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Ataerkil İdeolojinin Sözde Modern Yansıması Olarak Seks İşçisi Kavramı: Mersin Örneği

Neriman Açıklalın*
Mersin Üniversitesi

Öz

Fuhuş pazarında bir alım-satım nesnesi olarak kadının erkekler tarafından kullanılması olgusunun nasıl kavramsallaştırıldığı sorunu, aynı zamanda bu olguyu bir sorun olarak görüp görmeme ve buna bağlı olarak çözüm yollarının neler olabileceği üzerine de yoğun tartışmaları getirmektedir. Fuhuş pazarında kadınların sömürsünü sadece çevre koşullarıyla açıklayan ve bu koşullar iyileştirildiğinde sömürünün de ortadan kalkacağını ve buna bağlı olarak, fuhşun toplumda kabul edilebilir bir meslek olarak ele alınması gerektiğini savunan görüş, kadının cinsel sömürsü ve ataerkil sistemin yeniden güçlenerek üretilmesinden başka bir şeye hizmet etmemektedir. Ayrıca, böyle bir kabul, fuhuş pazarında kadını maddi ve manevi anlamda sömüren pazarlamacılar ve kadınların dostlarının eylem biçimlerini yasal bir zemine çekip, müşteriler açısından ise kadının cinselliğinin alım-satıma konu olması durumunu normalleştirmekten başka bir işe yaramamaktadır. Çağlar boyu devam eden fuhuş olgusu, salt bireyler arası ilişkilere indirgenerek, bu ilişkilerin yasal düzenlemelere tabii tutulmasıyla sorunun çözülebileceğini iddia etmek, sorunun asıl kaynağı olan ataerkil ideolojiyi tümüyle göz ardı etmek demektir. Diğer bir deyişle, sorunu salt psikolojik ve bireysel ilişkiler düzeyde ele almak ve bu ruh haline neden olan etkenler ortadan kaldırıldığında, başka herhangi bir yapısal değişmeye gerek kalmadan, soruna çözüm getirilmiş olacağı düşüncesi üstü kapalı olarak ataerkil sistemi desteklemekte ve kadını çifte sömürsüye maruz bırakmaktadır. Bu çalışma, Mersin'de 31 genelev ve 13 sokakta çalışan olmak üzere geçimini fuhuş pazarından kazanmaya çalışan toplam 44 kadınla yapılan derinlemesine görüşmeleri içermektedir. Araştırma verileri doğrultusunda, kadınların fuhuş pazarında, kadın ticareti yapan

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pazarlamacı ya da patronlar ile dostları ve kadınların her türlü cinsel kullanımını doğal ve sıradan kabul eden müşteriler arasındaki bir ilişkide kadının sadece bir mal/nesne olarak görüldüğü ortaya çıkmıştır. Bu nedenle, çalışma, fuhuş olgusunda yer alan kadını sermaye, patron-dost-müşteri ve kadın arasındaki ilişki örüntüsünü ise fuhuş pazarı ya da endüstrisi olarak adlandırmıştır.

Anahtar kelimeler: Ataerkil ideoloji, fuhuş pazarı, seks işçisi, sermaye kadınlar.

Giriş

Literatürde fuhuş olgusuna yaklaşım, fuhuş yapanların toplumun ahlaki değerlerini hiçe sayan dolayısıyla da ahlaksız/suçlu olarak ele alınmasından, kandırılarak ya da zorla fuhuş yaptırıldıkları yaklaşımıyla köle/kurban olarak görülmesine ya da cinsel özgürlük bağlamında, bir meslek olarak ele alınması gerektiği yaklaşımıyla seks işçisi olarak değerlendirilmesine kadar geniş bir alanı kapsamaktadır (Doezema& Kempadoo, 1998; Doezema, 2000; Pheterson, 1996; Roberts, 1992; Whelehan, 2001). Diğer bir deyişle, fuhuşun yasal olmasının mı insan hakları kapsamında olduğu yoksa savaşılmaması gereken bir insan hakları ihlali mi olduğu konusu literatürde oldukça tartışmalıdır. Bu nedenle, fuhuş sektöründe çalışan kadını, *fahişe* olarak aşağılamak, *seks kölesi* olarak sömürü ilişkilerine dikkat çekmek ya da *seks işçisi* olarak serbest pazar ekonomisinde cinsel özgürlüğün kullanılmasının bir göstergesi olarak özgürleştirerek yapılan kavramsallaştırmalarla konuya çok farklı açılardan yaklaşılmaktadır.

Tarihsel gelişim sürecinde, fuhuş olgusunun ortaya çıkmasında kadının ve erkeğin cinsellikle ilgili davranışlarının toplum tarafından nasıl anlamlandırıldıkları sorunu yatmaktadır. Tarih, kadın ve erkeğin cinsel faaliyetlerinin sürdürülmesinde erkeğe doğal ve kaçınılmaz ihtiyaçlarını giderdiği masum bir rol biçerken, kadının cinsellikle ilgili davranışlarının kontrol altına alınması gerektiğini dayatan bir rol biçmiştir. Kadının cinsellikle ilgili davranışlarının kontrol altına alınmasının önemi yaklaşık 11.000 ila 5.000 yıl öncesine rastlar ve kadının cinselliğinin aşağılanması erkeğinkinin ise yüceltilmesine dayanır (Whelehan, 2001 : 14). Bu aynı zamanda, geleneksel erkek soyuna dayalı toplumlarda, kadınları namuslu/namussuz kategorilerine ayırarak kadının fahişe olarak damgalanmasına ve etiketlenmesine ilişkin

evrensel tutumun oluşmasını da destekler. Zira, kadını özgürleştirmek bir yana, kutsallaştıran Antik Yunan'daki Kutsal Fahişe miti de, kadının cinselliğinin sömürülmesinden başka bir şeye hizmet etmemiştir. Diğer bir deyişle, Antik çağın kadını nesneleştiren *kutsal fahişe* aldatmacasıyla, Solon'un resmi genelevlerin kurulması çabalarının *öncü kamusal girişim* olarak adlandırılması ya da genelevlerin, azgın genç adamların doğal iştahlarını gönüllerince doyurdukları yer (Roberts, 1992:16) olarak tanımlanmasıyla, bugün cinsel devrim olarak sunulan ve ataerkil ideolojinin sözde modern görüntüsü olmaktan öte bir anlam taşımayan kadınlara *seks işçiliği* hakkı'nın verilmesi arasında hiçbir fark yoktur.

Bu çalışmanın amacı, fuhşun uygulanma biçimleri ile kadın sömürüsünün şiddeti arasındaki ilişkiden çok ki, bu inkar edilemez bir gerçektir, fuhşun bir eylem biçimi olarak kendi pratiğinin kadın üzerindeki etkilerini ortaya koyarak, fuhşun bir meslek olarak kabul edilmesi gerektiğini savunan görüşlerin aslında kadını nasıl çifte sömürüye maruz bıraktığını araştırma bulguları ışığında ortaya koymaktır. Çünkü bu yaklaşım sadece seks endüstrisini aklayan ve *saygın* kılan bir görüşe hizmetten başka bir işe yaramamaktadır. Buna ek olarak, fuhuş yapmanın kadınların cinsel özgürlüklerinin temsil biçimlerinden biri olduğu ve bir meslek olarak görülmesi gerektiği üzerine geliştirilen yaklaşımlar, kadın satıcılarının ve kadınları maddi ve duygusal anlamda sömüren dostlarının yaptıklarını meşru bir zemine çekmektedir. Ayrıca, bu yaklaşım müşterilerin kadınlara daha rahat ve sorunsuz ulaşmaları, devlet kontrolüyle kadınların gelirlerinin vergiye bağlanmasından başka bir şeye hizmet etmediği gibi, kadın bedeninin alım-satımına konu bir mal haline getirilmesini toplumsal değerler ve normlar açısından da *normalleştirerek* ataerkil yapının yeniden üretilmesinden başka bir şeye hizmet etmemektedir.

Fuhuş kavramı

Arapça kökenli *fuhuş* sözcüğü "ahlaki sınırları aşma, taşkınlık yapma, rezalet çıkarma" olarak karşılığını bulurken, *fahişe* sözcüğü "azgın, sınırları aşan, utanmaz (kadın)" olarak tanımlanmaktadır (Nişanyan, 2003:139). Benzer şekilde, İngilizce prostitution sözcüğü ise, anlam olarak "kişi ayırt edilmeksizin şehvetin sunulması, teşhir edilmesi" (Nanette, 1993; Jeffreys, 1997) anlamını taşımaktadır. Fuhuş olgusunu *seks ticareti* kavramı çerçevesinde ele alan yaklaşım ise, olguya insan hakları ihlali açısından bakarak gönüllü fuhuş kavramını reddetmektedir. Kadının insan haklarının ihlal edildiği ve çok boyutlu bir sömürü ilişkisi içine çekilerek herhangi bir mal ya da sermaye haline

dönüştürüldüğü üzerinde duran bu yaklaşıma göre, fuhuşta asıl ele alınması gereken sorunun kadının ahlaki nitelikleri değil, müşteri/patron/dost ilişkisi içinde fuhuş pazarının asıl aktörleri olan erkekler üzerinde durulması gerektiğini savunmakta ve gönüllü fuhuş kavramına karşı çıkmaktadır. Diğer yandan, özellikle 1980'lerden itibaren, kadının cinsel özgürlüğünün bir ifade biçimi olarak literatüre *seks işçisi* kavramı girmiştir. Bu yaklaşıma göre, kadın kapitalizmin serbest pazar anlayışı içinde bir aktör olarak özgür iradesiyle *fuhuş yapma hakkını* kullanmaktadır. Tartışmaların temelde bu eksen etrafında odaklanması kaçınılmaz olarak fuhuş olgusu ve bu olguda rol oynayan aktörlerin tanımlanma biçimini de şekillendirmektedir. Bu bağlamda, fuhuş yapanları, ahlaksızlık ve toplum dışına itilmeyi, yok sayılmayı hak eden insanlar olarak değerlendirmek ya da insanlığa karşı işlenmiş bir suç olduğu ve kadını nesneleştirdiği görüşünü benimsemek ile fuhuş kadının özgür iradesiyle seçtiği profesyonel bir meslek olarak ele almak biçiminde ortaya çıkan farklı yaklaşımlar söz konusudur.

Bu çalışma kapsamında fuhuş olgusu, *seks ticareti* anlayışı temelinde değerlendirilmektedir. Çalışma, fuhuş olgusunu, kadınlar üzerinden maddi çıkar sağlayan kadın tüccarları, dostları ile cinsel mal olarak kullanan müşteriler arasındaki ilişki biçimi olarak tanımlayarak, çalışma boyunca *fuhuş pazarı* kavramını bu bağlamda kullanmıştır. Buna bağlı olarak, fuhuş pazarında çalışan kadınlar için ise *sermaye kadınlar* kavramı, fuhuş pazarının dinamiklerini en iyi ifade eden kavramdır. Bu, kadınların neden fuhuş yaptıklarından, fuhuş pazarındaki patron, dost, müşteri ilişkilerine ve çalışma koşullarına kadar fuhuşun tüm dinamiklerine ışık tutan bir kavram olduğu kadar, araştırma sırasında kadınların kendilerini tanımlayış biçimi olduğu için de önemlidir ve bu yüzden tercih edilmiştir. Kadınları cinsel özgürlüklerini kullanan seks işçileri, ya da ahlaki anlamda aşağılayan fahişe olarak ele alan kavramlardan farklı olarak, sermaye kadınlar kavramı, ne cinsel özgürlük ne de ahlaki zayıflık nedeniyle fuhuş pazarına düşerek sermaye olmayı seçmediklerini, tam tersi, karmaşık ve çok yönlü sosyal, ekonomik ve kültürel ilişkileri anlatan bir kavram olması nedeniyle seçilmiştir. Bu bağlamda, bir kadının fuhuş pazarında sermaye olması, patronu için, maliyeti minimum, karı maksimum olan bir mal, müşteri için, cinsel anlamda istediği gibi kullanabileceği, aşağılayabileceği, cinsel tatmin ve eğlence aracı, dostu için ise, kadının üstünden asalak bir yaşam sürdürebileceği geçim kaynağı haline gelişini ifade etmektedir.

Araştırma Yöntemi

Bu çalışma, Mersin genelevinde 31 ve sokakta çalışan 13 kadın olmak üzere toplam 44 kadınla yapılan derinlemesine görüşmeleri içeren bir alan çalışmasına dayanmaktadır. Görüşme kapsamına alınan konular, kadınların aile yapıları, çocukluğun geçtiği toplumsal çevre ve toplumsallaşma biçimleri, ahlaki ve toplumsal değerlerinin oluştuğu koşullar, eğitim düzeyleri, fuhşa başlama yaşları ve nedenleri, çalışma koşulları ve çalışma arkadaşlarıyla ilişkileri, patron ve dostlarıyla ya da kocalarıyla olan ilişki biçimleri, kendilerine ve yaptıkları işe karşı algıları, gelecek beklentileri gibi ana başlıklar altında toplanabilecek geniş bir bakış açısından ele alınmaya ve değerlendirilmeye çalışılmıştır. Görüşmeler, genelevde, revir kısmında ve haftada iki gün olan sağlık kontrolleri sırasında, sokakta çalışan kadınlarla ise, kartopu tekniği ve patronluk yapan bir kadının sağladığı olanaklarla kadınlara ulaşılması şeklinde gerçekleştirilmiştir. Ayrıca genelevde genelevin müşterilere açık olduğu saatlerde gözlem yapma imkanı bulunmuştur.

Bu araştırma, Mersin genelevi ve Mersin’de sokakta fuhuş yaparak geçimini sağlayan kadınlarla yapılmış olmasına karşın, sadece Mersin’deki fuhuş olgusu üzerine değerlendirmeler yapmaktan daha fazla verileri içermektedir. Çünkü, genelevde ya da dışarıda çalışan kadınlar değişik gerekçelerle çalışmak amacıyla sık sık başka kentlere gitmektedirler. Genelevde çalışan kadınlar için bu nedenler, patronunun kendisini başka bir patrona borçlandırarak satması, müşterilerin farklı kadın tercihlerinden dolayı başka şehre gitmenin müşteri avantajı, sokakta çalışan kadın içinse, ikamet ettiği kentte fazla tanınmak istememek, müşterilerin değişik kadın isteme taleplerini karşılamak üzere farklı kentlere belirli sürelerle çalışmaya gitmek olarak belirtilebilir. Kadınların farklı kentlere gidiş-gelişleri genelevde çalışan kadınlar için patronlar arası bir mal alım-satımı şeklinde gerçekleşirken, sokakta çalışan kadınlar için her kentte bulunan kadın pazarlamacıları ağı arasındaki ilişkilerle kadınların pazarlamacılara kazançları üzerinden belli bir yüzde vermeleri şeklinde gerçekleşmektedir. Böylece, kadın ticareti dediğimizde genel olarak literatürde anlaşılan uluslararası kadın ticareti kendini ülke içinde de sürdürmekte, Raymond’un deyimiyle, seks endüstrisi kadınlara *taşınabilir mal* gözüyle bakmaktadır (Raymond, 1998).

Örneklemin Demografik ve Sosyo-Ekonomik Özellikleri

Araştırmanın yürütüldüğü sırada Mersin genelevinde toplam 92 kadın bulunmaktaydı. Görüşmeler sırasında kadınlar kendilerini *sermaye* olarak adlandırmışlardır. Bu adlandırma, fahişe gibi kadını aşağılayan ya da seks işçisi gibi kadına sözde özgürlük tanıyan bir kavram yerine kadınların yaşam ve çalışma koşullarını ve ilişki ağları dinamiklerini en iyi anlatan kavram olması nedeniyle bu çalışma için de kadınları adlandırmakta tercih edilmiştir. Görüşmeler kadınların gönüllülük esası üzerine yapılmış ve güvenilirlik açısından görüşmeci ile görüşülen kadının baş başa olmasına özen gösterilmiştir.

Görüşmeye katılanların yaş ortalaması 35 olup bunun dağılımına baktığımızda, örneklemin %27.5'inin 18-25, %37.5'inin 26-35 ve %35'nin ise 35 ve üstü yaşta oldukları görülmektedir. Bu anlamda, kadınların müşteri çekebilme özelliklerinin özellikle yaş faktörüne bağlı olarak değiştiği bir alanda farklı yaş gruplarından oluşmuş bir örneklem evrenin tamamı hakkında daha fazla ipuçları alınmasını kolaylaştıran bir unsur olmuştur. Ayrıca yıllar içinde yaşamı, yaptıkları işi anlamlandırma, patron, dost ve müşteri ilişkilerinin, işte geçirilen yıl ve yaş faktörüne bağlı olarak değişip değişmediği üzerine de ipuçları elde edilmesini kolaylaştırmıştır. Kadınların sermaye olarak fuhuş pazarına çıkma yaşlarına baktığımızda, %27.5'inin 13-15, %50'sinin 16-20, %17.5'nun 21-25 ve yalnızca %5'nin 25 ya da ya da geç bir yaşta oldukları görülmektedir. Bu veriler, özellikle zorunlu-gönüllü fuhuş kavramlarının analizinde çok önem taşımaktadır. Fuhuşta zorla çalıştırmanın olmadığını iddia eden yaklaşım *gönüllülük* kavramını çok dikkatli analiz etmek zorundadır. Zira, kadınların eğitimsizliği, erken yaşlarda evliliğe zorlanmaları ve parçalanmış ailelerden gelme oranlarının yüksekliği (%67.5) fuhuş olgusuna sosyolojik analizi zorunlu kılmaktadır.

