Impact of Religious Extremism on Women in Pakistan

Shireen Saleem
Contents

Preface ........................................................................................................................................... 5

Chapter One
Introduction .................................................................................................................................. 7

Chapter Two
Status of Women in Pakistan .................................................................................................. 10

Chapter Three
Fundamentalism and Struggle of Women:
A Historical Account ............................................................................................................. 20

Chapter Four
Islamization Campaign in NWFP ............................................................................................. 28

Bibliography .................................................................................................................................. 38
The Scholar of Peace Fellowships awarded by WISCOMP for academic research, media projects and special projects are designed to encourage original and innovative work by academics, policy makers, defense and foreign policy practitioners, NGO workers and others. The series WISCOMP Discussion Papers in conjunction with WISCOMP Perspectives brings the work of some of these scholars to a wider readership.

The eleventh in the series of WISCOMP Discussion Papers, *Impact of Religious Extremism on Women in Pakistan* is the outcome of a special project awarded to Shireen Saleem to study the rise of religious extremism in Pakistan and its implications for women – especially in areas where religious parties are in power.

Religion has played a critical ideological role in the movement for Pakistan as well as the consolidation of power in the Pakistani state. It has often been used by different groups to generate political support. Shireen Saleem argues that the political elite in Pakistan has used Islam and the military-bureaucratic elite has built alliances with religious forces, which has often led to the entrenchment of internal militarism in Pakistan.

The study highlights the Islamization process in Pakistan especially in the North West Frontier Province and its direct impact on women. It seeks to examine the factors that facilitated the growth of religious extremism in Pakistan and investigates how religion is used as a tool to subjugate women’s rights. The research also analyzes the manner in which religious extremism has generated conflicts within Pakistani society and led to the strengthening of the patriarchal structure.

Tracing the trajectory of development of religious extremism during various periods in Pakistani history, Shireen focuses specifically on the policy of Islamization pursued by President Zia ul-Haq. Using Islam to legitimize his rule, Zia ul-Haq formulated several legislations in an effort to create a unified Islamic society in Pakistan. Not only did his policies have a negative impact on the varied ethnic character of the nation, it had severe ramifications for the women. Through the use of
a quantitative methodology, the study traces the history of the gradual growth of legal oppression, misuse of Shariat provisions and the codification of laws such as the Hudood Ordinance, the Shariat Bill and the Hisba Act, which are detrimental to the rights of women. The researcher gives a picture of the overall high illiteracy level of women in rural areas, the constant infliction of violence both physical and mental on women and, the lack of jobs and medical facilities for women in Pakistan.

The study highlights the differences in the status of women in the rural and the urban areas of Pakistan. While women in rural areas are denied basic fundamental rights, urban women get a slightly better deal. Owing to the forces of globalization and access to resources, urban women are better educated and have better access to job opportunities. They are therefore, no longer willing to accept a submissive role under the traditional patriarchal system. A notable feature of the study is that Shireen Saleem has brought to the fore the development of the women’s movements in Pakistan. Initiated in the wake of such discriminatory legislations the women’s movement has gradually strengthened its position inspite of adverse circumstances and consistently brings to the table specific concerns of women- both rural and urban.

The WISCOMP Research Team
Chapter One
Introduction

Abstract
A fundamental aspect of the Constitution of each South Asian state is that equal rights should be provided to both men and women. However, there exists a wide gap between theory and practice. The condition of women vis-à-vis men in Pakistan for instance, is one of systematic subordination, determined by the forces of patriarchy across classes, regions, and the rural/urban divide. In Pakistan, support for religious extremists and a Taliban-like structure of government is gaining strength, which in turn is strengthening the patriarchal structure of Pakistani society.

Therefore, there is a need to minutely study the reasons for the rise of religious extremism in Pakistan and its implications for women – especially in areas where the Islamic fundamentalist parties are in power.

Religious Extremism and its Impact on Women

“While growing up in South Asia is a perpetual struggle, to be a woman in this region is to be a non-person. Women bear the greatest burden of human deprivation in South Asia.” This analysis of Mahbub-ul-Haq, founder, Human Development Report of South Asia, depicts the deplorable situation of women in this region. Like in other South Asian states, in Pakistan, too, women are subjected to various kinds of injustices. To identify the reasons for this, it is necessary to first understand the structure and functioning of the Pakistani society. It is an integrated, religiously motivated, and patriarchal society where the life of women is largely governed by religious beliefs. They even face discrimination in the name of religion. Though women are given equal rights to men under the constitutional provisions, there are certain restrictions imposed on them, such as wearing the veil. Hence, it will not be incorrect to say that religion and patriarchy go hand in hand in Pakistan.

