



Women, Family And Social Change In Turkey

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UNESCO Supported Series on Women's Studies
in Asia and the Pacific

Ozbay, Ferhunde, ed.

Women, family and social change in Turkey. Bangkok,
Unesco, 1990.

iii, 162 p. (UNESCO supported series on women's studies in
Asia and the Pacific)

1. WOMEN'S STATUS - TURKEY. 2. FAMILY LIFE -
TURKEY. 3. WORKING WOMEN - TURKEY. I. Unesco.
Principal Regional Office for Asia and the Pacific. II. Title.
III. Series.

301.412



Women, Family And Social Change In Turkey

.2470
JL 13
27



edited by
Ferhunde Ozbay

**UNESCO Supported Series on Women's Studies
in Asia and the Pacific**

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The Legal Status of Turkish Women¹

Nermin Abadan-Unat

To radically change the status of Turkish women and transform them into responsible, self-confident citizens was one of the major aspirations of Kemal Ataturk, the founder of the Turkish Republic. He cherished the ideals of equality between the sexes, equal opportunity in education, and a family life not based on a life-long tie of one-sided bondage. These ideals motivated Ataturk to focus on eliminating the traditional Islamic norms and practices and introducing a secular, co-educational system. He used the revolutionary tools of legal reform and education to achieve his goal of equality for Turkish women (Abadan-Unat, 1981:5).

Yet, sixty years after the Kemalist reforms were instituted, a multitude of problems still besets Turkish women, especially those living in rural areas. This fact forces us to reconsider certain issues. To what extent can a "revolution in the legal system" change the traditional life-styles of the majority of women in a given country? Which major economic, social and/or political factors are directly or indirectly responsible for accelerating or retarding this process of change? Does religion, ideologically or morally, still maintain its decisive power to determine the degree of women's social integration and political participation?

At this point one important fact cannot be overlooked: almost all major progressive measures benefiting Turkish women were granted rather than fought for. In Turkey, unlike in the Western world, the highly centralized Ottoman state apparatus and the absence of a pluralistic social structure did not permit the emergence of a social movement for the improvement of women's status. Feminism remains until the present day a social topic discussed solely by the intelligentsia, male and female.

How, then, can we explain Turkey's sudden transition to a European civil law system? First, we must take two major factors into consideration: a) the carefully nurtured plans for modernization espoused by Mustafa Kemal (Ataturk) and his closest collaborators; and b) the central role played by the

new independent state in restructuring social institutions. Specifically, it was the second factor that took on vital importance with regard to the status of women (Charrad, 1983:3; Tilly, 1975). In order to properly assess the impact of these factors, it seems absolutely necessary to analyze the situation existing shortly before the transition to a Western-style legal system.

During the first term of the Turkish Grand National Assembly, the new parliament established on April 23, 1920, there was a significant number of serious political battles on issues relating to women. But when these debates ended no action was taken to modify the status of exploited women. Mustafa Kemal (Ataturk) publicly acknowledged the heroic deeds of Anatolian women in his speech of February 3, 1923, and promised that "Turkish women shall be free, enjoy education and occupy a position equal to that of men, as they are entitled to it" (Ataturk'un Soyley ve Demecleri:147-148). Despite his efforts, the nature of the first Turkish parliament after World War I obliged Mustafa Kemal to postpone most of his reform plans. Society at this point was not ready to look upon women as men's equals. Speakers for the progressive wing, such as Tunali Hilmi Bey, attempted several times to give legal form to Turkish women's desire for equality, but the conservative majority of clerks and small-town merchants succeeded in blocking these attempts.

Two parliamentary debates in particular further illustrate this negative attitude. The first centered around a bill concerning syphilis control (Session 122, 1921) (Taskiran, 1973:91-95) and the second dealt with an electoral law bill (Taskiran, 1973:96-99; Inan, 1975:134-138). Both led to violent discussions, and the defenders of women's rights, Emin Bey and Tunali Hilmi Bey, were not granted the floor. They were grossly insulted and the sessions were suspended. These proposals, which would have granted women a degree of medical control and would have included the female population in calculations for the size of voting districts, were bluntly refused.

