THE "HONOR" OF THE STATE: VIRGINITY EXAMINATIONS IN TURKEY

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In 1992, the tragedy of the fifteen-year-old G. made headlines in the Turkish press, in a typically stylized, melodramatic narrative. The principal of the high school G. attended called her father for a private meeting. When her father arrived, she was asked to leave the office. She remained behind the closed door, however, and overheard the principal notify her father, "Your daughter has a very low attendance record for the past term. I have been informed that she meets with boys. She might not be a virgin. I suggest that you have her examined." G. fled and was not seen for a week. After several search attempts, her body was found at the bottom of a cliff. The father had the virginity exam performed upon her dead body.[1]

Following this incident, other cases, involving high school girls, principals, and their families, with uncannily similar scripts, made it to the press. In recounting this particular incident, I have deliberately reproduced the sense of temporal progression culminating in a dramatic and violent climax, a narrative mode the newspapers fully exploited. The tragedy of the incident came to be embodied, as it were, in the operation performed upon a dead body. And it was precisely through appealing to such liberal, humanist sensibilities that virginity controls at the hands of state officials, which had not attracted much interest previously, captured the attention of feminist and activist organizations and was reported on by a commission sent by the Human Rights Watch.[2] These groups laid bare the fact that virginity exams, despite the lack of pronounced legal basis,[3] were routinely performed upon women suspected of illegal prostitution[4] and/or charged with "immodest" behavior; political detainees; girls in state-run dormitories, orphanages, and hospitals; and more sporadically, girls in

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high schools. The persistent campaigns of feminists and human rights activists brought the state apparatus under increasing pressure to clarify the law regarding virginity controls, resulting, after a series of unsatisfactory proposals, in the amendment (*genelge*) of 1999, which required the consent of the woman for the virginity exam to be performed.[5]

Yet the controversy in Turkey over state-enforced virginity examinations on women who infringe on "public morality and rules of modesty" was played out and still remains entrenched within the parameters of the traditional/modern dichotomy.[6] The exams are either tolerated, or even championed, for protecting the traditional values of honor, chastity, and virtue; or alternatively, they are condemned as proof of our failure in attaining the desirable degree of modernity. Although they reflect deep-seated values and beliefs towards women and sexuality, I argue instead that the exams are neither the embarrassing remnants of tradition nor are they simply reactionary attempts at its preservation. Rather, they are emblematic of the incorporation of the preoccupation with women's modesty, previously enforced primarily through kinship networks, into the mechanisms of surveillance deployed by the modern state. Neither throwbacks to tradition nor protections thereof, virginity examinations must be viewed as a particularly modern form of institutionalized violence used to secure the sign of the modern and/but chaste woman, fashioned by the modernization project embarked on by the Turkish nationalist elite under the leadership of Kemal Atatürk.

This article thus seeks to shift the frame of analysis from the traditional/modern dichotomy by situating virginity exams within the historical context of "the woman question" in Turkey, and by showing the relevance of that history to contemporary assumptions about gender, citizenship, and nationhood. Through an analysis of the disciplines enacted by the disciples of the modern Turkish state, I wish to explore, on the one hand, the interrelation of the legal and the cultural in the enforcement of gendered social norms and show, on the other hand, how the state's routinized intrusion into women's bodies comprises a fundamental facet of its sovereign claim over social relations in the name of the nation.

THE DISCIPLES AND THE DISCIPLINES OF THE STATE

In most cases the police or the gendarmes solicit virginity examinations,[7] or they may be initiated, as in the case of G. and other high school students, by school principals. The examination itself is carried out by a state-appointed doctor and consists in determining whether the person being examined has an intact hymen or not. The doctor then produces a report in which he–always a "he" in the cases documented by Human Rights Watch–pronounces the examined woman a virgin or not a virgin.

In the aftermath of the sensation caused by the suicides of schoolgirls, feminist and human rights activists launched a campaign for an amendment in the law which would explicitly grant a woman the right to refuse an examination at the mandate of state officials. In 1997, an amendment was indeed proposed in the Parliament, which granted the right to refuse but with the consequence that refusal would effectively designate the person in question "not a virgin."[8] The claiming of a legal right, in this scheme, came at the expense of acquiescing to a cultural vulnerability.

The exasperation of the opponents of the virginity exams with the less than satisfactory proposal turned to outrage upon the publication of an interview with Isilay Saygin, the minister in charge of women's affairs, and a member of the center-right party ANAP (Motherland Party). The minister vehemently defended the state's prerogative in undertaking virginity controls as a vital means of upholding "our practices, customs, and traditions" (*örf, adet, ve gelenek*). She designated virginity controls as proper and effective means of ensuring good upbringing (*terbiye*) in girls. She deemed the number of suicide cases insignificant–"three girls, five girls, it does not matter,"–if teaching *terbiye* and sustaining the "value judgments" of the society were at stake. To the insinuation that the state's concern with women's sexuality bespeaks the backwardness of Turkey with respect to the West, Saygin responded, "There is no such requirement that we should westernize in all respects. All people have their own culture. Furthermore, the whole world admires Turkish people's manners, customs, and traditions."[9]

The following week, whether in response to the furious reactions Saygin's remarks provoked, mostly in feminist, academic, and middle- and upper-class urban circles, or whether, as she claimed, merely because she felt compelled to state her own con-

victions, Selma Acuner, Saygin's senior aide was interviewed in the same newspaper column. Seemingly of a different mind from the minister, Acuner declared the practice of virginity exams to be uncivilized (*çagdisi*), and called them abuses of individual rights. She said that the regulation of women's sexuality by the state was a sign of traditionalism (*geleneksellik*), in stark contrast to the freedom from such controls in what she called the developed countries. Collapsing the practice enacted by the state into an essence of Turkish society, Acuner said, "Turkey is a very traditional society. And it does not show enough effort to relinquish this traditionalism." She pointed out that the repression of sexuality was a problem harming the entire society. She therefore urged the state to "keep its hands off of women's bodies," and instead channel its efforts into ensuring harmony and equality in the family."[10]

Despite the different policy implications of these two positions, I suggest that the discourses of both women are deeply rooted in the modernization project elaborated by the nationalist elite in the 1920s during the founding of the republic, and which continues to define the parameters of Turkish political culture. Although mainstream academic and public discourses tended to pit these two views against each other, with one view denoting the backward mentality and the other the progressive vision, I argue that they in fact dwell within the same paradigm and that the minister's position only renders explicit some paradoxes inherent in the modernization project.

