**A Woman in Hijab : a Social Challenge or Social Rate**

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Since Kazakhstan has gained independence the situation in political, economic, cultural and religious space has undergone significant changes, and many of the phenomena whose existence seemed impossible during the Soviet period of our history suddenly manifested themselves or have acquired a new status.

Some of them were received with great enthusiasm by society - independent access of the country to the international political arena, economic independence, strengthening the position of the national language, culture and heritage, the revival of religious consciousness. But some "side effects" of independence for the society were clearly unexpected, caused confusion and intense debate in which opinions varied sharply from the full acceptance and approval to denial and condemnation.
The issue of wearing hijabs by Kazakh Muslim women is one of such controversial side effects of the re-Islamization of the population. The idea that a woman is obliged to appear in public with a scarf on her head is natural and familiar in a country like Iran, for instance, but in Kazakhstan it caused public shock at first and irritable attitude later. It is obvious that this issue is by far not a private matter of each woman as it should have been, but the increasing problem of great public resonance and relevance. Ways of addressing the social consequences, the psychological aspects of this situation are interesting to us, especially in the course of our research project titled "Islam in modern Kazakhstan: the nature and outcome of the religious revival".

Today Kazakhs often encounter in the street, in public transport, schools with women wrapped from head to toe in strict eastern clothing. Most often in such an outfit we see young girls. Many are wondering what could cause the fact that young Kazakh girls immerse themselves in religion. In parallel, there is a perception that some of these girls are hiding themselves in order to get married as soon as possible. They are not even afraid of scandals concerning dress codes in schools and at work.
In secondary schools, Kazakh are not allowed to wear the hijab. The reason was explained by representatives of the Ministry of Internal Affairs and Ministry of Education of Kazakhstan during an on-line conference.

"In accordance with Article 40 of the Law of the Republic of Kazakhstan "On Education" activities of educational institutions are governed by model regulations ... and developed on the basis of their statutes. In this regard, each institution has its own charter, developed jointly with the participation of students, teachers, parents and the founders. This document establishes the right of students and pupils about wearing a uniform”, - officials said.
Moreover, according to representatives of the interior and education ministries, in accordance with the Law on Freedom of Conscience and Religious Associations, the state system of education in the country is separated from religious organizations and is secular, not religious.
Supporters of the hijab made ​​an appeal to the President of Kazakhstan Nursultan Nazarbayev. This was reported by an initiative group of believers who said they protested against the "unfolding repression" against Muslim women wearing hijab.
The appeal was also sent to the Minister of Education and Science, Astana city administration, the media, as well as human rights and religious organizations. The senders of the letter stated that the recent "discrimination on religious grounds in connection with the ban on the hijab was happening on a mass scale. In this connection, we have to protest against the above-mentioned cases of repression, the ban on the wearing of hijab, and announce a hunger strike until the resolution of this issue in line with the Constitution of the Republic of Kazakhstan " , - says the statement [1].
The hunger strike of two residents of the city lasted about two weeks and was discontinued because its members did not achieve anything.

 For 6 -year-old Sophia Panchenko of Kokchetav and her 7 -year-old sister Amina the new 2013 school year began with a scandal. Teachers, referring to the school charter, demanded that the girls not come to school wearing hijab. But parents of Amina and Sofia insisted that their daughters had to dress in accordance with religious precepts. The girls' father Andrey Panchenko, who converted to Islam a few years ago, threatened to take school officials to court, claiming that the rules enforced by the school management infringed the constitutional rights of his daughters [2].
Parents of students in Almaty schools say the authorities need to finally resolve the issue of wearing hijab, as conflicts arise among students, their parents and heads of educational institutions every year, and in different regions of the country.
"It is very convenient for our government to look good in all respects and talk about tolerance and transparency. Such is the internal policy of the state. But it does not happen to the sheep were intact, and the wolves are full», - said a mother of a student of Almaty school, Leila Altynaeva.
In her opinion, the best solutions would be to either introduce, at last, a single, mandatory dress code for all students, or just allow those who want to wear the traditional Muslim women’s head scarf.
"At schools, the management refers to internal regulations, obliging all students to wear uniform, and the Ministry of Education refers to the law "On education ", - says Leila Altynaeva. – “On the one hand, the Constitution gives us the right of the freedom of religion, and on the other - in the law "On education" Article 43 states that the issues of school uniforms are decided by educational institutions".