Another incident also shows the opposition to equality for women that prevailed at that time. When the Ministry of Education convened a conference on educational reforms to which both male and female teachers were invited, it was sharply criticized in the press. A general investigation followed, resulting finally in the resignation of the minister. (Taskiran, 1973:96).

During the second term of the Turkish Grand National Assembly an attempt was made to revive the 1917 Family Law bill. It had been adopted by the last Ottoman parliament but later repealed in 1919 under pressure from Islamic reactionaries. This bill endorsed polygamy and marriage at the age of nine for girls and ten for boys. Furthermore, it gave women the right to divorce their husbands only under certain conditions, but it upheld the right of men to

repudiate their wives. The very mild, almost unnoticeable reaction from educated women to these efforts to reinstate such a conservative Family Law was criticized in the Turkish press. Necmeddin Sadak in the newspaper, *Aksam*, (1924) denounced this passive attitude of women. Those feminists, such as Halide Edip Adivar, who did react to the new Family Law expressed their criticism not from the perspective of women's rights, but rather in terms of how it would affect conditions favoring harmonious married life.

Mustafa Kemal (Ataturk), during his various visits to the countryside, continued to support egalitarian measures. In Konya on March 21, 1923, about six months before the proclamation of the Republic, he declared, "the fact that our women, who are subject to much less encouraging conditions, have been able to march along with men, sometimes even ahead of them, is clear-cut proof of their equality and their outstanding ability" (Karal, 1969:56). With his farsighted strategy, Mustafa Kemal was attempting to prepare public opinion for deep-seated changes, the culmination of which was the 1926 adoption of the Swiss Civil Code.

Legal equality for Turkish women

Ataturk was anxious to present to the world a "modern face" and began to promote significant initiatives to eliminate the obvious gender inequalities in public life. An interesting example of such action was the decision of the Istanbul chief of police to order the removal of the curtain separating men and women passengers in public transportation.²

It became an issue in parliament, where it was asked whether this decision was contrary to the principles of a "Muslim Republic"

The founder of the Republic was committed to fighting against the conservative forces in league with the Ministry of Sharia. He succeeded in passing legislation that substantially changed the ideological scope of public life. Two particularly important laws were passed on the same day, March 3, 1924. The first abolished the Caliphate, and the second, the Law for Unification of Instruction, brought all religious and minority schools under unified control, thus enabling the leaders of the young Republic to extend to both sexes the right of education.

Determined not to wait for long-term evolutionary processes, Ataturk proceeded to use codification as an accelerator of social change. The Swiss Civil Code was found to be the most suitable to the principle of secularism, and on February 17, 1926, a slightly modified version of it was adopted. Its acceptance was swift; it took just one session and only speeches in favor were made. For

Ataturk and his supporters, the granting of equality before the law was the realization of a promise made long before. But even more than that, it was a sign to the world that the new Turkey was adamant about "reaching the level of contemporary civilization," (Ataturk'un Soylev ve Demecleri:85-87). Arguments in favor of the code also reflected such thinking. The new group of laws incorporated such principles as monogamy and the right to divorce – principles that are required in a civilized world (TBMM, 1926). All of the major rights conferred on Turkish women were more the result of the unrelenting efforts on the part of a small male "revolutionary elite" than the product of large-scale demands by Turkey's female population.

The adoption of the Swiss Civil Code was indeed the outcome of deep-rooted beliefs promoted by Ataturk and shared by the ruling strata of the early Republican period. For the founder of the Republic, the main function of the state was to make radical changes in Turkish society's structure, its institutions and its values. His goal was to transform Turkey into a modern social system.

This world view included important principles that necessitated fundamental changes in family structure. The first of these changes was aimed at the legal structures regulating family life that were based on religious law. For Ataturk, the foundation and function of the family should be regulated by laws expressing the will of the "secular" state (Seni, 1984:90).

