 1994) that would derive from the public opinion within the state. To understand varying responses those two distinct costs that could affect the decision making process should be examined in more depth.

Firstly, we can review the reputation costs; not participating in an international regime can come with reputation costs. Reputation here can be defined as the beliefs about a trait or tendency of a certain state (Brutger & Kertzer, 2018; 4). Thus, it is built upon the behavior in the past and predicts the behavior of the state in the future. When a decision negatively affects others' beliefs about a characteristic that an actor values, then it incurs a reputation cost.

As well as the reputation cost, different domestic interests can also lead to audience cost according to the decision of the state on participation in international regimes (Fearon, 1994). By not participating or by remaining as a participant the leader and/or the government can suffer domestic audience cost. In 1994 Fearon introduced the audience cost model to understand the effect of the domestic audience costs on the escalations of international disputes. As it was

explained in the study, certain forms of domestic political price can affect the foreign policy acts of a certain state. According to Fearon, although there are other forms of costs that may play a role in the foreign policy decision making process of the leaders, the audience cost stands out as the most characteristic one. Since it can result in loss of domestic support or even the office, which sometimes pressures leaders to convey more radical comments and express extreme ideas. Therefore, though some scholars are skeptical of the effect of foreign policy decisions on voting behavior we still have the domestic audience cost as a possibility to be faced by the leader.

In Fearon's study along with many others like Tomz (2007), audience cost is discussed in the framework of exelated disputes and commitments of the leaders. Thus, as defined in their studies audience cost can refer to the idea that citizens would think less of leaders if they back down and do not commit to their promises (Tomz, 2007) Although, this description takes the both actors as states and scholars generally build studies on this model, in this study we will be using this description with a twist on the actors, mainly because the study revolves around the state vs. international regime as the second actor. Regardless of the type of actors involved, audience cost, which in this study will be considered as the reaction of the domestic audience of the subject state, will be studied in the framework of commitment.

## **2.Methodology**

This section will be outlining the methodological framework of the research. In the first part there will be a description for the case selection and the research design. This part will lay out the rationale for the case selection and the design. Secondly, the data collection and the method of analysis that is used in the research will be outlined in the second part of the section.

### **2.1. Case Selection and Research Design**

Since the study tries to understand the underlying reason for two different responses to dissatisfaction of Turkey and Poland with the IC, and to test if Hirschmann's theory can serve as an explanation for this variety; a comparative study of Turkey and Poland's response to dissatisfaction with the IC will be carried out to compare different outcomes across similar countries most similar system design (MSSD) will be used (Klamberg, 2015).

MSSD suggests a strategy to compare very similar cases which vary in their dependent variable. To put it in another way, it will help the study to understand how two similar systems or processes are producing different results. While creating this foundation for these systems and/or processes it also excludes irrelevant variables from the equation. By excluding the irrelevant variables we will be left with control variables, which are the elements that are similar, along with some dissimilar elements. These dissimilar elements, among which we can indicate the independent variable, will be useful in indicating what led to produce the outcome, dependent variable. (Steinmetz, 2019; 176)

Poland and Turkey are suitable cases for such comparison since these two states are similar in relevant aspects that could explain the variation in response, including their dissatisfaction with the IC which as shown above can be considered roughly similar in terms of intensity and also in terms of substance their response has considerably differed. Whereas Turkey has withdrawn from the Convention on unlawful means (i.e. 'exit'); Poland has voiced its dissatisfaction yet, did not participate in leaving (i.e. 'voice'). Leading us to compare those two instances in an outcome centric research in order to indicate the conditions which filter how the overall level of anticipated costs of different types of response determine how states respond to the dissatisfaction with a regime.

To begin with, both Poland and Turkey have grown dissatisfied with the content of the IC over time, even though both of the countries have signed and ratified the convention previously, creating the initial condition for an actor to respond dissatisfaction in accordance with Hirschman's framework. As previously covered, these two governments are dissatisfied with the content of the IC because of similar reasons including, opposition to the same framework of how gender is defined in the articles of the IC making it a threat to traditional values. Thus, it can be argued that the dissatisfaction is similar across the two cases and cannot be expected to cause variation in response.

Secondly, we can see that there have been reservations on the content of the IC. Turkey being the main driver of this convention it was also the very first signatory of it. This reality indicates a great interest in the Convention from Turkey at the early beginnings. After its signatory the IC was ratified by the Turkish parliament in 2012 unanimously which led to passing

of Law no. 6284 on gender based violence (Altan- Olcay & Oder, 2021) Unlike the driving supporter of the IC, Turkey, Poland ratified the Convention a bit later on 27 April 2015 with 254 votes with 175 against in its parliamentary. Among the 175 against votes 127 belonged to PiS which is now the ruling party of the Polish government (SEJM, 2015) After its ratification, Poland sent four reservations considering that Convention provisions were not compatible with the domestic law which raised grave concerns about Poland's compliance with the convention among different states such as Sweden, Norway, Finland, Austria and the Netherlands (Kapelańska-Pręgowska, 2021) It is evident that Poland has been more cautious towards the IC meaning that initially at least, Poland seemed to be less content with the convention. While there is a degree of difference, in the end, both became members and took upon the bulk of obligations. Therefore, this does not explain variation in response. Not only does it not explain the variation it also would make us expect Poland to be more likely to opt for exit.

Thirdly, both countries experienced a domestic shift in ideology affecting government views on IC. This shift led the initial approval of the convention, as reflected in joining it even if reluctantly with reservations in the case of Poland, to fade with changes in ruling ideologies resulting in the vanishing of the satisfaction with the content of the convention which can be explained with the ideology of the parties in power, namely the right wing populists becoming unabashed in recent years (Altan- Olcay & Oder, 2021) Both countries faced and still are facing attempts to remove gender inequality problems by politicizing different instruments such as the IC. These relatively new attempts revolve around the ideal of traditional family and traditional family values for both of them although the content of the convention has not changed over the



past 10 years, or 7 for Poland (Burnett, 2021). Thus, in the meantime both of the countries are suggesting to replace the IC with a domestic one that can cover the traditional values of the families (Ciobanu, 2020; Yeni Akit, 2021). This shows that the domestic shift towards ‘traditional values’ does not explain the variation in the responses either.

A salient evidence of these attempts would be that not so long after winning the presidential elections; PiS government started voicing their anti-convention campaign (Ciobanu, 2020). It might not be a surprise considering the number of votes against the ratification of IC within the PiS (127 of 132 members voted against). However, it is still a remarkably premature venture as only days after the formation of the new government Prime minister Mateusz Morawiecki commented on the IC mentioning that he has decided to ask the constitutional tribunal to examine whether the convention is inline with the Polish constitution or not (Plucinska, 2020).

