

THE ROLE OF TURKISH SECULAR LAW IN CHANGING THE LIVES OF RURAL MUSLIM WOMEN, 1950–1970

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The suppression of Islamic family law and the introduction of secular family law to govern family life in Turkey created a legal and regulatory environment that supported more egalitarian relationships within the rural household. Despite the lack of an organized political movement, by 1950 rural Muslim women had begun to use the courts in divorce and other conflicts, suggesting that Ataturk's reforms had diffused to the Anatolian provinces by this time. Female-initiated cases, in conjunction with other behavior such as reducing family size and pushing husbands to leave the extended patriarchal households of their fathers, indicate that rural Islamic women were striving toward more autonomy in their lives. This picture offers a sharp contrast to the image of the passive, submissive rural Islamic woman described in much of the social science literature on Turkey. It suggests instead that rural women were active participants in changing their life situations.

I. INTRODUCTION

The idea of a religious law—the concept that law, as well as other human relationships, must be ruled by religion—has become an essential part of the Islamic outlook (Schacht, 1955: 84).

The traditional Islamic view does not regard religion and law as separate entities, for Muslims define jurisprudence as the “knowledge of the practical rules of religion” (Grunebaum, 1962: 144). Historically, Islam was both a system of religious belief and practice and a “system of state, society, law, thought, and art—a civilization with religion as its unifying, and eventually dominating factor” (Lewis, 1960: 133). Its holy law, the *Şeriat*, was developed by jurists from the *Qur'ān* and the traditions and sayings of the Prophet.

Marriage, divorce, and family relationships have always been,

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to the Muslim mind, even more closely associated with religion than other legal matters and therefore controlled by Islamic law (Schacht, 1964: 76). Thus, when the new secular Turkish Civil Code became effective in 1926, it created an anomaly: Turkish family law became secular for the first time in history, while Islam continued to be the religion of most Turkish citizens (Code Civil Turc [du 1926]). The new civil code, based on the Swiss model, categorically endorsed monogamous marriage and rejected polygamy, saying that "a marriage is null and void when at the date of the marriage one of the parties is already married" (Williams, 1925: 28). Under Islamic law and custom, marriage was a private matter between the families and the community; the state did not intervene. Under the new Turkish Republic a marriage needed to be registered with the state to be legitimate. Under Islamic law and custom women had no rights to divorce, although in the twentieth century, the Ottoman Family Law of 1917 had begun to chip away at male prerogatives.¹ The new Turkish Civil Code gave women the same rights to divorce that men enjoyed, and stipulated that the grounds for divorce must be proven by witnesses in court (Williams, 1925: 33). For the first time, it allowed a Muslim woman to marry a non-Muslim man (Lewis, 1966: 267). It set the minimum age of marriage at seventeen for women and eighteen for men, although in exceptional cases both might apply to the courts for permission to marry at fifteen (Velidedeoğlu, 1957: 63). A woman also acquired various rights to property that previously had not been available to a daughter, and to her husband's surname and citizenship when she married (Williams, 1925: 35, 37, 43).

The new secular family law code was meant to change the very structure of Turkish domestic life to bring it closer to models of nuclear family life known in Western Europe. Anthropological and other studies in Turkey in the 1950s and 1960s, however, suggested that these goals were not achieved. This early research said that Turkish Muslim women living in rural villages continued to be bound by Islamic and customary traditions, and were subservient to males (Stirling, 1965; Szyliowicz, 1955; Yasa, 1957). Other work has shown that much of the hardest agricultural work in Turkey is done by women (Kazgan, 1981: 145), and that in most rural areas, the daily lives of women confine them to their own households, fields, and neighborhoods, thus limiting their knowl-

¹ This law expanded the application of Islamic Family Law, by allowing couples to use whatever school of Islamic law they wished. This meant the most flexible rule of the *Hanafi* school could be used instead of the rule of one of the other three schools. It also allowed a woman to have written into her marriage contract a right to annulment should her husband take a second wife, and gave a woman the right to divorce on grounds such as impotence, insanity, or abandonment. If a woman wished to divorce her husband on grounds of extreme cruelty or incompatibility, the law provided that three male family members must first attempt reconciliation of the couple before divorce was possible (Starr, 1984: 102; Lewis, 1966: 225-6; Pearl, 1979: 109).

edge of new opportunities and undermining any ideas they might have about more freedom within the household and marriage.²

Most Turkologists recognize that elite urban Turkish women have had educational, career, and life opportunities in the twentieth century to develop their intellectual capacities and personal identities that nearly equal those of elite urban Turkish men (Abadan-Unat, 1981a, b; Fallers and Fallers, 1976). However, the idea that *rural* women are also making decisions that change their life situations receives little consideration in the existing literature. Abadan-Unat (1977) and Kiray (1976), for example, have argued that when male family members migrate to Europe, women left at home assume responsibilities for agricultural decisionmaking and children's education. Some even take control of household finances, but they relinquish these decisionmaking roles when the husband returns to the village or when the wife joins him abroad. Coşer (1978: 131) reports that the position of rural Turkish women is better in western than in central or eastern Turkey, but she does not attribute this improvement in status to the women themselves. Rather she argues that the climate is milder, the roads are better, landholdings are smaller (making women's work less demanding), Islamic practices are more sociable, and Islam in western Turkey takes a less harsh view of women (*ibid.*, p. 171).

This paper presents a different view. My ethnographic experience in Turkey (1966–68) with rural women and their households in western Anatolia had left me unconvinced that these women were backward, submissive, and subordinate to male and Islamic controls. Further research indicated that Atatürk's social revolution, initiated in the 1920s, had reached women in western Anatolian villages by 1950. I suggest that rural women's struggle for autonomy went unrecognized at this time by the press, social researchers, and the villagers themselves, because the women had not formed a social movement to articulate values concerning their civil rights. Even as late as the mid 1960s, in the rural countryside no ideology and no collective consciousness yet existed supporting better lives for women. It appears, however, that changes in female attitudes and behavior were under way. While traditional Islamic law did not permit women to initiate divorce, by 1950 at least some rural women exercised their rights under the secular law to escape from marital discord and, by the mid 1960s, they brought other conflicts with men to court. Further supporting evidence is offered by demonstrating that the patriarchal extended household was breaking down between 1950 and 1970. Women were interested both in setting up their own nuclear households and in limiting numbers of children. Moreover, the diffusion of mechanized

² Ethnographic studies during and since the 1960s have stated that rural women's most important ties are based on kinship and neighborhood (Coşer, 1978: 126–129; Kandiyoti, 1976; Olson, 1962: 62, 64; Starr, 1978; Kâğıtçıbaşı, 1982: 5, 8).

agriculture came later and therefore cannot explain a reduction in family size.³

How did change come about? After Atatürk changed Turkish family law in 1926, elite women living in cities collectively mobilized to distribute information about their new rights. By 1950 this news had spread to rural areas of western Anatolia by word-of-mouth and the two-party system (introduced in the late 1940s), which brought hundreds of politicians to peasant villages to mobilize the vote. Each party had a women's wing, interested in women's issues. Additional information flowed downward from the national government, through the chain of command, to the village headman, who was required to spread the word about the need for and ways to acquire the state-required, civil marriage licenses. He also was to inform villagers that divorce had been regularized and was now controlled by the state.