The minister's endorsement of custom and tradition and the senior aide's lament of "our traditionalness" constitute two sides of the same nationalist coin. In the context of postcolonial Indian nationalism, Partha Chatterjee argues that an insistence on a distinction in the cultural/private domain coexists with an orientation toward Western standards of development and progress in the political/public.[11] Moreover, the "quintessential nationalist claim," in Dipesh Chakrabarty's phrase, of being "different but modern" may have wider bearing than the postcolonial context.[12] In her study of a modernizing Spanish village, Jane F. Collier, for example, proposes that the assertion of difference from other nationalisms through the "invention of tradition," concurrent with the positing of similarity as proof of advanced modernity, is the conceptual opposition embraced by all nationalist discourse.[13]

The second apparent contradiction between the two positions

concerns the role attributed to the state. While Acuner contends that the state should keep its hands off women's private lives, Saygin pronounces the state the obvious and natural(ized) guardian of custom and tradition, and by extension, of girls and their sexuality. But again, the two views are not as far apart as they seem. Although Acuner objects to state control of women's virginity, she goes on to list the true responsibilities of the state as overseeing the family, ensuring family unity, and as "turning women into citizens." Thus Saygin's proclamation that "the state is the father" is but an effusive formulation of Acuner's view of the state and its responsibilities. Inversely, despite her seemingly unqualified endorsement of tradition and custom, Saygin, too, knows to distinguish between impulsive individual acts rooted in the "culture," on the one hand, and the legal-rational methods of the state on the other hand. When the interviewer suggested that the state's role in punishing adultery resembles the "revenge killings" practiced in the "backward rural southeast," Saygin refuted the parallel and asserted the difference between killing in traditional revenge and punishment in the rule of law: "He kills because it has offended his honor. The state, on the other hand, punishes in order to protect the family."[14] Saygin merely articulates, therefore, the logical conclusions of the role of the modern nation-state as it was fashioned by the nationalist elite.

Contra Weberian and utilitarian approaches to legitimacy and political power which "endow the state with institutions with law-making and enforcing capabilities that may be more or less democratic," recent analysts of the state contest the state/civil society binary upon which such approaches rest.[15] Whether characterized, as in its early Marxist formulations, as the "legitimating of the illegitimate,"[16] or, in its later poststructuralist variants, as a "social and ideological project for the constitutions of social categories and identities,"[17] the present attempts at reformulating the role of the state press for a recognition of the intervention of states–and not just those deemed barbaric or traditional–into the lives, identities, and bodies of national subjects. In the particular case of virginity examinations and the Turkish state, such intrusions become possible, I argue, through the appropriation of what is identified as the "traditional" preoccupation with women's virginity into the broader framework of the regulatory mechanisms of the "modern" nation-state.

WOMEN INTO CITIZENS

Turning women into citizens, the goal identified by Acuner as the main responsibility of the state, dutifully echoes the Kemalist project of resolving what it designated the "woman question." The troubled relation between women and citizenship is by no means unique to the Turkish situation.[18] Indeed, in her analysis of women's movements in France, Joan Scott has proposed that feminism owes its very existence (as well as its agency) to the contradiction that constitutes the liberal notion of citizenship which proclaims equality at the same time that it relies on difference.[19] The impulse behind my analysis of Turkish nationalism and women's role within it, therefore, is not to imply the failure, viewed as symptomatic of a modernizing Third World country, to attain for women the ideal of citizenship. Rather, I attempt to delineate the specificity of the problematic configuration "woman" acquired within Turkish nationalism.

Turkey has been acclaimed, by Western and Turkish scholars alike, as having a pioneering role among Middle Eastern countries in the "modernization race."[20] Some of the most commonly cited achievements of Turkish modernization include reforms pertaining to women and the family, such as the adoption of the Swiss Civil Code in 1926 which replaced the Muslim family law, woman's suffrage in 1934, the nationwide campaign for women's education, and the shedding of the veil. Whatever their merits, the concomitant rhetoric of these reforms has invariably been our performance in the marathon to modernity. The notion is troubling because it presumes a singular and inevitable trajectory that Western nations seemingly completed, and which all other nations are compelled to follow.[21]

Critical histories of the "woman question" starting with the early westernization practices in 1838 up to the emergence of the feminist movement in the 1980s have already been written.[22] What I wish to highlight here is how in the Turkish context, as in many other Third World, postcolonial and/or nationalist contexts, women became the "ground" upon which notions of being modern became articulated.[23] My stress is less on the relationship of women to nationalism, which has already been demonstrated, and more, as Lila Abu-Lughod puts it, on the "significance of links between reforms for women and a politics of modernity."[24] I thus situate my concern with women and Turkish nationalism

within the broader critical inquiries into the politics of modernity and its novel modes of gendered subjection, social control, and bodily disciplines.[25]

It was in the discourse of the Young Ottomans, a group of mid-nineteenth-century intellectuals, novelists, playwrights, and bureaucrats who sought ways to reinvigorate the disintegrating empire, in part by adopting the Western ideals of progress they had encountered in their travels to and interactions with the West, that women first came to be identified as the loci of backwardness.[26] The Young Ottomans saw women's education as the prerequisite for progress and the prosperity of the empire, because women, in their role as mothers, would educate the future generations. But the sign of woman as nurturer and educator was perhaps most firmly secured in the writings of Ziya Gökalp, the leading ideologue of the Young Turks of the second constitutional period, and was later appropriated, with distortions, by Kemal Atatürk and the Kemalist elite. In the ideology of the Young Turks, the overarching signifier in the service of which the sign of women functioned was no longer the empire, nor Islam, but rather the nation-state. Women's reforms, which were undertaken by Atatürk and the Kemalist elite, were, by and large, materializations of the precepts propounded by Gökalp.

The Independence War (1919-1922) marked a turning point for the legitimization of women's mobility and public visibility.[27] Large numbers of women left their homes and made their appearance in public, both as active participants in the war–as nurses, carriers of ammunition, and less commonly, as soldiers–and as replacement workers in the positions vacated by men who had been drafted. The war significantly influenced both the terms in which women's rights were negotiated during the first decade of the republic and the internalization of these terms by many women. When proposing legal reforms concerning women, Atatürk countered the resistance put forth by the conservative constituency in the Parliament by citing the heroic role women had played in the war. For those women, too, who were active public figures during the period, women's contribution to the war became the primary grounds on which they claimed equal worth as citizens. Nezihe Muhiddin, the president of the Women's Association (Kadinlar Birligi), wrote in her 1931 autobiography:

Indeed the Turkish woman who proved her maturity during the nationalist

movement was not separated from the men even for a single moment and achieved her share of the work in the battle and the victory. The educated Turkish woman worked in the same field with the peasant woman: One delivered lectures with her mastery of the language, while the other carries, with those enormous hands and back of hers, ammunition to the front.[28]

