

My Diary is Your Diary: The Right to Privacy in a Marriage in Turkey

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Abstract

Can a husband read his wife's secret diary and enter it into evidence in litigation? Where are the boundaries of privacy between the spouses? The Court of Cassation of Turkey has issued challenging decisions on this matter. This article discusses spousal privacy within the home by focusing on the decisions of the Court of Cassation of Turkey and referring to some other international courts' approaches to similar topics. In order to establish a theoretical ground for its approach, the article first provides a short description of the legal and the social context of family law in Turkey, and then explains why privacy is important. The article criticizes the Turkish judicial decisions which on the grounds that they undermine privacy and reinforce the patriarchal power relationship between the spouses.

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