

How Do Women Receive Inheritance? The Processes of Turkish Women's Inclusion and Exclusion from Property

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Abstract

This article employs Turkey as a case study to explore the relationship between property ownership, inheritance, and women's empowerment. In Turkey, as in much of the world, men dominate ownership of property. This is despite the fact that women have had equal rights to own and inherit property since 1926. With the establishment of the Republic in 1923 came a series of reforms, one of which replaced Islamic Sharia law with a secular civil law that was based on the Swiss Civil Code. The new law, among other things, guaranteed equal rights of property and inheritance regardless of gender. In an attempt to understand the tangled relationship between property and women's empowerment, we conducted interviews regarding inheritance practices among ideologically secular, wealthy women in Istanbul. For these women and their families, the logic of wealth distribution is deeply informed by a commitment to equality between children with little regard for gender. Even in those cases where strict equality in terms of sameness was not employed, the goal was for an overall balance and fairness between recipients. Despite the fact that inheritance law provides for equality, most of the families employed *intervivos transfer*, gifts among the living, to distribute their family wealth. Perhaps most interesting, and in contrast to the literature, is the fact that these women do not express any sense of empowerment derived from their status as property owners. Rather education and career proved more important.

Key words

Women, property, inheritance, Turkey, Turkish, civil law, Sharia law

Introduction

There has been much discussion in the past decade over the im-

portance of property ownership for women and the role that property plays in empowering women. Property ownership is viewed as a means for strengthening the position of women in societies where they are disadvantaged. Despite some movement toward closing the gender gap in property ownership during the twentieth century, men still own and control the vast majority of private property in most places (Deere & Doss, 2006). Even in those cases where women are the legal owners of property, they are often not in actual control (Agarwal, 1994; Datta, 2006). Custom and/or tradition may demand that they receive permission from their husband or a male relative to sell, transfer, or secure credit against the property. Yet, for many women, property ownership still offers some basis upon which to make choices regarding their own lives (Deere & Doss, 2006). Property ownership presents some protection against poverty and may enhance their autonomy (Mohan, 2011). At a basic level, property ownership grants women some status within society (Agarwal, 1997). This status then bolsters women's sense of well-being and their abilities to make decisions for themselves, which may translate to a sense of empowerment (Mukhopadhyay, 2001). Specifically, property ownership among women enhances their bargaining position within the family (Agarwal, 1998; Quisumbing & Maluccio, 2000). The security of land ownership also plays a role in women's resistance to domestic abuse, allowing them to leave abusive spouses or partners (Bhatla, Chakraborty, & Duvvury, 2006). For many women, property ownership provides a sense of empowerment and support in their attempts to oppose oppression (Datta, 2006). It is worth noting that much of the research in this area has been conducted in developing countries among women in the lower economic ranks, and the connection between property and empowerment may differ in other contexts.

This article employs Turkey as a case study to explore the relationship between property ownership, inheritance, and women's empowerment.¹ In Turkey, men dominate ownership of property. Government statistics

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estimate that only 20% of women in Turkey own some form of property (T.C. Başbakanlık Türkiye İstatistik Kurumu, 2006). This is despite the fact that women have had equal rights to own and inherit property since 1926. With the establishment of the Republic in 1923 came a series of reforms, one of which replaced Islamic Sharia law with a secular civil law that was based on the Swiss Civil Code. The new law, among other things, guaranteed equal rights of property and inheritance regardless of gender. Prior to the introduction of the secular civil law, women could own property, but inheritance was governed by Islamic law, which dictated that men receive a greater share than women. The Islamic law on inheritance stipulates that women receive half of what any other male inheritor would receive. The civil law, revised but still in force today, replaced previous laws with strict gender neutrality on inheritance.

Despite the legal guarantee of equality in inheritance, practice calls this into question. Research in Gaziantep in southeastern Turkey revealed that many in the business class viewed property ownership largely as a right belonging to men (Karadağ, 2006). As a result, many women have been disadvantaged in the inheritance process, with the most valuable property being transferred to men. This is particularly the case with productive agricultural land (Karadağ, 2006). Moreover, when women did inherit property, control of their property remained in the hands of male family members (Karadağ, 2006). Similar practices have also been found in the Black Sea region where women are often left propertyless in the inheritance process (Uzun & Çolak, 2010). It would appear that regardless of equal inheritance rights, custom and tradition usually win out, leaving many women and girls landless.