Finally, it can be argued that the discourse on the IC is fairly similar in both cases. As it is already mentioned previously, the main start point of the dissatisfaction had been the ‘traditional family values’, yet, this is just a very tip of the rethrotical iceberg on IC. In both of the countries, the IC has been demonized in the hands of politicians and religious figures who mainly are troubled with the gender aspect of the Convention. This can be encountered in different speeches of the political elites of both countries. For instance, Zbigniew Ziobro, Justice Minister of Poland, argued that IC is taking ‘aim at family, marriage and the currently functioning social culture when it comes to comprehending gender’ (Ciobanu, 2020) and proceeds to labeling IC ‘harmful’ because it requires to teach children about gender at schools (BBC, 2020). Just like Ziobro; Numan Kurtulmus, the Deputy Chairman of AKP, specifies the problem with the IC as; "There

are two important issues in this text that we need to draw attention to and that never agree with us, one of them is the issue of gender and preference of sexual orientation.” (Paksoy, 2020). Thereby, it can be concluded that discourse on the IC in both cases falls short on explaining variation in responses as well.

As this shows, the two cases are not only suitable for studying a state's response to having become dissatisfied with a regime it is part of but they are also comparable to the extent that they allow to study the causes for variations in the response of states to international regimes that they have become dissatisfied with such as the IC. By being similar along other potentially relevant dimensions, these two cases allow to identify the effect of the level of anticipated costs on a state's decision on how to respond to regimes that they do not align with anymore; considering that there should be an underlying reason behind the variation.

## **2.2 Data Collection and Method of Analysis**

When it comes to operationalization, the independent variable (IV) of this study is the 'level of costs' and the dependent variable (DV) is the 'type of response'. Thus meaning there should be measurements to carry out both on the level of costs and the type of response. To begin with, the level of costs is measured on different bases as anticipated domestic audience cost and reputation cost. The measurement will be carried out by the quantitative results from different methods. For both types of the costs the scale consists of three values; high, medium and low. After the individual measurements, the overall level of costs is estimated as a combination of (a) domestic audience costs and (b) reputation costs. Hence, the overall costs are similarly measured on the same scale of high, medium and low. The type of response is measured on the scale of

actions. Each cases' final action can vary from the values of 'exit', 'voice' or 'loyalty'. Along with the independent and dependent variables, this study includes an intervening variable which is being a member of the EU. This membership affects the reputation cost for the Polish case.

For the anticipated audience cost, the indicator will be surveys on the topic of the IC and state action against it. Here, if there is an indication of support among the majority of the public it is considered as a suggestion on 'high' level of audience cost. Since surveys list different options to choose from, the quantitative measurement of it is done with the consideration of the distribution of options. Apart from the preference, the knowledge on the IC will be observed as well. Survey will also gather data on the support of possible withdrawal. Particularly for the Polish case, the distribution of the votes in 2020 presidential elections will be also commented upon.

For the reputation cost, indicators will be the statements that are analyzed in depth to draw out the level of reputation costs. Here, the negativity and the positivity of the used language will be considered as a measure. The negative language on description of variations in responses (exit and voice) suggests that there is a high level of reputation cost. This indication is done with the measurements of the frequency of different words and involvement of certain descriptions.

As previously mentioned, the anticipated reputation cost and the audience cost will be measured separately which means different methods will be implemented. For the measurement of the reputation cost, content analysis will be conducted on official statements and press releases from different international actors including states, institutions and NGOs that are partnered with

the case countries on the basis of being a member of the same international regime, between the years 2020 to 2021. By doing so an estimation of the anticipated reputation costs will be possible.

For the level of anticipated audience cost, already existing country specific survey data will be used. Survey data on both countries will allow us to observe the acceptance of responses among the public. That way, it will be possible to draw out a level of domestic audience cost. For the Turkish case; the main survey resource will be KONDA's (2020), comprehensive survey on the IC which was conducted on 8-9 August, 2020. As can be indicated from the date, this survey took place before the decision of withdrawal was made by Erdogan. Therefore, this survey will provide information on public opinion before such action was taken so that it can enlighten ideas about the afterward process. KONDA indicates that the survey was conducted face to face with 3569 people from 32 different provinces in Turkey. The sampling was created by layering address based population registration system data as well as 2015 general election results. In order to understand the public opinion aftermath of withdrawal a second survey conducted by the Metropoll research (2021) will be used. This survey was conducted with a total of 1637 people between 22-25 March 2021 by stratified sampling and weighting method in 28 provinces based in 26 regions according to NUTS 2 system for statistics. This research was conducted with a computer assisted telephone questionnaire method with the margin of error +/- 2.42 within 0.95.

For Poland, there are less sources when it comes to the public opinion surveys on the convention. There has been one survey done by SW Research. Survey took place on the SW online panel on 21-22 July, 2020 when the discussion on the IC was at its peak. It was answered by 800 randomly selected internet users over the age of 18. Sampling was later corrected with

analytical weight in which the socio-demographic variables were taken into account (Mikulski, 2020).

For the choice of response, as previously discussed, there will be a scale of three values; exit, voice and loyalty. Exit is defined as the act of withdrawal from the convention. This can be observed as the initiation of the withdrawal by legal documents such as presidential decrees. When it comes to the response of voice, this study identifies the voice response as the threat of withdrawal by official statements from government officials as well as submission of reservations to the IC. Both exit and voice responses refer to active discussions on the IC, unlike the loyalty response. As for loyalty, it can be explained as remaining 'passive' and not intervening with ongoing discussions and not voicing any threat against the international regime in question. All options being tangible can be easily measured with the legal decisions that indicate dissatisfaction with the IC such as reservation submissions, withdrawal proposals from the IC as well as presidential intention decrees and decision decrees.

In order to measure the reputation cost for both cases content analysis will be conducted. Content analysis can be described as 'a set of procedures to make inferences from text' (Weber, 1990; 19) It can be said that it is a way to light into communication and get the meaning (Barton et al., 1989). According to Hermann (2008; 151) before the beginning of the content analysis, there are several questions and steps that should be followed. First of all, we need to take a look at our research question; considering that this study aims to find out underlying reasons of an actors' decision making, and anticipating the role of level of costs here we can conclude that the 'research question involves extracting meaning from the communications of public figures'

(Hermann, 2008; 152) such as figures from the EU and other states. Conducting a content analysis on the statements from such figures will indicate their collective view of the IC and opposition to it and therefore, it will be possible to estimate a reputation cost of not being content with the regime.

