

TODAY'S ZAMAN

What does headscarf consensus mean?

by
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Students who wear the headscarf because of their religious beliefs are left with one single option: to give up on the dream of a college education. The number of female students who have given up on college education is pretty large. The fact that Hayrünnisa Gül, the spouse of the country's president, was barred from getting a college education because she was wearing the headscarf shows the seriousness of the problem. The headscarf ban is not based on any law or directive. It stems from a decision of the Constitutional Court in 1989. The ban is currently implemented arbitrarily by university administrations. The rectors may lift the ban if they want to. But the Constitutional Court cancelled a law promulgated to allow the headscarf in universities. Surveys indicate that 70 percent of the women in Turkey wear the headscarf. The ban, which stands as an obstacle before the enjoyment of basic human rights, meets with the disapproval of the majority of the people.



The headscarf ban, which stems from a 1989 Constitutional Court decision, is currently arbitrarily enforced by university administrations.

It also constitutes a fundamental issue in political discussions and competition. If the ban is lifted, the current standing of the political struggle will be significantly changed. It will become evident that the bureaucratic power circles and the elitist minority that favors the ban have lost their influence.

Symbols of power and politics

Supporters of the headscarf ban justify the restriction because they say the headscarf is a political symbol. Prime Minister Recep Tayyip Erdoğan dismissed this argument in Spain when he stressed that headscarf should not be banned even if it is a political symbol.

Symbols are created to establish communication with our world of values, beliefs, commitments, thoughts and meanings. The learning process is closely tied to symbols. Mathematics, for example, is a purely symbolic field. People express common values through symbols. Social communication is carried out through symbols.

The actual reason behind the unnecessary discussion on the headscarf is the connection between the symbol and the symbolized value. The headscarf may be seen as a religious or political symbol. But from a different perspective it is neither. For those who do not follow a religion in their lives and those who oppose religion in general, the headscarf may be a symbol of religious beliefs. They also hold that headscarf is a political symbol because they oppose the involvement of pious people in political activities. The

headscarf is a religious symbol for the irreligious people and a political symbol for those who do not accept the presence of religious people in the political sphere. To this end, the headscarf ban serves as a limitation to the presence of religious people in politics and in social activities. The transformation of the headscarf into a political problem starts from its perception as a political symbol.

How can the issue be described from the perspective of those who wear the headscarf or support the covered students? It is neither a political symbol nor a religious symbol. Using the same headscarf on the neck or over the head does not matter at all, there is no symbolization. A symbol is a substitutable image as long as the symbolized object remains the same. In other words, you may use any object that you are able to convey with common language as the symbol of the same belief. For instance, you should be able to express your religious identity through a crescent on your collar instead of wearing a headscarf. You will notice the subtle difference between the fulfillment of a religious obligation and using the object as a symbol.

Thus, the headscarf is a political symbol for Deniz Baykal but it is not for the president's wife. Baykal and those who align themselves with him on this matter should work to ensure that the headscarf is not perceived as a political symbol. Transforming the headscarf into a political symbol is of course not a plausible reason to ban wearing it.

Meaning of consensus

The prime minister's latest remark that the headscarf should not be banned even if it is a political symbol served as the starting point of the current round of discussions. The prime minister stressed that the issue should be resolved through consensus. It was already evident that the projected constitutional draft would include a provision that would lift the ban.

The recent support by the Nationalist Movement Party (MHP) for the administration's attempt shows that the issue is about to be resolved. The MHP proposes resolution of the problem through an additional clause to the 10th article of the current constitution. Even though the Justice and Development Party (AK Party) does not find this offer satisfactory, it is already evident that resolution of the problem can be expected. Strong opposition by the main opposition CHP and the recent protest by the Court of Appeals will not suffice to hamper the attempt to lift the ban.

The arguments that the Court of Appeals prosecutor relied on to oppose the resolution of the issue demonstrate that the whole issue is about power sharing. Chief Prosecutor Abdurrahman Yalçınkaya supports the continuation of the ban for the sake of the unitary and secular state. The prosecutor's legal assumptions and propositions are weak. It is not possible to defend a ban introduced to prevent enjoyment of fundamental rights. However, the prosecutor simply violates the principle of the rule of law when he reminds parties of the limitations of democratic representation in Parliament.

The argument is based on a description of power beyond democratic institutions. The prosecutor asserts that every independent and sovereign state has a state policy that transcends party programs. The assertion implies that political parties are obsolete in some matters and that another power and entity actually holds the ability and authority to rule the country. The prosecutor clearly states that a different entity determines state policy independently of the popular will.

Meanwhile, I should note that the ban introduced as part of state policy exists in Turkey alone and is implemented as an act of the administration.

For the covered, the headscarf is all about the fulfillment of a religious duty. The chairman of the Directorate of Religious Affairs states that wearing the headscarf is a requirement under Islam. Those who view the headscarf as a political symbol are actually those who introduced the ban. The ban implies domination of the bureaucratic rule within the state. The lifting of the ban will show that this rule is over. In short, there is an ongoing rivalry between the bureaucratic rule within the state and the democratically elected administration over the headscarf issue. For this reason, lifting the ban will mean a clear victory for democracy.

The headscarf ban is one of the symbols of the power struggle within the state in Turkey. The ban is pretty simple: Females wearing the headscarf are not allowed onto university campuses nor, consequently, to attend classes.