The importance inheritance law plays in women's property ownership lies in the fact that inheritance is one of the major avenues through which women become property owners. Of equal importance is the marital property regime. The revised civil law which came into effect in 2002 represented a number of advances in terms of women's equality, one of which was the establishment of a partial community regime as the default for marriages performed since 2002. This new property scheme recognizes two distinct forms of property: communal and individual. Individual property is any property acquired before the marriage and remains the property of the individual, while communal property is that which is purchased during marriage. In the event of divorce

all communal property is divided equally between the spouses. This allows women to claim half of the marital property in divorce proceedings and protects many women from being left propertyless after divorce.

In an attempt to understand the tangled relationship between property and women's empowerment, we conducted interviews in one community of ideologically secular, wealthy women in Istanbul. As such, it is not a representative sample and we have not attempted to construct an ideal Turkish woman. There is no such thing. Rather, we have tried to understand these women's practice of inheritance. This, therefore, is an interpretation and an attempt to begin to grasp the complicated interplay between inheritance, property, women and equality.

For these women and their families, the logic of wealth distribution is deeply informed by a commitment to equality among children with little regard for gender. Even in those cases where strict equality in terms of sameness was not employed, the goal was for an overall balance and fairness between recipients. Despite the fact that inheritance law provides for equality, most of the families employed *intervivos* transfer, gifts among the living, to distribute their family wealth. Perhaps most interesting, and in contrast to the literature, is the fact that these women do not express any sense of empowerment derived from their status as property owners. Rather education and career proved more important.

The Study

In order to investigate the relationship of women to property and the process of inheritance, field research was conducted consisting of in-depth interviews and participant observation in the Nişantaşı district of Istanbul. Nişantaşı is a district of Istanbul where the inhabitants consist of those from the upper class. The district was urbanized as a high profile settlement in the 1950s, attracting internal immigrants both Muslim (notable families and upper class families) and non-Muslim (especially Jewish families) from other districts of Istanbul. The prices and rents for housing and apartments in Nişantaşı district are very high. There are many restaurants, cafes, and clothing stores that appeal to a Western life style, the wares of all of which can be purchased at premium prices. The district reflects a Western mode of living with a wide

range of imported consumption items, cosmetics, fashion, brands supplied in the stores such as custom made clothing, global high fashion brands, Italian shoes, French cafes, German and Austrian patisseries. Furthermore, the services offered at area clinics and business places also present a modern and perhaps even post-modern (new age) life style, with offices of lawyers for national and international disputes, clinics for any number of aesthetic treatments, family therapy centers for marriage consultation, feng-shui style decorators, sports clubs that offer new styles and techniques of exercising, as well as high society night clubs that provide lounge and disco music. The life style offered in Nişantaşı attracts many consumers not only from Nişantaşı but also from other districts in Istanbul and other cities of Turkey. The district is also a frequent site for TV and film sets. Nişantaşı is often presented as the Western face of Turkey excluding any Islamic identity or religious and traditional social structures. Many of the inhabitants of Nişantaşı also reflect these characteristics in the sense that education levels tend to be higher than the average Turkish society and residents tend to be economically from the upper middle and upper classes.

The study in Nişantaşı took place between September 2011 and October 2012. The sample group for the field research was chosen from the residents of Nişantaşı who were living in the district at the time of the study. Snowball technique was used to contact interviewees. Semi-structured in-depth interviews consisting of 40 prepared questions were conducted with 20 respondents. The interviews took on the average 40 minutes, the shortest interview being 17 minutes and the longest one being 72 minutes. The interviews were conducted mainly in the interviewees' home, but several were conducted at the respondents' work places or other locations in Nişantaşı. All of the interviews were conducted by the members of the research team alone and face-to-face with the respondents in an attempt to limit any interference from third parties. The interviews were recorded with the permission of the respondent and then later transcribed, coded, and analyzed in accordance with qualitative research techniques. All of the participants were given nicknames in order to protect their privacy and help ensure their candor during interviewing.