At some point various kinds of new ideas concerning women's legal rights reached rural women in western Anatolia, although of course the discourse was not framed in terms of rights but was an awareness that the district courts would act on cases concerning women's claims and grievances. Rural women began to use the courts for divorce as early as 1950 and later for protection in other kinds of conflicts. Evidence that the new Civil Code of 1926 and a totally secular legal system, granting women rights nearly equal to men's, would begin to have effects on rural women's behavior by 1950 suggests both the vigor of individual rural women in seeking better lives and the vitality of the newly emerging legal system as a symbol of reform.

A. *Ataturk's Revolution and the Introduction of New Values*

Ataturk's revolution brought values of populism, nationalism, and estatism to the Turkish Republic. "Estatism" is the term used for the centralized planning of the economy that took the form of five-year plans. Briefly, government goals were to increase production and to move Turkey to a sound economic base after its collapse during the last years of the Ottoman Empire. Atatürk planned to raise Turkey to an economic status similar to that of industrialized states in Western Europe (Kili, 1969: 106) by means of increased agricultural production that would occur through land reform programs and industrialization. New generations of workers with a strong work ethic would be trained through free universal secular education and by male participation in universal military service.

Ataturk undertook a social revolution as well. Everything would be changed from Ottoman times: concepts of dress, time,

³ No tractors were in use in the entire Bodrum region when I left in autumn 1968. By the early 1970s, when Mansur (1972: 34) finished her study of Bodrum town, only 4 had been purchased.

the uses of public spaces, the calendar, the written language, its script, and the numerical system. He introduced new ideas about family life and about social relations within the family and in public settings. Major instruments to carry out these policies would be through secular education (for village girls as well as boys) and a now totally secular court system based on Western European models.

1. Ataturk and Islam. Ataturk acted quickly to achieve two announced goals in the early 1920s. First, he moved to destroy the sources of power of the Islamic hierarchy and to bring all Islamic structures firmly under state control. Unlike in European nations, church and state had always been closely linked in Ottoman Turkish society, so placing Islam under state control did not violate previous ideas of their separation. Ataturk believed that if the power of the Islamic leaders was not destroyed, they would form the main opposition to his program of change and development, just as they had demonstrated their treachery by supporting the traitorous Ottoman leaders at the Armistice of Mondros in 1918. Turkey's status would be raised, Ataturk thought, to the degree that the country of farmers could develop a Westernized outlook. By the early 1920s he had planned to destroy the influence of the Islamic clergy on law and education.

Under the changes, Turkish parents were allowed to raise their children as Muslims, although all children, regardless of gender, were required to attend secular schools until the age of sixteen. All Islamic schools were closed, and their lands were claimed as state land under the new republic.

Yet by 1948 (ten years after Ataturk's death), the repression of Islamic structures and values was partly rescinded. As Turkey moved to generally free elections with opposing candidates standing for election from at least two parties, politicians began to court what they perceived as Islamic values among rural populations and small shopkeepers and merchants who made up 85 to 90 percent of the population (Fallers, 1974: 107).

2. Ataturk and Women. In the early 1920s Ataturk's social programs included raising the position of Turkish women, the vast majority of whom were Muslim. His messages thus had a strong consciousness-raising component. For example, he publicly praised the heroic deeds of rural Anatolian women in 1923, and announced that women should enjoy the same educational opportunities and freedoms that men already had (Abadan-Unat, 1981a: 11). Ataturk once remarked of rural women (Karal, 1945):

"In some places I have seen women who put a piece of cloth or a towel or something like it over their heads to hide their faces, and who turn their backs or huddle themselves on the ground when a man passes by. What is the

meaning and sense of this behavior? Gentlemen, can the mothers and daughters of a civilized nation adopt this strange manner, this barbarous posture? It is a spectacle that makes the nation an object of ridicule. It must be remedied at once."

In a speech at a cinema in 1923, Ataturk said (Kinross, 1964: 342–43):

"Win for us the battle of education and you will do yet more for your country than we have been able to do. It is to you that I appeal. . . . If henceforward the women do not share in the social life of the nation, we shall never attain to our full development. We shall remain irremediably backward, incapable of treading on equal terms with the civilizations of the West."

In the late 1920s Ataturk made his position even clearer. A group of *hojas* (holy men) called upon him to protest the presence of women teachers at a conference in Ankara. During the conversation Ataturk learned that the women had been seated in a group separated from the men. He summoned the president of the Teacher's Association and in the presence of the *hojas* began scolding him, "What have you done in the teachers' meeting? How dare you do it? This is a shame!" The holy men were quite pleased until Ataturk said, "You invited the female teachers to the meeting and then made them sit apart from men? Don't you trust yourselves? Have you no faith in the virtue of these women? Let me never again hear of the segregation of women" (ibid., p. 419).

In 1930 Ataturk's government passed laws giving women the right to vote in municipal elections. In 1933, because he was sensitive to criticisms of his public policies that had been compared to those in Fascist Germany, he gave women the right to vote in all elections, thus demonstrating to Europeans that his views were enlightened (Tekeli, 1981: 298). In 1935, with Ataturk's support, seventeen women were elected deputies to the Grand National Assembly. Once Turkey moved to the two-party system, however, fewer women were placed on the ballot, and of these fewer were elected.

II. WOMEN AND THE COURTS

When values undergo change, courts may become an arena for deciding major controversies of the day. Courts also play a central role when status relationships are changing, when hierarchical positions among groups are threatened, or when citizens are pressing strongly for their rights (Starr and Collier, 1989).

Among rural, free, landholding farmers in western Anatolian Turkey, the change from rural subsistence economies to the production of agricultural products for the market changed older patterns of domestic labor, and in the process household authority patterns were sometimes contested. Previous cycles of household

growth, expansion, and devolution began to break down, and new groups from the agrarian countryside sometimes turned to the law for protection and/or to enhance their status. Included among these new groups using the law were married Muslim women.