The exclusions entailed in the notion of citizenship were already manifest in such nationalist commentaries by urban female intellectuals. On the surface, the reference to participation in the war provided a common basis for all women to claim their right to become citizens. And there is no denying that the war heroine was a powerful trope in facilitating the implementation of women's reforms. At the same time, however, the division of labor posited in Muhiddin's speech–the urban educated woman as the bearer of intellectual refinement and the rural woman of physical stamina–became engraved in the national imaginary. The poem *Elif's Oxcart* (*Elif'in Kagnisi*), an epic familiar to every primary schooler, is about the peasant woman Elif, who, after the collapse of one of her oxen from fatigue on the arduous journey to the front, replaces the ox, and perseveres towards her destination pulling the load herself. In this and other epic poems, textbooks, and public monuments, the peasant woman is mythologized for her bodily labor while the urban intellectual philosophizes and educates.[29]

Tezer Taskiran, another prominent first-generation Kemalist and a member of the National Assembly, concluded that the ardor displayed by women during the war was "a major factor in Atatürk's desire to raise women to the level they deserved."[30] Such deferential gratitude is typical in the writings of the Kemalist women of the era and exasperates many of the feminists of the 1980s. The tragic irony to me lies in the fact that the total endorsement of the woman patriot ultimately served to undermine the women's movement itself. In accepting uncritically the citizen identity bestowed upon them by the founding fathers, the elite women remained oblivious to its totalizing impulse. For subsuming women under the category of citizen not only overrode stark differences of class and made Kemalist feminism exclusionary from the start, it also defined as well the limits of the women's movement along with the identities that would be available to women. As far as the founding fathers were concerned, the woman question was resolved once women were formally proclaimed citizens. Significantly, the only political organization founded by

women, of which Nezihe Muhiddin was a member, and which almost became a political party, was abolished in 1934 when the leaders castigated it as unnecessary and as distracting from the nationalist cause.[31]

If the illusion of unity among women masked the discrimination inherent in the notion of citizenship, so too did the guise of equality among women and men that held gender irrelevant.

> In the Turkish land, there is no distinction between men and women. The difference between maleness and femaleness is not a concern of the nation. These are only relevant to the individual existence of the person, what are they to us? What we need are people, whether they be men or women, who embody and uphold the values of the nation.[32]

The degenderization of citizenship masked the extent to which previous notions of femininity were to persist, albeit in a transfigured form, in the nationalist construction of the "emancipated" woman. What this author could so swiftly dismiss as gender difference, in fact, created tensions for women who strove to achieve the appearance of degendered selves in public while being expected to retain traits associated with essentialist notions of femininity, most notably, motherhood. Perhaps the quintessential feminine trait, motherhood was rearticulated in the nationalist discourse to make it consistent with the degendered notion of citizenship. When urban, middle- and upper-class women began to raise their voices in public, for example, they spoke as mothers and martyr-heroines, depersonalizing the former into the exhilarated rhetoric of the latter: "Even if our joys or our blood is ignited, a heart made of nationhood is buried in our chests, which the fear of enemy cannot banish. . . . The day when my son asks me, 'Who am I?' I shall address him like an angel screaming from the heavens, 'you are a Turk with a grand history.' "[33]

Motherhood thus took on a connotation beyond that of the instinctively loving, nurturing female: mothers were now patriotically conscious women who bore the graver responsibility of imparting their unconditional love of the nation to their children, but more importantly, it seems, to their sons. The patriotic modern citizen identity was juxtaposed with, or rather, imposed upon, the essentialist notion of women as natural mothers. Such a collation further constrained the experience and expression of a distinctive female sexuality.

With the rhetorical skill of most charismatic leaders, Atatürk

sought to strike a delicate balance between the existing expectations of mothering and the patriotic citizen identity:

> The highest duty of woman is motherhood. If one realizes fully that education of both boys and girls starts in infancy, the importance of motherhood becomes evident. Our people are resolved to become a powerful nation. One of the major needs is to secure enlightenment for women in every field. . . . We have been educated by our mothers and they have done the best they could. But our present standards are not adequate for our present days needs. We need men with different attitudes and a deeper understanding, and the mothers of the future shall educate these men.[34]

Note how Atatürk adroitly prefaced the campaign for civic education with an affirmation of the virtues of motherhood. (Note also the slide from the inclusive "boys and girls" at the beginning of the statement to the preclusive "men" at the end.) Such a gesture was crucial in making palatable the public visibility of women among a population where a considerable constituency still believed women belonged exclusively in the private sphere. A well-known saying goes, "An honorable woman leaves her house only twice in her lifetime: one time to get married, and the other to get buried." As Ayse Durakbasa has argued, Atatürk and the founding fathers had to fashion a nonthreatening public image for women, which they did by downplaying female sexuality to the point of invisibility.[35]

At the same time, however, the donning of an asexual facade went beyond the strategic. As he traversed the country giving speeches, marking the land and discursively sealing it with the stamp of nationhood, Atatürk was also marking women's bodies with the nationalist vision of the virtuous, asexual woman. "The Turkish woman," he reiterated, "ought to be the most enlightened, most virtuous, and most self-controlled woman in the world. . . . She who is the source of the nation and the basis of social life can carry out her duty only if she is virtuous."[36]

Even the shedding of the veil, applauded as a bold stride toward the emancipation of the Turkish woman, was not a pure act of liberation. Given the reinforced emphasis on virtue, women had to acquire a different set of means to communicate their respectability now that the symbol of the veil was no longer available. For the Iranian context, Afsaneh Najmabadi has argued that women's entry into the heterosocial public space necessitated the loss of a language, laden with sexual allusions and undertones, so that the chastity of their unveiled bodies could be ensured.[37] In

other parts of the Middle East and elsewhere, too, as aptly demonstrated by several feminist scholars, such revolutionary moments have entailed a similar contradiction between the image of the public, degendered woman and that of the private, highly sexualized woman.[38]

Turkish modernization, which demanded that women be unveiled without unburdening them from the requirement of chastity, resulted, as Deniz Kandiyoti puts it, "in compensatory symbolism and a new veil–that of sexual repression." Tracing the images of Turkish women in the post-Tanzimat novel, Kandiyoti demonstrates how women were depicted as either the bearers of moral decay, or of national redemption. The only alternative provided by the nationalist novel to the entirely westernized, and therefore immoral and loose woman, was the patriotic woman who was so virtuous and chaste that her sexuality became altogether irrelevant. Halide Edip Adivar, the best known female novelist of the time, described her celebrated heroine, Handan, in explicitly asexual terms: "[T]here was nothing in that look that reminded anyone, male or female, of sexuality."[39]

The inexorable emphasis on virtue and chastity in the nationalist fashioning of the modern Turkish woman resulted in a peculiar hybrid.[40] Contrary to the presuppositions of most analysts of the Mediterranean who view the honor and shame codes as inherent to the rural traditional community and not compatible with the nation-state, modernization in Turkey did not eliminate the preoccupation with women's chastity and virginity.[41] Rather, Turkish modernization attributed to honor and shame a new significance by incorporating them, in Liisa Malkki's phrase, into the "national order of things."[42] In Gyan Prakash's language, the encounter between Turkey and the West was one between "unequal subject positions" and resulted not in a total appropriation of the former by the latter but in an "alienating installation": unveiled and yet pure, the new woman was to be "modern" in appearance and intellect but was still required to preserve the "traditional" virtue of chastity and to affirm it constantly.