Buna ek olarak, kadınların ilk evlilik yaşları ve nişanlı, koca ya da imam nikahlı dostları tarafından sermaye olarak kullanılma yaşlarına baktığımızda kadınların fuhuş pazarına kendi iradeleriyle dahil oldukları iddiasına ne kadar dikkatli yaklaşılması gerektiği bir kere daha ortaya çıkmaktadır. Örneğin, kadınların ilk evlilik yaşlarına baktığımızda, %27.5'nin hiç evlenmemiş olduğunu, %37.5'nin 13-15 ve %35'nin ise 16-20 yaşları arasında evlenmiş olduklarını görülmektedir. Diğer taraftan kadınların %72.5'i kendilerini ilk defa sermaye olarak piyasaya sunan kişilerin nikahlı-imam nikahlı eş ya da nişanlıları olduğunu belirtmişlerdir. Bu bağlamda kadınların en güvenilir buldukları kişiler tarafından fuhuş pazarına itilmeleri yine gönüllük kavramı konusunda dikkat edilmesi gerektiğini ortaya koymaktadır. İlk evlilik yaşının oldukça düşük olması, ailelerin sosyo-ekonomik düzeyinin düşüklüğü, parçalanmış aile çocukları

olmaları aynı zamanda kadınların erken yaşta eğitimden kopmalarını da beraberinde getirmektedir. Bu bağlamda, kadınların eğitim düzeylerine baktığımızda ise, %20'si okuma-yazma bilmezken, %10'u ilkokul terk, %25'i ilkokul mezunu, %10'u orta terk ya da mezunu, %15'i lise terk, %12.5'i lise mezunu, %5'i üniversite terk ve %2.5'u üniversite mezunu olarak görülmektedir. Bu durum, kadınların başka bir meslek sahibi olabilme stratejileri geliştirmelerini engellediği kadar, kendilerine güvenlerini de oluşturmalarına engel olmakta, yaptıkları işte oldukça iyi paralar kazanmalarına karşın yine de dostları tarafından duygusal ve maddi anlamda sömürülmesine kapı açmaktadır. Örneğin, %82.5'i halen bir dostunun olduğunu belirtmiştir. Kadın için dostun en başta gelen anlamı, sahipsizlik, aidiyetsizlik duygularını ortadan kaldıracı ve sevgi ihtiyaçlarını doyurabilecek amacını taşımaktadır. Bunun yanında patronundan uğradığı haksızlık ya da müşterilerden gelebilecek tehlikelere karşı kadınlar dostlarına kendilerini güvende hissetmelerine neden olacak roller biçmektedirler. Ancak dost-patron ilişkilerine baktığımızda çoğu zaman patron-dost eliyle kadın sömürsünün katlanarak arttığı görülmektedir. Dostlar asalak bir durumda kadınların kazançlarını sömüren, uyuşturucu, adam öldürme/yaralama ve kumar gibi alışkanlıkları olan bir yaşam tarzına sahiptirler. Bu nedenle dostların, çoğu zaman kadınların haberi bile olmadan patronlardan aldıkları yüklü miktardaki paralar kadınların artık para getiremez duruma gelene kadar bir borç sarmalına girmelerine neden olmaktadır. Kadınların sömürüldüklerini bildikleri halde neden dost, patron gibi aktörlerden tümüyle sıyrılıp bağımsız olarak çalışmadıkları yine dikkatli analizler gerektirmektedir. Diğer bir deyişle, kadınları dost sömürsüne maruz kalmaları sosyolojik ve psikolojik analizlere muhtaçtır. Basitçe, "kadınları dost, patron sömürsünden kurtarıp bağımsız çalışmalarını sağlamak" sadece yasalardaki değişikliklerle kazanılabilecek bir süreç değildir.

Ataerkilliğin ikiyüzlülüğü olarak seks işçisi kavramı

Geleneksel yaklaşımların benimsediği fuhuş yapanları köle, kurban, organize suç unsuru ya da uyuşturucu bağımlısı olarak ele almak yerine, fuhşun bir meslek olarak ele alınması ve haklarının verilmesi temeline dayanan hareketin Batı'da 1970'lerle birlikte ortaya çıktığı görülmektedir. Bu yaklaşımın temelinde, her kadının mutlaka zorla fuhşa yöneltilmediği, kadının özgür iradesiyle bir meslek olarak da fuhşu seçebildiği iddiası yer almaktadır. 1973'te Amerika'da kurulan ve fahişeliği kadının bedensel özgürlüğü ve yurttaşlık haklarının bir ifadesi olarak ele alan örgüt olan COYOTE (Call Off Your Old Tired Ethics),

fahişeleri suçlayıcı söylemleri reddederek, fuhşun bir işkolu olarak algılanması konusunda mücadele etmektedir ve örgüt kendisini fuhuş yapanlar adına konuşanlara değil, doğrudan bu işle uğraşanların sesi olarak ortaya koymaktadır (Jenness, 1993:xiv).

Tüm eskimiş ahlaki yargıların atılması, yok edilmesi savıyla ortaya çıkan COYOTE'ya göre, tüm fahişeler zorla bu işe yöneltilen seks köleleri değildir; fuhuş yasal bir hizmet kolu olarak kabul edilmeli ve saygı duyulmalıdır; fuhuş kadının çaresiz kalarak yöneldiği bir alan olarak görmek onun vatandaşlık haklarını inkar etmek demektir, bu nedenle kendi iradeleriyle bu işe yöneldikleri kabul edilmelidir. COYOTE'ye göre, asıl sorun, fuhşun yasaklanması ve kadının damgalanmasından kaynaklanmaktadır; gönüllü fuhuş kavramı yasalaşmadan, zorla fuhuş ve bununla bağlantılı kadınların tüm kötüye kullanıma biçimlerini ortaya çıkarmak mümkün değildir; kadınlar, toplum kurallarına aykırı olan seksin değil, fuhuşu yasaklayıcı kanunların kurbanlarıdır; böylece fahişe hakları hareketine ulusal düzeyde dikkat çekerek, fuhşun kurumsal olarak gönüllü seçenlerden oluşan bir hizmet sektörü haline gelmesi yönünde güçlü bir adım atılmış olacaktır (Jenness, 1993:5). Böylece, 1970'ler ve 1980'ler süresince fuhuş literatürüne, toplumsal kuralları çiğnemiş, cinsel köle, kadın satıcılarının kurbanı, uyuşturucu bağımlısı, organize suç örgütlerinin aleti olan kişiler gibi geleneksel bakış açılarını değiştiren yeni bir kavram girmiştir: *Seks işçisi* (Jenness, 1993:1).

COYOTE ve benzeri oluşumlar, fahişelerin çalışma koşullarının iyileştirilmesinden çok, fuhuşun toplumsal bir olgu olarak yeniden tanımlanması ve sapkınlık olarak görülen bu olgunun normalleştirilmesi yolunda mücadele edilmesi gerektiğini vurgulamaktadır (Jenness, 1993:12). Bu bağlamda, Doezema da seks işçiliği kavramının kullanılması gerektiği üzerinde durarak, kadınların kaçırılarak fuhuş yaptırılmasının ender durumlar olduğunu ve kadınların fuhuş yapacaklarını bilerek yola çıktıklarını iddia etmektedir. Bu nedenle de aldatılmak gibi bir kavramdan dolayısıyla da *zorlanan masum kadınlardan* söz edilemeyeceğinden fuhuş sektöründe çalışanların "seks işçileri" olarak adlandırılması gerektiğini belirtmektedir (Doezema, 1998, 2000). Bu noktada gönüllü-zorunlu çalışan ya da fuhuşu kendi iradesiyle seçmiş ya da zorla yapan kadın ayırımını çok dikkatli yapmak gereği ortaya çıkmaktadır. Zira, araştırma verileri ışığında konuyu ele alırsak, kadınların hayat hikayelerine baktığımızda kadınların %67.5'nin parçalanmış ailelerden geldiğini görüyoruz. Özellikle bu araştırma sırasında çarpıcı bir biçimde ortaya çıkan bir etken parçalanmış ailelerin çocuklar üzerinde yarattığı duygusal yoksunluk hissidir. Kadınların hayat hikayelerindeki ortak noktalardan birini oluşturan özellikle sevgi ve güven ihtiyaçlarından yoksun bir çocukluk geçirmiş olmaları fuhuş

pazarına çok kolay sermaye olmalarına neden olmaktadır. Bu olgunun diğer bir anlamı, fuhuş olgusunun nedeninin sadece ekonomik yoksunlukla açıklanamayacağıdır. Bu sevgi ve güven arayışı kadınlarda ömür boyu devam etmekte, özellikle kendilerini ekonomik sömürü aracı haline getiren dostlarının sömürüsüne bile bile göz yummalarına neden olmaktadır. Yani, zorla fuhuş kavramını sadece kadınların kaçırılması ya da tehdit gibi unsurlar çerçevesinde adli olaylar olarak değerlendirmek sosyolojik analizden uzak ve kısır bir yaklaşım biçimidir. 23 yaşında genelevde çalışan bir kadının güven ihtiyacını için kendilerini nasıl sömürüye maruz bıraktıklarını ifade ettiği aşağıdaki satırlar bunun en açık kanıtı niteliğindedir:

Sen mantıklı bir insanın kendini açık cezaevine kilitlediğini gördün mü, mantıklı insan burada ne arar, herkesin altına yatmak zorundayım. Allah ya aklımızı ya fikrimizi almış, kadın ilgi, sevgi, şefkate muhtaç, kadın sonra seneler geçince ayıkıyor, ama geriye dönüşü olmuyor, çamurun içine düşüyorsun yaş geçiyor, kendine destek arıyorsun, aşk, sevgi hepsi para, sonra çıkmazın içine düşüyorsun, "bu adam güçlü beni korur" diye düşünyorsun ama bırakmak isteyince tehditler, şiddet geliyor...

Bu bağlamda aynı kadın, patronlarla dostlar arasındaki ilişki ağlarının kadınları nasıl sömürdüğünü şu cümlelerle dile getirmektedir:

haa, bu işin sonu yok, bir an önce bir şeyler yapmak gerekiyor", ama başında pezevenğin varsa bunu yapamazsın, sürekli seni yiyor, sürekli, on milyar, beş milyar, yirmi milyar, otuz milyar, araba değiştir, kumar parası, onun kız parası.. yani, ona çalışıyorsun, ona çalışılıyor, genelevlerinde aslında dostsuz kadını barındırmazlar, mutlaka bir patron ya da patronun çakalı musallat olur, genelevlerinde dostsuz, tek çalışmak çok zor, çok zor... ya işte para, çok sevdiğinden ya da aşık olduğundan değil, uyansan da, bazı yerlerde dost tutmak zorunlu bırakılıyor, ne bileyim, baskı yapıyor, manevi baskı yapıyor, şiddet uyguluyor, bir şekilde dost tutuyor kendine, yani kadının gücü nereye kadardır ki, sen de bunu bilirsin, kadının bir yere kadardır, zor yani, genelevlerinde dostsuz kadın olmak çok zor...onun için hayat berbat....
(ilkokul mezunu, genelevde çalışıyor)

Yine sokakta çalışan 22 yaşındaki bir kadının anlattıkları, güven ve sevgi ihtiyacıyla kendilerini *dostlarına*, (kendi aralarındaki jargonla *dümbük* ya da *zavaklara*) nasıl sömürü aracı haline getirdiklerini en açık biçimde ifade etmektedir:

...isterim ki, evim olsun, çocuğum olsun" özlemi... ha bu durumda ne yapıyorsun, Ali olmazsa bir başkası, Ahmet, Mehmet problem değil, "ha işte evime gittiğim zaman benim bir erkekğim var", bir toplumda diyelim, atıyorum, Ayşe buraya geldiği zaman ya işte "kocam" diyebiliyor... içindeki ukdeler, sanal alem gibi bir şey, ya da işte hep ezilmiş, hep yokluk görmüş, işimizin zor yanları, dağ başında kaldık, şu oldu, bu oldu, ama arkama gelen kim "koca", o destek oluyor duygusu...

Yukarıdaki tartışmaya geri dönecek olursak, Kathleen Barry, gönüllü olarak fuhşun seçilmiş bir meslek olduğu görüşünü reddeder, ve fuhşun ana konusunun kadınlar değil erkekler olduğunu ileri sürer. Fuhşu kadının özgür iradesiyle seçmiş olduğu bir meslek olarak tanımlamak, fuhşta ana etken olan erkek talebini görmezlikten gelmek anlamını taşımaktadır. Bu anlamda Barry için fuhş öncelikle erkek tüketim pazarından başka bir şey değildir. Buradaki bütün sorun kadın bedeninin cinsel değiş tokuş aracı haline gelmesidir, bunun nasıl ve neden olduğu kadının, erkek tüketim pazarında bir değiş tokuş aracı olmasından bağımsız bir konudur. Fuhşta “gönüllülük” kavramından söz etmek, kendisine zarar veren bir davranış biçimi olarak uyuşturucu bağımlılığında gönüllülükten söz etmek kadar anlamsızdır. Eğer bir eylem biçimi, kişinin saygınlığına, mutluluğuna, kişiliğine yıkıcı etkiler içeriyorsa bu eylem biçiminde sömürü vardır. Bu nedenle de, sorun kadınların fuhşu seçme hakları ya da erkeklerin istismarı nedeniyle kendilerini kurban olarak görüp görmedikleri değildir. Barry'e göre gönüllülük kavramı baskıyı açıklamakta iyi bir ayırım içermemektedir. Baskı, gönüllülüğün derecesini anlama konusunda etkin bir ölçme yolu değildir. Barry'e göre, eğer gönüllülük kişinin seçme şansının olmadığı, aciz kaldığı bir durumu ifade ediyorsa, kölelikte bile gönüllülük kavramından söz edilebilir. Gönüllülük özgürlüğün bir göstergesi olmadığı gibi, gönüllülüğün yokluğu da sömürünün bir göstergesi olamaz. Fuhşta cinselliğin gönüllülük esasına göre sınırlarının çizilmesi, cinselliğin nasıl kullanıldığı, nasıl yaşandığı ve iktidar ilişkilerinin nasıl kurulduğunu göz ardı etmektedir. Barry'e göre gönüllülük temelli bakış açısı, bazı feministler tarafından cinsel şiddeti görmezden gelmeleri için araç olarak kullanılmaktadır. Bu gönüllülük ideolojisi, kadınların bireysel özgür iradelerini kullanırken maruz kaldıkları çok boyutlu baskının etkilerini görmezlikten gelmektedir. Gönüllülük bakış açısının kullanımı, kadının sınıfsal konumundan dolayı uğradığı cinsel sömürden kişisel deneyimlerine kadar çeşitlilikler göstermektedir. Bu bağlamda Barry, seks işçiliği kavramının fuhşa kişisel tercih dili yükleyerek baskının üstünü örttüğü ve fuhşu normalleştirdiği üzerine dikkat çekmektedir (Jeffreys, 1997:35-137).

Bu bağlamda görüleceği gibi, sözde cinsel özgürlüğün bir uzantısı olarak seks işçiliği kavramının kullanımı, kadına özgürlük getirmek bir tarafa, fuhş endüstrisine yeni bir anlam katmaktadır. Diğer bir ifade ile, bu kavram, kadınları değil, ancak seks endüstrisini aklayan ve *saygın* kılan bir görüşe hizmetten başka bir işe yaramamaktadır (Raymond, 2003:315-316). Buna ek olarak, fuhş pazarının varlığı ve erkeğin burada kadını bir mal olarak kullanmasının son derece doğal hatta kaçınılmaz olduğu görüşü örtülü bir biçimde kabul edilmektedir. Böylece erkek için kadının her türlü *kullanımının* yolu açılmakta, hatta, parası olmayan erkeklere, kadınların sadece bir cinsel nesne

olarak algılanmasını pekiştiren devlet onaylı genelev, kadınları *seyirlik bir mal* olarak sunmaktadır. Aşağıdaki alıntı bu olguyu oldukça iyi açıklamaktadır:

Müşteriler gelip hayvanat bahçesindeki hayvanları seyrederek gibi seyrediyorlar, "hayvanat bahçesine hoş geldiniz" diyoruz.
(32 yaşında üniversite terk, genelevde çalışıyor)

Buna benzer tespitler başka bir genelev kadını tarafından şöyle dile getirilmektedir:

...Seyredilmek duygusu... bana dediler, "gel, bugün tipini değiştiririm", giydirdiler beni güzel, saçlar, makyaj falan... diyeceksin şimdi, böyle mi olur genelev kadını, hayır öyle değil ama, tam bir genelev kadını görüntüsüne girdim, anlatabiliyorum, makyaj koyu, elbise seksi, yemin ediyorum, elime sigarayı aldım, topuklu ayakkabı ayağımda bu kadar, şu şekil, ayakta sallanıyorum böyle sağa sola, müzik dinliyorum, ya bir anda şöyle bir durdum, erkekler beni seyrediyor, ya içimden dedim ki, "ya, biz neyiz, şu yaptığım şeye bak", içimden bir his ne dedi, biliyor musun, dedi, "Yasemin sen ne yapıyorsun böyle", yaptığın iş ne, ne işin var burada senin", elimde sigara, dikilmişim, sallanıyorum müziğe göre, adamlar beni seyrediyor, dedim, "ne yapıyorum ben ya... adamlar seninle beraber olsun diye şu haline bak... ne işim var, ne yapıyorum, hangi akla hizmet buradayım..., et miyim ben, asmışlar beni çengele, gelen bakıyor, giden bakıyor...çok kötü bir duygu...
(Lise terk, üç çocuk annesi, genelevde çalışıyor)

Fuhuşun kurumsallaşması erkeğe kadını cinsel bir mal olarak *sınırsızca kullanma hakkını* ve rahatlığını da açıkça söylemektedir. Kadınlarla yapılan görüşmelerde, sokakta olsun genelevde olsun çalışan tüm kadınlar, müşterinin bu yöndeki beklentilerini ifade etmişlerdir. Kadının bir mal olarak kullanmasını erkeğin hakkı olarak görülerek normalleştirilmesi kadını sadece fiziksel değil duygusal şiddete de maruz bırakmaktadır:

Hiç tanımadığın bir insan, belki nikahlı eşine yapamadıklarını yapmak istiyor, ısırarak istiyor, "paramla yapıyorum" diyor, tartışma çıkıyor, ağızlarında jilet giriyorlar, burada can güvenliğimiz yok, ayakkabısının altına bıçak, jilet saklayıp giriyor..."buradaki kadınların eti nasıl ucuzsa canları da öyle ucuzdur"...sokakta belki yattığımız insanlarla karşılaşıyoruz utancını duyuyorsun, bu kapıdan çıkınca biriyle karşılaşıncı kendi kişiliğinden utanıyorsun...
(23 yaşında, lise mezunu, genelevde çalışıyor)

Genelevde çalışan bu kadının, yaşadıkları şiddeti anlatmak için kullandığı "*eti nasıl ucuzsa canları da öyle ucuzdur*" ifadesi fuhuş pazarının işleyişinin belki en açık ve yalın ifadesidir. Burada kadın sadece müşteriler için canlarının en ucuz gittiği sınırsızca kullanabilecekleri bir mal olmakla kalmamakta, patronlar arası satışa da konu olmaktadır. Bu anlamda müşteriler için *sınırsız kullanıma açık*

mal kategorisindeki kadın, patronlar için *sermaye* niteliği taşımaktadır. Patronlar için önemli olanın *sermayelerden* en fazla karın elde edilmesinin temel amaç olduğu bu sektörde, kadının adet görme dönemleri de patron için sermayeden zarar edilen günler anlamını taşımaktadır. Bu nedenle kadınlar adet kesici ilaçlar kullanmak zorunda kalmakta, sağlık muayenesinde adetli ya da hasta çıkma riski kadınların psikolojisini son derece bozmaktadır.