The second step would be selecting the materials. Here we have a great selection according to Hermann (2008; 152), ‘anything that is intended to communicate a message’ can be used as a material for the content analysis. Hermann (2008) proceeds to provide examples of materials such as books, films, newspapers and so on. As for this study, official statements from states, state ministers, international institutions and NGOs will be used. To measure the anticipated level of costs for both cases, the same selection of the content will be used to show what reputation cost a state that would disengage from it would suffer. To do so, the study relies on official statements by representatives of the EU member states and institutions as well as the different NGOs that work closely with gender-based violence in the timeframe of 2020 to 2021 on the topic of withdrawal from the IC as well as the intentions to withdraw from the IC.

While conducting the content analysis description of the IC and the description of the withdrawal and its intentions will be coded to understand the collective views on both of the elements. Coding the defining words will also help to draw out an anticipated reputation cost in the international level. Alongside with the descriptive coding for the IC and the withdrawal a separate coding will be conducted for repeating words such as ‘setback.’ In addition to word codings, there will be analysis on the messages that the statements put out. By doing so, it will be apparent which responses are considered to need to be re-thought.

Considering the fact that for Poland, the relevant reputation cost would be stemming from the EU mainly, there will be a specific analysis to indicate the intervening variable as well. During the coding phase, emphasis on 'europe', 'being european' and the EU will be considered as measurement points. Moreover, articles from different treaties that Poland is part of because of its membership of the EU, will be analyzed to conclude an overall anticipated cost including the effects of intervening variables.

As for our other variable, the level of domestic audience cost, existing survey data will be used. According to Hyde (2015) "surveys can target the populations relevant to specific theories directly rather than assuming that the relevant population behaves like." Following this description it can be suggested that extracting relevant data from existing surveys can also lead to approximate results rather than assumptions. Thus, making it a reliable method to investigate the audience cost, if it is conducted the right way. Apart from surveys, previous studies have also shown that representative public opinion polls can indicate further experimental support for studied valuables (Tomz & Weeks, 2013). Therefore, considering that alongside surveys public opinion polls on the next possible elections in both countries will be used as resources. While analyzing the surveys, focus will be on the support around the IC as well as the topics related to it that would help to convey the analyses. This study indicates that the support on the IC is in a direct relationship with the anticipated domestic audience cost. If the option of loyalty is supported on a wider scale that would suggest higher audience cost.

### **3. Analysis: Compared Study of Anticipated Costs for Turkey and Poland**

In the analysis part, the empirical evidence for the measurement of the variables will be studied separately under each case, Turkey and Poland. This in depth study will be followed with the discussion that was concluded with the analysis. In order to do so in the first part of this section; anticipated audience cost caused by the exit and the voice and the reputational cost of the same responses will be analyzed. This part will be followed by an analysis on the type of response individually for each case country.

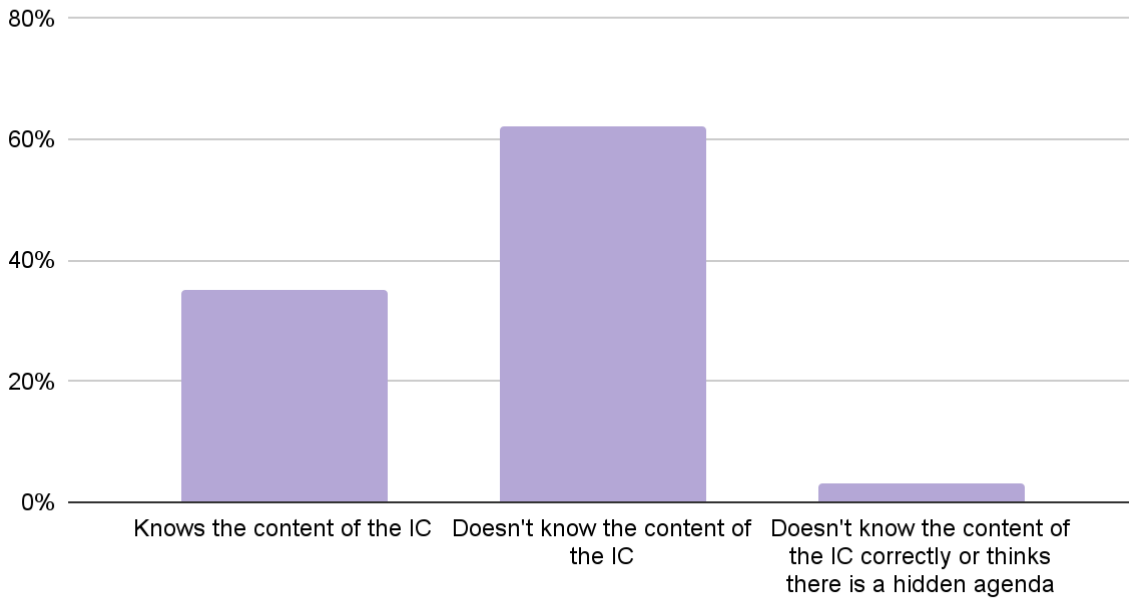
#### **3.1. Anticipated Domestic Audience Cost in the Cases of Turkey and Poland:**

For people to form an opinion on any particular topic, first, they should be educated about it. Knowing that, the IC particularly indicates that education should be used as the key factor to change how a society behaves, and for the signatory states it brings obligations to follow in the educational area. Turkey being one of the signatories who actually passed a law that coincides with the Convention, it would be expected that Turkish society would be educated on the IC as well as the content of it. However, looking at the numbers of KONDA's survey; it can be seen that only 35% of the society knows the content of the IC. 62% of the people state that they do not know what the IC is about.