A. *Background*

In earlier times, few structures intervened between the household⁴ and the state in western Anatolia. The household was a unit of protection as well as of production and consumption. In areas like Bodrum,⁵ the least autonomous members of rural domestic households were young males and all females. Not only did the power of the household head exist unchecked by outside authorities, but the oldest male patriarch represented family members in all external affairs. He had authority to give orders to and demand obedience from his adult sons, while his wife supervised and controlled all the females in the multiple family household. All women were to be subservient to males. The ideological structure of the kinship system, and Islamic ideas and practices (which devalued women), supported this power structure. Disobedient sisters and wives could be beaten, and under Islamic law wives could be divorced at will (in Arabic, *talaq*) by a husband saying or writing, "I divorce you" (Pearl, 1979: 89). Although the Ottoman Family Law of 1917 gave women certain rights in marriage, it was the new Turkish Civil Code of 1926 that overturned women's legal inequality under Islamic law (Code Civil Turc [du 1926]). Yet rights officially granted would represent little social change for rural Muslim women until a changing consciousness led them to use the new secular law to improve their life situation.

⁴ I use the term "household" to mean those people who live together in a domestic unit, membership in which is usually based on kinship through marriage and descent. A household is simultaneously a dwelling unit, a unit of economic cooperation (at least in distribution and consumption), and the unit within which most reproduction and early childhood socialization takes place (Netting *et al.*, 1984: xvi). Most people spend considerable time as members of a household. An extended patriarchal household is one in which most power, authority, and responsibility for household decisions resides with the males. This usually means that the oldest male in directly ascending line is household head, a position he retains until senility or death. Such a household is an integrated unit for "cooperative work, shared meals, ownership of livestock, financial exchanges, and types of reciprocity in distribution and consumption of food and child rearing practices" (*ibid.*, p. xxiv). The mere physical nearness of conjugal families is not an adequate index of integration into a household organization.

A *nuclear household* consists of two or more people related by marriage or descent. Thus a married couple or a mother and child is a nuclear household, as is a father and child or two siblings who reside together and meet some of the criteria of households described above. An *upwardly extended household* is a nuclear household with a relative or relatives from the older generation living with them. Elsewhere (1978: 84–87; 1984), I have discussed household forms as relating to sources of household income, diversification of the household productive system, and sex of the oldest and youngest child.

⁵ Bodrum town is an administrative center that gives its name to the district, which includes thirty villages.

B. *Divorce Cases in the Civil Law Courts*

1. **The Data.** This analysis is based on a hand-copied record of the docket from the Asliye Hukuk Mahkemesi in Bodrum.⁶ It includes all the divorces recorded in 1950 ($N=54$), a particularly interesting time because Turkey moved to a two-party political system between 1947 and 1950. As mentioned, this marked the first time that large numbers of politicians visited rural areas and spoke at length with villagers, hoping to enlist their votes. It also includes all divorces recorded in the docket in the three years from January 1, 1965, through December 31, 1967 ($N=137$). Because no decision had been reached in four cases by the time I left in 1968, this data set consists of 133 finished cases.⁷

The docket is the court's record of cases. It includes the case number and type, whether a lawyer is involved, to which of the four courts the case belongs, the names of plaintiffs and defendants, the villages where they were living at the time of the lawsuit, the decision, and the length of time to the decision. It also records whether the decision was appealed and, if so, the outcome. If a decision is overturned by the higher court in Ankara (the *Yargıtay*), the case is returned to the Bodrum court and reheard. If the Bodrum judge concurs in his earlier opinion, the case is returned to the supreme court with the *Yargıtay*, whose decision is final. This second decision is also recorded in the docket.

After a divorce case is initiated, one of several outcomes is possible: The court may grant or deny the divorce, the case may be dropped, the parties may be ordered to live separately for one year, or the case may be suspended. A suspended case occurs when the plaintiff fails to appear for a hearing or to notify the court in advance of the inability to be present for a scheduled appearance. In this paper I have ignored suspended decisions when the case was rescheduled. When not rescheduled, I have treated suspended cases as dropped cases, since the effect is the same. In divorce decisions the judge rules on the disposition of the children and decides who must pay the fines, the court expenses, and the costs of court witnesses. The party with the greater degree of fault is obligated to pay the court fee. If there is no recognizable degree of fault, the judge usually tells the plaintiff to pay court expenses.

⁶ During my ethnographic observations in the Bodrum court for over a year (1967–68), I witnessed many hearings of divorce cases. This led me to seek permission to copy the entire dossier of a number of divorce cases ($N=57$). (A dossier is the official case record kept at the court.) This series runs from January 1, 1966, to September 1, 1967 and provides in-depth knowledge of what happened in divorce litigation in addition to those cases I actually witnessed. For this paper, I have returned to my hand-copied records of the court dockets from the years 1950, 1965, 1966, and 1967.

⁷ For greater accuracy in this paper, I returned to the original hand-copied data set and not the computerized data used in Starr and Pool (1974), which accounts for a slight discrepancy in number of divorce cases (133 cases, not 132, and 4, not 6, unfinished cases).

2. Legal Standards and Social Decisions. The Turkish Civil Code of 1926 recognized six grounds for divorce: (1) adultery; (2) plots against life, grave assaults, and insults; (3) crime or dishonorable life; (4) desertion; (5) mental infirmity; and (6) incompatibility (Ansay and Wallace, 1966: 122).

Until 1963 the Bodrum courts were required by law first to attempt mediation in all divorce suits; this pre-trial reconciliation was required *only* in divorce cases. After 1963 new instructions to judges were sent from the Ankara high court to abandon this practice. Under Ottoman Islamic law, pre-trial mediation in divorce had been introduced in 1915 as a reform measure to make the law less harsh on women. It was expanded further under the Ottoman Family Law of 1917, which provided for three male family members to attempt to reconcile the couple before the case reached an Islamic judge, who probably would have granted the divorce to the husband. The decision made in Ankara to discontinue pre-court mediation in the judges' chambers in divorce suits represented a step toward conceptualizing women as equal to men.

A decision to open a lawsuit for divorce brought two advantages, even if the spouse later decided to drop proceedings. Going to court acted as a threat to the spouse to reform and established a public record of marital difficulty.⁸ If the situation continued, the earlier court case gave additional validity to the assertion of incompatibility, which was the basis of divorce most favored by the Bodrum judges in the 1960s.