She says that despite the fact that her family is Muslim and observes all the religious canons, her daughter still had to wear the usual school uniform. “The reason is simple - says Leila - I do not want teachers to treat my daughter poorly".
In turn, the parents of the other child, a student in Almaty linguistic school, said, that before they  could submit the documents for admission to the school, the school administration had required parental consent for children wearing school uniforms. Otherwise, the parents say, they would have had to go to another school.

 However, no article of Kazakhstan’s law “On education" contains an outright ban on the wearing of headscarves by students. And, under the law "On religious activities and religious associations", forcing someone to remove the headscarf and suspending their studies due to the refusal to remove headdress could be seen as " impeding legitimate religious activities , a violation of the civil rights of individuals, and an insult to their religious feelings".
As noted in the comments of linguistic gymnasium student’s father, Anwar Esylov, he does not consider it shameful to allow his daughter to remove the hijab during school hours. "I agree that forcing students to remove headscarves is wrong. But Hadith says that contradicting the laws of the state where you live is wrong," - says Anwar Esylov. Therefore, he said, the lesser of two evils has to be chosen. From the point of view of Anwar, little girls can be allowed to go without a headscarf, because it was prescribed to adult Muslim women.

"Married women, who practice Islam, in my opinion, should wear the clothes that feel right. But first graders do not have to sit in class with headscarves, if all the other students wear regular school uniforms. Why single out the child immediately and make her contrast with the rest of the class," - said Anwar [2].

Not only in the media (television, newspapers, internet forums), but at various conferences, round tables, in academic and research heated discussions take place over the legitimacy of the hijab, compliance or non-compliance to national traditions and ethical and aesthetic standards. However, in countries such as Kazakhstan the last word rests with the president. Back in March 2011, President Nursultan Nazarbayev expressed his views against the fact that Kazakh women wore veils. "I've always been against headscarves and veils. Our women have never worn them and did not hide the face. In schools, colleges young people begin to wear head scarves and veils. I've always been against it," - said the head of state in a meeting with representatives of the creative intelligentsia in Turkestan. «We respect all the representatives of Islam, but we have our own way», - said Nazarbayev [3].
Moreover, the President of Kazakhstan believes that wearing hijab is unusual for nomads and sends Kazakh women to the Middle Ages. " Wearing the Arab hijab and sending the girls and women to the Middle Ages – it is not our way ... We Kazakhs were nomads for centuries, we have our own way. We will not pull back our people," - said Nursultan Nazarbayev at the II Congress of youth wing "Jas Otan" branch of "Nur Otan" party [4]. In addition, the president said that they should guide young people away from various religious groups so that they focus on their education.

"Yes, our religion is Islam; we support Muslims, and will support them in the future. But in Islam there are different trends and tendencies. We are Sunnis, we have our own way" - said the President, warning young people from the influence of Muslim religious and pseudo religious movements.

Supporting the President, the Kazakhstan former Mufti Sheikh Absattar kazhy Derbisali also noted that there had not been hijab in the Kazakh national dress.

According to him, Kazakh girls and women should dress appropriately following the traditions of our country and do not have to wear the national dress of other nationalities, such as Pakistan.

Meanwhile, we must not forget that nowadays everyone has the right to decide for himself what clothes to wear to school, parties or office. Correspondents of Total.kz website asked their regular commenters if they would employ a girl who wears hijab.
Timur Turlov , general director of " Freedom Finance" company stated that " it would depend on the position claimed by the applicant. If it is a job that is not related directly to customers, we could to take such a person with no problems. In general, we have pretty strict requirements for dress code. "

Munawar Paltasheva, director of Almaty Independent Business Association, said that « girl in hijab would not be employed in non-governmental organizations and public bodies. After all, there exists a certain dress code. And then, if the girl wears religious clothing, it is understood she observes certain other ceremonies and has to pray several times a day. The law does not require state enterprises to have prayer rooms. On the other hand, if we focus not on the professional side of the worker but on his religion it is, of course, bad".
Erlan Kokeyev, a famous singer, says: "In our country, as well as in any other secular state, there is freedom of speech, freedom of religion. That is a private affair of people. And, in my opinion, I do not have the right to infringe on their religious choices. I would not somehow infringe upon the rights of the believer ". [5]

There was a great discussion on gender equality and hijabs on September 17, 2013 in the Pavlodar city (major administrative center of the Pavlodar region of Kazakhstan) during the Republican Forum “Religion and the woman". As stated in the speech by presidential adviser, chair of the National Commission for Women, Family and Demographic Policy Gulshara Abdykalikova there were all conditions in the country for Kazakh girls to obtain quality education and find a good job". "At the same time, we have to oppose firmly attempts to impose on society any new traditions that are contrary to ours", - she said. Modern girls, said Abdykalikova, as equal members of society should be able to find themselves in their favorite work, sports, sciences and arts.