Burası et pazarı, patronlar bizi sermaye olarak görüyorlar, adet olmamak için aylık iğne oluyorum, ben kendim istiyorum, borcumu bitireyim diye, ama ara sıra geliyor, belim ağrıyor, ister istemez ara kanama görüyorum, ben on gündür ara kanama görüyorum, adetimi durdurduğum halde...ben geçen salı dönüş yapayım dedim, kanamalı yakalandım, bunlar da ara kanaması yapıyor, artık yaramadı mı bana bilmiyorum....

(okumaz-yazmaz, genelevde çalışıyor, 31 yaşında, üç çocuk annesi)

Fuhşu bir meslek olarak gören ve zorunlu fuhş kavramını reddeden anlayış, fuhşun normal olduğu anlayışının topluma yerleştirilmesinin bu sektörde çalışan kadınların korunmasına hizmet etmeyeceği tam tersi, kadınların sömürsünü arttıracaklarını göz ardı etmektedir. Bu alanda çalışan kadınların her türlü sömürsünü ortadan kaldırmaya çalışmak başka şey, bu alanı bir *meslek* olarak kabul etmek başka bir şeydir. Seks işçiliği kavramının kullanılmasının ve kadına bu alanda çalışma özgürlüğü verilmesi gerektiğini savunan anlayış, fuhşta kadının çalışma koşulları ne kadar iyileştirilirse iyileştirilsin yapılan işin özü itibarıyla kişide yol açtığı yıkımları göz ardı etmektedir. Ataerkil sistem içinde kadının özgürlüğü adına bir çaba gösterilecekse bu ancak, kadının anlamlı bir iş sayesinde toplumdaki yeri ve güvenliği konularına odaklanmasıyla sağlanabilir. Bu bağlamda güçsüzlük, anlamsızlık, normsuzluk, izolasyon gibi duygu yoğunluğunun ve intihar eğiliminin bu kadar yaygın olduğu bir çalışma alanı daha bulmak oldukça güçtür. Örneğin, bu çalışmanın bulgularına göre, kadınların %37.5'i yaşamlarında bir ya da birden fazla intihar girişiminde bulunmuşlardır. Burada belirtmek gerekir ki, intihar girişimde bulunmamış olanlar arasında, buna en büyük etken ya dini duygularının ağır basması ya da çocuklu kadınlar olup çocuklarının geleceğini düşünmeleri olarak ortaya çıkmıştır. Kadınların hemen hemen hepsi, yaşamın anlamsızlığından, kimseye güvenmediklerinden ve çaresizliklerinden söz etmektedirler. Bu yaşamı algılayış biçiminde sokakta ya da genelevde çalışan kadınlar arasında bir farklılaşma görülmemekte, görel olarak genelevdeki kadının sözde can ve mal güvenliğinin koruma altında olması bu algıyı değiştirmemektedir. Bu bulgular, genellenebilmesi nicelik olarak daha fazla örneklem grubuna ihtiyaç göstermesine karşın, çalışma koşullarının iyileştirilmesinin fuhşu kabul edilebilir bir iş kolu haline getireceği iddialarını çürütmektedir. Bu bağlamda aşağıda genelevde ve sokakta çalışan kadınların yaşamı algılayış biçimine ilişkin

görüşleri fuhşun herhangi bir meslek gibi ele alınmasının olanaksızlığını ortaya koymaktadır:

...bazen yaşamaktan zevk almadığımı düşünüyorum, "öleyim daha iyi, nereye kadar" diyorum, çok, çok fazla intihar etmeye kalktım, bir ara tam 32 tane hap yuttum, ağır bir mide hapıydı, iki defa arka arkaya, iki gün hastanede yattım...
(26 yaşında, sokakta çalışıyor)

Benzer biçimde 23 yaşında genelevde çalışan bir kadının hayata ilişkin algısı:

...İlk işe başladığımda çok üzüldüm, gitmek istedim, iki kere intihara teşebbüs ettim hapla... Hayatın anlamı... koca bir çukur, bomboş...

Bu bağlamda vurgulanması gereken nokta, yabancılaşma duyguları yıllar içinde bir alışkanlığa ya da duyarsızlaşmaya dönüşmeden kadını tüm yaşamı boyunca etkilemektedir. Bu bağlamda, fuhş pazarında yeni çalışmaya başlamış ya da yıllardır bu pazar içinde olan kadınlar arasında bir farklılık görülmemektedir. 34 yıldır fuhş pazarında çalışan, 52 yaşında bir kadının anlattıkları ile 2 yıldır çalışan kadının hayatı anlamlandırma biçimleri son derece örtüşmektedir:

...erkeklere güvencim yok, hiç kimseye güvencim yok, bir Allah'a güveniyorum. Paran varsa dostun var, paran yoksa dostun yok, Erkek milletine hayatta inanmam, güvenmiyorum ben erkeklere, götürür çalıştırır, erkeklerin hepsi ölsün, hayatta inanmam, seni seviyorum dedikleri zaman parayı seviyorlar. Kimseyle derleşmem bunları konuşmam çünkü patronların adamları, yalavaş karılar çok var, sırdas arama burada düşman ara, ben gece dama çıkar yatarım kendi kendime, hayvanımla derleşirim (köpeği), çünkü kimseye güvenmeyeceksin bu devirde, güvendiğin zaman çukura düşersin...

Jeffreys'in da belirttiği gibi fuhş, kadın erkek ve cinsellik kavramlarının nasıl anlaşılması gerektiğine ilişkin erkek egemenliğini dayatan bir politik yapılanmadır. Fuhş, politik sistemde yaratılan "erkeklik" kavramının ve yüceltilen statüsünün kadını ikincil konuma düşürerek gerçekleştirilen bir eylem biçimidir. Kadın bedeninin erkeğin kullanımına açık olması kadın üzerinde erkeğin üstün statüsünü yaratmaktadır. Bir sosyal grubun aşağılanan statüsü üzerine kurulu bu kadar katı bir yapısal hiyerarşinin olduğu başka bir iş daha göstermek çok zordur. Kadının politik hiyerarşide ikincil statüde, hayatının tehlikede olduğu ve müşteriler, patronlar ve dostları tarafından fiziksel ve duygusal yıkıma uğratıldığı başka bir iş daha düşünmek hemen hemen olanaksızdır. Jeffreys'e göre seks işçisi kavramı fuhşu normalleştirmektedir. Bu kavramın kabulü, fuhşun kadına karşı bir şiddet ve suç işleme biçimi olduğu şeklindeki kavramsallaştırmayı güçleştirmektedir. Fuhş temelde, erkek egemen bir anlayışın kadının cinselliğini pazarlayarak çıkar elde ettiği bir alandır. Bu

anlamda, fuhsun önlenbilmesi için, talebi ve arzı üreten nedenleri ortadan kaldırmak gerekmektedir. Fuhşun yasal hale gelmesini savunan görüş, cinsellik hakkında yeni bir dil geliştirmekte ve fuhşu cinselliği belirleyen ve harekete geçirici güç olarak erkeğin cinsel isteklerinin kurumsallaşması olarak normalleştirmektedir. (Jeffreys, 1997 :194). Bu bağlamda, fuhş olgusunu erkeğin kadına karşı işlediği suçların en geleneksel biçimi olarak kabul eden yaklaşım, fuhşun bir meslek olarak kabul edildiğinde, kadınlara ne çeşit *yeteneklerinin* geliştirilmesi konusunda eğitim verileceği sorusunu ortaya atar. Böylece, kadınlara verilecek *seks işçisi olma derslerinde* öğretilen ve fuhş ticaretinde *nitelikli* hale gelmeyi sağlayacak yollar, cinsel eylem becerilerini ortaya koymak, zevk alır gibi yapmak, her türlü bedensel şiddete karşı dayanıklılık göstermek ve hayal edilebilecek tüm yollarla bedenini başka birinin kullanımına sunmaktan başka bir değildir (Raymond, 1998 : 2). Bu bağlamda, Millet'e göre, fuhş kadını satılabilir bir nesne haline getiren, kadını şeyleştiren bir olgudur. Fuhşta müşteri cinselliği satın almaz, diğer bir insan üzerinde iktidar kurar, burada kadın bir cinsel organdan başka bir şey değildir Kate Millet'e göre fuhş kadını bir alım-satım nesnesine dönüştürerek şeyleştirmekte ve kadını sadece bir cinsel obje haline getirmektedir. Bu nedenle fuhş, sadece satılan cinsellik değil, kadının onurudur. Ayrıca, müşterinin de bu alım-satımda aldığı sadece cinsellik değil, fakat bir insanın diğeri üzerine uyguladığı hakimiyettir (Millet, 1987 :40-41). 32 yaşında genelevde çalışan bir kadının müşterilerin tutumları karşısında hissettikleri bunu açık olarak anlatmaktadır:

...ben şahsen kendimi hayvan gibi hissediyorum, kışın geliyorlar o demirli pencerelerin arasından bakıyorlar, işte, "orasını açsa da görsek, burasını açsa da görsek", işte "aç, aç, aç ne olacak", zaten bunlar insanı bunlar rahatsız ediyor, psikolojisini bozmaya da yetiyor, bunları görmek lazım, bir gece gelip böyle görmek lazım... yeri geliyor, evli kadın kocasına tahammül edemiyor, yeri geliyor biz burada ay haliyle çalışmak zorunda kalıyoruz, ilaçla ay hali görmemiz engelleniyor, fakat bunun doktorlar da önüne geçemedi, ahlak da önüne geçemedi, bir ara ahlakın kulağına gitti haplar yasaklandı, ama ahlak da artık başa çıkamadı... can güvenliğimiz yok, adamın biri sarhoş, psikopat geliyor, içeride seni dövse, çok oluyor kızların dövüldüğü ettiği, hakaret yemesi, dayak yemesi çok oluyor, sen dayak yedikten sonra müdahale edilse ne olur, edilmese ne olur, tokadı yedikten sonra... " (32 yaşında, ilkokul mezunu, genelevde çalışıyor)

Ataerkil ideolojinin ve erkeğin ikiyüzlü namus anlayışını bir sonucu olarak kurumsallaşan fuhş sektörünün bu ikiyüzlülüğüne en açık örneklerden biri genelevde çalışan bir kadının eski öğretmeniyle karşılaşma hikayesinde kendini bulmaktadır:

...buraya öğretmenim geldi beni tanıdı..., bir baktım bir başka öğretmenimi de peşine takip getirmiş... benimle olmak istedi, dedim, "sen benim gözümde halen öğretmenimsin, alamam, bana abes gelir, biz kardeş, ağabey gözüyle baktıysak...", "..artık öğretmen öğrencisiyle beraber oluyor" dedi, "bakıyorum mesela sokakta senden güzeli yok" dedi, (genelevdeki sokağı kastediyor), dedim, "bana ters gelir. (32 yaşında, ilkokul mezunu, genelevde çalışıyor)

Diğer taraftan, ataerkil ideolojinin ikiye bölünmüş namus anlayışı kadınları sadece çalışma koşulları açısından sömürüye maruz bırakmamakta, en insani haklardan biri olan sokakta gezilme haklarını da ellerinden almakta, bir anlamda toplumsal linçe maruz bırakmaktadır. Bu konuda sokakta ya da genelevde çalışan kadının mağduriyetlerin arasında bir fark yoktur. Erkek fuhuş pazarında kullandığı kadını bunun dışında da aşağılama hakkını kendinde görmekte, bu kadınların yaşam alanlarının son derece daralmasına neden olmaktadır:

...burada bunalmamak mümkün değil, ben izin kullanmıyorum, çıkmıyorum... beni tanıyan birileri çıkıyor, rahatsız oluyorum ben, bazı kendini bilmezler rahatsız ediyor, "aaa, çıkmış işte", arkadaşına diyor, "bu genelevinde çalışıyor", işte, "yandım, beni bir soğutan olsa" diyor, bu şekil laflara maruz kalıyorsun dışarıda, o yüzden çıkmak istemiyorum... (32 yaşında, ilkokul mezunu, genelevde çalışıyor)

Ataerkil ideolojinin kendisine meşru bir zemin bulmasındaki en önemli unsur kadının ikincilliğinin kaçınılmaz, doğal diğer bir değişle değiştirilemez bir kader gibi ortaya koymasında yatmaktadır. Bu bağlamda kadın da kendi köleliğini meşrulaştırarak bir anlamda ataerkil ideolojinin yeniden üretimine katkı sağlamaktadır. Kadının kendi köleliğini meşrulaştırmasına en yalın örnek adeta erkek egemen ideolojinin ekmeğine yağ süren bir şekilde kendilerini *namus bekçisi* olarak nitelendirmelerinde ortaya çıkmaktadır. Görüşmeler sırasında kadınlar kendilerini toplumda taciz ve tecavüzlerin önlenmesinde adeta bir *tampon mekanizma* olarak algılayarak erkeklerin kadın üzerindeki tahakkümünü örtük bir biçimde onaylamaktadırlar. 38 yaşında, genelevde çalışan bir kadının sözleri gibi:

...milletin namusunu bekliyoruz" biz olmasak çocuk ne yaparlardı, bizler varken erkek çocuğuna tecavüz ediyorlar, namusun askerliğini yapıyoruz, 18 ay askerler vatan bekler, biz de namus bekliyoruz... (38 yaşında, ilkokul terk, genelevde çalışıyor)

Ayrıca, kadının erkek egemen ideolojiyi destekler bir biçimde, kendini namus bekçisi olarak görmesi ve kendini toplum adına feda ettiğini düşünmesi de erkeğin *önüne geçilemez içgüdüleri* olduğu ve buna hizmette adeta *toplumsal bir*

işbölümü olması gerektiğini kabul etmektedir. Bu bağlamda, Jeffreys'nin de belirttiği gibi, fuhuş yapan kadınları tek tek kurtarmaya çalışmak fuhuşla mücadelede etkin bir yol değildir, bunun yerine fuhşun neden halen devam ettiği üzerinde durulmalıdır. Jeffreys, fuhşun sürmesinde talebin önemli bir etken olduğunu ve bu konuda kamuoyunda fuhşa ilişkin yaygın görüşün değiştirilmesi gerektiğini belirtir (Jeffreys, 1997).

Sonuç

Ataerkil ideolojinin egemenliği ve toplumdaki ikiyüzlü namus anlayışının sonucu olarak tarih öncesi dönemde kurumsallaşmış olan fuhuş olgusu, günümüzde kadına bir cinsel özgürlük alanı olarak sunulurken modern görüntüsü altında kadını bedensel, duygusal, ekonomik alanlarda sömürmeye ve erkeğin *doğal iştahının* bir nesnesi olarak kullanmaya devam etmektedir. Bu bağlamda, erkeklere hizmette kusur tanımayan ataerkil ideolojinin, onların doğal iştahlarının giderilmesinde ortaya koyduğu en parlak buluşlarından biri de genelevlerdir. Kadınların seyirlik bir maldan cinsel zevk nesnesine kadar erkeklerin kullanımına sunulduğu genelevlerde, kadınların teşhir edildiği teşhir salonlarından, müşteriler için banyoya, müşterilerin beklenti ve bütçesine en uygun kadını bulmasında adeta rehberlik görevi gören pazarlamacılar, kapısında müşterilerin parasını ödediği *malın* katma değer fişini alabileceği yazar kasalara kadar her şey en iyi hizmeti vermeye hazır bir şekilde tasarlanmıştır. Yirmi birinci yüzyılın *uygar* toplumunda, burada kadın seyredilebilir, kullanılabilir, hatta parası yeten için sadist ya da mazoşist zevkler için bile araç olabilir.

Çalışmanın bulguları da ortaya koymuştur ki, fuhuş pazarındaki ilişki örüntüleri kadını fahişe olarak adlandırarak aşağılamak ve toplumsal linçe maruz bırakmak ya da seks işçisi olarak kadının özgürlük alanlarından biri olarak yaklaşmak, fuhuş pazarındaki kadının sömürülmesi olgusunu açıklamaktan çok uzaktır. Ayrıca, seks işçiliği kavramının ileri sürdüğü, çalışma koşulları iyileştirildiğinde ve sömürü ilişkileri ortadan kaldırıldığında fuhuş herhangi bir meslek kategorisinde değerlendirilebileceği yaklaşımı, kadın pazarlamacıları ve dostlarını adeta bu işe teşvikten başka bir işe yaramayacaktır. Kadınlar ne "azgın ve ahlaki sınırları aşmış", ne de fuhuşu bir özgürlük alanı olarak seçmiş kişiler değildir.

Bu çalışma çerçevesinde, fuhuş olgusu, patron-dost-müşteri çemberi içine sıkışmış kadının bir mal, kendi deyimleriyle bir sermaye olarak kullanıldığı organize bir suç alanı olarak tanımlanabilir. Bu nedenle, kadının fuhuş

pazarında bedenini cinsel alım satıma konu edinmesinin cinsel özgürlük olarak ele alınması ve kadına *fuhuş yapma hakkı* tanınması gerektiği iddiasına, kadın istismarının ve sömürüsünün son derece yaygın ve şiddetli yaşandığı bu sektörde, çok dikkatli yaklaşılması gerekmektedir. Fuhşun erkek egemen ideolojiye hizmette kesintiye uğramaması için ileri sürülen *kutsal fahişe* kavramı olsun, cinsel devrim adı altında ileri sürülen *seks işçiliği* kavramı olsun kadın özgürlüğünü cinselliğini pazara çıkararak kadını bir nesne haline getirmekle kalmamakta aynı zamanda kadının bir nesne haline gelişini özgürlük gibi ele alarak, kadının fuhş endüstrisinde kullanılması sorununun çözümü çabalarını da baltalamaktadır. Bu bağlamda diyebiliriz ki, kadının kendini fuhş pazarında alım-satıma konu bir nesne halinde sunmasının diğer bir deyişle, kadının sözde aşağılanmadan fuhş pazarında yer almasının tarihi çok daha eskilere gitmektedir. Diğer bir deyişle kadının fuhşta *özgürlüğünü* kazandığı *cinsel devrim*, modern zamanlara özgü bir olgu değil kökleri Antik döneme kadar uzanan ataerkil sistemin bir aldatmacası olarak karşımıza çıkmaktadır.