3. Analysis. An examination of the cases of divorce initiated in the years 1950, 1965, 1966, and 1967⁹ reveals that 54 cases were initiated in 1950 and that this number dropped to a steady 45, 45, and 47 in the three later years (see Table 1). While the number of divorce cases initiated by women stayed constant over this period, the number initiated by men dropped substantially from 33 in 1950 to an average of 24 for 1965 through 1967. This difference suggests that men became relatively less powerful in initiating divorces in the later years. The drop in male-initiated divorce cases coincides with the directive to abandon pre-trial mediation in 1963, a change that may have discouraged divorce claims by males who were using the courts to threaten and punish their wives rather than because they were intent on divorce.

Moreover, the outcomes for male- and female-initiated divorce

⁸ Wife-beating cases in the Bodrum courts were prosecuted as assault and battery cases, which is why I cannot get an accurate count of them from the docket. In the three cases of wife beating I saw prosecuted, the two Bodrum judges attempted to reconcile the couple by persuading the female plaintiff to drop the case against her husband before a judge would have to reach a decision and penalize him with a jail sentence.

⁹ While these figures represent all divorce cases recorded in the docket during these years, the trends reported are based on relatively small numbers of cases.

Table 1. Outcomes of Divorce Cases Initiated by Men and Women

Year	Cases Initiated by Men				Cases Initiated by Women				Total Cases Initiated	
	Granted	Granted	Dropped	Unfinished	Total ^b	Granted	Not Granted	Dropped		Unfinished
1950	42% (14) ^a	36% (12)	21% (7)	—	99% (33)	29% (6)	33% (7)	38% (8)	—	100% (21)
1965	48% (11)	17% (4)	35% (8)	—	100% (23)	68% (15)	18% (4)	14% (3)	—	100% (22)
1966	71% (15)	19% (4)	5% (1)	5% (1)	100% (21)	67% (16)	8% (2)	17% (4)	8% (2)	100% (24)
1967	52% (14)	15% (4)	30% (8)	4% (1)	101% (27)	70% (14)	10% (2)	20% (4)	—	100% (20)

^a The number of cases is given in parentheses.

^b Totals do not add to 100% for each year due to rounding error.

cases reveal that women were also becoming relatively more successful in obtaining the divorces they sought. If we compare the percentage of divorces granted to men and women who initiated divorce proceedings, we find a substantial increase for women, from less than 33 percent in 1950 to an average of 68 percent in the 1965 through 1967 period. (The comparable figures for men were 42 percent and 57 percent.) As a result, divorces granted to women rose in number from less than half of those granted to men in 1950 (6 versus 14), to the same number or more than the same as those granted to men in 1965 through 1967 (15 versus 11; 16 versus 15; 14 versus 14, respectively).

Thus the number of divorces resulting from cases initiated by women more than doubled between 1950 and 1965. For cases initiated by men, the number remained constant. These results indicate that women were increasingly using the courts to obtain divorces that had been unheard of before Atatürk's reforms and that the courts themselves were growing more responsive to women as plaintiffs (see also Starr, 1985).

4. Changing Interpretations of Grounds for Divorce, Including Fault. Two cases from the Bodrum district courts illustrate changing attitudes toward women's rights in a marriage.

Case One. A letter from the plaintiff's lawyer to the court in a female-initiated divorce stated, "He did not give his wife what every young girl wants—a separate house. She lived with his step-parents. She suffered. She waited. In 1965, after their baby was born, she became ill." A long list of other harms that befell her in the marriage followed, including the baby's death from her husband's neglect when she was hospitalized. I do not know how the judge weighed all this evidence, but clearly the lawyer, in making a case for his client, listed the woman's first grievance as the failure of the husband to establish a separate household. The divorce was granted.

Appellate courts, by the late 1970s and perhaps before, were recognizing as grounds for divorce the failure of a husband to establish a separate home for his wife (Zwahlen, 1981; Ansay, 1983). Not only does this mean that national courts were recognizing married women's rights in opposition to the rights of the extended patriarchal household, but it also suggests that the modern Republic of Turkey had a vested interest in undercutting extended patriarchal households.

Case Two. A woman living in Bodrum asked for a divorce from a village man. They had been married eleven years and had three daughters. She stated that for the last two years the husband had been drinking and spending all his money on alcohol. He answered that he was not an alcoholic, that he had been drunk only once in three years, and that he was poor. He said that he was an *iç güvey* (a groom who lived with his wife's family) and

that she had made him leave her family's household. He said he did not wish to divorce. The wife brought witnesses. Two witnesses said that the couple had not gotten along for three or four years, that the husband had called the wife a prostitute, and that five or six months earlier he had left the household. A third witness said they did not get along, and then added a surprising fact: The husband had left the village for the town of Milas, and the wife later asked this witness to go to Milas and bring the husband home. The neighbor went. He found the husband, who refused to return, making a gesture expressing that he no longer wanted his wife.

The judge decided that the couple must live separately for one year and that the husband must pay the court fees, which were the costs of bringing the witnesses to court (15 Turkish lira, or about \$1.50). The judge wrote in his opinion that he could not grant a divorce because of the children.

Six months later the wife appealed this decision, writing, "Witnesses proved he called me terrible names and that we cannot get along together. He has not taken care of us for three or four years, and he left us five or six months ago. I asked him to come back, but he didn't, and this fact was proved by a witness testifying in court."

The appellate court overturned the Bodrum judge's decision, writing in part, "When a couple is told to live separately for one year under the law number 138, there must be some possibility that after a year they will again be reconciled. In this case we cannot see any possibility. Children cannot be the reason to keep people from divorcing for a year." The appellate court wrote to the Bodrum judge, "You should have given her a divorce. Your decision was wrong, and we are overturning it."

The plaintiff then wrote to the Bodrum court to re-open the case, citing the appellate decision. The Bodrum judge granted a divorce in the first re-hearing of the case, even though the defendant continued to object to the divorce. The judge said in part, "The appellate court has objected to my former opinion, and I think they were correct." The defendant was granted the right to see his children each Sunday. He was told to pay the court expenses of 97 T.L. (about \$9.70).

This case indicates that appellate courts in Ankara may pay closer attention to the woman's grievances in a marriage and be less interested in preserving the husband's rights to remain married than the local courts. An aspect of this case that may be relevant is the fact that the mother and children had always been living in the wife's extended patriarchal household, which would continue to provide for them.