In turn, the governor of Pavlodar region Yerlan Aryn stressed the importance of the topic, noting that any religion welcomes «modesty, goodness, strengthening family relations, respect for neighbors, and motivation for marriage to build a happy and decent family".
Speaking about the controversy surrounding the issue of whether or not women should wear the hijab, the governor noted that “the veil itself is not dangerous for the Kazakh society, the danger lies in the possibility of changing the form of religiosity in introducing culture and ideology alien to our society."

According to Yerlan Aryn, penetration and establishment of foreign culture contributes to blurring the boundaries of identity and mentality. "The historical excursion into the past of our history shows that the Kazakh women have never covered their faces in their daily lives, they were not in seclusion and were not legally deprived of the right to communicate with members of other families without the permission of their husbands," he said.
At the same time governor noted that about 30 percent of Kazakh tribes are named after women and so are about 20 percent of locations.
"It proves the role and mission of women in the Kazakh mentality and history. Religious immunity of our society must protect our women from the manifestations of extremes and excesses in religion," - said Aryn. [6]

The position of the Spiritual Administration of Muslims of Kazakhstan regarding hijab has changed with the arrival of the new Mufti Yerzhan kazhy Malgazhauly. In March of this year, the Spiritual Administration clarified the right of Muslim women to wear a headscarf, and pointed to its compliance with the laws of the country, according to the website of the Central Mosque of Almaty Azan.kz.
Due to the large number of requests from various organizations about wearing Muslim headscarf and related problems SAMK has issued *a fatwa*. In the first part of the *fatwa* they put forward a religious justification for the compulsory coverage of Muslim women’s entire body except the face and hands. It is noted that it "has never been alien to the Kazakh women, in spite of all attempts to erase this fact from the history of the Kazakh people by those who are opposed to the hijab," and Kazakh women traditionally wore a headscarf or “*kimeshek*” or modest closed clothes.
According to the Muslim Board, to create a positive image of Islam in Kazakhstan it would be better if women wore Shariah appropriate clothing but without the use of *niqab,* a [cloth](http://en.wikipedia.org/wiki/Cloth) that covers the face. "The culture of Kazakh identity and traditional Kazakh clothing for women are always consistent with the principles of Shariah. Therefore there is no need to repeat the Arab or Pakistani clothing styles. The main thing is that “*awrat*”, the intimate parts of the human body, should be covered," the fatwa said.

Referring to the law "On Religious Activity and Religious Associations", SAMK notes that "forcing someone to remove the headscarf, and stopping their studies due to the failure to remove this scarf is impeding the legitimate religious activities, a violation of the civil rights of individuals on explanation of religion, and an insult to their religious feelings. "
It is also noted that "the right to wear a headscarf is the" civil right of individuals based on religion. " And the scarf is an "object revered by followers of a particular religion "and its forceful removal or coercion to remove it is a desecration of the object and an insult to religious feelings of Muslim women and all Muslims that under this provision of law is strictly prohibited". [7]
SAMK said it considered unlawful the harassment of Muslims over the hijab, because their rights are protected by law. It is noted that, first of all, it was concerned with the obstacles on the part of employers and school heads.

And now let me give you the views of ordinary people who are not officials or religious leaders, but a kind of "voice of the people", announced in the online comments to the above message.
• bek 2013-03-22 16:55

I believe in God. But I do not like when faith becomes a religion and people put their piety and purity on display, assuming all others are sinful and unworthy waste of life. True faith is in the heart, not the knowledge of all tales or verses. Obedience to God is in the soul, not in the folds of the hijab. Love to God must be in the blood, not in the mud, which you pour on those who think differently from you.
• mimino 2013-03-21 14:09