Erder (1985:11) correctly states that, in view of these revolutionary thoughts, Turkish jurists and social scientists could have undertaken a scientific analysis of the problems faced by the family in different sectors, strata, and regions. In so doing, they could have drawn the attention of lawmakers to social realities. The Turkish social scientists of that period, however, did not have the knowledge and experience necessary for such an undertaking. The extent to which religious rules actually affected social life and family relationships was not known. For example, there was no satisfactory information on the scope and practice of polygamy. In the absence of empirical evidence on such critical issues, jurists, who were involved in the law-making process, approached their task in a formalistic manner.³

The final product was a code almost identical to the Swiss Civil Code, which went into effect on October 4, 1926 as the Turkish Civil Code.

This bold legal reform was of course not capable of changing attitudes, customs and institutions overnight. In order to assess the real impact of these reforms let us first examine the scope and width of Turkey's legal reforms and their impact on the status of women.

Turkish culture, legal changes, and women's status

Since Turkey's social reforms were initiated as part of an attempt to replace the Islamic legal system with a Western one, it is imperative to assess briefly the evolution of Turkish legal culture. The concept of legal culture has been defined by Friedman as "the network of values and attitudes relating to law which determines when, why, and where people turn to the law or away" (Friedman, 1969:1004). By using this yardstick we can evaluate the way legal reforms have functioned in Turkey. Let's first glance at the pre-Islamic period.

Little is known about the legal life of the early Turkic people. The information available is based on early Chinese writings and modern archaeological and ethnographic research. Turks in this period placed strong emphasis on the family, and the patriarchal family, with the father as the ultimate authority, was the norm. Although women were under the guardianship of father or husband, they assumed important roles, with the exception of taking military and official positions. In the ruling class they enjoyed almost the same status as their husbands. Because society at that time was so often at war, women had a certain freedom in managing the affairs of the family. They were neither closeted in harems nor obliged to cover themselves in the presence of men. The only condition required for marriage was the consent of the guardians and the couple; the state was not involved in the contracting of marriage.

During the tenth and eleventh centuries, Turks all over Central Asia and the Middle and Near East were gradually, but not forcibly, converted to Islam (Kinross, 1977:16). By this time, *Sharia'*, or Islamic law, had undergone more than four hundred years of development, and thus the Ottoman Turks inherited a holy law that admitted no further creative development.

While *Sharia'* did undergo further refinement in certain areas, the Sunni norms governing marriage and divorce (and inheritance) remained set. Ottomans adopted this law so absolutely that the old Turkish legal culture lost its distinct identity, which resulted in a lowered status for Turkish women both in society and in the family. In the nineteenth century, the Tanzimat edict of 1839 brought the adoption of "imitative self-defense" reforms, which were strongly influenced by the "Westernizers". In 1871 a commission was established to rewrite the Holy Law of Obligations and Contracts using the relevant Western codes as a guide. The product of these efforts, the *Mecelle*, still did not touch the core of *Sharia'*, i.e. family law. Nevertheless, the Ottomans developed institutions through which they could monitor, if not regulate, the institution of marriage. The imam was required to notify the state authorities of all marriages and thus his role encompassed that of official marriage registrar (Cin, 1974:287).

At the beginning of the 20th century, in 1917, a special code for marriage and divorce was drafted. This was the 1917 Family Law bill mentioned above. It fell far short of bringing progressive rights; in fact the only progressive aspects of this code were the prohibition of "cradle marriages" and the placing of certain conditions on the oath of repudiation, i.e. the right of divorce recognized one-sidedly for only the husband. Because this bill was so conservative, Atatürk refused to discuss the project for its revival in the Turkish Grand National Assembly after the founding of the Turkish Republic (Abadan-Unat, 1981:12).