Graph 3: The distribution of knowledge on the IC among public

### The percentage of people who



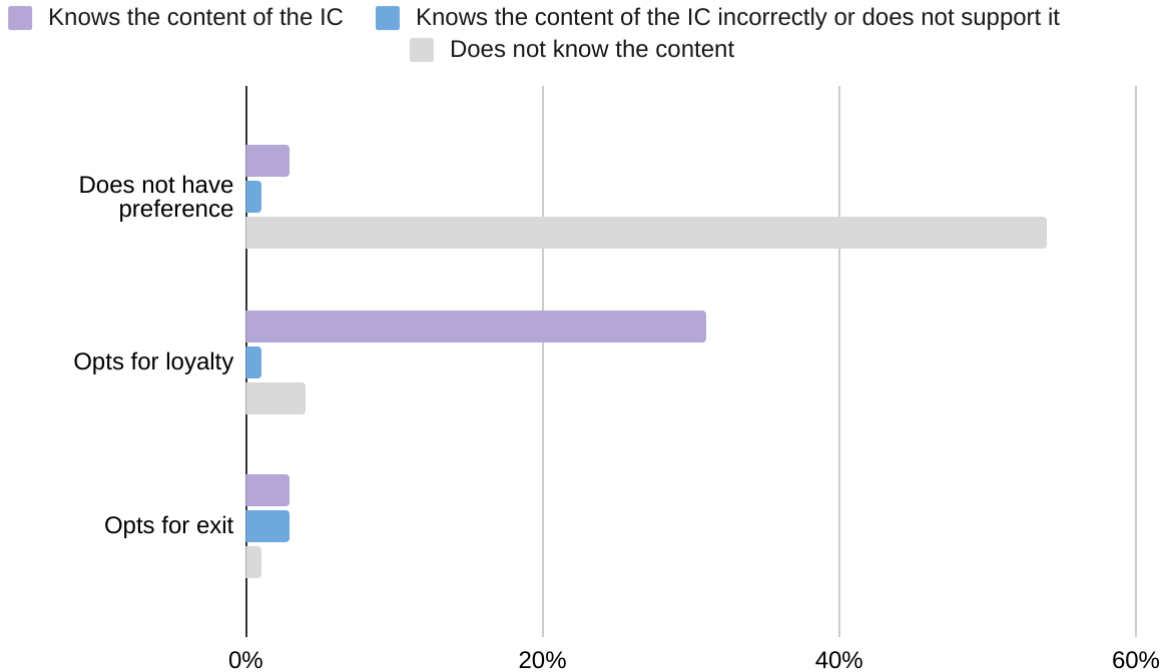
To begin with it can be commented that the IC is not implemented fully even in one of the first signatory countries. Not only the IC but also the Law no. 6284 clearly indicates in article 16 (3) that mainstream media outlets will be used in educating the women by mainstreaming informative broadcasts about the IC and its values during the prime times along with many other forms of informative tools. Yet, numbers clearly show that it is either not being done properly thus, the effectiveness of the IC becomes questionable which creates a mobilization tool on the hands of the government and opposite. Lack of knowledge around the IC also expedites manipulation over the content of it. For instance, when asked ‘What is the content about?’ researchers received answers ranging from ‘It is a tool to exterminate Turkish families’ to ‘It is a Convention that supports LGBTI.’ When we take the discourse around the IC into consideration

with these and many other similar answers, it can be seen that the narrative has been effective in forming public opinion.

In the second part of the survey, participants were asked about a possible withdrawal from the IC, as the discussion was a hot topic in 2020. According to the survey data, more than half of the society did not have a strict opinion on the matter, which meant, combined with the previous question, the mobility among the society was relatively high. When it comes to the strict opinions; only 7% of the participants indicated that they would opt for an exit whereas 36% supported remaining loyal to the IC. Another interesting finding of the study is that when we combine the knowledge data with the opinions on the possible exit we have the following picture:

- 54% of the society has no information on the content of the IC and does not have any preference on exit or loyalty
- 86% of the people who knows the content opts for loyalty
- 42% of the people who opts for exit either does not know the content or knows it incorrectly

Graph 4: Distribution of preferences on the IC among public



KONDA's survey provides a breakdown of the answers according to participant's political views. This data is especially important since President Erdogan and the AKP has become the face of the opposition against the IC. As mentioned earlier, Erdogan's attitude towards the IC changed in 2019. At the very beginning of this shift, AKP had diverging opinions among the MEPs and other members of the party. Namely, the women MEPs of the party endeavored toning down the harsh statements of Erdogan (Sayin, 2020). Although, at the end of the day, the decision maker was once again Erdogan himself, diverging opinions in the party can be anticipated to manifest itself among the party grassroots. Thus, distribution of the preferences among different parties is crucially important to conclude an audience cost.

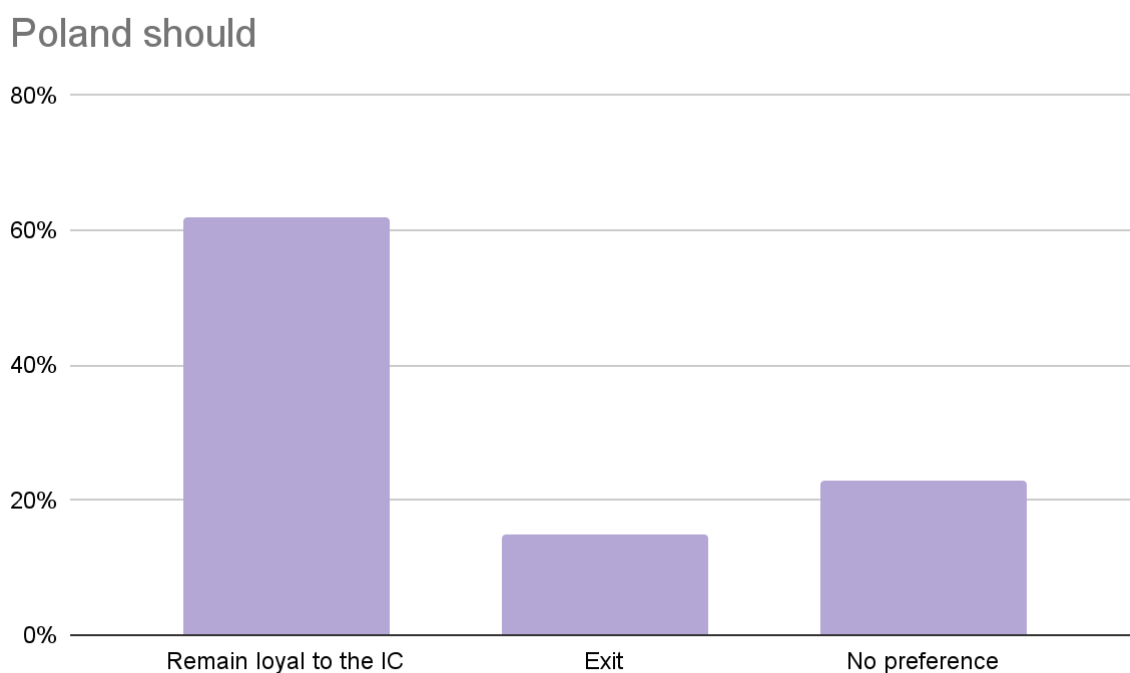
Apart from the direct questions about the IC, the survey also had rated statements about gender-based violence. This rating part of the survey is salient to measure an audience cost. When directly looked at the data on gender-based violence we can see that there is an upturn. Overall, society is becoming more conscious about gender-based violence and gender roles. However, this awareness does not manifest itself as a way of supporting the IC. Several underlying reasons can be drawn out from here, first of all, because of the lack of education most of the society can not link gender-based violence with the IC. Additionally, propaganda around the IC in the mainstream media aggravates this relation. Since the media outlets are also under the control of Erdogan and the AKP, IC is presented with a hidden agenda.