Cinsel özgürlük adına dişiliğin kullanılması, kadının ataerkil kuralları yıkıp özgürleştiği anlamına gelmediği gibi tam tersine ataerkil sisteme hizmet etmekten başka bir anlama gelmemektedir. Kadının diğer yeti ve özelliklerinden arındırılarak cinsel kimliğinin ön plana çıkarılması cinsel bir nesne durumuna indirgenmesi anlamına gelmektedir. Kadının benliğinin ifadesinde cinselliğin birincil konuma çıkarılması hatta kadını tanımlayan biricik kimliğin cinsel kimlik haline getirilmesi, kadının fuhş pazarında ataerkil sisteme hizmetinden başka bir işe yaramamakta, bazı kesimlerce kadının özgürlüğünün bir ifadesi olarak sunulan fahişelik kurumu kadının köleleştirilip nesne haline gelmesine neden olmaktadır. Bu, kadın pazarlamacıları, müşteri, dost ya da patronlar tarafından kadının sömürülmesinden bağımsız bir olgudur. Tüm sömürü mekanizmalarından bağımsız olarak fuhş pazarında yer alabilmesi halinde bile kişinin kendine yabancılaşması, kendini sadece bedeni dolayısıyla tanımlaması durumunu ortaya çıkarmaktadır. Cinselliğin duygusallıktan tümüyle arındırılmış halini, çıkar karşılığı tanımadığı kişilerle yaşamak kadınların insani özelliklerin doğal sınırları olan yabancılaşma, özsaygı, özgüven, başkalarına güven gibi sorunları ortaya çıkararak kadınların duygusal anlamda zedelenmelerine yol açmaktadır. Kadının ailesi, akrabaları, yakın çevresi ve kendisini tanıyan herkes tarafından yok sayılması ve hatta kişinin artık kendisini yok sayması, geçmişini unutup, geleceğe ilişkin hiçbir umut ve beklenti besleyemeden kendi adını bile kullanamayacak kadar utanç duyduğu bir işte takma bir isimle adeta sanal bir dünyada yaşam mücadelesi vermesi ve bütün bu bedellere ek olarak ekonomik anlamda sömürülmesi, fuhş sektöründe çalışan kadını bu çalışma açısından en iyi tanımlayan niteliklerdir. Ayrıca,

kadının erkek egemen ideolojiyi destekler bir biçimde, kendini namus bekçisi olarak görmesi ve kendini toplum adına feda ettiğini düşünmesi de erkeğin önüne geçilemez içgüdüleri olduğu ve buna hizmette adeta toplumsal bir işbölümü olması gerektiğini kabul etmektedir. Bu da erkeğin doğal bir ihtiyacını giderme aracı olarak fuhuş pazarının kaçınılmazlığını, doğal ve sıradanlığını örtük bir biçimde kabul ettiren ataerkil sistemin yeniden üretilmesinden başka bir işe yaramamaktadır. Ayrıca burada belirtmek gerekir ki, iddia edildiği gibi fuhuşta zorlama ya da tehdit yoluyla kadınların çalıştırılması olgusu ortadan kalkmış da değildir. Kadınlar halen kandırılma, kaçırılma, borçlandırılma, kendilerine ya da yakınlarına zarar verilmesi tehditleriyle de çalıştırılmaktadırlar. Bu başka bir çalışmanın konusu olacak kadar geniş bir konudur ve ayrıca ele alınacaktır.

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Sex Worker Concept as a So-called Modern Reflection of Patriarchal Ideology: A Case Study in Mersin

Abstract

The problem of the conceptualizing the exploitation of women by men as tradable product in prostitution markets also brings about heated debates not only on whether or not to see this exploitation as a problem, but, following from that decision, also on what the means of solution could be. The point of view that explains the exploitation of women in prostitution markets only as a conditions are improved and, continuing from that, the opinion that defends that prostitution should be viewed as an acceptable profession in society serves no purpose other than reinforcing the sexual exploitation of women and the patriarchal authority. In addition, such a point of view is of no use except for legalizing the modes of behavior of procurers who exploit women physically and psychologically in prostitution markets and for giving the commercialization of woman's sexuality on appearance of normalcy, as far as the customers are concerned. Explaining the fact of prostitution that has come down through ages merely through interpersonal relationships and claiming that this problem can be solved by subjecting these relationships to legal regulations means a total ignorance of the male domination, which is the actual source of the problem. In other words, handling this problem merely at the psychological and sociological level, and presuming that a solution will have been found –without any changes to the social structure– by eliminating the factors that bring about this state of mind secretly supports the patriarchal authority and leaves women subject to two-sided exploitation. This study includes indepth-interviews made with 44 women who try to make a living out of the prostitution markets in Mersin, 31 of whom in brothels, and 13 in the streets. In the light of the data from the study, it has been determined that, in transactions between the procurers who market women's bodies and the customers who view every sexual abuse of women, women are treated merely as an item or an object. As a result, this study has used the term capital for a woman who is in the profession and the term prostitution market or prostitution industry for the network of relationships between bosses, procurers, customers and women.

Key Words: Patriarchal ideology, prostitution market, sex worker, capital women.

Women's Shelters and Responses to Domestic Violence in İzmir, Turkey

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Abstract

There is a growing public awareness of the problem of domestic violence in Turkey, spurred on by Turkey's efforts to improve women's legal situation as part of the process of bringing the country's civil and penal codes in line with European Union standards. While legal changes are admirable, they do not always translate into actual improvements for women. Many victims of domestic violence still have little recourse, since there are few shelters for battered women and these are often subject to financial and operational limitations. Based on research conducted in Turkey in 2004 and 2006, this paper discusses preliminary findings relating to the success of women's shelters in İzmir province in providing refuge for battered women. This will include an investigation of the institutional strengths and weaknesses of the Social Services and Child Protection Agency (SHÇEK) of İzmir in dealing with victims of domestic violence, and will discuss how general institutional weakness has compromised the effectiveness of the state-run women's shelters, despite the best efforts of SHÇEK personnel. Personal narratives of battered women will be included to demonstrate the relative efficacy of institutional and judicial responses to domestic violence.

Key Words: *domestic violence, gender, women's shelters, institutions, civil law, penal codes, Turkey*

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Introduction

I was acquainted with Hatice for a year before I first heard of her situation. Hatice¹ was a cheerful, talkative woman who was a domestic worker in the homes of a number of middle-class households in İzmir, including in the household of a good friend. One day in 1999 I came to visit the friend, Sevil, when I saw that Hatice's eye was black and blue. I had refrained from asking about it for fear that she would be embarrassed, but she openly told me that her husband hit her and their four daughters when he was very drunk. And he drank a lot. This time, she said, he hit her hard on the side of the head just as she stepped through the front door. She talked about getting beaten without embarrassment or shame, and seemed to think that it was quite funny (though this could be a front, of course). In fact, Sevil's eye was also swollen from an infection, and Hatice joked that Sevil's husband had really beaten her. Then Hatice commented that it was too bad that my husband wasn't there to beat me, then we would all look alike.

I took this humor as a sign that domestic violence is accepted as a fact of life in Turkey – that many Turkish women simply tolerate it. Perhaps some do, but many are not so accepting as it may appear at first. This became clear when I interviewed Hatice several years later about her experience with domestic violence and how she dealt with it. Hatice said that her husband was a very violent man. He would go around to other women, sometimes staying with them for days or weeks. Whenever he came home, he was often drunk and he would beat the children and Hatice. Often he gave no reason for hitting, other times he hit for little issues. For example, he beat Hatice because they had no sons. Hatice would say it wasn't her fault – the children he produced with other women were all girls, too.

The violence tended to be sudden, unexpected, and the family lived in constant fear. The violence took various forms: hitting, slapping, cutting (he cut the children's arms with broken dishes), and he even stabbed Hatice a couple times with the bread knife. He swung the children around by the hair and slammed them against the wall (Hatice made no mention of sexual abuse and I did not ask.). Hatice said she felt depressed, worthless, and often blamed herself. She had no family to flee to, or at least none that would help her. And the neighbors were too afraid to help. Indeed, the entire apartment block where Hatice lived knew what was happening but the neighbors were afraid of the husband. He threatened to hit, cut or kill them if they interfered. Hatice had tried to divorce him earlier, but was too afraid – the husband threatened to kill her and the children if she tried.

The husband worked as a chauffeur for the city bus service and made good money, but Hatice and her children never got any of it – not one kuruş. Hatice and the children often had nothing to eat, nothing to burn in the winter, nothing for school. Sometimes food would come from kind neighbors but that was all. But none of this was as painful as the violence. As Hatice said, “I could live if he doesn’t give us money or bread or if he goes to see other women. Just don’t beat us.” Hatice’s oldest daughter married young at 17 to escape the father, and the second daughter also married young (22) to escape. Despite urging from friends and neighbors, Hatice was deeply reluctant to seek help from the police or from social service agencies, fearing that interference from state institutions might make the situation worse not better. My research has found that her attitude may be justified.

In the last decade Turkey has taken important steps toward improving women’s legal situation as part of the process of bringing the country’s civil and penal codes in line with the United Nation’s Committee on the Elimination of Discrimination against Women (CEDAW) standards in order to qualify for membership in the European Union. While legal changes are admirable, they do not always translate into actual improvements for women in their daily family lives. Like Hatice and her children, many victims of domestic violence still have little recourse and suffer silently and in isolation. Certainly, shelters for battered women are available and have provided valuable services to many women. Indeed, state minister Güldal Akşit has reported that between 1990 and 2003, 3,691 women have benefited from the support of the state women’s shelters (Uçan Süpürge, 2003). But in reality, this is only a drop in the bucket since these shelters are few and far between and are often subject to limitations in terms of funding and support.

In order to develop a fuller understanding of the problems and possibilities of institutional responses to domestic violence, this paper will report on the state of two women’s shelters in İzmir province established and run by the Social Services and Child Protection Agency (*Sosyal Hizmetler ve Çocuk Esirgeme Kurumu* – or SHÇEK) of İzmir. While SHÇEK personnel work hard to provide refuge and opportunities to battered women and their children, their work is undercut by generalized institutional weaknesses that have compromised the effectiveness of the state-run women’s shelters. The end result seems to be that while women may in some cases be able to find legal recourse to domestic violence, institutional remedies remain severely limited, though there is hope for future improvements. As I have noted elsewhere (Shively, 2008), the shelters may really act more as refuges from structural violence in general, but less as refuges from domestic violence in particular.

Domestic Violence in Comparative Perspective

According to statistics reported by Amnesty International (2004), somewhere around two-thirds of Turkish women reported experiencing violence in the domestic context, though the actual rates may be even higher. Similar statistics can be found in many countries. As Yakın Ertürk, Special Rapporteur on Violence Against Women, has noted (WHO, 2005: vii), "violence against women is a universal phenomenon that persists in all countries of the world, and the perpetrators of that violence are often well known to their victims." Domestic violence is especially common and has long-term traumatic consequences for the women themselves and for the children who witness it.² Some have estimated that around the world at least one in every three women has been beaten, coerced into sex or otherwise abused during her lifetime by a male intimate partner (Heise et al., 1999). This is the rate of domestic violence reported in the United States.

Still, there is a great deal of variation from country to country. For example, a ten-country comparative study on violence against women conducted by World Health Organization (2005:5-6) showed that the proportion of women who experienced physical or sexual violence by an intimate partner ranged from 15% to 71%. Of the countries under study, Japan reported the lowest rates of domestic violence and Peru, Bangladesh and two East African countries showing the highest rates. The study also showed a great deal of variation within each country, especially between rural and urban populations. Generally, domestic violence was less prevalent in the cities than in rural areas, a tendency also found in Turkey (Amnesty International, 2004:15-16).

The situation in Turkey is compounded by widespread acceptance of domestic violence. Internalized social norms lead many women to believe that they deserve abuse or that domestic violence is simply the order of things (Gülçür, 1999:15). The U.S. Department of State 2004 Report on Human Rights Practices in Turkey (2005) notes that "domestic violence is generally treated as a private matter intertwined with family honor in Turkey. A 2003 study by Hacettepe University in Ankara found that 39% of women felt that domestic abuse was justified in certain situations. Only 35% of women said they would file a complaint if their husbands physically abused them, and in reality, few female victims seek help from law enforcement." Again, such attitudes are not unusual from a cross-cultural perspective. The WHO comparative study on violence against women showed that in several countries, women accepted the fact that wife-beating is justified under some conditions, such as disobedience or infidelity (2005:10-11).

In Turkey, this attitude of acquiescence may be gradually changing as public awareness of the problem of domestic violence has grown and violence is more publicly condemned in the Turkish media and in political discourse. SHÇEK has established domestic violence awareness programs in schools, universities, and community centers, and the personnel at İzmir's SHÇEK have targeted particular neighborhoods –especially neighborhoods whose residents tend to be poor and uneducated– and established a variety of education program for women, including educational seminars on women's legal rights (see below). Because of these efforts and others, people understand the purpose of the shelters better. Still, many women do not know of their options in applying to law enforcement or social service institutions, or at least they believe that the institutions would not help, an attitude that Hatice expressed as well (Gülçür, 1999:14).

Given this national situation in Turkey, the question is: What are the state's institutional responses to domestic violence? What are the official avenues of recourse made available to battered women through state agencies and how effective are these agencies in helping women escape abuse?

Research Setting and Methods

To begin to answer these questions, I will review research I conducted in the summers of 2004, 2006 and 2007 at the two women's "guesthouses" (*kadın konukevleri*) in İzmir province in western Turkey.³ The shelter in the northern İzmir municipality of Çiğli was established in 2001, and had served as a replacement for a smaller shelter that had existed in İzmir since 1988. I visited this shelter in 2004, 2006, and 2007, though in 2006 it was closed for a much-needed expansion (see below). During construction, the guests of that shelter were transferred to the second provincial shelter – a newly opened establishment in Aliağa municipality about 50 kilometers north of İzmir. Thus the two shelters did not run simultaneously until the fall of 2006. In 2007, a third smaller shelter was opened in the Karşıyaka neighborhood in İzmir.

Following Turkish law, the provincial branch of SHÇEK is responsible for establishing and running the shelters, and all guests in the shelters are processed through SHÇEK. Each shelter houses 24 women and their children. While the guests may always participate in general activities in the shelter, such as cooking, cleaning, and childcare, there are only a few organized activities, such as literacy or skill-learning courses, available to the women. The shelters cannot maintain long-term courses, mostly because the women come and go too quickly. For example, 80% of the women who come to SHÇEK for assistance are

illiterate, but literacy classes in the shelters would not be of much service since the women usually only stay for a couple months and then move on. Likewise, children who are of school age do not attend school, since they are not in the same place for long enough to be enrolled, so that a stay in the shelter can negatively impact the children's education.

In terms of research methods, I conducted several long, open-ended interviews relating to women's issues and domestic violence with the social worker and psychologist in the İzmir Office of the Social Services and Child Protection Agency (SHÇEK) – these were the personnel who referred women to the provincial shelters. I also spoke with the general director of İzmir SHÇEK and got his perspectives on the situation, and I talked at length with several private citizens involved in providing material support for the shelters in İzmir province. Finally, I visited the provincial shelters, interviewed the director and spoke with a number of the women who were temporary residents and listened to some of their stories and hopes for the future.

This research is narrowly targeted, relatively limited and includes no quantitative component at this point. Thus this paper does not attempt to provide a definitive report on the state and effectiveness of women's shelters in Turkey, but rather, the goal is more modest: to sketch some of the problems and possibilities found at the İzmir shelters in the first decade of the 21st century. I hope that this paper may establish a preliminary understanding of the issues involved in creating institutional solutions to the problem of domestic violence and may act as a guide for further research.

The Turkish Legal Response to Domestic Violence

In order to meet requirements of the United Nations' Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Turkey has made gestures toward confronting the domestic violence issue through the formation of organizations concerning women and the establishment of women's centers and shelters. In 1990 Turkey established a Directorate General on the Status and Problem of Women that is now directly affiliated with the Prime Ministry (Arat, 1998). In 1998, the Turkish Parliament approved "the Law on the Protection of the Family, No. 4320", which permits a family member subject to domestic violence to file a court case for a protection order against the perpetrator of the violence (WWHR, 2002: 26). This bars the perpetrator not only from using any further violence, but also from approaching or harassing the victims. This law has provided some respite for women: a 2005 CEDAW paper

(2005:6) reported that between 1998 and 2003, 18,810 domestic violence cases were finalized in the courts under the provisions of the 1998 law.

Furthermore, 2001 saw changes to the Turkish Civil Code that improved women's position legally in many situations, including allowing domestic violence to be a grounds for divorce and a prison term up to 30 months for the perpetrator (WWHR 2002: 26-27). In general, we can say that Turkey is moving in a positive direction, though often under pressure from non-governmental organizations and political processes both within and outside the country, such as the Purple Roof Foundation,⁴ Women for Women's Human Rights of Turkey, CEDAW, and European Union accession talks.

Yet this change has been slow. The Penal Code (revised in 2004) contains legal relics that still leave women vulnerable to violence and other human rights violations. Laws relating to rape, virginity testing, and consensual premarital sex continue to exhibit patriarchal tendencies, while laws against honor killings are limited in their ability to criminalize honor crimes (WWHR, 2005:2). For example, the Turkish Penal Code does provide some provisions to persecute honor killings as aggravated homicide, changing the earlier practice of allowing lenient sentences for those who killed women in the name of family honor. Article 29 of the new Penal Code prohibits "honor" from serving as an "unjust provocation" for murder, and Article 82 now classifies so-called "customary killings" as an aggravated circumstance for homicide that leads to harsher sentencing. Yet both Women for Women's Human Rights (WWHR) and the Women's Platform on the Turkish Penal Code note that the use of the term *customary killings* rather than *honor killings* does not appropriately define murders committed in the name of honor. The term *customary killings* is associated primarily with local practices in the Eastern Regions of Turkey" (WWHR 2005:6). But the term *honor killings* is more inclusive, referring not only to these local customary killings but also to individual murders perpetrated by men against women for reasons of honor. The frustration of various women's groups is palpable in the various reports that discuss the limits of the Civil and Penal Code reforms concerning women's rights in Turkey (WWHR, 2002 & WWHR, 2005).

Turkey's Institutional Response to Domestic Violence

While one might say that Turkey's progress in the legal protections of women's rights is generally positive, if piecemeal, the institutional responses are harder to access. One of the most common criticisms directed at Turkey's institutional

response to domestic violence is that it is inadequate, in that there are simply not enough shelters available to battered women. This is certainly the case— in 2006 there were only 24 women’s shelters in Turkey affiliated with the state, though the number of shelters is slowly increasing so that by 2008 there were 34 (Karabat, 2008). A number of international organizations, such as Amnesty International and the European Parliament, have called for at least a four-fold increase in shelters in Turkey. But the institutional problems go well beyond the issue of numbers, since a general lack of standards and personnel in a whole series of social services has made it exceedingly difficult for the state to deal with domestic violence in any meaningful long-term way. The situation in İzmir highlights problems that the İzmir SHÇEK personnel indicated were nationwide problems in Turkey.