RUPTURES

It is probably only the first generation of Kemalist women who were able to fulfill these requirements and attain the ideal of the

modern Turkish woman. They had the privilege of class, education, and as pioneers, felt, behind them, as one member of this group stated, the "support of the immense power of the state."[43] The paradoxical performances of the modern and/but modest, of publicly visible and/but virtuous were the privilege of the small group of women who belonged to the nationalist elite. For others, the realities of modern life, migration to big cities, and the concomitant increase in wage laborers made it difficult to sustain claims to modesty.

Starting with the 1980s, with the largely informal and heterogeneous feminist movement, the expectation that women had to be modest, chaste, and virtuous began to be challenged explicitly. In a march held in May 1987 to protest domestic violence, about 2,500 women who were other than virtuous wives, respectable mothers, or self-sacrificing patriots, walked the streets of Istanbul, shouting "Enough! It is our turn to speak."[44] The following year, in celebration of International Women's Day on March 8, the "Temporary Modern Women's Museum" was set up. The range of objects exhibited ran from the most trivial, such as kitchen utensils, to items that were daring assertions of sexuality, such as IUD's. In 1989, feminists from Ankara and Istanbul came together for the First Feminists Weekend for the event that came to be known popularly as the "Purple Needle." During the event, purple needles were distributed for defense against sexual harassment on the streets, with slogans like "Our bodies belong to us," "Don't be ashamed, cry out."

It seems to me to be more than coincidental that the frequency and the violence of the virginity exams at the hands of state officials intensified with the emergence of the feminist movement of the post-1980s. This is not to say that the exams are a direct response to the movement. Nevertheless, they are, I believe, at least in part, an expression of state anxiety during a time of shifting norms and a retort to the bolder attitudes of women who are reclaiming bodies other than those sanctioned by the official ideology.

Such disruptions of the official construction through everyday practice comprise the more visible level at which the totalizing identity of the nationalist modern woman gets ruptured. But identity is never singular nor homogeneous, even before the heterogeneity of its performances exceed the bounds of its original construction. As Homi Bhabha persistently reminds us, identity

embodies, relies on, and requires difference in its inception, in the very instance that it asserts sameness.[45] The depiction of the modern woman in the nationalist rhetoric could appear to be so unfalteringly consistent, so pervasively singular, only under the threat and in the face of heterogeneity. That is perhaps why the force of rhetoric never seems to quite suffice and why it always needs either the services of physical violence to suppress and silence, or, within the subtler forms of subjection characteristic of modernity, to correct and to discipline. In the next section, I turn to the methods by which such disciplinary practices are carried out and the ways in which they are officially and culturally sanctioned.

VIRGINITY IN THE LAW

Although there is no direct reference, either in the Turkish Constitution or in the Penal Code, to virginity examinations, there is ample ambiguity along with systematic gender discrimination to lend support to the practice. In the Penal Code, for example, all forms of assault aimed at single persons are grouped under the heading "Felonies against Individuals," with the exception of sexual assaults against women. The latter are grouped under "Felonies against Public Decency and Family Order." The equality between women and men, paid lip service to by the Constitution, is contradicted by the Penal Code which posits that attacks on the body constitute a breach of individual rights only when the bodies in question are male. The woman's body under sexual attack, on the other hand, is construed not as a violation of individual rights, but of the family order.[46]

The importance of a woman's purity as an icon of family honor is reflected in the linguistic repertoire, most notably in the injunctions against "staining the family honor" (*aile namusunu lekelemek*). Paradigmatic articulations might range from the gentler warning of a father to his daughter, "Do not do anything that might stain the family honor," to the more authoritarian threat, "I will never let our family honor become stained," with the implication that anyone who dares to "compromise" a woman of the family shall be avenged. Its varying intensities notwithstanding, the notion of staining the family honor remains a powerful trope, capitalized on by popular Turkish movies and the press, and usually succeeds in eliciting empathy and emotion.

Occasionally, the press will cover news of what are called "revenge killings," instances when a stain on the family honor leads to the murder of the offender as well as the woman he has raped or had an affair with by an appointed male member of the "wronged" family. Like the minister for Women's Affairs, who refuses to compare what she calls traditional forms of revenge with the punishments enacted by the rule of law, many of her allegedly progressive opponents wish to relegate such incidents to the more backward, traditional parts of Anatolia, or to the urban fringes populated by migrants. It seems to me that such attempts at geographical and conceptual containment–they only occur *there*, perpetrated by *those* people–partake in the conflation of identity and space, and reflect the wishful expulsion of the unsavory to the brims of what is vindicated as the civilized, the modern. Such distancing makes it possible to overlook the disquieting correspondences between acts condemned as barbaric and the logic of the legal structures. To give an example: according to the Penal Code, a rapist escapes liability when and only if he agrees to marry the woman he has "deflowered."[47] While the nation-state does not undertake revenge killings to punish the offenders of sexual honor, it rebukes, disciplines, penalizes the "transgressors," irrespective of distinctions of victim/aggressor, through regulations that ensure the continuation of the family at all costs.

The film *Where is Fatmagü''s Fault? (Fatmagül'ün Suçu Ne)* by the Turkish director Yusuf Kurçenli attempts a social critique of the law regarding rape and the cultural assumptions that surround it. The heroine Fatmagül, the chaste and most beautiful girl of the province, is gang-raped by a group of five friends. Four of the felons come from wealthy families and are informed by their lawyer that the only way they can escape imprisonment is if one person shoulders the blame and marries Fatmagül. The burden of marriage falls, of course, on the poor lad, who takes Fatmagül as his wife, but loathes her because of her "impurity." Gradually, however, he comes to accept her, even love her, to the point that, years later, when the delinquent friends revisit his house, assuming they still have access to the despoiled Fatmagül, he fights them off and defends her honor, just as he would do for an "honorable" woman.

