

THE AK PARTY GOVERNMENT DEMOCRATIZATION APPROACH IN UPLIFTING THE HEADSCARF BAN IN TURKEY

Nurhidayu Rosli^{a*}, Kamaruzaman Yusoff^a, Tamat Sarmidi^b

^aAkademi Tamadun Islam, Fakulti Sains Sosial dan Kemanusiaan, Universiti Teknologi Malaysia, 81310 UTM Johor Bahru, Johor, Malaysia

^bInstitut Kajian Malaysia dan Antarabangsa, Universiti Kebangsaan Malaysia, 81310 UTM Johor Bahru, Johor, Malaysia

*Corresponding author nurhidayur@gmail.com

Received: 15 May 2018

Received in revised form: 14 December 2018

Accepted: 25 December 2018

Published : 30 April 2019

Abstract

The headscarf issue is a long-standing issue inside the secular Republic of Turkey. It has started in 1982 when the military elite decided to take charge of institution of higher education which made headscarf become their central focus and was seen as one of the threat for secularization process inside Turkey. After that, the law banning the headscarf inside the institution has been executed. This situation has worsened in 1997 when the next coup occurred. As a result, thousands of female students quit school while some of them chose to study outside Turkey. Therefore, this article is going to discuss the effort the Islamists group has taken to lift the ban since then. Most importantly, the article focus is on the uplifting process done by the AK Party through democratization approach. For this purpose, content analysis of *Today's Zaman* newspaper articles was done to see the process. The findings show a pattern inside Turkey's political landscape. The early effort of the Islamist group and even AK Party failed when they tried to uplift the ban using their own capacity as authoritative figure through legal or constitutional amendment because the military would fight the effort. However, when the AK Party educate the people regarding basic rights and used referendum as a medium to gain support for constitutional amendment or in other word through democratic approach (political education), they managed to lift the ban easily in 2010. Public consensus has been found the best weapon for the government to face the military and thus realizing their islamization goal.

Keywords: Democratization, headscarf ban, islamization, human rights in Turkey

© 2019 Penerbit UTM Press. All rights reserved

1.0 RESEARCH BACKGROUND

The headscarf issue has a long history inside Turkey's political landscape. Since Mustafa Kemal established the republic in 1924, he had done several reforms for modernization aim. This included encouraging the women to take off their headscarf and instead wear hats like Western woman. However, only in 1982 did the military elite enforced the laws through 1982 Constitution that banned the headscarf wearing around higher education institution compound as part of their steps to monitor the university's education (Toprak and Uslu, 2009; Joppke, 2007; Gallala, 2006; Judge, 2004; Weil, 2004). Another turning point occurred after the 1997 coup, where the headscarf ban law had extend its implementation not only in higher education institution, but also in public sector. As a result, thousands of women left their education and career while some of them opted to study in foreign country (Kentel, 2007; Arat, 1998).

Since then, the Islamists political parties mostly have tried to uplift the law. Unfortunately, their efforts were faced with multiple obstacles from the establishment such as political party closure, military intervention, political detention, imprisonment, etc. (Toprak and Uslu, 2009). As a consequence, the issue was in a political deadlock for almost 30 years. At the same time, the people consensually see the law as unreasonable and oppressive (Coşkun, 2013: 105; Toprak and Uslu, 2009). Therefore, when the Justice and Development Party (AK Party) won the general election in 2002, the people was hoping the AK Party could uplift the headscarf ban under the rights for religious freedom.

2.0 PURPOSE OF THE STUDY

Hence, this article aims to discuss the process of uplifting the headscarf ban in the higher education institution through a democratization approach by the AK Party. Theoretically, democratization approach involved political participation from the people in the government decision-making process like referendum, voting, memorandum, etc (Logan, 2017). Therefore, we are going to analyse the process the AK Party has taken in order to uplift the law.