The age range of the respondents was 40 to 90, indicating that they had high probability of either receiving inheritance or bequeathing

inheritance. The average age of the respondents was 58. In terms of life style, none of the interviewees wore a headscarf or other traditional attire; instead they sported a modern and Western style of dress. All of them had traveled outside of Turkey, in particular to Europe, either for education, business, or tourism. For vacation, they preferred the seaside in summer time – in particular the western coast of Turkey – and snow/mountain areas for skiing in wintertime. For nights out they tend to frequent bars, restaurants, and cafes that serve alcohol. Many appreciated art and antiques and some were collectors. They also tended to listen to Western classical music in addition to other musical types and varieties both local and global.

The education profile of the sample group was quite high, consisting mainly of university graduates. Seven out of twenty had master's degrees, five of them had doctorate degrees, four of them were graduates of four year education universities, three of them were high school graduates and only one of them was a middle-school graduate. Most of them had knowledge of a foreign language (English and/or French), which they had gained at school. Several of the respondents were graduates of foreign/international colleges that provide instruction in a foreign language in addition to Turkish. The majority of the respondents were professionals, with just three housewives in the sample. Five of the respondents were academics at universities, three were sales/marketing managers, one was a medical doctor, one a designer, one an opera singer, one a decorator, one an art historian, two were engineers and one was an education consultant. Regarding their working status, ten out of twenty respondents were working either at their own businesses or in upper level positions in private corporate firms; five of them had never worked and had never been involved in work life; four of them were retirees and receiving retirement pensions and only one had recently left her job and was actively in search of another job. In addition to the rental income that some of the respondents received, most of the women had their own incomes, yet, there were still those women who were financially dependent on their husbands or families.

More than half of the respondents were married (11 out of 20) and it was their first marriage. One respondent had been married twice. Three of the women were single, never having married, three were divorced, two were widows and one was separated from her husband and

in the process of divorce. The occupational status of the husbands varied although they were usually professionals (medical doctor, veterinarian, diplomat, top executive in police force, lawyer, engineer, general manager and academic) or business owners (import/export traders, factory owner, shop owner). All had a high income. Regarding the number of children, most of the respondents who married had at least one child, yet there were a few who had two children and a few who had none.

Regarding immovable property ownership, only four of the women had no property registered in their names at the time of the interview. The remaining sixteen had at least one house registered solely in their names and nearly half of the respondents had more than one property ranging from two to six houses, a complete apartment building consisting of flats, a summer house, a winter house, stores and shop buildings, real estate and land. In other words, the women in this sample were landlords who held sometimes large amounts of immovable property. Most of the house owners were living in the houses that they owned and had rental income from additional property. Most of the women stated in the interviews that the property they held in their names was usually inherited from their parents either through legal procedures of inheritance after the death of a relative or given via *intervivos* transfers and gifts before the death of their parents or by the living mothers and fathers. Some also mentioned that they had purchased real estate also with the income that they generated through working. Only five of the women stated that they themselves made decisions regarding the real estate they hold, without any interference from others. The remaining eleven of the property holders stated that they frequently ask for advice from their families and decide matters related to the real estate together with them. For example, choosing a renter for an apartment, renovation of the real estate, or selling the property were all decided together with family members. Most of the property holders had lawyers and accountants to handle the affairs at the real estate registration office, with notaries and clients, or involving tax matters. Those who did not hire a lawyer or an accountant for these activities were either doing the activities themselves or receiving the help of their family. Most of the respondents mentioned that property ownership had caused certain problems like legal disputes in the courts with the municipalities or minis-

tries, legal disputes with the renters and buyers, high tax rates and other costs pertaining to registration and official procedures, long queues at the state offices and bureaucratic red tape that take time and money.

Regarding movable property ownership, a majority of the women did not own cars (probably due to the traffic and parking problem of Nişantaşı) but they were in possession of bank accounts (both in Turkish Lira and in exchange currencies that provide interest income), expensive jewelry (i.e. diamonds and other precious stones), antique furniture, antique jewelry, precious paintings by famous artists, furs, stocks, gold, and various insurance policies. The immovable property was either inherited from the parents, husbands or close blood relatives, or purchased.