With the new Turkish Civil Code, equality in inheritance was granted (Art. 439), and equality with regard to testimony was accepted. More significantly, polygamy was made illegal and equal rights in divorce were granted, thus formally ensuring the freedom and equality of women. In the case of divorce, child custody could be awarded to either parent (Art. 262), with a judge determining which parent would gain custody (Art. 264). In practice, the custody of children under ten years of age was and is usually given to the mother. In the case of death, the remaining parent would be entrusted with custody. Marriage by proxy was abolished; in order to be valid, marriage must take place in the presence of the bride.

Finally, the new code prescribed a minimum age for marriage. The limit was first set at eighteen for men and seventeen for women, but later, in 1938, these limits were reduced to seventeen and fifteen respectively. The minimum age was absolute for males but could be lowered to fourteen for females under special circumstances (Art. 85).

How egalitarian is the Turkish Civil Code? Its model, the Swiss Civil Code, is imbued with certain democratic values but at the same time reflects a traditional point of view. In Switzerland, the cantons have gradually modernized the code, adding amendments that have substantially improved it. In Turkey, a special commission has been working on certain amendments for the past twenty years. The final draft presented in 1985 for the Turkish public's approval contains a great number of progressive new provisions. So far this draft has not been exposed to public debate, however, and thus it lacks the backing of the greater public. Also, it has not yet been given priority on the agenda of the Turkish parliament.

At present, there is no absolute equality between husband and wife. The husband is legally recognized as the head of the family, and hence the wife cannot represent the marital union (Art. 154). The husband alone is entitled to choose a domicile and the wife must follow him (Art. 152, II). The wife is required to participate in the financial affairs of the family by making a financial contribution or by assuming tasks in the household (Art. 190). If the wife wants

to assume professional work outside the household, she must obtain the consent of her husband (Art. 195). The wife is free to dispose of her material goods, however; in marriage the rule is the separation of property and goods.

To what degree has this legal transplantation achieved the goals that motivated it? Turkey's decision to adopt a Western legal code created a favorable climate for change with respect to women's status. But the code's real efficacy has emerged only in conjunction with those socio-economic structural changes that have totally transformed the attitude of both sexes. In these cases, the code has served as an effective instrument for the recognition of rights. It has had little impact in areas of a predominantly feudal character, however. Thus, legal dualism still exists to some degree.

Proof of this legal dualism is most evident in the situation of those children who are born of *de facto* unions; they are deprived of their identity as citizens unless legal correction is made. This vital problem was solved in two steps. From 1935 to 1956, the so-called "amnesty" laws legally recognized the paternity of such children and issued birth certificates to a total of 7,724,419 children in 1950 (Abadan-Unat, 1963:23). After 1960, lawmakers agreed that the constitution should guarantee the need and right of each individual to secure a legally endorsed personal identity, and they adopted Law no. 2526. This law introduced a simplified procedure for recognizing paternity. At the same time, the constitutions of 1961 and 1982, acknowledging the paramount importance of the family and of mother and child in particular, mandated that the state take special measures for the protection of the family.

As the structure of Turkish society evolves, demands for radical changes in the Turkish Civil Code so that it would afford more "equal rights" have been advanced in the press and through the channel of women's associations. During International Women's Year in 1975, the following demands were proclaimed by 27 women's associations at a December 1975 conference convened in Ankara:

1. The status of "head of the family" should not be conferred solely on the husband.
2. The wife should not be obliged to adopt the husband's family name.
3. The prerogative of a husband to forbid his wife the practice of a profession or employment outside the household should be abolished.
4. Legal, educational, and administrative measures aimed at abolishing the "bride price" should be implemented.
5. The prohibition of a religious ceremony preceding the registration of a civil marriage should be enforced.

6. In order to equalize tax obligations, individual income tax declarations for husband and wife should be required.
7. The right to join the armed forces should be reinstated.
8. Female civil servants and workers should be able to take one year of paid leave-of-absence after childbirth.
9. The agricultural social insurance bill should be passed immediately so that peasant women will be assured of social security rights.
10. The living conditions of prostitutes should be improved.
11. Female children, who have apparently been "adopted" but are in fact employed in domestic services (*besleme*), should not be left without legal protection, and their exploitation should be strictly forbidden (Turk Universiteli Kadinlar Dernegi, 1978).⁴

Of the eleven demands enumerated above, the one pertaining to social security benefits in rural areas was granted by the Ozal government in 1985. This provision also stipulates that female heads of families are eligible in this scheme. Thus the concept of "female head of family" has gained legal validity without actually entering the Civil Code.