For Polish society the IC became a hot topic with the presidential elections in 2020, whilst, it was a well covered topic both by the right wing parties in the parliament as well as the women rights groups. The main reason for it to become a subject of debate during the presidential election was the discriminatory rhetoric of Andrzej Duda and his comments on the Istanbul Convention. Duda's agenda consisted of many anti-gender elements, highlights being the 'banning the propagation of LGBT ideology' which they think uses the IC as their chief instrument (Walker, 2020).

Whilst his discriminatory agenda Duda was re-elected as president in July 2020 after the second round of the presidential elections. Although he scaled down his homophobic rethoric near the election time, controversy surrounding the IC continued to climb higher each day (Walker, 2020b) This led researchers to question society's collective thoughts on the matter. In order to understand the perception of the Polis people, SW Research conducted a survey on the

convention. This survey asked participants to share their ideas on the government's attitude to the IC. The distribution of participant answers to the question of 'should Poland withdraw from the Istanbul Convention?' clearly indicates that there is a biased opinion in Polish society. Survey results can be listed as follows;

Graph 5: Distribution of preferences on IC among the public of Poland



- 62% of the Polish people want the government to remain loyal to the convention
- 15% of them are opting for the exit option
- 13% of the people do not have a preference on the topic

This data shows that unlike the pre-withdrawal Turkish society, Polish people have clear biases on the matter which means they are likely to have firmer opinions that contrasts the Turkish case in the possibility of mobilization and manipulation of the grassroots. In the Turkish case the illiteracy on the IC made it viable for AKP and Erdogan to mobilize their grassroots to a certain level, though the cost was higher than anticipated. This shortcoming in the Polish case indicates that since the awareness of the matter is higher, the anticipated domestic audience cost must be higher as well. The reason behind the higher rate of awareness can be rooted in the fact that there has been long winded discussions on the IC as mentioned previously. These discussions ended in the right-wing side with the promise of withdrawal by the PiS. Duda's presidential campaign also indicates that the commitment to the promise was there. However, there haven't been any clear cut decisions made yet.

The survey indicates that more than half of the Polish society thinks Poland should remain loyal to the convention which hints at greater audience cost. However when calculating an anticipated cost, there are other elements to consider such as the presidential election results. According to OSCE's (2020) report on Poland Presidential Elections; on the first round which took place in 28 June 2020, Andrzej Sebastian Duda obtained 43,5% of the total casted votes and in the second round in 12, July Duda won the election with 51,03% of the votes. Those numbers can be interpreted as that there is a vast majority which can be mobilized on the matter along with people who are aware and voted for the specific agenda towards the IC.

Combining the survey data and the election results can reveal a unique circumstance for the Polish case. By deciding on exit or loyalty, the government will be risking a high amount of

domestic costs. There will be costs deriving from a substantial number of people who are against the idea of exit as well as people who have been involved in the anti- convention rhetoric who voted for the party's agenda on withdrawal. This finding perhaps explains why the government has not been able to make a clear cut decision which would involve withdrawal or full on loyalty, rather by calculating the costs of each move, the government decided on voice as a response. Although this decision cannot be reduced to only domestic audience costs, it can still be argued that it has been playing a significant role. Especially with the Turkish case on hand as an example, the level of audience costs suggested by the evidence presented above suggests that the Polish government would be more reluctant to the idea of exit.

### **3.2. Anticipated Reputation Cost in the Cases of Turkey and Poland:**

The withdrawal decision of President Erdoğan led to a backlash both domestically and internationally. Domestically it was protested due to the fact that just in the year the decision was taken, 2021, there were 300 femicide cases occurred; even though 68 of the victims had filed complaints to the police leading 23 of them to get restraining orders against their murderers (Kadin Cinayetlerini Durduracagiz Platformu, 2021). Internationally, it sparked attention as it was the first time a Council of Europe member withdrew from an international human rights convention. Governments, international bodies as well as the world leaders denounced Turkey's decision to exit from such a regime (Amnesty International, 2021a). Official statements to condemn this decision were released.

When the official statements are analyzed individually it can be indicated that overall, 9 statements have specific descriptions for the intentions of withdrawal, all of them being on the

negative side of the spectrum. Among the analyzed statements, a selection of strong expressions can be distinguished. For instance, Joe Biden in his statement on March 21, describes the act of withdrawal as “deeply disappointing” (The White House, 2021) whereas ETUC (2021) uses ‘devastating’ and ‘dangerous.’ High representative of the Union for Foreign Affairs and Security Policy, Josep Borrell (2021) also agrees with the possible dangerous effects of the withdrawal and comments that the decision sends a dangerous message to the world in his statement which he shared on 20th March following the withdrawal decision of Turkey.

Table 2: Word and phrases used to describe the withdrawal from the IC

<i>Statement</i>	<i>Description for the Withdrawal or Intentions of it</i>
Statement by President Biden on Turkey’s Withdrawal from the Istanbul Convention, March 21, 2021	sudden, unwarranted, deeply disappointing
ETUC statement in response to Turkey’s withdrawal from the Istanbul Convention, March 23, 2021	devastating, dangerous, unjustifiable, a conservative attack on international cooperation
Statement by the Federal Foreign Office on Turkey’s withdrawal from the Istanbul Convention, March 20, 2021	wrong signal
Statement regarding Turkey’s withdrawal from the Istanbul Convention, March 25, 2021	a step in the wrong direction
WAVE’s statement condemning the decision of the President of Turkey to withdraw from the Istanbul Convention, March 23, 2021	enormous setback
Turkey: Statement by High Representative/Vice-President Josep Borrell on Turkey’s withdrawal of the Istanbul Convention, March 20, 2021	sends a dangerous message
The EWL condemns the President of Turkey’s Decision to withdraw from the Istanbul Convention Letter to HRVP Borrell and the Portuguese Presidency of the Council, March 22, 2021	shocking
Poland should not withdraw from the Istanbul Convention, says Secretary General, July 26, 2020	alarming, regrettable
Secretary General responds to Turkey’s announced withdrawal from the Istanbul Convention, March 20, 2021	huge setback



Along With the specific definitions 71% of the statements stressed that the move was a ‘setback’ for Turkey. In particular WAVE and the Secretary general defined this move as a ‘huge setback’ This notion can be associated with the democratic backsliding and declining human rights in Turkey. With the withdrawal the possibilities under one person regime became more apparent. Hereupon, there was also a need to check if there was a relation between the Erdogan regime and the decision. In order to comment on this matter, I coded the withdrawal decision among the statements. According to 36% of them, Erdogan was the sole decision maker. EWL referred to withdrawal decision as “President Erdogan’s decision as well as the Council of Europe leaders who commented about the withdrawal as “We thus deeply regret the decision of the President of Turkey to withdraw from this Convention.”