The Perennial Problems: Funding, Personnel, and the Limits of Social Services

The Directorate General on the Status and Problem of Women has required that every province have at least one women’s shelter (*kadın konukevi*), to be run by the provincial Social Services and Child Protection Provincial Agency (SHÇEK). While in the past the Directorate has provided the initial capital for each shelter and funded on-going operations (food, salaries, utilities), the recent Public Administration Reform Process has stipulated the transfer of all responsibility for opening and sustaining the women’s shelters to local governments. Such a development is troubling since,

local governments...are subject to frequent changes in administrations every election period, and with highly volatile financial flows, are most likely to apply different priorities with respect to whether Women’s Shelters...in their locality should be kept open; and if they are kept open, the operational guidelines under which they are to be monitored (WWHR, 2005:2).

At least İzmir tends to be a very socially liberal province, and the local government has maintained a positive stance towards the women shelters, providing the funding for three shelters by 2007. But such reliance on the attitudes of local governments obviously does nothing to guarantee institutional stability— not in İzmir, let alone in more socially conservative parts of Turkey.

Even with such relatively strong support from the İzmir SHÇEK, there is simply not enough money to provide for needs beyond basic operations, needs such as clothes, expansion, replacement furniture, and educational programs. The lack

of financial support comes as no surprise, since resources for social services seem to fall short in so many countries, including the United States. The two women's shelters I am peripherally involved with in eastern Pennsylvania in the United States are in constant need of money and supplies, and they must often rely on donations and fund-raising projects conducted on the shelters' behalf by local benevolent societies, including the Feminist Majority Leadership Association at the university where I teach. This involvement has made many who work with the shelters not only aware of the precariousness of relying on "the kindness of strangers," but also sensitive to the fact that the time and effort spent on fund-raising could be more beneficially used to assist the battered women.

But while the United States has a relatively long history of private giving to women's shelters and similar social services, Turkey has a much more tenuous tradition when it comes to charitable donations to local institutions. Still, this is changing, at least in the larger metropolitan areas, such as İzmir. In the summer of 2006, the shelter in the Çiğli municipality was closed completely as the building was being renovated and expanded – all due to the largess of a private citizen working through the local Rotary Club. The private citizen had given a substantial donation to the shelter for the renovations, but he could only pay for basic construction (walls and a roof), and the İzmir SHÇEK was still looking for someone to provide funds to finish the construction. Thus the shelter stood empty for many months – the residents had all been shifted to the other provincial shelter in Aliağa – in hopes of more funding. At that point no one had offered to finish the shelter (though since then, the Çiğli Rotary Club has stepped in to continue work). Of course, most non-governmental shelters, such as those established by the Purple Roof Foundation, have also suffered from lack of adequate funding that has forced these well-placed programs to shut down (Arat, 1998).

The meager and piecemeal support provided to the shelters is complicated by the fact that funds are limited in all areas of social services: children's services, women's services, eldercare, poverty programs, etc. As will be discussed below, this generalized paucity of social service funding has the result of severely limiting the shelters' effectiveness in providing refuge to women fleeing from domestic violence.

On-going lack of personnel is also a major issue. There are only two schools of social work in Turkey: one at Hacetepe University in Ankara and a recently opened school at Başkent University. So there is not only a constant shortage of current social workers but no one expects an increase in the near future. This has meant that even while the legal way has been paved for opening a shelter in all the Turkish provinces, the lack of personnel (social workers, managers,

psychologists, etc.) means that many planned shelters never open. Even with the number of social workers who graduate now, many do not want to work in the shelter context, given the stressful and frustrating nature of shelter work. For example, Ummuhan, the director of the Çiğli municipal shelter in İzmir, reported that several of the prior social workers who managed the Çiğli house quit after short periods of time, finding the work too taxing and stressful.

The shortage of adequate personnel leads to even more serious problems in the shelters. Only two SHÇEK personnel deal with women's issues and domestic violence in all of İzmir province (2006 population: 3,700,000). These two women – one a social worker, the other a psychologist – were very dedicated to their work and were involved in many research and community-outreach activities. But it was clear that they can barely keep up with the new cases that come to them everyday, let alone provide any follow-up to the cases they handled. So when a battered woman comes to them, they can place her in a shelter and provide basic services, but once a woman leaves the shelter, they simply cannot keep track of her. Most of the women go right back to the situation they fled from – and there is no staff available to intervene on the women's behalf in the home setting to resolve the earlier tensions. Other women simply "disappear." In the case of women at risk for honor killings, there is no way for social services to protect the women outside the shelters – that is left up to law enforcement.

In sum, the shelters and the state provide no long-term solution for the battered women. The women have no place to go except back home, since the women have no money, no skills, and usually little family support. Most women are also severely depressed and see no future for themselves, so it is difficult to motivate them to improve themselves or learn something new. They do not know anything but housekeeping and most never expected to be anything but housewives. The most common future they see for themselves after the shelter is getting married again. Most of the women are illiterate – many do not know their home addresses or their own or their children's birthdays – and the illiteracy prevents them from moving from a life of dependency. The women clearly need more training, education, and consciousness-raising opportunities, but at the shelter there is not much for them to do and it is very difficult to find alternatives for them. There are no half-way houses to provide longer term shelter, and they can't live alone due to financial limitations and social expectations. Birsen, the İzmir SHÇEK psychologist, was advocating for the establishment for a long-term women's dormitory that would provide some education and support services, but nothing of the sort exists as of this writing.

This raises the question: do the shelters provide any overall benefit? Certainly, women can escape for a little while, and some may even move on to better things. But it seems that so many end up where they started, perhaps even in a worse situation. They or their children may pay a heavy price for having dared to leave in the first place. After all, a battered woman is at greatest risk of being killed by her abuser precisely at the time she tries to resist or leave her abuser (Kastenbaum, 2008:239). These women often walk right back into the household they fled from, putting them at extra risk for reprisal, more severe abuse or even death.

General Institutional Limitations

The most intractable problem I encountered, however, was not specific to the women's shelters but was a system-wide social services deficit that has turned the women's shelters into general "crisis centers" for women with any sort of problem, despite the government regulations to the contrary. Article 8 of the SHÇEK regulations (Resmi Gazete Sayısı: 24396, 2001) states that the shelters may accept women who have left home for any sort of misunderstanding or who are escaping violence; women who are left destitute by divorce or widowhood; women who are escaping a forced marriage, or women who are being threatened for having a child out of wedlock, women who are overcoming addiction, and women newly released from prison. But Article 9 forbids accepting women with addictions, prostitutes, women with mental illnesses, and women with substantial mental or physical handicaps.

Unfortunately for these "forbidden" women, there is no where else for them to go. There are not enough long-term care facilities for women with chronic mental illnesses or handicaps, few places for women to dry out from an addiction, no half-way houses for women, no programs for prostitutes, and hospitals only deal with acute illnesses or addictions, not chronic problems. Thus when I visited the Aliğa shelter, the women who were there had been admitted for a whole variety of reasons. Only a few (three to four) of the women were there in order to escape from domestic violence. According to the director, Ummuhan, this situation was typical. When she began work at the shelter, she had expected the vast majority of women to be there because of domestic abuse, and she had been surprised at the consistently low numbers of battered women in the shelters.

For instance one young woman at the shelter, Ayca, clearly had serious mental limitations, but according to the director, her family doesn't take care of

her and so she stays at the shelter. Ayca had been there well over the three-month limit, simply because she had nowhere else to go. Apparently, mentally ill or handicapped women are frequent guests at the shelter, despite the regulations, since there are so few long-term care facilities for women (or men) with mental disorders. It had been Ummuhan's decision to admit Ayca into the shelter and allow her to stay beyond the three-month limit. According to law, Ayca could have been excluded or forced to leave, but Ummuhan had no other institution to send the young woman to and chose to keep her in the shelter rather than abandon her to the streets.

Similarly, one day I visited the Aliğa shelter in 2006, an entire family (a mother and three sons) of Eritrean refugees arrived at the shelter – there had been a problem with their visas and the authorities did not know what to do with them and so sent them directly to the shelter. They – and the director – did not seem to understand why they were there, but again, there was nowhere else for them to go, so they were dropped off at the shelter by police. Ummuhan accepted such women and children who had no other alternatives, but some shelters turned such women and families away since the SHÇEK shelter regulations did not make room for political refugees.

According to the Ummuhan, such cases generally dealt with at the discretion of the social workers or shelter directors who placed women in these institutions. This reliance on the largesse of the local decision-making puts many shelter directors in uncomfortable situations: 1) either they can accept all those who need help, even if the women do not fit the criteria of the SHÇEK regulations, with the knowledge that some victims of domestic violence will not be able to find space in the shelters; or 2) they can exclude these women with problems not covered by the SHÇEK shelter regulations and abandon them to the street in order to leave room in the shelters for those women who are battered. This entire state of affairs demonstrates the weaknesses of the Public Administration Reform Process regarding the women's shelters. The transference of responsibility for the women's shelters from the central government to much more volatile local governments leaves the shelters vulnerable not only to financial shortcomings but also to a erratic approach to shelter operations and regulations.

Furthermore, women who are escaping from neglect or domestic violence often become trapped in the social services system if they refuse to go home. For example, one young woman, whom I'll call Esen, seemed very bright and had a high school education, but she was crippled by polio from childhood and couldn't do any work requiring physical labor. She had fled her family in Diyarbakır with her two-year old son. After entering the shelter, she had given

up her son to a foster family and wouldn't be able to get him back until she is financially independent. She felt she is capable of doing work in an office, but because of her handicap, she was having difficulty finding anything. She had been living in the shelter for a year when I interviewed her – again, despite the official three-month limit on stays in the shelter. Esen was desperate to find work when I talked to her so she could get her son back.

In fact, a number of the women at the shelter had stayed well past the requisite three months, simply because they had nowhere else to go and the social workers could not just dump them into the street. According to both the social workers and the shelter director, these problems of extended stays and lack of follow-up services are endemic to all the shelters in Turkey, as far as they knew.

In sum, the İzmir shelters really function as generalized half-way houses for women with any sort of problem, especially problems relating to economic disenfranchisement, and only occasionally do they serve as a refuge for women escaping domestic violence. Thus when Amnesty International, NGOs associated with CEDAW, or the Turkish government states that there are shelters for victims of domestic violence in Turkey, that information should be kept in perspective, if battered women only account for a small percentage of the shelter residents, as it does in the İzmir context. For these institutions to be true shelters geared toward battered, threatened or neglected women, a whole series of other women's institutions would need to be put in place: more long-term support programs or facilities for women with mental illnesses or deficits; support services or half-way houses for women with addictions or for ex-prostitutes, and as suggested, long-term dormitories where women can stay while they try to get back on their feet.

Neighborhood Outreach

While the state institutional response to domestic violence in the shelter context is definitely inadequate, other programs established by SHÇEK seem more promising. Primary among these are the neighborhood outreach programs based around education and community building. According to Türkan, the provincial social worker associated with women's and children's issues, SHÇEK targets certain poor neighborhoods in the greater İzmir municipality where there are concentrations of poor immigrants from the East. So far they have established centers in at least four neighborhoods around İzmir.

Most importantly, SHÇEK has established community centers especially for the women and children (*kadın toplum merkezi*). Since so many of the women are illiterate, these centers provide literacy classes, as well as sewing classes, job training, information sessions on health and child care. The aim of these centers is education but also they hope to create a community for the women. Many of the immigrant women have left their extended families and traditional support systems and do not have close ties with the immigrant community in which they live. The centers help create a community of like-minded people.

The community centers also have programs aimed at children, with the explicit goal of keeping children off the streets. They have after-school and summer programs, such as theater, chess club, computer classes, and sports. They also have provided daycare and preschool, including a new program to prepare preschoolers (and their parents) for entry into primary school. Also, the community centers host specialist speakers. For example, a lawyer may come and talk about women's rights (the women often have no idea about laws or rights), or a doctor or psychologist may talk about particular health or mental health issues. They have also hosted conferences on domestic violence and hope to continue to do so. The overall aim of the community centers is to raise the status and situation of women in these communities and to help street children. Since there is a general reluctance for people to seek out institutional help for family disputes and problems, perhaps it is thus best for the institutions and agencies of the state to actively seek out people who might need help rather than passively wait for needy people to come to them.

Of course, one of the assumptions behind these programs – at least insofar as they work to prevent domestic violence or provide a community outreach program for women who need support – is that domestic violence is a problem primarily of poor and immigrant women. The media coverage of domestic violence and honor killings have fed into this perception as well, featuring women who have been beaten or killed by husbands – usually women out in an eastern province or in an immigrant neighborhood. Domestic violence does tend to be more common in rural areas, but as is well known, domestic violence reaches into homes of every socio-economic level. This perception of domestic violence as a poor-woman's problem only makes it more difficult for middle-class women to reach out for help or support when they or their children are threatened with violence in the house.

Concluding Remarks

No one can deny that there has been true progress in Turkey toward providing for the victims of domestic violence. As outlined above, there has been positive reforms in Turkey's Civil and Penal Codes aimed at eradicating violence against women and gender discriminatory practices, though there is still much room for improvement. Even with all their faults, the state shelters do provide some recourse to battered women, and as the number of shelters increase, the accessibility of these shelters should improve as well. Most hopeful of all are the community outreach programs made available through SHÇEK that are aimed toward community building and prevention. Even though such programs are also subject to the vicissitudes of local governments, they provide some of the best resources in the struggle to prevent violence against women.

Furthermore, some private non-governmental organizations, such as the Purple Roof Foundation and others, have established private shelters for victims of domestic violence. The independence of these shelters allows them to target the issues and populations they choose. The Purple Roof shelters are able to focus more effectively and exclusively on victims of domestic violence, providing both refuge and longer-term support. But these shelters are unevenly spread through Turkey and the funding for them is inconsistent. Interestingly, the work of these private women's organizations in constructing shelters for battered women provided the impetus for the government, through the Directorate General for Social Work and Social Services, to develop women's guesthouses. In fact, municipalities have looked to women's organizations and other non-governmental organizations for help to establish consultancy and educational services for battered women (Ecevit, 2007: 199).

Perhaps one of the most rigid barriers to ending domestic violence, however, is the attitudes of society at large, including the victims themselves. It is difficult to aid people who believe they deserve battering or see violence simply as a part of life. It is also difficult to seek out help from institutions when institutions have so often been seen as outside of or above issues relating to domestic disputes. For the shelters to be useful, women have to have the nerve to leave their homes, families, and communities – often the only support system they have ever known – to find help among strangers. Many women may find this solution untenable. And for the judicial system to work effectively in favor of battered women, victims must have the courage and wherewithal to access the courts – something that is not easy for anyone, let alone isolated, often illiterate women.

The case of Hatice provides some perspective. She never sought refuge through the shelters or other social services, since she feared that these

institutions would not provide a long-term solution. But after many years of suffering and equivocating, she did manage to find help in the judicial system. Hatice divorced her abusive husband in 2005. Somehow, she summoned the courage to go to the courts independently to file for divorce. She reported that when she and her husband came before the judge, the judge had only strong words to say to the husband, especially regarding the husband's neglect and inability to take responsibility for his own family. Significantly, the judge had less to say about the violence itself, suggesting a more patriarchal attitude toward Hatice and her situation.

The divorce was granted to Hatice, but even after the divorce, the husband came around and beat Hatice and the girls. Hatice then took advantage of the Protection Laws introduced 1998 and filed a request for a restraining order against the husband. The order was granted, and if the husband violates the order, he will be fined and may even serve a jail sentence. He has since left them alone.

Hatice said that all her daughters hate their father and hope never to see him again. Her daughters are generally in good health and spirits, except for the youngest. This daughter still has many fears and refuses to sleep alone at night—she always comes to sleep in Hatice's bed. Hatice wondered if she shouldn't get psychological help for her daughter, and I urged her to do so, as it seemed to me that the girl might be suffering from post-traumatic stress disorder. Hatice said that she herself feels much better now that her situation has greatly improved, and she and her daughters make enough money to support themselves. She wished she had divorced much earlier, but when I suggested it might have been difficult given the threats her husband had made against her, she agreed.

Hatice seemed very sad at the end of the final interview, and as she was leaving, I asked her why, seeing that she was finally free of the menace that was her drunken husband. Hatice turned to me and said earnestly, "There are so many women in my neighborhood in the same situation I was in, I can't begin to say."

Notes

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appreciation to Türkan, Birsen, Ummuhan and all the dedicated people of the Social Services and Child Protection Agency of İzmir Province.

¹ The names of all victims of domestic violence are pseudonyms to protect the women's identities.

² By domestic violence, I refer to physical, sexual, or psychological harm caused by a current or former partner or spouse, which is the definition outlined by the United States Centers for Disease Control and Prevention. Turkish law also allows for women who experience economic exploitation to be eligible for state protection (Resmi Gazete Sayısı 24396, 08/05/2001, Paragraph 4e). While I recognize that domestic violence can take many different forms – including “honor killings” – I will discuss domestic violence as a single category since this paper is examining institutional responses to battering rather than surveying treatment possibilities. Also, this paper focuses exclusively on violence committed against women by male intimate partners, but this is not to deny that women might not batter other women or that men may also experience intimate partner violence as well.

³ My choice of İzmir province for a site for this research was largely fortuitous. I was conducting research on other topics relating to women in Turkey, but when friends with connections to the İzmir SHÇEK shelters offered to introduce me to shelter and SHÇEK staff, I happily seized the opportunity to study the shelter system.

⁴ The Purple Roof Women's Shelter Foundation (*Mor Çatı Vakfı*) is a private foundation established by fourteen feminists in Istanbul, geared toward establishing shelters and community programs for victims of domestic violence. For more information, see Arat 1998, Yüksel 1995.

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How Effective Was the Ottoman Legislation on the Slavery of Women in the Ottoman Balkans?

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Abstract

The goal of our study is to examine the legislative changes regulating the slavery of women. The practical application of legislative changes is also dealt with in this study. It is detected that the incoherence between the religious codes of law and administrative legislation after the westernization policy of the empire gave rise to an increase in the slavery of women. It should be evaluated that because the applier of the code of laws preferred to use the ones drawn from tradition and religion rather than from the state, the efficiency of the central authorities was questioned. It should also be interpreted that because the legal system did not apply the new code of laws regulating the slavery of women, serious problems were raised in the empire, which was trying to restructure itself in favor of the west.