Property Ownership and Women's Relationship to Property

Three quarters of the women we interviewed were property owners in their own right. The majority of them owned at least their own home if not more than one home. Several possessed substantial amounts of property and wealth. For many of these women, property appears to be a granted. Most of these women were raised in economically well off circumstances and so few understand what it means to be propertyless. Being of the propertied class is just something they have always known. With this, very few saw themselves as empowered by property ownership. In many respects, the advantages of property ownership seem invisible to these women. The following quotations make this clear:

I am the child of a wealthy family and I grew up with property. We always had our own house and our own mansion on the Bosphorus. Being a homeowner never gave me power. The thing that gave me power is my career. Through education and work I earned power. (Bilgün)

I am sure of myself because I was raised to be so. I am an only child. I was raised in a large house where I saw little of my mother and father. I had dogs and nannies and because of

this I don't feel alone even when I am by myself. To be a property owner is a tool, but in comparison to others I do not see myself as superior, I am just sure of myself. (Yonca)

If a woman is sure of herself and is educated then she can overcome any potential problems. (Esen)

Yet, none of these women recognize the security and advantage that growing up in such circumstances has provided them. Nor was there any evidence that these women had seriously considered where such feelings of confidence and empowerment originate. Without doubt, some aspect of their blindness on this issue originates in their economic privilege. The women we sampled come from wealth and represent the elite class in Turkey. At the same time, several women did identify security as one important aspect of property ownership, given the potential insecurities of life. They spoke particularly of the financial security that owning their own home provides them:

You never know what life will bring. For a woman to own a home is a good thing. Despite a marriage that appears to be going well, everything can go wrong in life. It is always important for a woman to have a home and she can consider having her children join her. In life everything can happen. For our friends who are living separately, a woman who doesn't have her own home can really struggle. We have seen it and see it around us. (Aslı)

Of course I feel it, at worst before I started my business or when I couldn't find work, I had a house in a good location, actually two houses in Anatolia, one I could live in, the other rent out and I could get by. (Vuslat)

Although these women did not speak of being directly empowered as a result of the property that they owned, they were clear that their economic privilege blunted some forms of discrimination. When asked how

Turkish society viewed women as property owners, the majority did not see gender discrimination as the primary issue but saw a lack of education, rural/urban divisions or economic disadvantage as the source for any negative attitudes toward women property owners. The following quotations illustrate the emphasis on both class and education:

It's a class thing; for us it's very normal (women as property owners); all of my friends are propertyed; it's not a problem. In my family, it was my aunt who had the most wealth. In my opinion, it's class in Turkey; class discrimination is like it is in other countries unfortunately. This is how I see it. This class discrimination, if I were from a lower class a man would have tried to take everything from me. (Yonca)

This (discrimination against women) depends on which society you belong to, it's a class thing. It also concerns education and is connected to where you live. In my own environment I have not come across such things but we hear about it from time to time. Not in my own circles but from other places and in the news. (Merih)

In the end of her answer Merih also highlights a common theme heard both from these women: the idea that problems such as gender discrimination occur not close to home but in "other places." Pervin and Gaye also located women's difficulties elsewhere:

In places where men see themselves as superior to women, they act differently toward women homeowners, they act in a macho way, making difficulties, cheating, threatening, and making the process difficult. This is a regional problem; in some places women are seen as in the background, or things go down the road of degradation, lack of tolerance, humiliation and compulsion, besides it's not looked upon favorable to be a homeowner. I have a helper; she has ten siblings, and the

father is buying an apartment building but only giving the men a flat. The woman worked and bought an apartment and the family was shocked...In theory it (equality) is beautiful. On paper, doesn't transfer to life. The equal separation of property for men and women protects women, but I have my doubts about whether this is always applied. In places outside the large cities – in fact, even in the cities. A friend's husband wanted to divorce, but the woman was not economically independent while the husband was in a good position. In order avoid paying alimony the man transferred all of his property to the children of his first wife and to his sibling...In practice it doesn't work as in theory. Here, it is mostly those who do not work or do not have support from their families who are disadvantaged. It is only 1% of those in Turkey who have economic independence and for this reason there are women who cannot divorce. Equality cannot be separated from underlying economic reasons. (Pervin)

In my opinion, we need to separate rural from urban. Around here (Nişantaşı) I don't see a lot (of discrimination); women are leaders and decisive. Even if it appears that men are in front, especially in the big cities among the educated classes, they (women) are effective and they can do everything. The generational difference is also a factor because the younger ones are decisive and the older generation is more attached to their husbands. Women are more in the background. This is no longer the case in urban areas, so we need to separate the two. (Gaye)

Clearly, for many of these women, trouble lies elsewhere, primarily in the more rural East of Turkey, and there is an unstated assumption that if people could just be more urban, modern, and read like them, then discrimination would no longer exist. This, of course, is far from reality

given the extent of discrimination that exists in and around these women whether they recognize it or not. Finally, in a reversal of this common trope, Eda locates equality for women in the culture of Nişantaşı itself.