■3.0 RESEARCH METHODOLOGY

The method used to examine the process is content analysis of *Today's Zaman* newspapers' articles. From *Today's Zaman*'s website, I retrieved 263 articles by using the keywords woman or headscarf or rights, and combination of those three keywords. The timeline is from 2002 and 2011. At the same time, I also searched for articles using the keywords islamization or democratization. I found 120 articles that mentioned islamization or democratization. The keywords were chose based on the relevancy of the study and also to ensure no related article was left out. For example, since headscarf is considered Islamic symbol, the intention to uplift the law is considered islamization effort (*Today's Zaman*, 2007). But for the AK Party, it is their democratization effort to bring religious freedom inside the country. Moreover, my intention is to see the frequency of issues discussed by the media and indirectly find the relation between the headscarf issue and democratization since headscarf ban is the issue and democratization is the approach taken by the AK Party as a conservative democrat party. From the findings, I compared both issue in a table to analyse and find the relation. Below is the summary of findings (See Figure 1) based on the comparing process of Table 1 and Table 2 during the content analysis (See Table 1 and Table 2).

■4.0 RESEARCH FINDINGS AND DISCUSSION

Table 1: *Today's Zaman* newspaper articles regarding women, headscarf, rights and combination

Keywords	Years/Frequency									
	02	03	04	05	06	07	08	09	10	11
Women or headscarf or rights and combination of them	-	2	3	4	3	40	89	22	41	39
TOTAL	263									

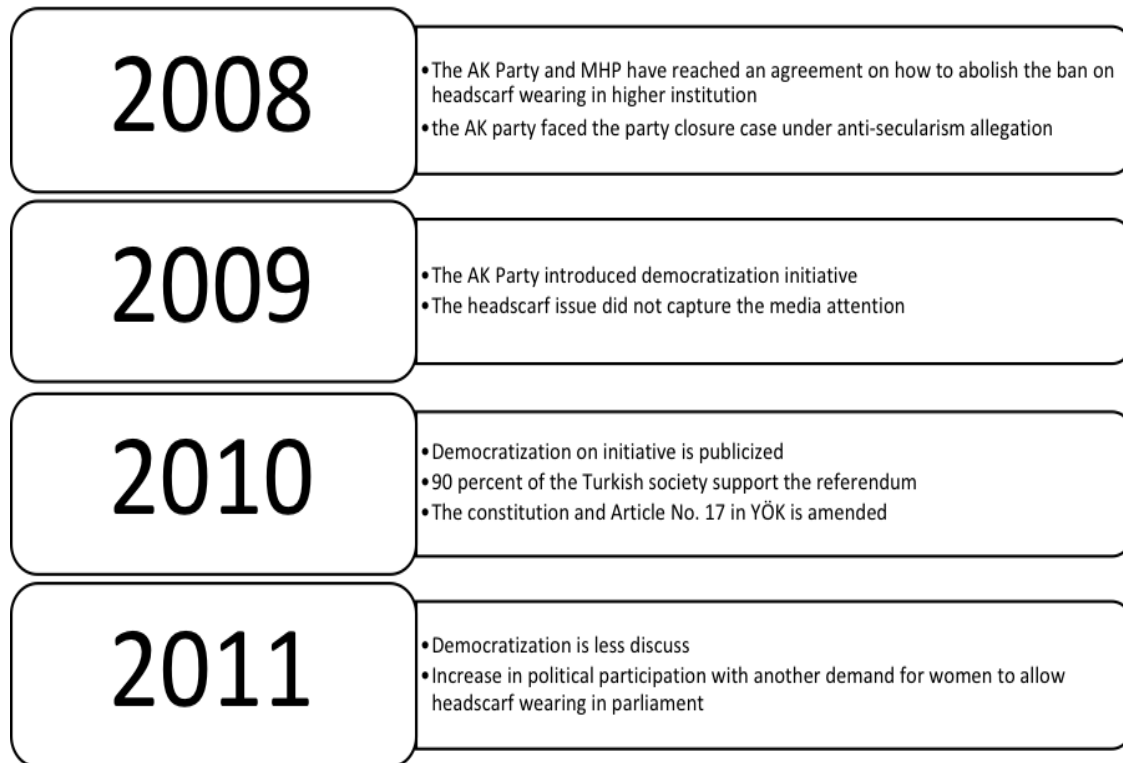
Table 2: Democratization and islamization articles in *Today's Zaman* newspaper articles