As it can be seen from the selected expressions of description, the withdrawal as well as its intentions are not favorable among other states and international actors. It can be expected that this reality would manifest as a reputation cost, especially considering that most of the statements provide a description for the IC alongside with the withdrawal. Among 14 statements that had been analyzed, 9 contained a description for the IC. Dissimilar to withdrawal, the narrative around the IC is on the positive side of each individual statement. Out of 9 statements 5 of them stresses that the IC is the first legally binding effort to combat violence against women. (The White House, 2021; WAVE, 2021; Borrell, 2021; Euromed Rights, 2021; Karlsen, 2021) Ambassador Anne- Kirsti Karlsen (2021) takes it a step further and comments that beyond its legal obligations, the IC also gives a crucial political signal to society that ‘violence against women is unacceptable’ Moreover, some of the statements emphasise the fact that the IC is the

most comprehensive legal framework on combating violence against women. While doing so, they also stress on it being an international instrument (WAVE, 2021; EWL, 2021; UN, 2021; Euromed Rights, 2021) This is crucially important since we defined the reputation cost in the frame of international elements. Thus, not participating in such a regime would cause other international actors such as NGOs and states to avoid Turkey in possible future instrumental improvements. This emphasis can be considered a clear indicator of reputation cost.

Furthermore, half of the analyzed statements contained a message of reconsideration (ETUC, 2021; WAVE, 2021; UN Women, 2021; Borrell, 2021; EWL, 2021; Council of Europe, 2021b; Euromed Rights, 2021) While EWL affirmed that Turkey still had the chance to reverse this decision other actors such as ETUC accentuated the need of reaffirmation of Turkey's international commitment to an international regime. The stress on commitment here is fairly important. Especially considering that the IC was signed, ratified and then exited by the same government; it creates a questionable ground for the international reliability of Turkey which adds up to the price of not participating.

When looking at the Turkish case under the scope of the domestic audience cost, there were two main findings. Firstly, we could see that there was a huge gap in the public knowledge of the IC. Many people were not aware of the content; and many of the ones who opposed it or in other words supported the exit option, did not know the content fully correctly, or thought there was a 'hidden agenda.' Thus, it was detected that the idea around the IC was open to speculation. Yet, the ones who understood the concept of the IC in correct terms were supportive of it. 86% of the people who were profound with the content opted for loyalty.

Our second finding was that a great percentage of the AKP electorate did not have any strict preference on the matter of the response to the IC. However, when the withdrawal ideal turned into a reality, it was observed that the support on the IC was more preeminent than it was predicted. When early studies predicted 36% of the society would opt for loyalty, the after studies revealed that 52,3% of the society would prefer the government to stay loyal to the IC. (KONDA, 2020; Metropoll, 2021) The audience cost was visible not only on the survey data but also on the streets. After the withdrawal decision, women's rights groups organized protests in different regions of Turkey to show their contention to Erdogan's decision (DW, 2021). This proved that the overall audience cost was perhaps greater than what the government expected.

There are some unique reasons for the withdrawal to be possible in the context of Turkey. To begin with, the local political agenda of Turkey is very dynamic which causes the public to contest more than one thing on many occasions. This reality most of the time manifests itself as problems being temporary, and getting forgotten rather easily. In addition to this, organizations which try to keep the opposition alive become the target of the supporters of the Erdogan regime and face different problems including closure cases by the hands of the government (Babat, 2022) Although these actions try to scale down the scope of the domestic audience cost, it can be concluded that the backlash was higher than the government predicted. This serves as an example for other governments which have exit as an option in their agenda.

When it comes to the reputational cost for the Polish governments, there is once again a different picture. In order to measure an anticipated cost we will be using the same statements, since all of them show how the main international partners consider the IC important. This

consideration also applies to Poland. The rationale behind that was forewarning the Polish government in case of a withdrawal decision. Poland was solely mentioned in three of the statements. For instance ETUC (2021) states in their statement that they urge Poland to refrain from consideration of withdrawal. Here they also list other European countries alongside Poland. Throughout the statement the emphasis on Europe and the European Union will be distinguishable. In the same statement ETUC continues with calling on “President Ursula von der Leyen to use any and all effective measures available to ensure that all EU Member States ratify and to work as a matter of urgency to finalize the accession of the EU to the Istanbul Convention. “As well as mentioning that the IC should be the ‘key priority’ of the current commission. According to ETUC (2021) this would be crucial to show the EU's commitment against gender-based violence. Looking at the other two statements we can see that once again such an intention is called alarming for Europe (Council of Europe, 2020). Euromed rights (2021) takes this one step further and defines the intention as a “literal threat to the lives of women and girls in the European Union” Just like the Turkish withdrawal, the intention of Poland is not favorable. However, rhetoric is a lot different, although it has similar elements like calling it alarming, describing it as a stepback and condemning the intention one thing is distinctive to the Polish case, which is the stress on EU, Europe and European values.

The rhetoric on the IC consists of constant emphasis on European values. This can indicate that, in a sense, being a European country requires to imply the convention. As well as the values, the EU is mentioned in the statements in a way to indicate that it is an EU responsibility to make sure the IC is ratified, implied and will be continuing to serve as a binding

treaty, otherwise EU wide measures should be implied. A very clear wording of this can be found in the statements of Euromed Rights and EWL:

The actions of Poland to withdraw from the Convention are in clear contravention to EU fundamental values as per Article 2 TEU, and we cannot see their like again from Poland nor any other EU country:

*This decision which represents a clear regression on the rights of all women and girls cannot be tolerated, and is in direct contravention with EU fundamental values as per Article 2 TEU, Article 8 TFEU ('gender mainstreaming' clause) and in EU Charter for Fundamental Rights under Article 23 (Euromed Rights, 2021).*

To draw out an anticipated reputation cost for the Polish case, it is crucial to understand mentioned articles, and what would happen if there is a non-compliance with them. To begin with, Article 2 of TEU lists the values that the EU was built upon (European Union, 2012). Those values include; human rights and non-discrimination between men and women- which is also the direct objective of the IC. The Article 8 of TFEU (European Union, 2012b) suggests that the EU should aim to eliminate inequalities, and to promote equality, between men and women- which is again is the core motive of the IC. Last but not least, Article 23 of EU Charter for Fundamental Rights (European Union, 2000) indicates that "equality between men and women must be ensured in all areas" It can be seen that in all three of the articles, from treaties that Poland is among the signatories, the equality between men and women is exclusively mentioned. In the meantime, the EU is presented as the controller of this. The EU is responsible to work to overcome inequalities and promote it. This responsibility is not only limited with men and women

but also inclusive to other minorities. In article 2, we can see that it is stated that the founded values are inclusive to people who belong to minorities, LGBT people being one of them along with women. This is worth to mention considering that we have been discussing the counter arguments on the IC and one of the most used one being that it promotes 'homosexuality.' These articles are clear indication of a member's responsibility to promote gender equality by using the necessary means. Regarding this it can be discussed that the IC is the sole instrument. Thus, withdrawal as a member is conflicting with the articles.