Women's issues and the law

There is no doubt that the most critical issue in this area is the law's view of institutionalized prostitution. According to Law no. 1593, the Ministry of Health and Social Welfare and the Ministry of Interior are jointly responsible for determining the location and administration of brothels. Art. 129 of this same law specifies a category of women "who are performing prostitution as a profession and as a means of subsistence." This article is in direct contradiction to Art. 435-36 of the Turkish Penal Code, which strongly forbids activities that encourage prostitution.

Prostitution is a social problem closely related to socio-economic factors and thus it cannot be prevented solely by applying deterrent measures. The fact that the woman in question is a prostitute is still seen as a criterion for applying attenuating measures in criminal sentencing, leading to a reduction by two thirds of the sentence in cases of rape and kidnapping (Turk. Penal Code, Art. 438). Article 438 was taken from the Italian Penal Code, and it has since been abolished in Italy. Unfortunately, Turkish public opinion has not yet pressed for its elimination.

Another important piece of legislation, which grants Turkish women new rights in the field of family planning, also deserves attention. Since the Turkish population was greatly reduced by a series of wars culminating with World War

I and the War of Independence, the official population policy until 1960 was based on strict rules prohibiting any kind of family planning. Abortion was forbidden and was punishable by two to five years in prison (Penal Code, Art. 468-572). This policy began to be altered with the initiation of the first Five Year Development Plan. The high yearly population increase of 2.6% disturbed the planners a great deal. The first legislation concerning population control was instituted on April 1, 1965. This law, no. 11 976, contained provisions regulating the distribution of contraceptives and the conditions required for medically indicated abortion and for sterilization. The major criterion for abortion was imminent danger to the life of the mother and/or child. But this law was not widely known among the populace and unsafe illegal abortions were still performed and continued to result sometimes in death.

After the military intervention of 1980 this issue was reconsidered. Before the transition to the multi-party system, and without any noticeable pressure or articulated demands from the female population or women's organizations, the government presented the parliament with a bill legalizing abortion on demand. This law, no. 2827, passed on May 27, 1983, requires a married woman to prove the consent of her husband. It also foresees the possibility of permitting abortion for minors if the consent of the guardian is registered at a public notary. Currently, abortions can be performed until the tenth week of pregnancy both in public hospitals (for a nominal sum) and in private clinics.

Political rights

Because they were historically excluded from active economic participation and from public life, Turkish women never developed a genuine and effective suffrage movement. Women at first expressed hesitant demands for the right to participate in election activities, and then dropped the issue for some time. Finally this right was granted.

Relevant sources on the subject explain the process leading to political rights for women in different ways. According to T. Taskiran, the driving force behind the granting of these rights was the publicly articulated demand for the Turkish Women's League in 1927, together with the growing pressure of public opinion (Taskiran, 1973:72-73). A. Inan, a historian and Ataturk's adoptive daughter, tells a different story. She explains that there was an obvious inconsistency between women's continued deprivation of political rights and the democratic principles taught as a part of the people's civic education. This situation brought about serious discussions within Ataturk's inner circle that led to a constitutional amendment (TBMM, 1930; Inan, 1969: 304). S. Tekeli, a political scientist,