An analysis of Turkish divorce case decisions from the Ankara appellate court, published in France (Zwahlen, 1981), found there had been a substantive change in the concept of fault in divorce in

Table 2. Sex of Principal Complainant and Principal Defendant in Middle Criminal Court Cases

Cases Involving	1950	1957	1965	1966	1967
Male vs. female	5	4	11	8	4
Male vs. male	12	24	37	40	32
Female vs. female	2	3	4	9	5
Female vs. male	3	9	12	21	16
Total	22	40	64	78	57
Female vs. male as percent of all of above	14%	22%	19%	27%	28%

Source: Starr and Pool (1974: 553)

the 1970s. In a review of Zwahlen's book, Ansay, (1983: 752–753) formerly of the Ankara Law Faculty, wrote that before the 1970s a plaintiff in a divorce proceeding had to be less at fault for the marital strife than the other party. After 1970 incompatibility of character or sexual incompatibility, and not fault of a spouse, was grounds for divorce.

As early as 1965, judges in the Bodrum courts preferred a plaintiff to claim “inability to get along together” rather than to list the partner's faults. During hours of interviews with these judges and discussions of particular divorce cases, no one mentioned fault in divorce in relation to who has the right to bring suit. A person became a plaintiff because of stronger motivation to divorce or easier access to the Bodrum courts. The evidence that women did open divorce proceedings indicates that some rural Muslim women in western Anatolia were willing to use their secular legal rights.

C. *Other Female-Initiated Lawsuits in the District Criminal Courts*

In Bodrum town the Turkish court system was represented only by a lower and a middle criminal court. The highest criminal trial court was located in Muğla, the provincial capital.

An examination of all criminal cases brought to Bodrum's middle criminal court (Table 2) reveals a significant increase in the number of cases brought by women against men over time. In 1950 women brought only 20 percent of the cases ($N=3$) initiated against male defendants, while by 1966 the figure rose to 34 percent ($N=21$). Thus there was a gain in women's use of higher criminal courts between 1950 and 1966.

Several reasons may explain why rural women in western Turkey first used courts to divorce men and only later used the

higher criminal courts to prosecute men for harms suffered. Once a decision was made to terminate an intolerable marriage, the woman might have been willing to go to court. But if a woman admitted being molested by a man in 1950, she would have brought shame upon her reputation that was greater than any satisfaction gained by seeing him punished. In the Bodrum countryside, even in the late 1960s, males thought that if they could get a woman alone in a house, a barn, the fields, or the woods, she would have sex with him. Rural males thus viewed women as temptresses and seducers, and were slow to recognize male sexual aggression against women as violent and often unsolicited assaults, although the Bodrum legal system did.

A second reason for the increase in criminal prosecution by women plaintiffs probably was that under the older value system, the women's husbands, brothers, and fathers were supposed to be her protectors. But by the mid 1960s, women often brought these very kinsmen to court for beating them. In other words, males might still assume they had the right to chastise women as they saw fit, but women had learned that the law did not recognize this right of male kin.

III. EVIDENCE OF THE CHANGING CONSCIOUSNESS OF RURAL TURKISH WOMEN

Use of the courts to initiate divorce is one manifestation of women's changing consciousness. Other indicators reveal that subtle informal processes have also altered the attitudes of rural Turkish women. A decline in household size in Bodrum villages occurred between the censuses of 1946 and 1965 (Table 3),¹⁰ and women, supported by the national legal system, played a part in this decline in two ways. First, women encouraged their husbands to move out of the extended patriarchal family household, and the Bodrum courts and national appellate courts supported this desire. Younger married women might wish to leave patriarchal kinship units because these living arrangements tended to support male supremacy values (cf. Collier, 1974). For example, several brothers living together might lend more support to the notion that disobedient sisters and wives should be beaten, a method of dealing with unruly females that informants said was an age-old custom.

Second, women were attempting to limit the number of children. Ethnographic discussions with many rural Muslim women in western Anatolian villages revealed married women's interest in birth control. While my data do not allow me to identify which of these two factors was more powerful, either or both could have produced the same result: a reduction in household size.

¹⁰ There is no evidence that the census definition of household changed between 1946 and 1965.

Table 3. Population by Village and Household Size for 1946 and 1965 Censuses^a

Village	1946 Census		1965 Census			
	Popula- tion ^b	House- holds	Men	Women	Total	House- holds
Ağaslı (Bitezköy)			625	647	1,272	322
Çiftlik	510	100	571	512	1,083	256
Kızılağaç			435	433	868	208
Konacık (Cirkan)			121	104	225	60
Mumcular	400	82	627	701	1,328	299
Bahçeyaka			215	206	421	82
Cömlekçi	173	32	319	338	657	144
Kum			214	177	391	73
Mazı	395	72	382	388	770	165
Pınarlıbelen			579	571	1,150	222
Saz			442	418	860	190
Tepecik	122	25	237	234	471	91
Yeniköy			408	421	829	181
Karatoprak	1,057	209	1,038	999	2,037	471
Akyarlar (Kefaluka)			150	148	298	71
Dereköy	219	41	221	224	445	128
İslamhaneleri			126	139	265	74
Karakaya	396	62	524	490	1,014	247
Peksimet			108	111	219	58
Yalıkavak	420	72	534	561	1,095	271
Dağbelen	308	60	141	150	291	73
Geriş	186	38	217	222	439	113
Gökçebel			336	353	689	170
Göl	71	14	207	240	447	105
Gündoğan (Farılya)	324	64	396	425	821	182
Güreçe			144	133	277	74
Ortakent (Musğebi)	453	91	510	570	1,080	295
Türkbükü	261	52	210	194	404	113
Yahşi			145	151	296	77
Yaka	142	30	149	147	296	77
Total	— ^b	1,044	10,331	10,407	20,738	3,252 ^c

^a The 1927 census lists the Bodrum district population as 15,694 (7,033 men and 8,648 women).

^b This is a portion of the total population, since the population for some villages is not reported.

^c Counting only households that are comparable with the 1946 census.

A. *Decline of Household Size in Bodrum's Villages*

Censuses for the Bodrum district have been located for 1891, 1912, 1927, 1946, and 1965.¹¹ Census data for the years 1946 and 1965 reveal that for the villages that can be compared, the number of rural village households tripled, rising from 1,044 to 3,252 (Table 3). Yet population in all of Bodrum's villages, considered as a whole on both censuses, increased by only 60 percent (Table 4). One explanation for this increase could be that families of civil servants and urban households in which the norm was the nuclear family unit were moving into the area and would have chosen to live in Bodrum town, the only place with amenities such as household electricity, indoor toilets, and running water. But during this same period, the population of Bodrum town slightly decreased, from 5,524 in 1946 to 5,137 in 1965 (Table 4). Thus, this doubling of households cannot be explained solely by an increase in the in-migration of people with different household forms.