Key Words: *Slave, Ottoman, Slavery of Women, Legislation*

Introduction

The term "slave" refers to an individual whose freedom is banned by the law that is in effect. However, the introduction of the word "slave" is an inadequate description, considering the long history of slavery.¹ The legislature within a theocracy or monarchy might have passed laws restricting those identified as free. It hence causes a duality between the introduction of those who are free and those who are slaves. Historically, this failure to define a free person and a slave needs to be clarified for the sake of understanding the conditions of slavery

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under the law. Historically, it seems logical to define the slave by focusing on his/her commercial status rather than trying to ascertain his/her identity under the regulations of the law. Therefore, the commercial status of a human being should be an essential clue to differentiate a person who is free from a person who is a slave. Essentially, a free person has never been bought or sold. However, a person who has been declared a slave has been treated as chattel. The main subject of the article will deal with women who were treated as chattel.

In order to follow the course of the Ottoman slave trade it is worth examining the practice of slavery within the Turco-Islamic countries. The slave trade during the Ottoman Empire was much influenced and legislated by the history of the Ottoman reign and by Shari'a law, which was derived from the Koran. Prior to Islam, slavery, which had developed into a well-known social structure in the Middle East, served the areas of mining, construction and agriculture. Women slaves within the social structure of slavery were not described in detail, though it is known that women slaves, as objects to embellish the higher ranks, took their places within historic hieroglyphs. It would not be unjustifiable to imagine that the pre-Islamic practice of slavery had influenced the structure of slavery during the development of Islam. For instance, slavery is mentioned as trade material in documents found in Mesopotamia. In these documents, the differences between slaves working in the home or bought for the market, and free men, were not well defined.² It would also not be wrong to suggest that a slave who served in the temple in the ancient Middle East had many more privileges compared to the free men of his/her contemporaries³.

As Islam emerged, the legislations of the pre-ruling system were skewed by the new regulations of the Koran. Although it brought a brand-new ruling system to the Middle East, neither the Koran, nor the hadiths seriously succeeded in abolishing slavery⁴. On the one hand, rather than abolish slavery Islam legitimized it; on the other hand, with the assistance of Islamic regulations, slavery was accepted as a social part of society. In many cases a slave might have received more privileges than those regarded as free individuals⁵. Islamic regulations based on the Koran developed and reshaped the conditions of slavery after the emergence of the new religion. Prior to Islam, the status of a slave had not been considered, but Islam introduced new rules and statutes to the slavery system. The most striking point of slavery under Islam, which differed from the previous practice, was that Muslims were not to be enslaved in Islamic society, regardless of the nationality a Muslim belonged to⁶.

The main source of slaves in the Turco-Islamic countries was prisoners-of-war, as usually practiced in other countries of the world. The slaves who were captured in war were forced to work in ways that suited their capability and

gender. Male slaves were usually employed for military or agricultural purposes⁷. Male slaves who were taken from occupied lands were regularly trained for the purpose of military, to be used in war. Female slaves were not regularly taken to serve in the Porte or anywhere else⁸. In assigning the duties for slaves, the strength of the person must have been considered as well as his/her capability. Male slaves will not be directly addressed for the rest of this article. As for female slaves who were captured during military campaigns or wars, they were assigned household tasks suited to their capabilities. In many cases, the female war captives who were attractive enough were spared as the spoils for those highest in authority, or the strongest. It can thus be claimed that the attractiveness of female slaves might have determined their value in the slave market. However, manuscripts that mention the female slaves have not always given their value. These documents sometimes declare the apportionment of the slaves, and amongst whom the slaves were divided. Female slaves captured in wars had been accorded a place in Seljukian documents just before those recorded in the Ottoman period. For example, the "Seljuk-name" narrative on the war between the Georgians and the Seljukians in 1164 states that slave girls "like pearl and angels" became the booty of the Seljukian soldiers⁹. As can be inferred from the quotation, the values of the slaves were not mentioned but only the apportioning of the slaves was listed. However, historical documents occasionally refer to the value of the slaves as well.

It would not be wrong to claim that the status of women slaves in Islamic society was formed according to the Koran. However, the Koran was inadequate in describing the conditions of women slaves, hence giving opportunity for individuals to interpret the Koran as a tool for expanding the slavery of women. For example, individuals who interpreted the Koran's teaching highlighted the deficiency of the Koran in prescribing the dress of women slaves. Islamic society has always welcomed the Koran's interpreters who derived from the "ulema" as the source of the truth¹⁰. Therefore, the dress regulations for free Muslim women, as mentioned in the Koran, were not applied to women slaves, since the Koran's interpreters offered a kind of division in society between the dress of free women and the dress of slaves. The interpreters of the Koran allowed women slaves to show some parts of their body, above the belly and below the knee, in order to differentiate a free woman from a slave by looking at their style of dress (Dağ, 1982: 190).

If it is necessary to describe the legal status of slaves in the Turco-Islamic countries, it can be said that: "Morally as well as physically the slave was regarded in law as an inferior being"¹¹. It can therefore be inferred that the founder of Islam, Mohammed, regarded slavery as a regular element of the

society of his time¹². Those who inherited the Islamic instruction must apply society's routines of life as part of their heritage. Though slavery had been taken from the previous system and had been applied to Islamic society, the founder changed the living conditions of slaves under Islamic legislation. Islamic legal mandate was the first step in improving the slave's status in society. The regulation of the slave's status resulted in making the emancipation of slaves easier than in the previous slavery system. Though the emancipation of slaves was eased by Islamic regulations, the slave trade continued and there was not much improvement in the slave's living conditions. The westernized policy of the Ottomans gave a valuable opportunity to the administration to bring about a happy ending to slavery, beginning with emancipation and resulting in the abolishment of slavery. However, the economic value of the slave trade hindered the legal improvements of pro-western Ottoman policy to abolish slavery.

Islamic expansion throughout the Balkans had been blocked when it could not spread beyond the borders of Istanbul. Islam, however, tried another way to reach the heart of the Europe, via the deserts of Northern Africa. By coincidence, Islam did not encounter any stronghold of resistance so that the conquest of Spain and France came much easier for the Mohammedan warriors. The countries that were occupied by the Muslims, offered an abundant supply of human resources for the Islamic slave markets.¹³ Muslims in Spain became a leading rival for Britain's sailors who brought slaves from the Baltic Sea to the European slave markets. The Muslims in Spain, who captured large numbers of black slaves from Nigeria, affected the slave markets of Europe with their cheap prices that decreased a slave's value and troubled the British traders. The British sailors failed to compete with the Muslims of Spain because of the abundance and cheaper price of slaves and they withdrew from the slave markets. The competition in the slave trade between the Muslims of Spain and Britain is a unique example in history, and it could be inferred that the slave trade became a tool of commercial rivalry between the hostile states (Delmas, 1975: 28).

During wars and disasters the poverty of the people increased, leaving them open to being abused as objects of slavery. In times of calamity those who prepared themselves acted freely to control the poor and the people who were in need. The poor and needy thus became an obvious source of slaves for those who were in charge. Moreover, stateless communities -- or communities whose state authority failed to effectively rule the country -- were also regarded as potential sources of slaves. As an example from history, one may suggest that the slave trade of central Asia in the Xth century witnessed slaves being captured from the basin of the river Volga, where no state authority was recognized¹⁴. Another example is from the XIIth century when Turkish pirates raided the

European trade ships in the eastern Mediterranean to provide slaves for the markets¹⁵.

The economic value of slaves has been occasionally disturbed because of scarcity or abundance. In 1439, during the Ottoman military campaign in Hungary, many male and female Hungarians were captured. It should be noted that the abundance of slaves decreased the slave's trade value. The female Hungarians were sold for the price of a pair of boots¹⁶. When the Turks occupied Patras and Kilini in 1447, 60,000 Christians were captured and forced into slavery. One Turkish historian records the slave's value in Patras and Kilini as follows: "Most beautiful slave girls of Patras and Kilini were sold for 100 akças in the markets"¹⁷. The price was still a tidy sum, but not as much as in the time when slaves were scarcer. The Sicilian slave trade in 1510 also witnessed a similar kind of deflation in slave value. When the Turks seized Tripoli, captives were sold in the Sicilian markets for three ducats or 25 ducats (Braudel, 1987:775). The reason why the prices decreased during times of an abundance of slaves can be explained by the difficulties involved in traders keeping the slaves. Money was lost due to the duration of captivity. The owner of the slave hence hurried to sell the slaves in order to spare extra expenditures on them. In contrast to the abundance of slaves, the scarcity of slaves increased market prices. For instance, the slave market of Mecca in the XIXth century received white slaves from the Caucasus at higher prices because of the scarcity of white slaves. It must be mentioned that, though the white slaves in Mecca were being brought from the Caucasus via Istanbul, the reason for the dear prices for the white slaves was solely the matter of scarcity (Levy, 1965:84).

The slave trade, from which traders received substantial gain, introduced a new social class, embodied by slave traders who were, interestingly, seeking military campaigns and achievements as new sources of human trade. The merchants, who profited from human trade, hindered the abolishment of slavery, even after the Tanzimat era of the Ottoman Empire. It might be claimed that the code of laws which regulated the abolishment of slavery in the Ottoman Empire in 1847 was not enforced, which accounts in large sum for the slave merchants' gains. It can hence be stated that slave trade interests might have contributed to the continuation of slavery. The reality of the financial prosperity brought by slavery might be described by looking into the documents that mention the prices of slaves. For example, in the year 1840 the price of a woman slave, which had been defined by the state authorities, was 8,000 coins in Istanbul. However, the open slave markets did not adhere to the fixed amount. In the free markets of Istanbul, customers offered 70,000 coins for the best women slaves (Toledano, 1994:54-55). The state's share in the slave trade was defined as 10% for each

slave sold in the market (Toledano, 1994: 56). It would be plausible to estimate that large amounts of taxes were levied on the slave trade within the markets of the empire. It could also be claimed that the Ottomans received a considerable sum of their budget from items of revenue such as the slave trade. Although the slave trade was abolished in 1847, the trading of slaves continued not only before the court's presence, but also within the black markets of the empire. Furthermore, the slave trade continued even in the capital of the Ottoman Empire, where slavery was declared illegal in 1847. In the slave trade of the Ottoman Empire, white women slaves formed large shares of the market. In the year 1860, state authorities regulated slave prices at 3,000 coins for each woman slave, contrary to the legal decrees that abolished slavery (Toledano, 1994:54, 55). Thus far, slavery had not been an easy commercial activity to abolish, since the slave trade supported other commercial enterprises such as transportation, sailing and housing. It may be asserted that transporting the slaves allowed the carriers to get their share from the slavery market (Toledano, 1994:34). Some sailors involved in slave transportation earned a lucrative living by transporting the migrants from the Caucasus to the Ottoman shore for the price of a slave among the passengers instead of cash (Toledano, 1994:36).

In short, it can be claimed that the departure from tradition could not be seen as fast as was expected, since the financial interests of the slave trade hindered the legal application of the abolishment of slavery. As a matter of fact, the abolishment of slavery in Europe left the European slave traders' colleagues in the Ottoman Empire the lion's share of the slave market. The traders in the empire felt free to fill the deficiency of competition themselves. The truth is that the Ottoman slave traders did not voluntarily supply the market's needs, but it offered them a lucrative living because the slave trade was without rivalry.

The expansion of the Ottoman principality offered new opportunities to those who dealt in slaves. However, the Ottoman principality privileged the people who lived in lands conquered by the Ottomans, by regarding them as citizens of the state, rather than as prisoners of war or as slaves. During the years that the Ottoman principality expanded, the upper ruling classes of lands that were captured by the Ottomans witnessed a kind of generosity after losing the war. The Ottoman high classes asked those who had previously ruled their lands to give their daughters as wives rather than as slaves. For example, during the reign of Sultan Orhan (1324-1360), the war captives and the widows of Bursa had the choice of marrying the soldiers who conquered their city¹⁸. Thus, some of the soldiers who married the widows were forced to stay in the city as the guards of Bursa. It is obvious that the practice of marriage could not be regarded as slavery, though it was a forced arrangement. Because slavery could

not be practiced within the Ottoman principality, legislation regarding the conditions of slavery was not completed. As time went by, the Ottoman principality developed a legal system of slavery that was designed according to traditions and also in line with Islamic regulations. The Ottoman military campaigns throughout the Balkans increased the numbers of captives. During the reign of Murat I, the number of captives forced the authorities to take legal steps, allowing slavery according to Islamic regulations, which had once been applied prior to the Ottomans. The war captives in the Balkans -sold even in European markets- proved that the Ottoman slave traders naturally produced a new commercial activity that needed to be controlled and taxed. It can be inferred that the war captives were not only sold on the domestic market but also exported to foreign markets during the expansions of the Ottomans (Braudel, 1987:665). The war captives were sold for the fixed amount of 125 akças, this was regulated by Kara Rüstem and applied by Mevlana Hasan during the reign of Murat I. In 1362, the state declared the amount of 25 akças to be the fixed tax for each slave sold in the market, this amount would be destined for the imperial treasury. (Çabuk, 1989:42).

Slavery in the Ottoman Empire is a difficult subject to quantify, since records of women slaves were not properly kept. Slaves who were captured during military campaigns were divided among the soldiers who participated in the war. This allocation of slaves among individuals meant that many slaves were unrecorded and left to the will of their owners. The practice of sharing slaves causes difficulty in defining the full dimensions of the slave trade, therefore historians can only find clues for slave numbers by looking into tax records. However, the soldiers did not send their entire booty to the slave market. Many young and beautiful slaves might have been kept under the service of their master, rather than being sold in the market. It can thus be claimed that checking the tax records would not help to describe the real number of slaves, but that only a small percentage of slaves could be identified. Historians of the Ottoman Empire scarcely mention slavery, since traditional historians preferred to depict the military campaigns and the life of the Sultans instead of dealing with the social structure or mere slaves. The change in historical writings such as in those of Evliya Çelebi, shows evidence of slavery in his era. He continues the exaggerated, traditional historical narrations, however he also looks into the social structure of the Ottomans in 1670 from a very different angle. Hence, slavery as a legal structure of society is recorded in his book. In his writings he mentions the slave warehouse, established by the state, which in 1670 controlled the slave trade as a source of revenue. He continues that 2,000 slave traders were recorded as taxpayers by the authorities (Freely, 2003:94). It therefore

can be interpreted that the state authorities regarded slavery as a legal trade and levied it. However it was merely a monetary approach to slavery; the legal system was still to be established by tradition or by the Islamic regulations. Some historians prior to Evliya Çelebi, such as Haydar Çelebi, also mention women slaves in their writings. In his work, Haydar Çelebi describes soldiers being summoned to set free the women slaves they had taken, in order to keep the army's discipline intact (Haydar Çelebi:78). However, the record of how many women slaves were set free is not known.

The share of the slave trade in the capital cities was not consistent. It may be maintained that the capital of the Ottomans absorbed the largest portion of the slaves (David, 2003:223-229). For instance, the soldiers who captured the Balkan towns like Pravadi, Iskete, and Drama etc. in 1373 took the female slaves whose cheeks resembled a rose to the Sultan who settled in the capital (Çabuk, 1989:49). However, the capital was not alone in the matter of the slave trade. A significant proportion of the trade was shared among the well-populated cities. The slave markets in Belgrade and in Sofia, like many others throughout the empire, continued assimilating slaves.¹⁹ Though the Balkan slave markets could not compete in size with those of the capital, the markets in the Balkan Peninsula remained as strategic points in the slave trade route, reaching to Istanbul. The markets in Belgrade and Sofia had been chosen as slave trade bases in the XIVth century ever since the Turkish conquest of central Europe and Poland. The capital of the Ottomans was introduced to a new slave warehouse in the XVIth century because of the increasing number of slaves. The old slave market's "goods" then moved to their new base in the "Bedestan" of Istanbul. The new market was reshaped in order to be taxed smoothly: it was recorded that the slave merchants, along with their possessions, were taxed. In the XVIIth century the slave warehouse enterprise was sold in its entirety²⁰. Those working to close the deal adhered to real estate regulations and kept proper records in order to extract as much benefit as they could. The authorities carried out the public sale of the enterprise because the state needed extra cash and could not run the business properly. The slave traders' ledgers show explicit identification of the traders. The slave warehouse records give the names of traders whose corruption was discovered- selling slaves without paying taxes. The records also declare that those whose guilt was proven were dismissed from continuing in the slave trade under the command of state authorities.

The beginning of the XIXth century witnessed the decline of Ottoman authority in the Balkan Peninsula. The turmoil of the Balkans in the XIXth century created new opportunities for slavery. For instance, the Greek rebellion for independence caused a kind of slavery that affected innocent civilians. Though incidents of

slavery are briefly mentioned in a few documents, the descriptions given in these documents differ greatly from records being kept by the rebels. Nonetheless, some documents alert historians to the existence of slavery during times of crises in security. One of the sources from the Greek War of Independence claims that in 1821, Greek rebels attacked the Turkish villages and towns of Mora, killing the men and gathering the beautiful women and girls together with children to be enslaved (Sonyel, 1993:175). What's more, the Greek assault did not make any differentiation between the Turks and those who lived peacefully with them, like Albanians and Jews. It was obvious that the non-Greek community was harmed by the brutality of the rebels. Another historical source tells more of the human drama: In 1822, the Greek rebel chief Kolokotronis' band captured innocent Turkish peasant girls to sell as slaves to gain some income for supporting their war machines. Another Greek rebel chief, named Mavrakordatos, followed in a similar way. In 1822, in order to gain some wealth, Mavrakordatos' people voluntarily chased after the Turkish girls of Mora to sell them to the British sailors who supported the Greek rebellion ((Sonyel, 1993:177-178). The Greek rebels' hatred towards the Turkish community or their greed to obtain cash from the enslavement of women should not detract from the fact that the enslaved Turkish women were from the Balkans. Nevertheless, the Greek community living under Ottoman rule could not record such events of slavery of women, as could the Turks. The truth is worth researching: Was there any backlash from the Turkish side towards the peaceful Greek civilians?