In case of non-compliance with the TEU, the EU can impose measures according to article 7 (European Union, 2012). As it is explained in the article 7, if "a clear risk of a serious breach by a Member State of the values referred to in Article 2" is determined Council can decide on suspending certain rights of the member state. Combining both the article 2 and the 7 we can conclude that, a breach to fundamental values to the EU, in this instance a breach to harm equality and human rights of the European citizens, the EU can impose measures to overcome the breaches. Hence, article 7 can be considered as a deterrent factor for the Polish government when it comes to an exit decision from the IC. Along with TEU and its obligations, it is also important to mention that other treaties and charters mentioned like the EU fundamental rights chart are legally binding for its signatories, including Poland. Thus, Poland should imply the obligation of promoting gender equality by using the instruments created to help with it.

It is also worth mentioning that all of the statements that contained an opinion or message for the Polish government stressed the fact that there is no "hidden agenda" of the IC. This has been a strong discourse of the oppositions of the IC in Poland. Knowing this is the rhetoric

around the IC in Poland, international actors felt the need to emphasize that the IC does not contain any hidden agenda (Karlsen, 2021) and its sole objective is “combat violence against women and domestic violence” and nothing more. This shows that actors are involved with the Polish case and the rhetoric in Poland which is also effective for the reputation of Poland.

### **3.3 Response to Dissatisfaction with the Istanbul Convention by Turkey; Exit**

President Erdogan signed the presidential decree no. 3718 which states that

*“The Istanbul Convention, signed on behalf of the Republic of Turkey on 11/5/2011 and approved by the Council of Ministers Decision dated 10/2/2012 and numbered 2012/2816, was decided to be terminated for the Republic of Turkey, pursuant to Article 3 of the Presidential Decree No. 9.”*

This decision was published in the Official Gazette of the Republic of Turkey at 2:00 AM, Istanbul time. Although there was a controversy around the IC, the Turkish public did not anticipate such an action to be taken especially with this questionable timing. However, despite the public preference, Erdogan exited from the Convention. This decree which indicates a clear decision on the response to the IC evidently illustrates the ‘exit’ response that has been discussed in the study.

In addition, this choice of response matches with the level of anticipated costs. Throughout the study, I argued that medium and low levels of costs would manifest as ‘exit’ when it comes to the choice of response to dissatisfaction with international regimes. As discussed before, when the audience costs and the reputation costs are combined the overall level of the

costs for the Turkish case would fit in the medium range. When there is a medium level of overall anticipated costs we expect governments to respond in more radical means and Turkey creates an illustration for this expectation. Moreover, it should be also noted that, when compared, we indicated that the overall level of anticipated costs for Turkey is lower than the Polish case; which further explains the variation.

### **3.4 Response to Dissatisfaction with the Istanbul Convention by Poland; Voice**

Throughout the study, the voice response has been defined as the expression of dissatisfaction alongside the threat of exit. We have indicated clear examples of both identifiers in the case of Poland with the statements of politicians including the current president which describes the government's dissatisfaction with the content of the IC. We also pointed out threats of withdrawals with submissions to the constitutional court. Starting from 2020 we can see solid assessments of this dissatisfaction which suggest the voice response. For instance, Polish Justice Minister Ziobro, filed an official proposal with the Ministry for Family, Work and Social Policy to consider a 'withdrawal' from the IC for the Constitutional Tribunal to check the conventions legality. (Ciobanu, 2021). This official submission of a proposal on exit from the convention can be considered as a threat of exit which fits to the definition of the voice.

Second indicator of the voice option in the case of Poland would be its reservations on the IC. Although the IC was ratified it was done with reluctance as the reservations illustrate. Upon signing and ratifying the convention Poland declared that the IC will be applied in accordance with the principles and provision of the Constitution of the Republic of Poland, thus, the scope of the convention attenuated. This restriction on the scope of the IC is not only due to the application



of it in accordance with the constitution, Poland also put reservations on several articles to alter the scope of the articles. One example of this can be the reservation on article 55, according to this reservation article would not apply to the 'minor offenses'. Along with this reservations there are also limitations put out on articles 37, 38 and 39 which are about forced marriages, female genital mutilation and forced abortion and forced sterilisation (Council of Europe, 2015). These clearly show that since the very beginning the content was not fully adopted, demonstrating the reluctance even back then.

As it can be detected from the reservations, Poland has not been satisfied with the content of the IC since the very beginning, yet, ratified and implied it for 7 years. As a result of this reluctance different actors within Poland started to voice their disapproval. The examples of this disapproval can be the submission of withdrawal proposals. These combined indicates that in the case of Poland the voice is the type of response against the IC.

### **3.5 Discussion**

When it comes to the overall level of anticipated costs, these were higher in Poland ('high') than in Turkey ('medium'). The difference stemmed mostly from awareness of the public on the IC that was caused by it becoming recently more politicized in the Polish case. In addition, the dynamic nature of Turkish politics led the withdrawal to become rather forgotten and not discussed and protested in a wider range. Also, the EU membership of Poland created a great amount of pressure that led the government to become cautious about rather more radical decisions such as an exit response. As for the response by Turkey and Poland to the IC as a regime they had grown dissatisfied with, Turkey opted for exit whereas Poland opted for voice.

Considering that Poland could face different kinds of sanctions by not aligning its policies with treaties that it is a part of. This also manifests as more cautious responses; and for Turkey, overall anticipated costs were considered not as substantial both domestically and internationally.