Turkish demographers (e.g., Erder, 1981: 52) have suggested that the process of declining fertility in Turkey began in the 1960s, but our analysis of national census data for Bodrum's villages indicates that the reduction of household size probably began earlier. (Although I am unable to distinguish whether the decline in household size resulted from changes in household forms, from women's efforts at birth control, or from both, my knowledge of one large village suggests that both were significant.)

Information on village population and the number of village households is provided on the 1946 and 1965 censuses (Table 3). I have based my findings on sixteen of the thirty villages, because they were the only ones I could treat as comparable units for the two censuses. Changes in village names between the two censuses and other intervening factors¹² prevented me from determining village identity in the remaining cases.¹³

¹¹ Census sources are as follows: for 1891 (Cuniet, 1894, as quoted in Galanti, 1946); for 1912 (Soteriadis, 1918); for 1927 (İstatistik Ümum Murdrluğu, 1927); for 1946 (Galanti, 1946); and for 1965 (İstatistik Ümum Murdrluğu, 1965). Galanti (1946) and local census records from the Bodrum district census office were available to me in Bodrum during my field research. I used these rather than the official Turkish government censuses because of the discrepancies between the local statistics and the official published record (İstatistik Ümum Murdrluğu, 1950). For consistency I again used local census records for 1965 rather than the official Turkish census of 1965. In general, by 1965 the discrepancies in numbers and the names of villages had decreased between the official and the local Turkish records, although the former slightly over-counted males. Galanti's (1946) census and the Bodrum census records for 1965 are on file with the author and are available on request.

¹² There were 28 named units in 1947 and 30 in 1965. Changes in subdistrict (*nahiye*) jurisdictions changed some villages from one subdistrict to another between the censuses of 1946 and 1965. Some village names also changed during this period. Some smaller neighborhoods were joined to villages, and thus disappeared. Although I do have information for some of these situations, I could not identify all.

¹³ In an unsuccessful pursuit of the name changes between the 1946 and

Table 4. Population of the Bodrum District by Villages and Towns, 1946 and 1965

Year	Bodrum Town	Bodrum's Villages	Total
1946	5,524	9,871	15,395
1965	5,137	20,738	25,875

Nevertheless, all of the more populated villages from the 1965 census have been identified on the 1946 census (Galanti, 1946), and these include villages from the two areas producing the two major cash crops—tobacco and tangerines—in the mid 1960s. This is important because villages producing tobacco differ markedly from those growing tangerines in ethnic origins of inhabitants, household organization, ritual life, history of settlement, yearly cycle of celebrations, and some other aspects of culture.¹⁴ These census data clearly indicate a decline in size of households between the 1946 census and the 1965 census (Table 5). In fact, all but one of the sixteen villages show such a decline. The largest average household size in 1965 was 5.2; the lowest was 3.55. These figures are somewhat smaller than Duben's (1985: 88), but they support his general assertion that household size was "moderate in rural Turkey of the past, ranging between 5.3 and 6.5." A sign test on the differences in the number of people per family for the sixteen villages between 1946 and 1965 showed that the household size has declined significantly ($N=16$; $p < .0005$). The average decline was 1.03 members per family.¹⁵

These figures indicate that by 1965 couples in Bodrum villages were generally living in nuclear families. In the one village in which household size increased between the two censuses, the rise was quite moderate (from 4.9 to 5.2; see Table 5). Because in this case the numbers are still well within the range of nuclear or ux-orilocal marriage households,¹⁶ this increase does not suggest the re-forming of multiple patriarchal households.

In 1967 I conducted a survey of households in three populated neighborhoods of one of Bodrum's larger tangerine-growing vil-

the 1965 censuses, I consulted older and newer maps, as well as the 1960 and 1984 *Gazetteer of Turkey* (United States Department of the Interior, 1960, 1984).

¹⁴ All of the larger villages (population over 800) were engaged in raising cash crops and selling cattle at market. Villages to the west of Bodrum tended to grow tangerines, other citrus, and early spring vegetables for market. Villages to Bodrum's east produced tobacco, carob beans, a little wheat, and considerably more animals for sale.

¹⁵ I wish to thank Nancy Mendell, Richard Senno, and David Stock for their help with the statistics.

¹⁶ A ux-orilocal marriage household is one in which one or more married daughters live with their husbands at the home of the *wives'* father and mother.

Table 5. Average Number of People per Household in Certain Villages, 1946 and 1965

Village	1946	1965	Change	Percent Change
Karakaya	6.39	4.11	-2.28	-35.68%
Yalıkavak	5.83	4.04	-1.79	-30.70%
Çömlekçi	5.41	4.56	-0.85	-15.71%
Dereköy	5.34	3.48	-1.86	-34.83%
Dağbelen	5.13	3.99	-1.35	-26.32%
Göl	5.07	4.26	-0.81	-15.98%
Çiftlik	5.10	4.23	-0.87	-17.06%
Gündoğan	5.06	4.51	-0.55	-10.87%
Türkbükü	5.02	3.57	-1.45	-28.88%
Karatoprak	5.06	4.32	-0.74	-14.62%
Mumcular	4.88	4.44	-0.44	-9.02%
Tepecik	4.88	5.18	+0.30	+6.15%
Geriş	4.89	3.88	-1.01	-20.65%
Ortakent	4.98	3.66	-1.32	-26.51%
Yaka	4.73	3.84	-0.89	-18.82%
Mazı	5.49	4.67	-0.82	-14.94%

lages (total village households, $N=347$; village population=1,002). Nuclear family households, uxori-local, and virilocal¹⁷ marriage households existed in each neighborhood, although the latter two forms included a widowed parent of *either* spouse, and the wife's mother was represented as often as the husband's father. In this and later analyses, I viewed these forms as a stage in the life cycle of households, and concluded there was no prevailing pattern of patriarchal extended families, although it did represent an "ideal model" to which villagers referred (Starr, 1985; 1978).

Extended patriarchal households were more frequently found among the wealthy farmers, but again such households might include a daughter and her spouse instead of a son and his, a finding that confirmed the *iç güvey* model (Starr, 1978: 68) of the "groom who married into the household of his bride" (*ibid.*, 85). When a married son continued to reside with his father, the father always belonged to a wealthier social rank in the village. Wealth meant a father was able to provide a young son's bridewealth (*başlık*) that allowed the son to marry before compulsory military service at age eighteen. Often these fathers built a separate room onto their house for the newly married couple, thus investing capital in return for the son's free labor. In this way a wealthy father put his son "in debt" to him and obligated the son to work on his fields, an inheritance that the son would some day share with all his other

¹⁷ A virilocal marriage household is one in which a man and his wife live at the home of *his* father, brother, or uncle.

siblings. Sons who lived in the extended patriarchal household were also obligated to demonstrate loyalty and respect (sometimes excessively) to their fathers. When, through their labor, the young son and his wife had paid off the bridewealth debt six to eight years later, the couple, in the village I knew best, often moved into their own house.