However, despite its critical intent and potent emotional tenor, the film romanticizes and reinforces the strength of the conjugal

bond. True love has a chance to blossom, the movie seems to plead, even under the most adverse circumstances, as long as the couple is married. Such a romantic outcome seems quite limited to the screen, however. Several stories of domestic violence I listened to when I worked at the battered women's shelter in Istanbul indicate that sexual intercourse before marriage burdens a woman with a vulnerable past and can become a pretext for a husband's harassment. A common justification used by the violent husband is that his wife was not a virgin at the time of marriage. The same holds even if the person she "lost her virginity to" had been her own husband.

Besides rape and attempts at rape, also regulated under the category of "crimes against public decency and family order," are "indecent behavior" in public, sexual intercourse in public, prostitution, "deflowering" under the promise of marriage, abduction, pornographic acts, and adultery.[48] In cases of abduction, the minimum is seven years if the woman under question is married. If not, the sentence can be as low as three years. And until 1987, the punishment was automatically reduced if the woman raped/abducted was a prostitute. The article was annulled as a result of a series of feminist campaigns.

While nothing in the Penal Code directly addresses virginity exams, then, there is a repeated emphasis on the virgin status of the woman, both in defining the crimes and in meting out punishment. The woman's status as virgin, non-virgin, or married plays a significant role in how a crime against her is interpreted. So powerful is the identification of girls and virgins that girl is linguistically iconic with virgin: instead of the more technical term for virgin, namely, *bakire*, the more common usage is simply "girl" (*kiz*). Even in documented medical reports, the phrase deployed to indicate rupture of the hymen is "not a girl" (*kiz degil*).

The regulations of the Police Duty Law supplement the focus on virginity in the Penal Code. Under this law, the police are entrusted with protecting not only life and property, but honor and chastity as well. They have the power to detain persons whose actions are deemed to be violating "public morality and rules of modesty" and those who act in ways "not approved by the social order."[49] There is no further specification as to what constitutes an act not approved by the social order, or what is not in keeping with the rules of modesty. Driving a car alone, walking alone late

in "disreputable" neighborhoods, sitting at night in a park in male company have been among some of the acts deemed as infringements of the police standards for socially appropriate and modest conduct.

It is important to distinguish, of course, when the virginity exam remains at the level of threat, and when the threat is actually carried out. It appears that virginity exams at the hands of police–without the initiative of school officials, parents, anti-terror police (forces specially trained against terrorist groups)–are likely to remain at the level of threat if the person being harassed by the police has enough symbolic capital, in Bourdieu's sense, to convince the latter he will get into trouble if he forces the woman to undergo the examination. The police are authorized to raid places (from bar to apartment), if they suspect illegal prostitution and to detain illegal prostitutes. One frequent use of virginity examinations, although not legally supported, is on women who are thus detained, with the purpose of searching for signs of recent sexual activity. What kind of behavior might trigger a particular policeman to indict someone of illegal prostitution appears to be highly arbitrary. A police officer can approach someone with the allegation of indecent behavior, which can then advance to the accusation of illegal prostitution. As the director of state forensic medicine in Ankara corroborates, "State doctors perform virginity exams at the request of the police when women are accused of prostitution or of 'abnormal' behavior in parks."[50]

It is not only women's movement in public space that is subject to control. Virginity examinations are also performed on young women populating the enclosed, institutionalized spaces of state-run orphanages, vocational high schools, and prisons. The last deserves separate treatment, because virginity examinations performed on political detainees are instances when brute physical force is manifested in its most undiluted form, and when subject formation through inscriptions on bodies appears in its most unmediated.

THE CREATION OF A "CULTURE OF TERROR"

It emerges from the testimonies of political detainees that the threat or imposition of a virginity test by the anti-terror police is deployed as a strategy of terror, humiliation, or physical abuse

and involves not infrequent incidents of rape.[51] As one woman detained by village guards under the accusation of supporting the PKK, Workers Party of Kürdistan, narrated, "They told me that we shouldn't help the PKK; that they would kill us and rip us apart if we keep the PKK. When they were asking me questions they said, "if you don't talk we'll rape you. Now you're engaged, but after we rape you no one will marry you." Another Kurdish woman who was detained by the anti-terror police with her forty-three-year-old mother while attending a funeral said, "They [the police] constantly threatened to take me for virginity control and then to rape me when they found I wasn't a virgin."[52]

In their analysis of state violence in Venezuela, Fernando Coronil and Julie Skurski write that through symbolic and material inscriptions on the body "the corporeality of people become privileged mediums for reorganizing the body politic and for forcibly controlling the movement of persons and ideas within the nation's material and cultural space."[53] Allen Feldman, too, in his ethnography of political violence in Northern Ireland, posits the body as both the locus of those material practices of "semantic excess" and the site of the inscription of political texts.[54] Whether seen as marks on the body or as semantic excess, virginity examinations as instruments of torture participate in the creation of a "culture of terror,"[55] which marks a state of things identified by James Holston and Teresa Caldeira as a "disjunctive democracy."[56]

I find that the use of examinations in this way needs to be analytically distinguished from the uses it has when performed on schoolgirls, orphans, and prostitutes. Anti-terror virginity exams are pretexts for sexual harassment conducted against the "enemies of the state" to protect the "intactness" of the nation. Virginity exams performed on schoolgirls, the female inmates of school orphanages, and prostitutes, however, regulate sexuality to ensure the preservation of the health and hygiene of the nation. Whereas the first aims at cleansing the "enemy," the second functions as a regular, systematized control over producing and preserving healthy citizens. What does remain constant throughout is the primacy of "shame" as a gendered construct: the torture of female political detainees takes the form it does because of the importance of sexual propriety, because they too are women who can be shamed through sexual violation.

The "corrective penality" is the name that Michel Foucault gives

to modern practices of punishment. Instead of working through representations and signs as did the previous phase of the reformist movement, the corrective penality, according to Foucault, redirects its focus to the body. This body, however, is no longer the public tortured body of the first phase, the *ancien régime*, but rather the private, disciplined body. The corrective penality produces docile bodies through the military authority of the liberal state with its novel, nationalized techniques of discipline. These new techniques that aim at the "individual and collective coercion of bodies" constitute a form of power that Foucault characterizes as suspicious and one which operates on a calculated economy. One of its main instruments is the "examination," a technique that combines the other two techniques of discipline, "hierarchical observation" and "normalizing judgment," but is distinct from either. The examination is "a normalizing gaze, a surveillance that makes it possible to qualify, to classify, and to punish. It establishes over individuals a visibility through which one differentiates them and judges them."[57]