When compared to Turkey, it is apparent that the awareness of the IC is higher in Poland. The main reason behind it was that the withdrawal menace was an element of the agenda of Duda, when he was running for president back in 2020. This led society to search about the IC and ended up extending their knowledge on it. As in the case of Turkey, with the extension of knowledge, support also grew. According to the surveys, 62% of the public was in favor of loyalty. This is 1.7 times higher than the Turkish public favor in 2020, as well as 10% more than the later surveys. Just even comparing those numbers can lead to the conciliation that the anticipated domestic audience cost would be higher in the Polish case. Apart from the public opinion which is in opposition to the agenda of the PiS, the party in itself is also skeptical with the exit option. Although it was used as a campaign element, there have been experiences in which PiS tried to distance itself from the withdrawal idea. The clear illustration of this was Anita Czerwinska's comment on Justice Minister Zbigniew Ziobro's submission for withdrawal which is quoted "Decisions have not been taken. This is not our common stance. The minister has some ideas. If he submits (his proposal) we will analyze it" (Reuters, 2020b) This opens up a second dimension for the domestic audience cost that the Polish government can face in their response to the IC. As mentioned before, since the very beginning the current Polish government aligned themselves very closely with the 'anti-gender' rhetoric that had been used by mostly the catholic church and their followers. Once they were campaigning for the presidential elections in order to

gain votes from groups that are close to the Church, they obtained the anti gender discourse and promised on commitments to execute once they are in power, withdrawal from the IC was one of them. Yet, once in power there had been a shift might be caused by the unforeseen support on the IC. This led to policies that are rather milder than the withdrawal hence, a domestic audience cost this time on the right wing side. Concluding all these effects, we can see that Poland has a unique case to itself just like Turkey, which leads it towards the voice as a response unlike Turkey. The Polish government should balance the opposition and their own supporters. Thus, loyalty would not be an immediate option, if so it would cost the government to lose the support of the Church allies, yet, either exit would not be an option because there is a great amount of support for the IC as well. In this situation, the best option would be opting for voice for the government, that way PiS could indulge its own grassroots by voicing their opposition to the IC oftentimes while not provoking the supporters of the IC with an exit decision.

As for the reputation cost, this study concluded a similar outcome with the domestic audience cost in both cases. When we observe the Turkish case, we can examine that the withdrawal was considered unpleasant by the international actors including the EU and its institutions. These considerations were rather expressed as verbal condemnations which created a reputational cost but to a questionable effect. Under the Erdogan regime, for 20 years Turkey has been facing a democratic backsliding caused by the consolidated authoritarianism which has been subject to criticism by the same actors for many years now. Thus, the reaction of the international actors was predictable for the Turkish government after the exit decision. It can be commented that those verbal condemnations were not the biggest concern for the government and they were

repulsed by the Erdogan in many speeches in which he called out the ‘European hypocrisy’ and commented that those actors which are not pleased with the decision are considering the gender based violence problem as something to be solved only on paper whereas he and his government approaches this issue with their conscience (Haber Global, 2021).

Although some domestic actors argued that the exit decision was illegitimate (Sonmez, 2022) and would be followed with possible sanctions, the government did not experience anything similar. This can be discussed in the framework of mentioned authorization that have been taking place for years; this backsliding had already changed the perception of the actors to Turkey, therefore, this withdrawal did not come up as an unexpected event. for the international actors. On the other hand, the price is higher for Poland once again. Like Turkey, Poland is already facing verbal warnings from different actors including many NGOs such as Euromed Rights, WAVE and EWL on the basis of its intention to exit from the IC. Those warnings and condemnations are causing a reputation cost already, but what makes it more costly for Poland is its membership to the EU. Unlike the Turkish case Polish intention is discussed in a more broader sense which includes not only international morals to comply with the convention but also the European ones. Poland has mostly been criticized under the light of its commitment to European fundamental values which are listed under the previously mentioned articles from different treaties and charters. Therefore, being a member state of the EU comes into play as an intervening variable which affects the overall response of Poland. This would not only manifest as a reputational cost but also could open a door for more material sanctions that the Turkish public

also was afraid of. As discussed before, if it was determined that such a decision contrasts with the TEU article 2, article 7 can become effective which would cause sanctions for Poland.

Considering this, it is anticipated that Poland will not take any radical decisions such as the exit but rather go with milder options like voice. This shows that the level of anticipated costs indeed explains variation in response. Turkey faced lower costs – and opted for exit whereas Poland faced higher combined costs, and opted for voice. This variation merged with the anticipated combined costs proves that the hypothesis this study put forward has been proved.

#### **4. Conclusion**

This thesis aimed to understand the rationale behind variation of responses of states to international regimes that they are discontent with. More specifically, it tried to find an answer for ‘what affects the responses of states when they are discontent with an international regime’ In order to do so; it has used a comparative study between Turkey and Poland since both countries have become dissatisfied with the content of the Istanbul Convention over time although they willingly became a part of the regime.

In order to explain the variation in responses, the theoretical framework on Hirschmann’s Exit, voice and Loyalty was elaborated upon. This theory suggested that actors’ decision making process was affected by different levels of anticipated costs, according to those cost calculations actors decided upon different types of responses including exit and voice. For the sake of this study, the exit option was defined as the act of withdrawal from the regime whereas the voice

option is defined as the expression of dissatisfaction by different means including withdrawal proposals, and reservations to the content of the regime.

The study identified the anticipated costs that would affect the outcome response as a combination of domestic audience cost and reputation cost. This theoretical framework of Hirschmann's theory was followed by an explanation of the study's methodological considerations. Later, these theoretical and methodological frameworks were applied to the empirical case study of level of anticipated costs and the response type. The findings of this study explains that public opinion has shaped the anticipated audience cost within both cases along with the opinions of international partners that shaped the anticipated reputation cost. After the individual estimation of each cost, this study combined both types of costs to estimate an overall anticipated cost for each individual case. After doing so, this study concluded that if the overall costs are 'low' or 'medium' states would take more drastic decisions such as 'exit'; whereas in the existence of 'high' overall anticipated costs, states would opt for the 'voice'.

After the individual analysis of costs for each state, the overall anticipated cost was estimated as 'medium' for the Turkish case and 'high' for the Polish. Thus, following the logic of the study Turkey would be predicted to participate in an exit since the anticipated costs were in the range of 'medium' and lower than Poland's. As for Poland it would predict that the state would voice its dissatisfaction rather than participating in an exit. When the type of responses is analyzed, it can be concluded that the predictions were appropriate.

The analysis helped to answer the research question of the study as well as testing the hypothesis; yet, there are some aspects to highlight for future research on the topic of state

response to international regimes. Firstly, conducting a study with the same definition for the exit option would be fairly limited, considering that states do not usually opt for exiting international regimes that set standards for the actors in the international relations. In addition, this study identified and studied anticipated costs, thus, there it has analyzed the current situation and made an assumption by following the analysis. Lastly, it indicated the cost types as audience and reputation cost, yet, when it comes to studying different regimes with a different set of cases the selection of the type of cost may not serve fully.

In the end, this study demonstrated how Hirschmann's theory of Exit, Voice and Loyalty could be aligned with the needs of international relations to understand the rationale between the variation of responses of states to international regimes that they grew dissatisfied with. While doing so it used an overall combination of anticipated audience cost and reputation cost. This study determined that the level of anticipated costs (high, medium and low) would affect the type of response of the states (exit and voice).

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