In the neighborhood we find ourselves, in Nişantaşı there isn't a culture of discriminating between men and women, exploiting women or viewing women differently. This has been a cosmopolitan neighborhood for a long time. (Eda)

It is interesting the extent to which many of these women do not see the connections between gender and class and that class rather gender discrimination is so much more prominent in their minds. This may be a result of the Republican ideology that is prevalent among these women and in the neighborhood of Nişantaşı where they reside. One of the fundamental beliefs of this ideology is that since the reforms of Atatürk the “woman problem” has been solved and that women and men are equal and it is only a matter of lack of education and better application of the law that will rectify any inequities that still exist.

Intervivos Transfers or Transfers/Gifts Among the Living

Among these well off women there were two primary means through which they became property owners. By and large the vast majority either inherited some part of their property or received them as gifts transferred prior to the death of a parent or relative. The practice of *intervivos* transfers, transfers among the living, was widespread in this community. The vast majority of the women we interviewed received some wealth or property through this process of distributing some or all of the family estate prior to death. Selin explained her experience:

My husband turned everything over to me before he dies. Before he died he had all of his wealth put in my name. At 48 years old I found myself wealthy. I didn't need anyone. When it was necessary I used a lawyer... I inherited from my husband. My husband was very wealthy. I continued with the

same renters from the properties my husband left me. They rented for years. We were like a family. I knew them and they knew me. I had a lawyer. I had an accountant. If there was ever a problem they helped me. I gave my attorney my proxy. I used all of the income from the properties. I didn't give it to anyone. (Selin)

While Selin received her wealth from her husband, it was far more common for these women to receive property from one or the other of their parents prior to death. Among this group, property and wealth were distributed with little regard for the gender of the recipient or the one giving. The following women received transfers from their fathers or mothers or grandparents:

When I married, my father put this house in my name and said that the other one was for his son. (Pelin)

My father had another apartment that while he was still living he sold and distributed the earnings among his children and grandchildren. To one of the children he gave a piano, another money, he gave me money and in that way it was split between three siblings and the grandchildren. (Sezen)

There was a house that would be left to my sister and I, when my sister bought a house and my mother moved, she said it's yours...If today I told my mother that I needed the house there would be no reason to wait to inherit it. (Vuslat)

My mother had a four storey seaside mansion that my father had built. A former mayor of Istanbul constructed a road in front of it and because of that we did not like it. Before the big earthquake in Istanbul (1999), my brother and I agreed, at that time my mother was still alive, and we sold the house. My brother could not live there, he was married so we sold the

large four-story house and split the earnings 50-50. We both took care of our mother. (Pelin)

My grandmother's house was put in my name because of some ridiculous tax so they put it in my name. (Ilke)

The desire to avoid taxes, which can be quite substantial, is often a motivating factor in *intervivos* transfers. Transfers, which are considered gifts, are not regulated nor taxed in the same way that inheritance is in Turkey. Another motivation for the use of *intervivos* transfer concerns the parents' desire to both provide security for their children as well as maintain some control involvement in the distribution process while they are still healthy. As the following respondents explained:

I have houses that I live in, I collect rent which I use... The property that is in my name came from my family...the things that I own jointly we bought during our marriage, some things were gifts from our families. The things I bought during while married were all jointly owned except my car and jewelry. The gifts from my family I own. After I married my family supported me in order to be more independent. They did not leave a will but they say don't sell this or sell that. (Pervin)

When people age they want to invest. We have a property that we will most likely sell and all of us together – siblings, mother and father – will decide and share. Instead of holding onto the money I am thinking of buying a small apartment to rent out for income. (Gaye)

These last remarks demonstrate the desire for security as well as the desire for parents to remain a part of the process of distributing any family wealth and/or property. For several families it was important for the parents to ensure not only a smooth transfer of property but also to guarantee their own security. To this end, they transferred property

to their children prior to their deaths but ensured that they retained a use right. This is common in Turkey where most families care for their elderly relatives at home. The user right that the parents most often maintain is that of continuing to live in their own homes despite the fact that they have transferred the title of that home to one or more of their children. Bilgün and Aliye provide examples of this approach:

For the property my mother transferred the titles but kept the use right and we didn't have any problems, the siblings did not have any conflict. My mother transferred the property titles to her children while she kept the right to use the property. Besides my father said that he transferred the property to my mother; then my mother put everything in its place. It wasn't like a gift; I am living in the house that they left. (Bilgün)

When my mother and father were alive, things left to them by my grandmother and grandfather they transferred to me while keeping the user right... Now we are past that point because both of them are very ill. About ten years ago my mother and father sat us down in front of them and said these things are yours and these are yours and so on. Of course we would give them the right of use; it's theirs while they are alive; besides they gave us what they had; why would we take their rental income when it is theirs. Of course this is the good motive. On the bad side, perhaps your child is influenced by bad friends or a spouse and things can go badly, but in the end they do not have to give us anything. (Aliye)

Intervivos transfers serve as a type of unregulated inheritance. Occurring prior to the death of a parent or relative, this process, in many ways, circumvents the inheritance law in Turkey. Interestingly, in this community, the vast majority of families were guided by a commitment to equality regardless of gender in the distribution of their estates, the same logic which underlies the inheritance law. It should be ac-

knowledge that this is not necessarily a new phenomenon but has some roots going as far back as the Ottoman Empire. Research on inheritance practices in 18th century Kastamonu (a province in northern Turkey) reveal that it was common for the wealthy Ottomans of that city to use gifts and *intervivos* transfers as a means to avoid the complicated inheritance laws and to maintain some control over family wealth by distributing assets to specific individuals thus effectively disinheriting others (Ergene & Berker, 2009).

Women and Inheritance

Reform of the inheritance laws and the guarantee of equal inheritance rights was one of the important reforms enacted in the early years of the Republic under the leadership of Ataturk, the founding president of the Republic. As part of Ataturk's reforms and as part of a commitment to women's equality, this legislation holds a special place for the women of this community. They ascribe to an ideology that gives great importance both to Ataturk the man and to his vision for a "modern," Western-facing Turkey. Although many families avoided the process of inheritance through the use of *intervivos* transfers, a number of women did inherit from either a parent or other relative. While the law guarantees gender equality in inheritance, the women we interviewed placed particular importance on this law and its place in ensuring women's equality:

After my father died, the house my mother used to live in was sold and another house in Bursa was bought and shared between the two siblings. We did everything according to the civil law. Of course the court certification of inheritance divided everything equally. From my father and my mother of course everything was done according to the law. (Esen)

My father was one of two siblings: my aunt and my father. Everything was divided by two, exactly in half. There was

nothing there, no protection or no discrimination; everything was divided exactly in two... [again when my father died and there arose inheritance issue] everything was done according to the law...Whatever the law required was done and we continued our lives. Like I said for example the law gives me three-fourths and my mother one-fourth. (Saniye)

Despite a general commitment to a relatively strict ideal of equality among these women, some respondents mentioned that daughters are given extra protection to allow for the option of divorce in the case of unhappy marriages. As follows:

Absolutely there was no discrimination. In fact, I can say that among us there was more favoritism toward girls. Probably, (my father) thought (my brother) would find his way in life, would work and maintain a living. My father thought that daughters needed protection. He said, 'In order to prevent my daughter from being disadvantaged, I will give her whatever she needs.'... Of course, to know that your father is always supporting you is a good thing. (Ash)

In our family, girls are given more protection in case there is a unhappy marriage in the future. For example, there is the thought that it is essential for a girl child to have her own house. (Saniye)

Women should be strong and not feel alone when the day comes that their mother and father die and they are no longer beside them; or if they are married, they should not be oppressed by their husband. There should always be opportunities to make daughters feel strong. If women have financial support from their family then of course they can decide for themselves to divorce and after that they can feel

strong enough to start a new life. (Aliye)

While Aliye asserts the importance of women in her family, we see a repeat of the thesis that the problem is elsewhere. Although she admits to not knowing much about the East, a troublesome concept in and of itself, she feels free to condemn the East while celebrating everything past Ankara, capital city of Turkey, and the literal and symbolic west of the country. This represents another aspect of the Republican ideology, which uncritically embraces most things Western while shunning anything that can be considered Eastern. This has long been an important aspect of the Turkish modernization project, which sought to wrest Turkey from its backward Eastern past and bring it to its rightful place in the West. She said the following:

My parents were very fair on that topic... They always did it this way, five or six generations ago there was more wealth, there was land, olive tree groves and an olive oil factory. At that time in our family the women were strong... In the east it is different; we see it in films. They don't give much care to women; for example you ask how many siblings do you have and even though there are 4 brothers and one sisters she says she only has four brothers and doesn't even count her sister. Maybe for something like this the civil law is important, women don't have any importance and besides no one dares ask for their rights... Over there I don't think it (civil law) is applied. Now and only recently, I don't know much about the East, women have started to read and their eyes have opened now; they may still be concerned with the tribe, but as you come west and when you move from Ankara to this side equality is applied and women have opened their eyes. (Aliye)

Although the community of women interviewed in the field research place a high value on equality between men and women, which largely informed the ways in which they distributed family wealth and property, this did not mean that all inheritors were necessarily given the same

amount; rather the goal was to achieve an overall balance in the lifetime distribution of resources. Despite differences in the distribution of family wealth, most did not see this as undermining equality. Rather they felt that those in need could inherit more as long as there was an overall balance of resources within the family.

When my mother and father died, my brother, the engineer, and I relinquished the remaining property in Antakya (southern part of Turkey). Completely. We left it to our family and siblings in Antakya... We received an inheritance but we relinquished it... I didn't receive one cent. In fact, I even paid the taxes... Within the family we did the following: the both of us we well educated at university and the others, teachers, continue to live in Anatolia. We left it (the inheritance) to them. It should be left to those who need it; this is a family problem. (Sevim)

There is a house that was left to my mother by her mother and my brother lives in it. We didn't make any claims on it; nor will we because he is single and living alone. We saw this as appropriate. We didn't transfer the title or make any claim he can live there as long as he wants. (Merih)

One of us [siblings] may have received more help or more of what was left but this is completely related to need. My husband is the wealthiest. For this reason my sister and brother received more support from my parents. (Aslı)

In these families some inherited more than others or received more support, but the decision was based on need and an attempt to balance the share of resources over a lifetime. The goal was being fairness rather than sameness in an attempt to achieve equality. Education, in particular, was a major factor in determining the distribution of inheritance and family resources. As the following quotations illustrate:

There is agricultural land left by my father and the family. My father's siblings did not go to school so he gave the land to them. We have a tradition of donating. (Sezen)

For example, my son was educated in America. I wanted to send my daughter to school in France, but she rejected this. The money I set aside for this I gave to my daughter. It's in her control to do with whatever she wants. (Saniye)

I am leaving two houses to my children, one for my daughter and one for my son. They know this...they are not of equal value. I used most of my jewelry for my son (educated abroad). I don't think there will be any problem between them. (Zülal)

Interestingly, only one woman in our sample spoke of any kind of familial disagreement with regard to inheritance. This may in part be a result of the extensive use of *intervivos* transfers to distribute family resources prior to death and the triggering of the inheritance law.

My sister and I jointly own the property left by my mother. I didn't want to sell and they were a little irritated. They went to the older relatives of the family about selling. There are a lot of hurt feelings, but they are going to give me their share and I will put the property in my name. This will happen this summer. My siblings who used to show me respect no longer wanted to hold the family together and tried to ruin everything. I said I would take my right to use the property but they did not agree. I didn't want to sell the apartment, but I don't value my siblings anymore. There are in a very good situation with summer and winter houses, cars and they have everything. I don't have anything, but I didn't want to sell. (Sebla)

Despite the commitment to equality that is prevalent in Republican ideology and that these women espouse, there were times when tradition won out. Tradition favors men and views girl children as a financial liability, so historically productive land and businesses are left to men and women inherit jewelry, often a source of wealth, and other symbolic objects, such as paintings, furniture and decorative objects. As follows:

In the years I lived in Mersin it was more democratic. But in Turkey in most Anatolian cities it believed that it is not appropriate for women to own property and they make it difficult. For example in Mersin it was wide spread that when assets were divided the following distinction was made between men and women: Men received the land appropriate for agriculture on the mountainside and girls received the sandy places. To girls, unproductive land, but at least we gave them land. They say: her husband is responsible, women are productive and her husband will support her; why should we give away the son's assets. But in time things change and the reverse happened; sandy property grew in value, summer houses were built and the women of the area became wealthier than the men. For example, my aunt took her land and had a holiday village built where the men took the agricultural land and did nothing with it. (Vuslat)

In a strange twist of fate these women were able to turn the tradition of providing girls with unproductive land in their favor. This is an example that almost proves the rule that women are disadvantaged in the distribution of family property, in particular, land for agriculture. In the case of jewelry, however, tradition retains its force with women primarily receiving moveable property in the form of gold and/or jewelry and symbolic objects and men land and businesses. The following quotations illustrate the difference in the nature of inheritance left to children:

The jewelry from the family goes to the daughter. Any newly bought pieces can go to the son. For example, the ones left

to me from relatives I will give to my daughter. But the ones my husband bought or those from our wedding I thought to give to my son's wife...This is the tradition. (Saniye)

Before my grandmother died, a few pieces of jewelry were given to me, my mother and my sister. (Nuran)

Jewelry, paintings and valuables are generally left to girls...It is believed that women think of continuing the family line. This is the reason that jewelry and such are left to girls. She will know its value and how it was acquired and passed down. (Aliye)

Here, the value that Aliye speaks of is in terms of history and the importance it has within the family. This tradition is based on the role of women as keepers of family history. Women are bestowed the symbolic family objects, aside from gold, generally not as a form of wealth, but so that they can keep alive the family history.

Conclusion

The practice of inheritance among the women in this community demonstrated a deep commitment to gender equality. Although equality was not always defined in terms of sameness, there was a widespread attempt among these families to achieve a fair distribution of family wealth. This community's support and practice of equality is not surprising given their commitment to Republican ideology which places women's equality at the fore. What is interesting is that these women did not articulate a sense of empowerment as a result of their role as property owners. Several, in fact, rejected this idea outright. This contrasts with a growing body of literature that explicitly links women's empowerment to property ownership and views increasing women's ownership of property as a keystone to improving women's status. Much of this scholarship, however, is focused on developing countries in Africa and Asia. This community views itself as Western and has modeled itself on

European and U.S. examples. This appears to include inheritance practices, although as mentioned above, there is evidence that this practice also existed in the Ottoman Empire (Ergene & Berker, 2009). Despite the apparent local roots of some of these inheritance practices, it is important to note that these women seem unaware of such a history and are far more likely to attribute their own behavior to Western tradition.

Intervivos transfers, transfers among the living, were widely practiced with relatively few of the families availing themselves of the law on inheritance. This reflects a similar trend found in both the United States and France (Cox, 1987, 1990; Cox & Raines, 1985; Gale & Scholz, 1994; Pestieau, 2002). In France, which maintains a similar inheritance law to Turkey based on forced shares and limited testamentary freedom, intervivos transfers and gifts among relatives have risen over the past forty years and now account for one-third of all inheritances (Pestieau, 2002). In parallel to the practice among our sample group, intervivos transfers and gifts made in the United States were found to be compensatory (Cox, 1990; Cox & Jappelli, 1990). The children who have fewer resources and more need are the ones most likely to receive a transfer (Hochguertel & Ohlsson, 2000), and the gift is likely to be larger for children who are less well-off (McGarry & Schoeni, 1994). These values of distribution based on need are also reflected in similar practices amongst the women that we interviewed.

The women that we interviewed espouse a set of beliefs that envision Turkey as a modern, Western, secular democracy that supports human rights – in particular the equal rights of women. Given this set of values it is perhaps not surprising that their inheritance practices would mirror those of Europe and the United States in contrast to other regions. However, their experience of property ownership paints a stark contrast to other studies that assert a link between empowerment and property ownership among women. These women reported no such experience. We would suggest that this apparent anomaly arises from the relatively privileged position from which these women begin. The women in this study have for the most part not traveled a path from poverty to property ownership. They have been reared in relative comfort, some in splendor, and this appears to mitigate the empowering effects that ownership of property might convey. These women have never known a life without property. If they had, then perhaps their experience might have

been different. This requires further exploration, as does the effect of property ownership on women in more developed countries and those with more economic privilege. Only then will we be able to better understand the relationship between property and women's empowerment.

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