In poorer families the father could not afford the bridewealth, and so the son had to earn it himself. For a Turkish villager in the 1960s, the costs of the bridewealth were considerable, and villagers rarely had extra cash. In 1967 bridewealth ranged between 700 T.L. and 3,000 T.L., (\$70 to \$300; see *ibid.*, p. 72). Thus youths from poorer families tended to marry seven to ten years later than wealthy boys (*ibid.*, pp. 67, 73). More mature and perhaps more worldly when they married, sons from poorer families were less likely to be willing to follow the norms of submission to and respect for a father that living in multiple, patriarchal households entailed. Furthermore, these youths had probably developed ties to other men in the village for whom they worked as sharecroppers or day laborers, or may have had the possibility of marrying up the social ladder and becoming an *iç güvey*. Through social networks a man could find separate accommodations in the village. Thus kin, patrons, friends, and the wife's relatives played an important part in helping a poorer couple to form a separate household. Also, when a man became a tenant farmer, he was provided with a house by the field owner.

A married woman frequently wanted privacy and the opportunity to be mistress in her own house. With new ideas entering the village and secular grade school education compulsory for village girls, adult women's status was no longer based solely on the number of children (preferably male) that she bore.

Life in an extended patriarchal household could be difficult for a young wife. Most likely she had been brought to live among women she did not know well. If she was lucky, she had married a man from her own village so that her mother, sisters, and friends were not too far away. However, she owed obedience to all of the older women in her husband's household, as well as to all of the men and boys. In the beginning she was well treated as the new bride, but her status would quickly deteriorate if she did not become pregnant. Her behavior was scrutinized and discussed by the other women. Even her nuptial bedding would have been examined by household women for signs of virginity or its lack. Male household members also watched her demeanor and domestic skills. The newly wedded couple would have little privacy within the small house and would probably share sleeping quarters with members of the entire household after the nuptial night. Thus there were many compelling reasons why the bride and groom would desire to form a separate household.

The Turkish "High Court on many occasions rejected the old

tradition of the wife's living with the other relatives in the husband's extended family and recognized her right to demand a separate dwelling from her husband" (Ansary, 1983: 752). Thus the reformist attitude of the appellate court along with growing egalitarian norms in rural marriages tended to provide incentives that moved the household in rural western Anatolian villages toward the nuclear family model.

B. Women's Interest in Limiting Number of Children

Participant observation supports and complements the demographic materials presented earlier. Together they present a strong argument that women were interested in limiting family size.¹⁸ The following information about female interest in limiting the number of children was obtained while I lived in or maintained contact with a rural, tangerine-growing village of 1,000 people (347 households) between 1966 and 1968 (see Starr, 1978; 1984).

Neglect of unwanted babies was the most successful method of limiting the number of children. No one ever spoke directly to me about infant neglect, and I never raised the subject. Occasionally, however, I would hear oblique statements such as, "Isn't it too bad that she had a second or third girl," and subsequently hear that the baby was ill. The following was a situation blatant enough to be recorded in my field notes. I knew a young mother of about twenty years of age who already had two daughters under five when she gave birth to a third daughter. Within days the female relatives told me the baby was sickly and did not nurse properly. These middle-aged women (the grandmother and aunt of the newborn) never spoke joyously of the birth, only of a sickly baby. A month or so later these women began talking as if the baby would not live much longer. Within five months of birth, the baby died. No one was surprised. No one had suggested taking the baby to the government doctor in town for treatment.

A second method of limiting the number of children is of course to avoid pregnancy. What I learned about village birth control techniques was acquired passively by being present when the subject arose. The village women were pragmatic and curious about urban and Western customs, and at one time or another over ten village women asked me, "How did you, a married woman, manage to have only one child?" If I was friendly with the woman, I told her how I had managed. Sometimes I would mention that the government doctor in Bodrum had told me he would pro-

¹⁸ This argument was stimulated by Degler's (1980: vii) brilliant use of census materials to demonstrate that the necessary groundwork for the American movement for female emancipation occurred as women began to limit the number of children at least a century earlier. He thus showed that it is no coincidence that the women's emancipation movement occurred at the same time the modern American family emerged.

vide free birth control pills to any women who came for an office visit and asked for them.¹⁹

The following discussion occurred during a nightly gathering of six to ten women that rotated among village houses. The men and boys had gone off to one of the village coffeehouses, a normal custom after the evening meal. As the women talked, a middle-aged woman, mother of four, indicated she wanted to tell me secrets about village sexual relations. She insisted that the three unmarried girls had to leave the room. I was left sitting on the floor with four or five married women. She beckoned us closer. Lighted only by a candle, her face shining round and moon-like, she leaned toward me from her haunches, saying, "Now, let me tell you." I waited breathlessly. No one moved. Slowly, she said, "Careful, careful, you need to be careful!" Then, triumphantly, she sat back. No one moved. Everyone looked at me. I had been told. I was now initiated into the sexual knowledge of the village, the practices the virgin girls were not allowed to hear. All that preamble to instruct me in the oldest form of birth control available except for celibacy—*coitus interruptus*.

Women's interest in limiting the number of children did not translate into use of the government doctor in Bodrum town. He told me no village woman had yet asked about birth control in 1967. As far as I know, there was not an active Turkish birth control program comparable to the one occurring in some areas of rural India during the late 1960s and early 1970s (Epstein and Jackson, 1977). Yet rural Turkish women whom I met *were* acquiring piecemeal birth control information, and were open and receptive to birth control ideas gleaned from small, informal exchanges among women.

C. *The Role of Social Networks in Providing New Ideas*

There was no visible social movement to protect women or to struggle for their rights in Bodrum during the mid 1960s. For example, there were no women's marches, no protests, and little visible leadership of rural women's causes.²⁰ How then can we account for the change in women's behavior?

¹⁹ A government doctor worked in the state-supported hospital in Bodrum town. When I first arrived, the doctor was a male physician in his middle years. By the end of the summer of 1967, he had been replaced by a younger female physician.