Although the "examination" evoked by Foucault cannot be mapped onto the virginity examination *mot à mot*, it is, nevertheless, a highly suggestive metaphor in thinking about the "suspicious" power of the police, dormitory administrators, state-appointed doctors, and school principals. Theirs, too, is a "normalizing" gaze that differentiates and classifies according to virgin/non-virgin status, judges for normalcy or deviance, and punishes accordingly. Foucault also stresses the emerging importance of documentation, registration, and keeping of files, all of which lead to the "formalization" of the individual within power relations. Accumulation of documents enables as well the classification, categorization, and fixing of norms. Thus, the examination marks the passage of people from an anonymous mass to distinct, individualized cases, to be known, judged, classified. In Turkey, state-appointed doctors collaborating with the police produce documents after each examination, fixing the status of the woman within a scientific diagnosis–virgin/not-virgin–which, in turn, marks her as normal or deviant. If a virgin, she is approved of, if not, ostracized, excluded, punished.[58]

CONCLUSION

In most Western liberal and human rights discourse, forced virginity examinations as a form of state violence would figure as a deviation, a breach of the modern nation-state's commitment to individual rights and respect for bodily integrity.[59] While I, too, consider virginity examinations to be unacceptable intrusions into women's bodies, I have tried to show why we need to consider them beyond the parameters of the liberal discourse of modernity. Such a framing places the entire burden on the "incomplete modernization" of Turkey and thereby ignores the modern forms of violence intrinsic to Western liberal democracies and nation-states.[60] It overlooks, moreover, the ways in which such disciplinary practices constitute a specifically modern, objectifying, individualized form of power compatible with the techniques of surveillance deployed by nation-states. State controls of women's bodies thus should not be dismissed as merely the traditional lapses of an aspiring nation-state. At the same time, I have tried to account for the peculiarity of the virginity exam to the Turkish context by probing the particular constellation comprised of a discriminatory legal system, the cultural emphasis on women's chastity, and the overarching ideology of the Kemalist project of modernization. Navigating between the Scylla of making all modernities look the same and the Charybdis of cultural essentialism, I tried to situate what has been identified as the "traditional" preoccupation with women's virginity within the broader framework of the regulatory mechanisms of the "modern" nation-state.

Recently, a phrase has become fashionable among the laicist women and men in Turkey: "Virginity is not in the hymen, but in the mind." Like the minister's aide, those who condemn the state practice of the virginity exam as traditional utilize this motto to affirm their modern, progressive outlook. While seemingly condemning traditional controls of sexuality, however, the motto bespeaks a novel form of control. Implying that spiritual virginity is a state above and beyond natural or anatomical virginity, the statement points to the education of women's desire in compliance with the dictates of the mind, rather than the impulses of the body. But the novelty of virginity in the mind consists in more than the shift from the body to the mind, from (physical) coercion to (ideological) persuasion.[61] Rather, the seeming denial of the significance of the physical, the hymen, with a concurrent insistence

on the ideal, virginity, results in the very creation of the mind/body opposition and produces the effect of the possibility of self-control free from outside intervention. Displacing the language of kinship, honor and shame, custom and tradition, and appropriating the language of rationality and education, the phrase "virginity in the mind" suggests that a woman can and should draw the boundaries of her sexual freedom according to the rational choices that will lead to the healthy, stable, national family. The discursive dislocation of virginity from the hymen to the mind, it seems to me, will only add to, rather than ease, the many tensions that characterize modern Turkish femininities.

NOTES

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1. *Cumhuriyet*, May 9, 1992, "Öldüren Bekaret."
2. Human Rights Watch, *A Matter of Power: State Control of Women's Virginity in Turkey*, Vol. 6 (New York: Human Rights Watch/Women's Rights Project, 1994).
3. At no point did the law authorize the police to enforce virginity examinations at the police's own discretion. However, according to the Penal Code, in cases of rape, prostitution, and extramarital intercourse, the prosecutor demands the exam to determine whether the hymen is intact or ruptured, and thereby decide whether intercourse has indeed taken place. The unscientific basis of such evidence, as well as its discriminatory nature against women who might not be virgins in the first place, has been noted (see footnote 52). For an extended and informed discussion of the role of the hymen in legal discourse and judges' decisions, see Sami Selçuk, *Kızlık Bozma Suçu* (Ankara: Adil Yayinevi, 1996). My larger point, however, is that the persistent emphasis on virginity in the Penal Code and the extensive authority relegated to the police in the Police Duty Law for overseeing public morality collude to accommodate arbitrary virginity examinations enforced by school officials, administrators, and the police. I elaborate on this point further in the section on Virginity in the Law.
4. Prostitution is legal in Turkey, as long as sex workers are properly registered and undergo periodic medical examinations.
5. This particular amendment, entitled "On Vaginal/Anal Examinations and Photographs during Autopsy Procedures," was passed by the Minister of Justice Hasan Denizkurdu, who declared that the amendment would put an end to the unlawful practice of virginity exams. However, certain cases were exempted. These include crimes of rape (Penal Code, Articles 414-418), provocation to prostitution (Article 435), and instances where parties refuse the charge of extramarital sexual intercourse (Articles 419 and 436). For these, the prosecutor can still demand a virginity exam.
6. *Polis Vazife ve Salahiyet Kanunu* (Police duty and authority law), law no. 2559, article 11. Similar expressions of and variations on the theme of "indecent behavior" abound throughout Articles 414-447 of the Turkish Penal Code.