It is perhaps not possible to answer the question of whether the Turks treated the Greeks in the same manner,, however, one could compare Ottoman attitudes towards the rebels in other areas of the Balkans. It is thus possible to come across incidents of the abuse of women's freedom during the armed conflicts of Macedonia and Bulgaria in 1901. The foreign sources which mention the Ottomans should be carefully analysed, since the western community prejudices the Ottoman administration and population because of cultural differences. However, the writings of western travelers must be taken into consideration to find any clue that would make the history more complete. The traveler William Elony Curtis mentions in his notes that "none of the Christian women could save themselves from the passion of Turkish officers or soldiers during the Macedonian uprising in 1901" (Curtis, 1903:30). If one accepts the statement as the truth of Turkish officers or soldiers, forced rape of all Christian women in Macedonia, it is then possible to claim that the Macedonians' forefathers were Ottomans since 1901 when civil war erupted in the central Balkans. However, the existence of the Macedonians and Bulgarians disproves the statement of the

traveler. Nevertheless, the traveler's note might be useful for explaining the human migrations in Macedonia and in Bulgaria during the uprising. The traveler claims that the Bulgarian women preferred to migrate somewhere else so as to save themselves from the passion of the Turkish officers. It is known that people move around to seek a haven of safety during an uprising. One of the reasons for deserting their area of residence might be to save their honor, as the traveler's note states (Curtis, 1903:31). It could be claimed that neither side of the Balkans were without fault in abusing women's freedom.

Though the westernization of the Ottoman Empire was the most important impetus for reform, it did not radically change the administration, which was established by slave interests²¹. The westernization of the empire in 1839 guaranteed the security of the life, estate and chastity of the Ottoman citizen. The necessity for protecting these three vital areas proves their scarcity within the empire. The westernization era introduced new legal issues to the Ottoman citizens in order to protect these vital concerns (Bozkurt, 1989:273). However, these security matters were carried out on paper rather than in practice. It therefore caused a kind of dilemma between the pragmatic approach and the court that declared itself westernised. Though the Shari'a -which derives its legislations from the Koran and the hadiths- had less influence in courts that had to obey some part of the western code of laws introduced in 1840, the westernized code of laws were executed by ex-judges of the Shari'a court. Therefore, the heritage of the Islamic institutions remained in the background and continued ruling the people. Regarding slavery, the legislation became a kind of dilemma: either to act according to the Shari'a or according to the western code of laws. It was ultimately the western code of laws which affected the slave trade, but the legal body was influenced by issues derived from the Koran. Slavery, once regarded as legal commerce for the Shari'a court,²² was now regulated according to the western legislation. The abolishment of slavery by Britain and European contemporaries forced the Ottomans to decide on the issue of slavery in their legal structure. The western codes had abolished black slavery, presuming that no whites were being slaved. The Ottomans then accepted only the term of the codes that included the abolishment of black slavery, but continued in the white slave trade in their legal administration, as well as in practice. However, black slaves were still being sold in the Ottoman markets even though black slavery was illegal. The Ottomans accepted the European abolishment of slavery after some years, in 1847. However, the enslavement of white women was regarded as if it had never existed in the empire. The Porte acted alone and according to its own consideration (Toledano, 1992:306). Therefore the slavery of white women was not taken into

consideration by the legal administration for some time, until the European ambassadors warned the legal authorities on the existence of white slavery via the Sultan (Kanbolat-Taymaz, 1990:40).

The strong step taken to abolish slavery in 1847 was not adequate to fulfill its intent. Slavery remained firmly ensconced, not only in the arena of everyday life, but also within the legal system, abetted by penal codes which were soft on the punishment of the slave trader. It is obvious that slave traders enjoyed selling their properties- white women as well as black women slaves- without hindrance. Slavery had been practiced in Ottoman society because of its economic importance and because of a duality within the legal system produced by the Shari'a and the western codes of law introduced by the higher echelons. An example of Tunisian pirates can be given to illustrate the commercial attractiveness of slavery. In 1856 Naval forces of the Ottoman Empire in Tunisia practiced slavery to earn their living, since the salary of the sailors was not being paid properly²³. It can thus be inferred that this shortcut to resolve monetary problems forced capable individuals to profit from slavery, even though the legal codes did not allow for such a trade. As for the inadequacy of the laws, an example of Christian and Jewish slave traders is worth mentioning. Those Christians and Jews of the empire who were involved in human smuggling performed their deeds without encountering any legal hindrance until 1850, because the Ottoman legal system exempted Christian and Jewish slave owners. The slavery cases in which the Christians and Jews of the empire were involved confirmed to the authorities their need to tackle the matter, and they consequently banned those citizens of the empire from taking part in slavery. Complaints and petitions claiming the Jewish and the Christian slave owners regularly bought slaves from the markets of Amman and Sudan had forced the legal body to take heed of the matter²⁴. The court verdict banning the non-Muslim community of the Ottomans from the slave trade in 1850 proves that the body of law was still in an incomplete form.

Slavery had once been openly practiced, but slaves were only sporadically reported, since the slave owner was fearful of large levies. However, the abolishment of slavery forced the trader to totally disguise his deeds, since the slave trade was now illegal in the eyes of the court. Therefore ascertaining slavery from original documents of this time becomes more difficult. Furthermore, the judicial courts neglected slavery cases, since -because of their traditions and habits- society in general welcomed the trade. Therefore, one might claim that slavery was recorded in much more detail before it was declared as an illegal activity. Nevertheless, the court sought a kind of resolution to slavery cases which were recorded in official findings of the XIXth century as follows:

1. Parents sold their daughters to the rich during disasters, against decree of law: For instance, the parents of those who suffered from the famine of 1874 in the village of Zeytun sold their girls in exchange for grain to save themselves from hunger (Fig. 1)²⁵.

2. Those that practiced slavery in the Caucasus carried out their work in the aftermath of migration to the Ottoman lands in 1856, because of the Russian invasion²⁶.

3. The higher ranks were involved in the slave trade, and allowed the slave trade to be practiced under their sanction²⁷.

As a result of the Ottoman westernization policy, the abolishment of slavery should be questioned as to whether it was actually enforced rather than left to remain as a theoretical part of the legal system. In reality, the existence of slavery cases that kept the courts busy even after 1847, is in itself evidence that the Ottoman legal system failed to put a halt to slavery (Toledano, 1992:307).

Official documents regarding the existence of slave markets in the Balkans prove the lack of state enforcement on the issue of slavery. For instance, slaves captured from the city of Batumi in Georgia were sold in the slave markets of the Balkans in 1841. Moreover, the slave markets of Pristine and Selanique were well known by the authorities in 1869 (Toledano, 1994:41-42). In addition, the Caucasians who sought refuge in the Ottoman lands were directed to settle in the Balkan cities in which they were involved in human smuggling during the 1860's. Rumours spread regarding the kidnapping of Muslim children from the Balkans by the Caucasians who had previously dealt in slavery. Suspicions of forced slavery, undoubtedly the Caucasian's deeds, were widespread. The community around those Caucasian migrants blamed them for kidnapping the Bulgarian, Tartar and Greek girls, and petitioned the court for an official investigation into the matter. However, the authorities did not respond to the allegation (Toledano, 1994:14)²⁸. There is hence no clue to shed light upon the claims of these inhabitants. Misdeeds of slavery were uncovered within the legal system, to give an insight into the courts' delay on the matter. In 1854, the Ottoman council chamber issued orders that decreed the end of the open slave markets of Beyoğlu and Galata. Therefore, the authorities might have been blamed that the slave trade was even rife in the capital of the Ottomans, and was practiced in spite of the so-called precautions in the legal system. That the negligence of the authorities should be regarded as a deliberate stand against the westernization of the empire's judicial system is not known.

In 1877, the wise counsel chamber of state uncovered cases of slavery in some districts of the capital, Istanbul, and in one of its suburbs, Fatih (Toledano, 1994:44). It was this incident that forced the authorities to repudiate the slave trade before the presence of the chamber. However, white women slaves continued to be brought to the auction house of the district, called Tophane during the 1870's²⁹. The Ottoman penal code was not effective in punishing those involved in human smuggling because of insufficient jail time. For instance, in 1858 those who kidnapped children for slavery were punished with one year in prison (Toledano, 1994:14). With all factors taken into account, the traders still found the business appealing. Therefore, the court needed to respond by increasing the penalty, but not so much that it blocked the trading.

It could be claimed that the slave trade had been prohibited in the aftermath of the westernization (Tanzimat era). Though the legal codes- which in practice could still benefit those involved in the trade- did not diminish slavery, they did at least give Ottoman citizens some security and relief concerning their freedom. Nevertheless, the abolishment of slavery in the legal system made the slave traders' business more difficult, since the authorities remained to some extent loyal to the legal codes and were not easily bribed³⁰. For example, a skirmish in 1847 between governmental authorities and troublemakers in Silistrea suggests how authorities caused a flare-up of anger in the public. In 1847, an Ottoman sailor assaulted a Silistrean Christian woman, causing a civil uprising and many deaths. The investigation of the event's background will shed light on the rights of citizens and the authorities' approach towards sexual harassment. It also gives an idea of how citizens of the Ottomans defended their rights, and united against sexual harassment³¹.

In 1847, officers of the imperial port, who were called Kara Osmanoğlu Hasan, Lefter and Arif, anchored their ship to the quay of Tolcu, in Silistrea. Sailors arrived in the town, traveled around and gathered to watch Christian men and women participate in Easter dancing celebrations in the square. While the sailors continued watching the men and women dancing together, one of these sailors, named Hüseyin, whose captain was recorded as Hasan, touched and harassed a Christian girl who was taking part in the dancing³². The recorded events reached the highest court in the capital, requiring a neutral governor of Edirne to be summoned in order to complete the investigation in Silistrea. The event in Silistrea poses some questions concerning the causes of the fighting. It was probably not the first time that the inhabitants had been harassed by sailors. Therefore, hostility might have grown through the years before something like this took place. If this is the case, the inhabitants might have taken advantage of the chance to get revenge with the aid of the town's administrator,

making the event a plausible alibi. Whatever the truth was, there was a woman at the core of the events of Silistrea, and the administrator defended her legal rights at whatever the cost. However, the most remarkable issue in the Silistrea event was the inhabitants' attitude. The inhabitants of Silistrea forced the authorities to take action against those who ruined their peace at Easter. Moreover, the inhabitants had started protecting their rights and honor, causing the authorities to deal with the matter.

In conclusion, it should be noted that the slavery of men was abolished in some parts of the world between the years of 1848 and 1889. It would also not be wrong to claim that the slavery of men declined due to the practice of waged labor (Hobsbawm, 1994:201). Although the Ottomans did not have enough facilities to fully employ waged labor, society still needed workers to some extent. However, the migration of people from the occupied to the Ottoman lands during the XIXth century increased the population, hence offering cheap labor to those who needed it. This means that it would not have been necessary to obtain labor from male slaves. Nevertheless, the fundamental problem was that the slavery of women continued, even though legislature decreed its abolishment and it was punishable throughout and until the end of the Ottoman reign³³. Whatever the reasons, the identification of the problem's source has remained unresolved. It might be claimed that the continuation of the slavery of women -- though illegal -- was due to men's desire rather than the need for labor. However, men's desire has always been overlooked in searching for the genuine reasons for the slavery of women (Fig.2)³⁴. The revisers of the Ottoman legal system and of the legal codes were eager to establish a westernized system in the state. However, those who governed the state bowed down to the desires of a society which was patriarchal. The slavery of white (or black) women continued in the Balkans, even until the final days of the empire. As the traveler Hans Dernschwam states in his memoirs, "those slaves who were placed near the border towns sought their destiny by escaping contrary to that of those who accepted their destiny as a slave in Anatolia or inner parts of the empire" (Dernschwam, 1992:98-99).

Notes

¹ Kyule: A male slave Redhouse, Sir James, W. (1987:1601) & Toledano, E. R. (1992:305).

² "... Although the majority of the slaves were domestic, the line between a household slave and one bought in the market, or for that matter between the slave and the free man, was not sharply drawn." Frye, R. N. (1966:179).

- ³ . "... Dedication to a god sometimes served as a safeguard for treatment of a domestic slave in that after a certain length of service for a private master the slave would go to the temple, which in any case considered the slave as temple property even when first leased to a private master." Frye, R. N. (1966:180).
- ⁴ . "... but neither from the Koran nor from the "Traditions" is it possible to infer that the abolition of slavery was intended." Levy, R. (1965:73).
- ⁵ "In certain circumstances some slaves had opportunities for acquiring wealth and power even greater than those that were within the reach of free men. Thus Subuktagin, the confidential slave of Samanid prince in Transoxiana, was able to acquire a large tract of territory and found the dynasty of the Ghaznavids, to which belonged the famous conqueror Mahmud.", Reuben, L. (1965:74).
- ⁶ "But since, after the coming of Islam, the only persons who could be legally enslaved were unbelievers captured in hostile territory, it became illegal to sell a free Muslim into slavery for any reason whatever.", Reuben, L. (1965:76).
- ⁷ . Erlor, M. Y. (1993:2-4) & Barkan, Ö. L. (1940:131-133).
- ⁸ . Roded, R. M. (2000:47).
- ⁹ . Ahmed bin Mahmud. (...:115)
- ¹⁰ . Akyüz, V. - Engin, N. (...:500-501) & The Encyclopaedia of Islam (...:241). Such as; Buhari, Muhammed b. İsmail (death. 256/869). (1975). *Sahihu'l Buhari*. C.I-VII. İstanbul: Çiğir Yayınları; Kuduri, Ebu'l Hasen Ahmed. *Kitabu'l Kuduri*, (1315'den tıpkı basım). İstanbul.; Eş Şafii, Muhammed b. İdris (150/204). (1979). *Er Risale*. (tahkik: Ahmet Muhammed Şakir). Kahire.
- ¹¹ . "Morally as well as physically the slave is regarded in law as an inferior being" Levy, R. (1965:78).
- ¹² . "... Muhammad found slavery a regular element of society in his day, and though he brought about a considerable amelioration in its conditions, like other religious ledars before him, he took slavery for granted as an ordinary part of the social system. Levy, R. (1965:81).
- ¹³ . "Some of the most beautiful slave-girls were sent to the harems of the Baghdad Caliphs from Europe, particularly from Spain, and there was a brisk trade from Italian harbours, the Venetians having a slave-market of their own in Rome in the eighth century Levy, R. (1965:81, 82).
- ¹⁴ . "...geographer Yaqubi, who saw there the long lanes of houses for the exhibition and sale of slaves", Reuben L. (1965:82).
- ¹⁵ . "... who not only enslaved the crews and passengers of ships sailing to Mediterranean and Spanish ports, but sacked parts of Ireland and threatened Bristol, as well as carrying off hundreds of British captives" Levy, R. (1965:82).
- ¹⁶ . "And most highest boys sold for 50 akças." Çabuk, V. (1989:228).
- ¹⁷ . "...so abundant were the captives, a beautiful slave-girl fetched, at the most, a hundred akças" Imber, C. (1991:138)
- ¹⁸ . "There were many beautiful widows among them. The Orhan Gazi gave them to the Muslim warriors. He commanded that get those women as your wife". (15 Ekim 1330)". Atsız, (1992:42).
- ¹⁹ . İslam Ansiklopedisi, "köle maddesi", 26 : 247.
- ²⁰ . İslam Ansiklopedisi, "köle maddesi", 26:247; "Muhtemelen XVIII.yy sonlarında Çerkez ve Gürcü köle ve cariyeler Avrat Pazarı'nda zenciler ise Tiryaki çarşısındaki esir pazarında alınıp satılırdı." Balıkhane Nazırı Ali Rıza Bey. (...:69).
- ²¹ . "...He stated that the heir to the throne 'a youth of seventeen', had been brought up 'by the slaves in the Seraglio and apperception of the old school, who is said to be learned in the Mahomedan Law and very bigoted'." Sonyel, S. R. (1989:360).
- ²² . BOA, YPRK. TKM., D.Nr.14, G.Nr. 14, 23 R. 1306, (Kardinal Lavijerin köle ticaretinin şeriatça suç olmadığını belirttiğine dair rapor).
- ²³ . BOA, Cevdet Dahiliye, Nr. 6494, H.1273.

²⁴ BOA, A.MKT.MHM., D.Nr.78, G.Nr. 48, H. 1267.

²⁵ BOA, A.MKT.UM., D.Nr.367, G.Nr. 81, 26 S. 1276, «Women in Şakalova who were became a slave for that reason of their needs». ; «Armenians in the village of Zığdı (Tokat/Erbaa) sold their girls at a price of handfull grain to the Aghas of Sinop during the famine year of 1875» BOA,A.MKT.UM., Nr. 1326/2, 1290, (Fig.1); «..During the draught of 1867 in Trablusgarp humans offered themselves as a slave not to die because of the famine.» Toledano,E. R. (1994:15).

²⁶ BOA., A.MKT.UM., D.Nr. 526, G.Nr. 41, H.1278.

²⁷ BOA, A.MKT. DV., D.Nr. 204, G.Nr. 41, H.1278. "It is about a slave of artillery units commander in Bosnia"; BOA,DH. MÜİ., D.Nr. 7-5/24, 1328.N.1:87 (The governor had been trailed on the matter of killing a Circassian slave.)

²⁸ "You are asking me to buy a Greek concubine. However Greeks are not the slave of the Turks but their public. Those who sold out here in the slave markets are Russians, Circassians and Georgians" (Montagu, L.:101).

²⁹ "During the Tanzimat era the slave market was at the place where called Tophane (Canon house)" Parlatur, İ. (1992:176). & İncalcık, H. (1973:78).

³⁰ "During the reign of the Yıldırım (thunderbolt) Beyazıt, the judges in the Balkan were punished with the burn penalty since they had been bribed..." Çubuk, V. (1989:80, 81).

³¹ BOA, A.MKT.MVL., Nr.360, G.Nr.15, 1259 B. 23.

³² The demeanour of the sailor named Hüseyin caused extreme anger among the Christians, who had been cheerful and jovial. The girl's Christian boyfriend, named Panko, whose father was Korta, punched the sailor, initiating a melee between the Christian inhabitants of Silistrea and the Ottoman sailors. The public, backed with the reinforcement of security forces on the order of the town's administrator, arrested the sailors and officers who caused the uprising of the Christians. The rest of the sailors and officers, when they were informed of what happened to their comrades, assaulted the administrator's house with a large number of their crew. The administrator and the security forces of the town resisted against the crew with vigilante forces from the inhabitants who were angry about the arrogance of the sailors. The inhabitants of the town chased after the sailors, who were repulsed, and burned them in a cave where the sailors had taken refuge. In the days following the event, a court gathered for a hearing on the matter. First of all, the administrator was ordered to explain the situation. The administrator defended his claim before the court, suggesting that the security of the town's inhabitants needed to be protected from those wretched seamen. BOA, A.MKT.MVL., Nr.360, G.Nr.15, 1259 B. 23.