²⁰ I went to all the public events I heard of in the year and a half during which I participated in activities in several villages and Bodrum town life. The only public event in which women were addressed was the ceremonial opening of the new school in Mandalinci village. The following is a description of this event taken from my field notebook. As all the women and children (sitting in a segregated group) were leaving after 2 hours of speeches by males, the village headman called the women back to hear the almost forgotten speech by the president of the women's group in Bodrum, a young woman teacher from the Bodrum high school. She spoke of Ataturk's goals of equal education for women and the nation-building needs that required women to be equal part-

An explanation lies, I suggest, in the informal associations that spread new ideas to women. Some outreach by urban women to rural women was provided by the women's units of the Republican People's Party. But, by and large, rural women did not identify with nor were they mobilized through party politics. The best source of information to rural women was the word of mouth that spread through their informal networks, which stretched beyond the household, neighborhood, and community. In their daily routine, women in uxori-local marriages or in extended patriarchal households were under the control of household males and other household females, but at rituals and festivals these women gained opportunities to exchange news and hear new ideas.²¹ When nothing was happening in the outside world, there was no effect. But when changes started to occur, as in the case of district court judges enforcing the civil code, the women had new information to exchange.

The large festivals in the Bodrum region that brought women together were weddings, circumcisions, and mourning rituals. Despite differences in culture, differences in village histories, modes of production, and social organization, all villages and towns had these rituals. Seventy-five to fifteen hundred people might come from everywhere in the region of thirty villages, and sometimes from Aydin, Izmir, Istanbul, and even Ankara as well. Weddings among poorer villagers lasted three days, but most weddings lasted six. Circumcision rituals covered an entire day, bringing together village women from nearby villages, while the mourning rituals involved only women. These began in the early evening, usually forty-seven days after a Muslim death, and continued well into the night with recitations from the *Qur'ān*. Men, women, and children were present at weddings and circumcisions, and sexual segregation at all these gatherings allowed direct exchange of information among women. When a drunken male once stumbled into a women's group at a wedding, a mature woman picked up a board and hit him over the head to drive him away (Starr, 1978: 76). Mourning rituals brought women together in smaller groups of twenty to forty. Going and returning from these rituals, women walked along paths and roads talking together. These outings had a fes-

ners of men. She talked against the women's custom of wearing long shawls and covering the lower parts of their faces in public. Birth control, possibilities of divorce, and the use of the legal system for protection against violence were not mentioned, nor did any women I knew discuss her speech afterward. This leads me to conclude that there was little or no active consciousness-raising activity by more educated women in relation to the peasantry in Bodrum's thirty villages.

²¹ This Turkish situation contrasts strongly with Mizzi's (1981) work on working class women in Malta, where females did not continue friendships with other females after marriage. Their female associates were their mother and their natal sisters. This had consequences for the intensification of centripetal family structures, especially since houses and house lots were owned matrilineally.

tive air, and women exchanged news of marriages, births, deaths, crops, and schools, in fact everything imaginable, including who was divorcing. Even if a woman disapproved of another's divorce or someone's case against a husband for beating her, the knowledge was stored in her memory against a future time when her own marriage might become unbearable.

By the late 1940s politicians, turning to the countryside in great numbers to gain votes, facilitated the spread of new policies and ideas in general. By the mid 1960s about twenty households of the urban Turkish middle class lived in Bodrum town. These members of a circulating civil service elite brought new forms of behavior to the community. The companionable relationship between spouses was visible when husbands and wives strolled arm in arm in the streets along the waterfront on early spring and summer evenings, and when they attended the cinema together. At their engagement parties and wedding receptions married couples embraced while dancing to live bands imported great distances from major cities. With doors and windows of the hired hall open, the curious could observe.

Although village girls and women did not aspire to this level of public congeniality and familiarity between the sexes, it was the expressed desire of every young married rural woman in the Bodrum area to have her own household and to live separately from the family of her husband. This in itself represented a movement away from male supremacy values and the ideology that supported extended patriarchal households. Judicial decisions in the Bodrum district courts supported this desire, as did the Turkish high court that upheld a wife's right to demand a separate dwelling from her husband (Zwahlen, 1981; Ansay, 1983: 752).

We now know that other women's social movements started haphazardly through small, informal exchanges of information. For example, a women's march protesting the reduction of free milk for school children in Chiswick, England, although unsuccessful, resulted in the women obtaining a meeting place from the village council for the price of one peppercorn a year. During conversations in this hall, some women gradually revealed to each other that they had been severely beaten for years by their husbands. The issue of battered wives was to follow a slow and haphazard course for years before it emerged into a full-blown social movement for change in England (Dobash and Dobash, 1979: 1-2).

IV. CONCLUSION

In late Ottoman times the most oppressed groups in the rural Anatolian countryside were young males and women. I have argued that the movement away from rural extended patriarchal households in western Anatolian villages was based on an increase in women's striving for autonomy that was linked to structural

and societal changes, including new legal rights. Under the secular Turkish Civil Code of 1926 women gained rights almost equal to men. Under the Constitution of 1961, sons and daughters gained the right to migrate out of Turkey (Abadan-Unat, 1986: 326). These rights, granted by the nation to individual citizens, limited the male householder's prerogatives within the extended patriarchal family and played a part in moving rural Turkish marriages toward more egalitarian models.

By 1950 women were using district courts, and by 1966 they had increased their use of these courts to include criminal prosecutions against males for harms suffered. I suggest that this use of the courts demonstrates a changing consciousness among rural Muslim women concerning their self-worth and what constitutes appropriate treatment by males. The decline in household size between the 1946 and 1965 censuses and the efforts to limit the number of children, in combination with my participant observation in the Bodrum courts for over a year (1967–68), provide further evidence that women's consciousness was changing.

The purposeful action by Ataturk and his secularizing elites in supplanting Islamic family law with secular European family law was meant to create a legal and regulatory environment that supported more egalitarian relationships within the household. The research reported here suggests that this secularization, together with a growing willingness by women to take action to try to improve their situation, made it possible for women to exercise rights they traditionally did not enjoy.

This research also demonstrates that court use and the analysis of case flows through the courts are most fruitfully understood by viewing the data within a broader context of societal change. For example, secular elites believed that the way to raise Turkey to the economic status of Western European countries was to create family structures similar to European models. One aspect of their reform was to empower women legally. Women's use of the courts, along with judicial willingness to decide cases in their favor, helped push gender relationships toward more equality for rural Turkish women.

By "constructing" women as a status group and giving them legal autonomy, secular elites also undermined the control that the Islamic clergy would have over women. Islamic ideology defines women as inferior to men, needing male supervision and control. By raising women's status, Turkish reformers furthered their goals of economic reform, secularism, and republicanism in the new nation of Turkey.

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