7 The gendarme substitutes for the police in many rural areas, and especially in the "troubled" zones in southeastern Turkey.
8 *Radikal*, 5 Dec. 1997
9. Yeni Yüzyıl, 29 Dec 1997, Nese Duzel, "Pazartesi Sohbetleri."
10 Yeni Yüzyıl, 5 Jan 1998, Nese Düzel, "Pazartesi Sohbetleri "
11. Partha Chatterjee, *The Nation and Its Fragments: Colonial and Postcolonial Histories* (Princeton: Princeton University Press, 1993)
12. Dipesh Chakrabarty, "The Difference-Deferral of a Colonial Modernity. Public Debates on Domesticity in British Bengal," in *Tensions of Empire. Colonial Cultures in a Bourgeois World*, ed Ann Stoler and Frederic Cooper (Berkeley University of California Press, 1997)
13 Jane F. Collier, *From Duty to Desire: Remaking Families in a Spanish Village* (Princeton. Princeton University Press, 1997)
14. Yeni Yuzyil, 29 Dec 1997
15 Carole Nagenstat, "Violence, Terror, and the Crisis of the State," *Annual Review of Anthropology* 23 (1994) 121.
16 Philip Abrams, "Notes on the Difficulty of Studying the State," *Journal of Historical Sociology* 1 (March 1988) 76
17 Bernard Cohn and Nicholas Dirks, "Beyond the Fringe· the Nation-State, Colonialism, and the Technologies of Power," *Journal of Historical Sociology* 1 (March 1988) 226
18. There is by now a vast literature on gender and nation-building For especially thought-provoking pieces, see Veena Das, "National Honor and Practical Kinship· Unwanted Women and Children," in *Conceiving the New World Order The Global Politics of Reproduction*, ed. Faye Ginsburg and Rayna Rapp (Berkeley University of California Press, 1995), on the appropriation of women's bodies as objects upon which nationalist desire and violence was inscribed, Julie Skurski, "The Ambiguities of Authenticity in Latin America· Dona Barbara and the Construction of National Identity," in *Becoming National: A Reader*, ed. Geoft Eley and R G Suny (Oxford Oxford University Press, 1996), for an analysis that complicates the Andersonian "imagined community" by examining the ways in which gender has been central to the imagination and narration of the nation; Kamala Visweswaran, "Small Speeches, Subaltern Gender: Nationalist Ideology and Its Historiography," in *Subaltern Studies 9*, ed. Shadid Amin and Dipesh Chakrabarty (Delhi. Oxford University Press, 1996), on the construction of women as discursive subjects within Indian nationalism and the gendered constitution of subaltern agency.
19 Joan Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge: Harvard University Press, 1996).
20. For some of the best known examples of this view, see Daniel Lerner, *The Passing of Traditional Society* (New York Free Press, 1952); and Bernard Lewis, *The Emergence of Modern Turkey* (London Oxford University Press, 1968)
21 The subaltern studies school has led the way in systematically challenging the teleological vision of modernization, where the West stands for the acme of civilization and democracy. For a recent and brilliant application of this critique to the modern Chinese context, see Lisa Rofel, *Other Modernities Gendered Yearnings in China after Socialism* (Berkeley: University of California Press, 1999)
22. For the three major articles on the "woman question" in Turkey, see Deniz Kandiyoti, "End of Empire: Islam, Nationalism, and Women in Turkey," in *Women, Islam, and the State*, ed Deniz Kandiyoti (London Macmillan, 1990), Nukhet Sirman, "Feminism in Turkey A Short History," *New Perspectives on Turkey* 3 (fall 1989) 1-35, and Sirin Tekeli, "1980'ler Turkiye'sinde Kadınlar," in *1980'ler Turkiyesinde Kadin Bakis Açisindan Kadinlar* (Istanbul Iletisim Yayinlari, 1990). For a meticulous analysis of the women's movement during the Tanzimat in particular, see Serpil Çakir, *Osmanli Kadin Hareketi* (Istanbul: Metis Yayinlari 1994).

23. Here I follow the lead of Lata Mani's brilliant essay, "Contentious Traditions. The Debate on Satı in Colonial India," in *Recasting Women· Essays in Colonial History*, ed. Kumkum Sangarı and Sudesh Vaid (New Delhı. Kali, 1989), where she argues women should be seen as neither the subjects nor the objects of the discourses on widow burning in India but, rather, as the ground upon which these discourses, with their accompanying versions of tradition, were debated.
24. Lila Abu-Lughod, "Introduction: Feminist Longings and Postcolonial Conditions," in *Remaking Women· Feminism and Modernity in the Middle East*, ed Lila Abu-Lughod (Princeton: Princeton University Press, 1998), 8.
25. See ibid. for a fuller statement of these concerns and the other essays in the collection for specific analyses of such theoretical engagements.
26. The Young Ottomans espoused Western norms in that they generally opposed traditionally arranged marriages, easy divorce laws, sex segregation, and Islamic dress. For slightly different perspectives on the extent to which they allied themselves with the West, however, see further Sırman, 4-9, and Kandiyotı, 24-28.
27. Kandıyotı, 30.
28. Nezihe Muhiddın, *Turk Kadını* (Istanbul: Numune Matbaası, 1931), 59.
29. The urban/rural dichotomy persists in the writings of later Kemalist academics, albeit with an ironic although not unexpected twist. whereas in the first decade of nationalist zeal the peasant woman was mythologized, she later becomes emblematic of that "stronghold of traditionalism," hindering the swift progress of modernization Representative of such a view of the history of women's emancipation is Nermin Abadan-Ünat's "The Modernization of Turkish Women," *Middle East Journal* 32 (fall 1978): 291-305, where she displaces the shortcomings inherent to the modernizing project onto the urban/rural dichotomy and the "peasant problem."
30. Tezer Taskıran, *Cumhuriyet'in 50. Yılında Turk Kadın Haklari* (Ankara: Basbakanlik Basimevı, 1973), 155.
31. Zafer Toprak, "Halk Fırkasından Once Kurulan Partı· Kadınlar Halk Firkasi," *Tarih Toplum* 51 (March 1988): 158-59.
32. Quoted in Ayse Durakbasa, "Cumhuriyet Donemınde Kadın Kimliginin Olusumu," *Tarih Toplum* 51 (March 1988). 43
33. Quoted in Taskıran, 70
34. Ataturk, quoted in ibid., 58.
35. Durakbasa, 44. For a more nuanced statement of this argument, see Yesim Arat, "The Project of Modernity and Women in Turkey," in *Rethinking Modernity and National Identity in Turkey*, ed. Sibel Bozdogan and Resat Kasaba (Seattle University of Washington Press, 1997). Arat points out that even within the public sphere, the images women were expected to project could be contradictory, as evidenced in the trend of the décolleté evening dresses women donned in balls during the early days of the republic
36. Atatürk, quoted in Taskıran, 90.
37. Afsaneh Najmabadi, "Veiled Discourse–Unveiled Bodies," *Feminist Studies* 19 (fall 1993)· 487-518
38 For resonances with Egypt, see Margot Badran, *Feminists, Islam, and Nation. Gender and the Making of Modern Egypt* (Princeton. Princeton University Press, 1995), and with Iran, see Parvin Paidar, *Women and the Political Process in Twentieth-Century Iran* (Cambridge: Cambridge University Press, 1995). Beyond the Middle Eastern context, Purnima Mankekar's *Screening Culture, Viewing Politics An Ethnography of Television, Womanhood, and Nation in Postcolonial India* (Durham Duke University Press, 1999); and Rofel's *Other Modernities* provide interesting comparisons
39. Deniz Kandiyoti, "Slave Girls, Temptresses, and Comrades: Images of Women in the Turkish Novel," *Feminist Issues* 8 (1988) 35-49, 47, 45
40. I use the term "hybrid" here following Gyan Prakash's elaboration in "Science between the Lines," in *Subaltern Studies* 9, ed Shadid Amin and Dipesh Chakrabarty