I'll tell you my opinion as a girl; I do not like the hijab. All my sisters-in-law wear a scarf at home, as a tribute to the older generation. And they dress up for work in modern fashion. Modest and beautiful. No vulgarities. Most are of the opinion if the girl has hijab – she is pure, virtuous, decent, and the rest are second class. We must dress as we want, but not as someone tells us to, I mean fanatics.
Educational institutions and employers have their own dress codes consistent with the laws of the secular state. And so SAMK, in our country, where religion is separated from the state and the laws ABOVE religious fundamental dogmas may not indicate or suggest any form of clothing or their installation. So, if I were an employer, I wouldn’t recruit a girl who wears religious clothing and refuses to obey the rules of the corporation and domestic etiquette. Similarly, in schools and universities the administration has rules and requirements that cannot be violated, citing a religion or a family tradition. The religion is not being oppressed, but religion should not dominate over secular way of life, imposing its old traditional ways. [7]

We carried out a couple of in-depth interviews with girls wearing the hijab in order to identify the factors that influenced their choice of clothes, still unusual and provocative for the secular society of Kazakhstan. Several reasons have been mentioned, including
 - The requirement of parents, husband or other relatives;
- Positioning herself as a true Muslim woman, actively respecting the precepts of Islam;
- The desire to protect themselves from abuse and stalking attention of males.
There are reasons that our respondents did not mention, but the media call them often enough.

- It's a desire to find a husband, confident of modesty and high moral qualities of girls in hijab.

- Mercantile interest, as ex-deputy of the Supreme Council of Kazakhstan, now Almaty Law Lawyer Corporation Alexander Peregrine states that according to his information, «some girls are paid for wearing the hijab. Of course, unofficially. Cultists just give them money in the form of aid every month and thus encourage and praise them for wearing a headscarf and a long skirt. There is not a large amount, but substantial to students. Of course, such statements must be backed by facts.

We believe that the hijab still has another meaning, namely, women want to say, referring to the power structures, to the society that it is time to determine their position towards religion, to renounce throwing between the desire to look like a democratic state, and to be it in fact. It is necessary to do away with rhetoric about freedom of religion, designed for country's image to foreign countries, and to decide on the embodiment of all the stated principles and norms of legislation in the country for its own civilian population.

Conclusion
Our review of the media, analysis of the sources and a range of in-depth interviews led to the following conclusions:
1. In a historic transition under the influence of a number of political, social and cultural circumstances  some processes or objects acquire symbolic or ideological status which they usually don’t carry. They can express protest against the existing system, as well as support for certain trends and can become an extremely contentious issue, and split the community depending on people’s position regarding the phenomenon.
2. In any case, today Kazakh women in hijabs want to say something to society, they want to be heard, even if they are making no loud statements. Their hijab is a statement. It is important that the society tries to understand the message and react to it. Otherwise, ignoring or sharply rejecting this phenomenon can lead to social tensions and dissatisfaction within the female population of the country.

3. Wearing hijab is a free choice and a private matter of each person. In a secular state, no one can force women to wear hijab, or prohibit them from it. The main thing that is wearing the headscarf really is an expression of the desire for morality, spirituality and spiritual purity and should come along with those qualities. When the majority of citizens are aware of it, hijab will lose its symbolic value and will turn back into an item of clothing, becoming the same kind if item as any other headgear.

References
1 . [http://news.nur.kz/178432.html](http://www.google.com/url?q=http%3A%2F%2Fnews.nur.kz%2F178432.html&sa=D&sntz=1&usg=AFQjCNG3JAMwbc3I7bLt6Pf-hxnZJBviIQ)

2. [http://www.centrasia.ru/newsA.php?st=1379738520](http://www.google.com/url?q=http%3A%2F%2Fwww.centrasia.ru%2FnewsA.php%3Fst%3D1379738520&sa=D&sntz=1&usg=AFQjCNF-ZCOx-6k9n-m8wAcbFYrHtxMGRg)

3. <http://tengrinews.kz/kazakhstan_news/nazarbaev-vyiskazalsya-protiv-hidjaba-i-parandji-180922/>

1. <http://www.religia.kz/news-feeds/3-newsflash/4045-2012-11-19-08-55-34.html>

5.[http://total.kz/opinion/fornews/39986#item954](http://www.google.com/url?q=http%3A%2F%2Ftotal.kz%2Fopinion%2Ffornews%2F39986%23item954&sa=D&sntz=1&usg=AFQjCNGz_hCoEx3KGP7OgVNsPuXjSdzXBw)

1. <http://tengrinews.kz/kazakhstan_news/sovetnik-nazarbaeva-vyistupila-protiv-novyih-religioznyih-traditsiy-241861/>
2. <http://news.ivest.kz/32760834-dumk-razyasnilo-pravo-na-noshenie-hidzhaba-v-kazahstane?mobile=1>