Table 1. Dates of Women's Right to Vote*

1893	New Zealand	1952	Bolivia, Greece
1902	Australia	1953	China, Jamaica, Mexico
1906	Finland	1954	Colombia
1913	Norway	1955	Ethiopia, Ghana, Nicaragua, Peru
1915	Denmark, Iceland	1956	Cameroon, Central African Republic, Chad, Congo, Egypt, Gabon, Guinea, Ivory Coast, Laos, Madagascar, Mali, Mauritania, Niger, Pakistan, Senegal, Sudan, Tunisia, Burkina Faso
1917	USSR	1957	Haiti, Honduras, Lebanon, Malaysia
1918	Austria	1958	Albania, Algeria, Iraq, Somalia
1919	Czechoslovakia, Luxembourg, Netherlands, Poland, Sweden	1959	Cyprus, Mauritius, Morocco
1920	Canada, United States	1960	Nigeria, Zaire
1922	Ireland	1961	Burundi, Gambia, Paraguay, Rwanda, Sierra Leone, Tanzania
1924	Mongolia	1962	Uganda
1928	Germany, United Kingdom	1963	Iran, Kenya, Libya
1929	Ecuador	1964	Afghanistan, Malawi, Zambia
1930	South Africa (white)	1965	Botswana, Singapore
1931	Spain, Sri Lanka	1966	Guyana, Lesotho
1932	Brazil, Thailand	1967	Yemen People's Democratic Republic
1934	Cuba, Turkey , Uruguay	1968	Swaziland
1935	Burma	1970	Fiji
1938	Bulgaria, Philippines	1971	Switzerland
1942	Dominican Republic	1972	Bangladesh
1945	France, Guatemala, Hungary, Indonesia, Japan, Panama, Trinidad and Tobago	1974	Jordan
1946	Benin, Italy, Liberia, Romania, Yugoslavia	1976	Portugal
1947	Argentina, Malta, Togo, Venezuela, Vietnam	1984	Liechtenstein
1948	Belgium, Israel, North and South Korea		
1949	Chile, Costa Rica, India, Syria		
1950	Barbados, El Salvador		
1951	Nepal		

* Dates are not available for: Angola, Bahrain, Brunei, Cambodia, Equatorial Guinea, Mozambique, Papua New Guinea, Yemen Arab Republic, and Zimbabwe.

Source: Sivard, 1985, p. 28.

has developed a hypothesis based on an overall evaluation of the Western press's attitude toward Atatürk's traditional one-party rule. According to Tekeli, Atatürk had a strong desire to differentiate himself in the eyes of the press from leaders of other fascist movements. This desire motivated the quick legalization of women's right to participate in municipal elections (1930), and later, to participate in national elections and to stand for a seat in parliament (1934). (Tekeli, 1981: 296-297; Tekeli, 1982:212-215).

On December 5, 1934, the Grand National Assembly adopted a proposal presented by İsmet İnönü and 191 deputies that conferred the right to vote in national elections on all Turkish citizens 22 years of age. It is interesting to note that one of the speakers in favor of this bill, Sadri Maksudi, stated: "Today there are countries which have undemocratic regimes, where women are deprived of political rights. The granting of political rights to Turkish women is a natural consequence of Turkey's evolution toward a true democratic system." (Tekeli, 1977:69).

It seems correct to evaluate the present situation as the outcome of a still partially patriarchal society, because no genuine struggle for political rights was waged by Turkish women. As Y. Arat-Pamuk has correctly stated, the granting of women's rights was a means rather than an end for the founders of the Turkish Republic, who instituted the reforms (Arat-Pamuk, 1983:52). Nevertheless, legal inequalities were abolished and women's right to participate in public life was recognized much earlier than in a number of European countries, including France, Italy, Belgium, Greece, Cyprus, Switzerland, Portugal and Liechtenstein (Sivard, 1985:162) (see Table 1). After the return to democracy in 1980, a number of political parties elected women as their deputy chairpersons. A recently founded social democratic party was headed by a woman, R. Ecevit, for a period of time. Thus, in spite of an undeniable absence of change in patriarchal values, Turkish women are becoming more active in public life to the degree that they are subjected to the structural changes of urbanization, industrialization, higher levels of education, and participation in the labor force.