Keywords	Years/Frequency									
	02	03	04	05	06	07	08	09	10	11
Democratization	-	-	1	1	1	8	8	37	28	14
Islamization	-	1	-	1	-	3	3	5	6	3
TOTAL	120									

Source: *Today's Zaman*

In my findings, the process has been divided into four phases according to years -2008, 2009, 2010 and 2011 (See Figure 1 for summary). When the AK Party announced their agreement with National Movement Party (MHP) on how to abolish the ban on headscarf wearing in higher institution, the party was facing with anti-secularism allegation and could end up being abolish. Fortunately, the party remained and only their allocation was cut to half by the constitutional court. Consequently, the party resolved to put the matter to rest for a while and resolved to introduce democratization initiative or previously known as Kurdish initiative. Their shifted attention towards other issue managed to avoid the headscarf issue from media attention. During that period from 2009 until 2010, democratization initiative was publicized and propagandized by the media and AK Party politician. At the same time, the *Diyanet* also played their part in emphasizing the rights for religious freedom and practice indirectly through Friday sermon platform and their official media. As a result, when a referendum was issued in 2010 for constitutional reform, 90 percent of the Turkish society support the referendum. Hence, the constitution and Article No. 17 in YÖK was amended¹. The headscarf ban law was uplifted at last and in 2011, there was an increment in political participation with another demand to allow headscarf women to enter the parliament.

Figure 1: Summary of findings in the uplifting of headscarf ban process



■5.0 CONCLUSION

Based on the analysis regarding the process of uplifting the headscarf ban in the higher education institution, I can conclude that decision-making process through people's consensus has facilitated in solving the long-standing issue of headscarf ban inside Turkey's political landscape. The AK Party government has managed to facilitate democracy through political participation of the masses for their own benefit. Therefore, political education and consciousness are really important in the long run inside a society to offer a check-and-balance in the government decision-making process.

References

- Arat, Z. (1998) (pnyt.). *Deconstructing Images of the Turkish Woman*. New York: Palgrave M.
- Coşkun, V. (2013). Constitution amendments under the Justice and Development Party rule. *Insight Turkey*, Vol. 15/No.44, pp. 95-113.
- Gallala, I. (2006). The Islamic headscarf: an example of surmountable conflict between Shariá and the fundamental principle of Europe. *European Law Journal* 12 (5): 593-612.
- Joppke, C. (2007). State neutrality and Islamic Headscarf Laws in France and Germany. *Theory and Society* 36 (4): 313-342.
- Judge, H. (2004). The Muslim headscarf and French schools. *American Journal of Education*, 111: 1-24.
- Kentel, F. (2007). Yeni bir laiklik, yeni bir modernite. Dİm. *Türkiye'nin Örtülü Gerçeği Başörtüsü Yasağı Alan Araştırması*, pp. 57-68.
- Logan, M. (2017). Conventional and Unconventional Political Participation, 15 May. *Today's Zaman*. (2008).
- Today's Zaman*. (2009).
- Today's Zaman* (2010).
- Today's Zaman* (2011).
- Toprak, M and Uslu, N. (2009). The headscarf controversy in Turkey. *Journal of Economic and Social Research*, 11 (1) 2009, 43-67.
- Weil, P. (2004). A nation in diversity: France, Muslims and the headscarf. Open Democracy, Free Thinking for the World, 25 March. <http://www.opendemocracy.net/> [20 February 2015].

*Dedication:

The authors would like to express their appreciation for the support of the Ainuddin Wahid Scholarship during my postgraduate undertakings.