³³ BOA, DH. MÜİ., D.Nr. 7-5/24, 1328.N.1: 87.

³⁴ A diary of a concubine whose knick name was Kaymak Tabağı from Antalya proves that how the men desire brutally offended a young girl in the Konak in where Kaymak Tabağı was sending to work as a waitress at the age of 16. (Fig.2).

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Osmanlı Balkanlarında, Kadın Köleliğini Düzenleyen Yasal Yapılanma Ne Derecede Etkiliydi?

Öz

Çalışmanın amacı, kadın köle ticaretini düzenleyen yasal yapılanmanın değişim sürecini ortaya koymaktır. Ayrıca çalışmada yasal yapılanmadaki değişimlerin pratikteki uygulamaları da ele alınmıştır. Çalışma bulguları İslami hukuk ve devlet hukuku arasındaki çatışmanın Tanzimat sonrasında "kadın köle ticareti" konusunda artış kaydettiğini göstermektedir. Kanun uygulayıcılarının devletin belirlediği yasalar yerine kaynağını örf ve dinden alan uygulamaları devam ettirmeleri, merkezi otoritenin geçerliliğinin sınımmasını getirmiştir. Kadın köle ticaretini düzenleyen yasal yapının pratikte yasa yürütücüleri tarafından uygulanmaması merkezi otoritenin batı yanlısı yapılanmasına karşın kurumsal açıdan ciddi sorunlarla karşılaştığı sonucuna varılmıştır.

Anahtar Kelimeler: Kadın, Köle, Köle ticareti, Kadın köle ticareti, Osmanlı, Balkanlar

Eser Tanıtımları/ Book Reviews

Lois A. West (Ed.) (1997). *Feminist Nationalism*, New York and London: Routledge. (294 pages) ISBN:0-415-91618-6

Recognizing the significance of gender in the idea of nationalism, the book "Feminist Nationalism" edited by Lois A. West is an important study in terms of improving our understanding of gendered dimension of nationalism by presenting different case studies of feminist nationalist movements in Europe, the Middle East, Africa, Central and East Asia, the Pacific Islands and the Americas. In the introduction part of the study, Lois West criticizes the construction of nationalism as a male enterprise and the invisibility of women in much of the academic discourse on nationalism. West emphasizes the importance of gender as an analytical tool in the study of dynamics of nationalism by saying "Not only must we begin with the women's standpoint on nationalism and feminism, we must move to an understanding of the construction of nationalism as an inherently 'gendered' phenomenon. Men have presented the constructions of nations and states as centered on struggles over power between men, such as in wars. But these struggles have not been analyzed for how they are gendered-created through processes of the construction of male status hierarchies, male bonding, homosociality/homosexuality, and so on." (pp. xiv).

As mentioned by West, the anthology in the study aims to illustrate the ways feminism is constructing nationalism as inherently gendered and processual. The chapters focus on contemporary feminist nationalist struggles in the past several decades. The first three articles are on Europe. In the first essay, Gisela Kaplan attempts to highlight the relationship between feminism and nationalism in Europe. The following essay written by Carmel Roulston elaborates the emergence of feminism in Northern Ireland during the mid-1970s. Jill Benderly's article on Yugoslav feminism, however, is an important piece illustrating how feminists in the Yugoslav successor states have split over their understanding of nationalism and patriotism. Benderly points out that although Yugoslav feminism was a small beacon of opposition to nationalism before 1991, under pressure of war, some feminists reflected the nationalism of their states.

After the articles focusing on Europe, the three cases from the Middle East, Africa and Central Asia provide an interesting set of contrasts. Valentine

Moghadam who has written in depth in many places on the relationship between nationalism, citizenship and gender examines the case of Afghanistan, which, she finds, illustrative of the dilemmas that feminists face in assessing the merits of nationalist movements in terms of their gender dynamics and outcomes for women. Sherna Berger Gluck, on the other hand, analyzes the women's movements in Palestine in her article. Gluck notes that the political involvement of women during *intifada* allowed women more freedom of movement and influenced men's attitudes.

The following section is devoted to a number of Asian States. Lynn Kwiatkowski and Lois A. West, for example, show how the left wing and progressive movements in the Philippines developed a feminist nationalist agenda that did not prioritize gender, class or nationalist issues. In the same section, the chapters on Korea and Hawaii contain important insights about the relationship between feminism and nationalism. The Americas, on the other hand, demonstrate different stories. Norma Stoltz Chinchilla analyzes the relationship of feminism and nationalism to the revolutionary movements of Central Asia. The final two articles written by Patrice Le Clerc and Lois A. West and Alma M.Garcia, however, focus on nationalism in the relationships of minorities to majority societies: Québec's nationalism in relation to Canada, Chicana nationalism in relation to U.S. society and culture.

The feminist literature represents a turning point in the analysis of gendered aspect of nationalism by bringing to light several ways in which women are implicated in nationalist projects. I think that the book "Feminist Nationalism" is an important collection, in this respect, demonstrating how feminism is redefining nationalism both in particular cases and in the global context.

Dr. Elif Gözdaşođlu Küçükaliöđlu

QUING Project

Middle East Technical University

Ankara - Turkey

Kadın Çalışmaları ile ilgili Etkinlikler, Notlar ve Raporlar/ Activities and Reports on Women's Studies

The beginning of the rest of my life...

Alheri Bawa Magaji*

Here I was, a young woman with one Master of Science diploma, starting another Master's degree, and yet there was this empty, hollow feeling. I came to Cyprus to get away from the helplessness of young, intelligent, and beautiful African women who had dreams they never bother to make a reality, just so they can conform to "nature's law" of being married and having kids by the age of 25. I couldn't stand the injustice of it all.....I ached for more knowledge, I thirsted for more understanding, I had to do something... change a life, make an impact, I did not know what, but I just had to do something.

A simple phone call, and there I was at Eastern Mediterranean University, Center for Women's Studies (EMU-CWS). There were drawings and paintings of primary school students showing the different roles of women, lying everywhere. Upon asking what all the chaos was about, I learnt they were getting ready for the International Women's day celebration that was held every 8th of March. I picked one up, and saw the scrawny painting of a man washing the dishes and the wife playing football. I looked at the bottom of the painting and saw the child who painted it was 6 years old. And then it hit me....this is it! This is where I want to be. I dug into the Center's files to know more about what they do, and the more I dug, the more it filled the empty, hollow feeling I had.

I rolled up my sleeves and got to work right away. First lesson: how to cut on a straight line with a scissors. When İrem told me to cut the cardboard where the children's paintings were to be pasted, I thought, 'wow, it is so easy to work here'. And then she said 'no, no, no, the lines are not straight, here, let me show you'. Another person might have gotten a bit miffed, but for me, the thought that he cared so much about how she presented the paintings, proved to me even more, that I was in the right place.

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I started as a volunteer, and was content with just giving a helping hand. The next day I heard even better news: the Center would employ me as a research assistant. I was excited about going to work for the first couple of weeks, that is, until I really got down to business. Writing letters, literature review writing, research, and little errands here and there may not seem like much at first, but wait till you have to do it every day.

I wanted to know more about what the Center had been up to, so I asked questions and dug more files. I realized that they had been launching series of awareness seminars on women trafficking, targeting university students and Women NGOs. They had also completed the preparatory stage for launching an interdisciplinary graduate program on Gender Studies, which is an interdisciplinary field drawing from scholarship in the humanities, natural sciences, social sciences and business. There was the bilingual (Turkish / English) journal "Kadın/Woman 2000" that has been in publication since 2000 and two international conferences on women's studies that they organized. There was also this proposal for a research on 'Women and Development' that aimed at exploring the needs and barriers of rural women in accessing economic and social rights. But what really got my attention were the paintings of primary school children- these students were asked to paint pictures of their perception on the roles of men and women in the society, and they painted very interesting and informative pictures.

This really got me thinking. Being a citizen of, and growing up in Nigeria, I never had the notion as a child of being a footballer, or a manager of a big corporation. Not that I did not dream big, because I have always had high hopes for myself. Although I wanted to be a very successful lawyer, I hoped to marry a man who would cater for my financial needs, and have 4 kids. That was it. By the time I finished my undergraduate degree, I went to visit a friend that had been married for 3 years and watched as she put the baby to sleep, cooked lunch, cleaned the house, and then started thinking about what she would need for tomorrow's lunch. Did I mention that this particular friend is a master's degree holder?

I left her house thinking, now what? That will be me in a few years, no matter how many more years I study or how high I go up the ranks at work. The Nigerian "culture" does not outrightly stop a woman from going to school, and does not outrightly force her to marry, as there are a lot of us in school who are not married, and have no pressure from home to do so. Yet, I get the feeling that with all my academic success, people do not think I have achieved anything yet, until I get a 'good' husband, settle down, and have kids. I cannot speak for anyone else, but my parents' and other people's experiences have taught me

that no matter how educated, how liberal, or how in love with you a man is, society has a way of turning that “dream husband” into the “typical” husband who expects you to cook his meal and clean the house no matter how tired you are, and expects to be the one to cater for your financial needs. No matter how hard women try, there is this silent, unspoken rule that has crossed through the barriers of culture, which defines the role of women. And then I felt it, that empty, hollow feeling... Is this how women are always going to be seen? Are we always going to be regarded as nothing more than home keepers and sex symbols?

Being involved with the Center’s activities, made me realize something. Women want to be home keepers, we want to take care of our kids and show our husbands that we love them, we want to prepare delicious meals for the family, we want our husbands to pay the bills and take care of us. But, we are more than that, we are professors, we are fire fighters, we are secretaries, we are teachers, we are students, we are a lot of things. We do not want to be seen as sex toys, we do not want men to marry us just so we can cook for them and give them kids. When we say we are fighting for women’s rights, do not get us wrong, we are not saying we want to be the head of the house hold; we are saying look at me, the person, not the woman. When we come back tired from work, help us out in the kitchen, or better yet, prepare dinner. Look at me as the person who did a hard days job, not as the woman whose duty it is to enter the kitchen, no matter how tired I am, just because, and only because, I am a woman.

I cannot put to words the excitement I got from this realization. And so began my new task: how do I join Fatma, Nurten, Hanife, Pembe and İrem¹, to make women see themselves as more than just house keepers and sex symbols? I knew then that every conference we organize, every workshop, every project, every exhibition, every publication, will go a long way in helping women, to realize, that we can make a difference. That we can achieve our dreams, that we can be a mother and a wife, and still be that musician that people love to listen to, still be that firefighter that saves a life, still be that professor...and not be seen as rebels going against the “laws of nature”.

In the space of a year, we organized a conference, “Gender at the Crossroads, organized a seminar/workshop with Cynthia Cockburn², author of ‘The Line’, and ‘From where we Stand’, and many other activities that space will not permit me to write. My favorite however, is the annual 8th march women’s day celebration.

8 March International World Women’s Day for 2008 was celebrated by EMU-CWS with a week long program organized in collaboration with Gazimağusa

Municipality from 3rd to 8th March, 2008. Activities ranged from Film Screening, to panels in honor of Turkish Cypriot poets, and exhibitions. On Saturday, 8th March, 2008, members of the Center with their friends and families came out to plant trees to commemorate the event. It was fun to see even the cute little ones eager to dirty their hands to plant trees, and for the older ones, it was fun to plant seeds that we knew will one day grow to be strong, healthy trees, just like our vision for women. This event marked the end of the Women's week.

Although, the 2009 Women's Day celebration was my second with the Center, it was the most exciting for me, because this time around, I was involved in the year-long planning process. On March 6th, 2009, the center held a panel in honor of 3 Turkish Cypriot musicians, (Küçük) Aysel Bağdadi, Kamran Aziz and Jale Derviş³. When Küçük Aysel sang, I could feel the emotion in the room as even the young primary school students in attendance were singing to the words, eyes glistening with tears. It was proof of just how much these women have touched the lives of people.

I have learnt so much, and the experience has been like no other. There have been good days and bad days, and times when I feel like I'm really not doing anything at all. But then I think of the time I saw the kids cry when Küçük Aysel sang, or the women in Karpaz⁴ who stand to benefit from being empowered. I think of this, and I smile, because I know, that I may not be doing much, but I am helping in touching somebody's life.

The thought of being able to take in all this and go back to my country to create awareness, and motivate people to participate in helping women has given me hope, joy, and another purpose for living. Coming to EMU-CWS, was the beginning, of the rest of my life...

Notes

¹ Fatma Güven Lisaniler is the Director, Nurten Kara is the Assistant Director, Hanife Aliefendioğlu and Pembe Behçetoğulları are members of the Executive Board, and Irem Bailie is the research assistant at EMU-CWS.

² EMU-CWS signed a protocol with Turkish Cypriot Association of University Women (TCAUW), to collaborate on seminars, campaigns, and workshops among other things. The seminar/workshop with Cynthia Cockburn was one of the collaborations with TCAUW.

³ Kamran Aziz, Aysel Bağdadi (Küçük Aysel), and Jale Derviş are Turkish Cypriot musicians whose songs and lyrics have inspired and contributed to the history of Turkish Cypriot music over the years.

⁴ Karpaz is the farthest and one of the most undeveloped region in North Cyprus. EMU-CWS is currently carrying out a research that focuses on exploring the needs and barriers of the rural women of Karpaz, so as to empower them towards economic and social growth and sustainability.

Dođu Akdeniz Üniversitesi **Kadın Arařtırmaları ve Eđitimi Merkezi** **Kadın/Woman 2000**

Yayın İlkeleri

Genel İlkeler

- 1) Yazarlar, *Kadın/Woman 2000*'de yayımlanmasını istedikleri bilimsel çalışmalarını ařađıdaki e-posta adresine göndermelidirler:
jws.cws@emu.edu.tr
- 2) *Kadın/Woman 2000*, Türkçe ve İngilizce olmak üzere iki dilde yayınlanır.
- 3) *Kadın/Woman 2000*'e gönderilen yazılar, başka bir yerde yayımlanmamıř olmalıdır. *Kadın/Woman 2000* Yayın Kurulu tarafından yayımlanmak üzere kabul edilen yazılarda, DAÜ – Yayınevi bütün yayın haklarına sahiptir. Ancak yazarlar yayınlanan bilgileri kısmen *Kadın/Woman 2000*'ne atıfta bulunmak üzere başka yayınlarında kullanabilirler.
- 4) Yazılardaki düşünce, görüş, varsayım, tez ya da savlar yazarlarına aittir. Dođu Akdeniz Üniversitesini veya Kadın Arařtırmaları ve Eđitimi Merkezini bağlamaz.
- 5) Tüm yazılar, yazar(lar)ın kimliđi saklı tutularak konu ile ilgili en az iki akademik danışman tarafından incelenir. Yapılan deđerlendirme hakem isimleri gizli tutularak yayın kurulu başkanı tarafından yazarların bilgisine sunulur.
- 6) Yayın Kurulu, yayıma gönderilen yazılarda düzeltilme yapabilir. Bunlar yayımdan önce yazarın bilgisine sunulur.

Yazım Kuralları

- 1) Yazılar yayına uygun olarak hazırlanmıř figür ve tablolar ile birlikte elektronik olarak gönderilmelidir.

- 2) *Kadın/Woman 2000*'e gönderilecek yazılar, tercihen New Roman Times fontu ile 12 punto olarak yazılmalıdır. Yazıların uzunluğu makalelerde 25-30 sayfayı veya 9000 kelimeyi aşmamalı, kitap tanıtımlarında ise 1-7 sayfa veya 500-2500 kelime arasında olmalıdır.
- 3) Türkçe yazılarda Türk Dil Kurumunun İmlâ Kılavuzu esas alınmalı, yabancı sözcükler yerine olabildiğince Türkçe sözcükler kullanılmalıdır. Türkçede pek alışılmamış sözcükler yazıda kullanılırken ilk geçtiği yerde yabancı dildeki karşılığı parantez içinde Türkçe ve İngilizce olarak verilmelidir. İngilizce yazılarda ise *Oxford English Dictionary* veya ekleri örnek alınmalıdır.
- 4) Yazılar başlık sayfası, ana metin, kaynaklar, ekler, tablolar, şekil başlıkları, şekiller, yazar notları ve yazışma adresi ile yazı Türkçe yazılmış ise İngilizce, İngilizce yazılmış ise Türkçe olarak genişletilmiş özet (Abstract) bölümlerini içermelidir. Yazarın makalesini hem Türkçe hem de İngilizce olarak göndermesi halinde yazısı iki dilde de yayımlanabilecektir.
 - a) Başlık sayfası en fazla 10-12 kelimedenden oluşan makale başlığını, (kelimeler arasındaki boşluklar ile beraber en fazla 50 karakter), yazarların adı ve soyadı, ünvanı ve çalıştığı kurumu içermelidir.
 - b) Türkçe ve İngilizce olmak üzere 'Özet' ve 'Abstract' başlıkları altında her iki dilde de 300 kelimeyi geçmeyecek şekilde hazırlanmalıdır. Türkçe ve İngilizce özetin her biri yeni bir sayfadan başlamalıdır. Bunların altında ayrıca 'Anahtar Kelimeler' ve 'Key Words' başlıkları ile makale ile ilgili önemli anahtar kelimeler (en fazla 10 kelime) yazılmalıdır.
 - c) Ana metin yeni bir sayfadan başlamalıdır.
 - d) Metin içinde atıfta bulunulan kaynak ve şahıslar (Yazar soyadı, Yayın yılı, ve atıfta bulunulan sayfa numarası, (Brown, 2003: 23) şeklinde verilmelidir. Metinle ilgili ek bilgiler üst numaralarla verilmeli, metin sonundaki Notlar kısmında aynı numara ile eklenmelidir.
 - e) Şekillere başlık ve numara verilmeli, başlıklar tablo ve figürlerin üzerinde yer almalı, kay-naklar ve figürlerle ilgili notlar ise alta yazılmalıdır.

- f) Tablolar metin içine konmayıp, her biri ayrı bir sayfaya yazılmalı, metin içindeki yeri marjın içinde belirtilmelidir.
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Örnekler:

- Foucault, M. (1979). *Discipline and Punishment: The Birth of the Prison*. Harmondsworth: Penguin Books.
- Van Dijk, T. A. (2006). "Discourse and Manipulation", *Discourse and Society*, 17 (2), 359-383.

Burada değinilmeyen konular için APA yazım şartlarına başvurulabilir. Kaynak: Hacker, D. (2004) "APA" *A Pocket Style Manual*. Boston, New York: Bedford/St. Martin's, 155-182.

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Foucault, M. (1979). *Discipline and Punishment: The Birth of the Prison*. Harmondsworth: Penguin Books.

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