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TITLE: AN EVALUATION ON THE AMENDMENTS MADE IN THE TURKISH CIVIL CODE IN THE CONTEXT OF GENDER EQUALITY IN THE PROCESS OF TURKEY'S INTEGRATION INTO EUROPEAN COMMUNITY

ABSTRACT

The present study is a sociological analysis aimed at determining by which dynamics the regulations made in the context of gender equality in Turkey has been carried out. The study ,in terms of its topic, is related to the fields of history, sociology, and law, examines the system of law in relation to its aim and subsequently, carries out the sociological analysis of the amendments made in the Turkish Civil Code since Mecelle, the Civil Code of the Ottoman Empire.

In the present study, the reports, treaties, community programmes carried out through the integration process were reviewed, and some readings that tended to display the national circumstances of the period concerned were made. The associated articles of 1926 Turkish Civil Code and 2001 Turkish Civil Code have been discussed in terms of the amendments made in the gender equality, compared with the the opinions rendered by the Court of Cassation.

The result is that the regulations carried out in the Turkish Civil Code in terms of the gender equality cannot be explained not only by the requirements for the integration process into European Community, but the social , political, and economical circumstances in the structure and texture of the society are also likely to predispose to the amendments in question. It also appears that what has been realized might be enforced in the consequence of the efforts of the Non-governmental Organizations (Civil Community Organizations). On the other hand, the Civil Code comparisons discussed have clearly led to the conclusion that the Court of Cassation, when making the judicial decisions, considers the gender equality, and that the Turkish Civil Code has contemporary, innovative, and revolutionist qualities, even if the European Community İntegration process is not considered.

KEY WORDS: Civil Code, Gender Equality, European Community.