(Delhi. Oxford University Press, 1996): 59-83
41. The pioneering work of the British structuralists J G. Peristiany and Julian Pitt-Rivers in *Honour and Shame: The Values of Mediterranean Society*, ed J G Peristiany (Chicago: University of Chicago Press, 1966), which posited honor/shame as pan-Mediterranean codes, had a long-lasting influence in asserting the cultural unity of the Mediterranean and marking the area as a distinct, bounded entity for scholarship See, for example, David Gilmore, ed *Honor, Shame, and the Unity of the Mediterranean* (Washington D.C.: American Anthropological Association, 1987) Only a few have radically challenged the contextual limitations of the honor/shame code as an all-encompassing ideology and the conceptual standardization the presumed uniformity the model imposes upon a far more finely textured and varied reality, see Lila Abu-Lughod, *Veiled Sentiments Honor and Poetry in a Bedouin Society* (Berkeley: University of California Press, 1986); Michael Gilsenan, *Lords of the Lebanese Marches Narrative and Violence in an Arab Society* (Berkeley: University of California Press, 1997); and Michael Herzfeld, "Honor and Shame. Problems in the Comparative Analysis of Moral Systems," *Man* 15 (1980): 339-51. Such overgeneralization about the unity of the area has the effect of particularizing the community under study by treating it as an enclosed, localized entity, sequestered from larger social and political processes--hence the underlying assumption in these analyses that honor and shame are at odds with modernity. See especially Gilmore who suggested that the importance of virginity persisted *despite* modernization, and Jane Schneider, who, in "Of Vigilance and Virgins," *Ethnology* 10 (1971): 1-24, claimed that the expansion of the nation-state would weaken the concern with virginity But see Sherry Ortner, "The Virgin and the State," *Feminist Studies* 4 (October 1978): 19-35, for an early and rare intervention against the absence of the nation-state in the analyses of honor and shame, in which she posits the structural transformation brought by the emergence of the nation-state as a critical historical juncture in binding the concern with women's virginity to the honor of the group
42. Liisa Malkki, *Purity and Exile Violence, Memory, and National Cosmology among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995)
43 Hamide Topçuoglu, quoted in Durakbasa, 43.
44 It was out of this march that the project for the first independent shelter against battered women grew For an account of the march as well as the making of the Purple Roof Foundation, see The Purple Roof Collective, *Bagir Herkes Duysun Dayaga Karsi Kadin Dayanisma Kampanyasi* (Istanbul: Gumus, 1988).
45 Homi Bhabha, *The Location of Culture* (London: Routledge, 1994)
46. Canan Arin, an outspoken feminist activist, a legal counselor for the Purple Roof Foundation, and one of the few lawyers in Turkey to explicitly pronounce her practice as feminist in its outlook, has written repeatedly about gender discrimination in the law. See, for example, Canan Arin, "Kadina Yonelik Siddet Açisindan Turk Hukukunun Kadina Yaklasimi," in *Evdeki Teror. Kadina Yonelik Siddet*, ed. Mor Cati Kolektif (Istanbul: Mor Çati, 1996).
47. Türk Ceza Kanunu (Turkish Penal Code) (Ankara: Alkim), Article 423
48. Ibid , Articles 414-47.
49. Polis Vazife ve Salahiyat Kanunu, Articles 2 and 11.
50 Human Rights Watch, 19
51 See the testimonies by political detainees in Human Rights Watch.
52 Human Rights Watch, 14, 17. The police occasionally defend it as a necessary measure to protect themselves against claims of custodial rape. But there is a perverse logic at work here. As stated by the HRW, "Police assert that an exam that finds that a woman is not a virgin, it is evidence against a claim of rape because it establishes that she is sexually active and that her 'loss of honor' is not attributable to custodial rape. This argument rests on the assumption that only women who can prove their virginity prior to an alleged incidence of rape can successfully bring rape charges against the police" (18).

53. Fernando Coronil and Julie Skurski, "Dismembering and Remembering the Nation: The Semantics of Political Violence in Venezuela, *Comparative Studies in Society and History* 33 (April 1991). 290.
54. Allen Feldman, *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland* (Chicago. University of Chicago Press, 1991) Feldman further argues that the material and the semantic become inseparable as they act upon the body so that any violence upon the body necessitates a new semiological order
55. Michael Taussig, "Culture of Terror-Space of Death. Roger Casement's Putumayo Report and the Explanation of Torture,' in *Colonialism and Culture*, ed. Nicholas Dirks (Ann Arbor: University of Michigan Press, 1995).
56. James Holston and Teresa Caldeira, "Democracy, Law, and Violence. Disjunctions of Brazilian Citizenship," in *Fault Lines of Democratic Governance in the Americas*, ed. Felipe Aguero and Jeffrey Stark (Miami North-South Center Press, 1998), call for a revised paradigm for describing democracies precisely to identify and distinguish those democracies within which such cultures of terror flourish They deem that the designation "democratic" needs to encompass more than the electoral system and to take into account the social and cultural conditions within the context of which an allegedly democratic regime operates. They offer the term "disjunctive democracies" to delineate the coexistence of a political democracy with systematic violation of the civil components of citizenship.
57. Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan (New York: Vintage, 1977), 169, 184
58 To say that the virginity examination as an instrument of state power exhibits the characteristics of the most modern form of power, that of the corrective penality, is not to imply a strict linear trajectory of stages, as Foucault has done with his overly neat demarcations between "mark, sign, trace," or "ceremony, representations, exercise " Instead of asserting the absolute displacement of the old by the new, I suggest that the remnants or traces of the previous modes remain, to varying intensities in different sites but that a transition to fundamentally new techniques has indeed occurred Therefore, although I argue that state controls of women's bodies constitute a specifically modern, objectifying, individualized form of power, I emphasize that that power does not exclude physical/brutal force, nor does it dispense with the symbolic order
59. The standpoint taken by the Human Rights Watch in the cited 1994 report constitutes a good example of this view.
60. For one of the earlier accounts of the use of economic and political violence in the formation of Western nation-states, see Barrington Moore, *The Social Origins of Democracy and Dictatorship* (Boston: Beacon Press, 1966). Anthony Giddens, in his *The Nation-State and Violence*, Vol 2 of *A Contemporary Critique of Historical Materialism* (Berkeley: University of California Press, 1987), has emphasized in particular the role of military violence. Among other recent work, see Charles Tilly, "War-Making and State-Making as Organized Crime," in *Bringing the State Back In*, ed P. B Evans, Dietrich Rueschemeyer, and Theda Skocpol (New York Cambridge University Press, 1985) for an especially trenchant critique
61 See Timothy Mitchell, "Everyday Metaphors of Power," *Theory and Society* 19 (October 1990). 545-77, for an extensive critique of the ways in which the binaries of coercion/persuasion and mind/body permeate analyses of modern methods of domination and how the terms of the two oppositions get mapped on to traditional versus modern forms of power, respectively