Conclusion

Scholars concerned with the issue of women's changing status in the Middle East make interesting comparisons, especially between Turkey and Egypt. In Egypt, receptiveness to Western thinking and writings in support of women's emancipation appeared as early as the late 19th century. Two important public figures Abdu, a religious leader trained at Al-Azhar, and the secular thinker Qasim Amin (1868-1908), played an important role in shaping the thinking of

the ruling elite. Yet, as L. Ahmet points out, the issue of women was an important topic among Egyptian intellectuals, as it was among Turks, but no male in the government or with other access to power adopted it as a central issue (Ahmet, 1984:159). This made an important difference in the evolution of the women's movement in Egypt. Islam and feminism are basically incompatible, as Ataturk discovered, and this incompatibility, especially with regard to the legal status of women, can be resolved only if significant advances are made. In order to make these advances Ataturk deliberately broke from the Islamic tradition in determining the position and rights of women (Ahmet, 1984:162).

Thus, as mentioned above, the role the state plays in society determines the social role of its female population. Accordingly, the role of the lawmaker is vitally important. In this regard, comparing Turkey with Tunisia yields important insights. Without doubt, of all the Arab countries, Tunisia is the most similar to Turkey with respect to the political path it has followed. But unlike Ataturk, Bourguiba, the Tunisian nationalist leader and later head of state, chose not to break with Tunisia's Islamic past. The Personal Status Law, which was adopted after Tunisia's independence, remained faithful to Islamic principles. Nevertheless, it aims at achieving relative equality between husband and wife by prohibiting polygamy and requiring divorce to take place before the court, thereby outlawing the husband's unilateral right to repudiate his wife. These provisions clearly show that Tunisian legislators preferred accommodation to far-reaching reform. Thus, there is no question that only Turkey, of all the Islamic countries, opted for a total remodeling of the legal structure of society. Ataturk's farsighted political views were the force behind this remodeling.

Finally, in evaluating the revolutionary experiment of using the law as an instrument of social change, one must start by acknowledging that the Turkish Civil Code is not perceived as ideal. For the conservatives it has remained alien to tradition and custom, and for the progressives it is not egalitarian enough. The first group would hope to return eventually to the *sharia*. The adherents of this view, although strong in certain regions of the country, have thinned out greatly in recent years. At the other end of the spectrum, the second group argues that the more "progressive" and "modern" aspects of the intent of the law have been intentionally neglected by a conservative judiciary. Between the two poles lies the majority view that the code is essentially well-suited to the needs of the people. The merit of the majority view lies in the judiciary's successful efforts to introduce a foreign family law system into the Turkish legal culture. The same efforts show favorably in the Turkish State Council's actions.

We can conclude that the Turkish legal culture has been enriched by its interaction with different legal systems. It has maintained its own Turkish identity as jurisprudence moves steadily in the direction of more equality and a greater understanding of human rights. From time to time there are serious challenges to the idealistic vision of the modernized society Atatürk conceived, but the legal foundations that have been laid are strong enough to overcome these obstacles and liberate Turkish women from every kind of legal exploitation.

Notes

1. This article was written recently to be included in the present work.
2. According to a regulation issued in 1923, "husband and wife may sit next to each other in public transportation vehicles, provided they are not acting against the law. No police can prevent an honorable woman from sitting next to her husband" (Abadan-Unat, 1981:13).
3. For the purely legalistic views that have dominated the formulation of family law in the Turkish Civil Code, see Guriz and Benedict (eds.), 1974:XII-XIV
4. N. Eldem, the Minister of Justice in T. Özal's government, introduced a comprehensive bill in April 1985 concerning major changes in the Turkish Civil Code. This bill was the product of a committee of experts who worked on the proposals for almost six years. It has not been made formally public, however, and thus has yet to be thoroughly discussed in the relevant circles such as the Bar Association. The bill has been introduced on the agenda of the parliament, but without an urgency request. Included in it are several progressive articles, such as the recognition of a wife's right to work outside the home, the right to keep her maiden and/or professional name, and the abolition of the husband's monopoly on representing the family union.

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