With the beginning of the 21st century, it was felt that the forces of religious extremism would gradually weaken and modernization would
succeed. But 9/11 brought many implicit and explicit changes within Pakistan, one of them being the rise of religious extremism. ‘Religious parties’ in the country today have two fundamental enemies – westernization and liberation of women. From the very beginning, religious parties have tried to confine women to their homes. They have always opposed women’s participation in political and public life. One of the parties even launched a strong campaign against women’s participation in the Parliament. They also labeled it as un-Islamic when Benazir Bhutto became the first woman Prime Minister of Pakistan. Though women all over the country face this problem, it is more severe in urban areas, such as Quetta, the capital of Baluchistan and Karachi, on which this study has focused.

Historically, religious parties have not been able to get more than a few seats in the national election, which brings to light the somewhat moderate mindset of Pakistani society. However, after the Afghan war, the influence and power of these parties began to increase, and women began to live in fear of discrimination and subjugation in the name of religion. This became evident when these parties won handsomely in the 2002 elections, pointing to a major change in the Pakistani societal mindset. There is thus, a need to carefully study the factors that support religious extremism, and examine its impact on women in Pakistan.

Any society that does not respect women and does not allow them a peaceful existence is bound to become conflict-prone, as it is the women who serve as the binding force. The lack of any research material or data on these decidedly politicized women’s issues makes it imperative to pursue the subject.

At present, Pakistan seems to be at a crossroad – torn between a Taliban-like Islamic society and pushed, as it is, by increasingly prominent religious parties, and its moderate secular roots. As religious parties try to promote a Taliban-like government, it is interesting to note that the Taliban were taught and trained in Pakistan.

In the new government set-up, religious parties have been able to form a government in Baluchistan and NWFP (the areas on which the study will focus). This study will therefore provide guidelines to deal with issues of religious extremism not only to women representatives in Parliament but also to different women’s rights organizations.
The study was conducted through the use of quantitative and qualitative methods such as data from secondary sources and interviews conducted in the field. Based on a historical/analytical and scientific approach, some of the key questions that the study sought to address were; how is religious extremism gaining strength in Pakistan; how is religion used as a tool to subjugate women’s rights; how is religious extremism generating various conflicts in the society; what is the impact of religious extremism on women in Pakistan and how can women curtail forces of religious extremism.

Implications of this study will be far reaching. South Asian societies will also benefit from this study, as religious extremism is not a problem specific to Pakistan, but is creating conflicts in each South Asian society where women are the sufferers. The reasons for this extremism are quite alike in each South Asian society.
Chapter Two
Status of Women in Pakistan

Nothing less than a revolution is needed for gender equality. Development must be engendered. Societies cannot succeed while suppressing the talent of half of their members…

Mahbub-ul-Haq

The condition of women in Muslim patriarchal societies, especially in a resource-poor country like Pakistan, is deplorable. There are numerous explicit and implicit reasons for this dismal situation. One major reason is that the Pakistani society is a closed, segregated, male-dominated society and its patriarchal structure has allowed violation of women’s rights. In Pakistan, every effort has been made by religious fanatics to hinder the growth of Pakistan by forcefully confining women to their homes. The covert assistance of the state only increases the power of feudal lords and religious fanatics. As a consequence, women suffer a lot. The exploitative and discriminatory practices prevalent in Pakistani society today have nothing to do with religion. There are sections of society, who, through misinterpretation, intellectual laxity, and even outright fabrication provide justification for the strengthening of the patriarchal structure.

A multitude of derogatory attributes have been fabricated to confine women in other societies as well. According to Manu, during childhood, a woman must be subject to her father, in youth to her husband, and when her lord is dead, to her sons. A woman must never be independent.¹ This is also applicable to Pakistan since in Pakistan, even a five-year-old girl is supposed to behave differently from her male counterpart in her demeanor. The social stereotypes of twenty-year-olds glorify a woman who is sacrificing, obedient, hard working, and submissive. She forfeits all her rights, comforts, and necessities for the sake of the family; restricts all her movements within the sanctioned boundaries laid down by her parents or husband and believes herself to be secondary to men. Many of them are aware of their rights

to property, or to vote, or the ability to be able to earn by taking up a job but are afraid of social censure which is so strong that it stops them from taking any action.

A study conducted by the Women’s Commission in Pakistan revealed that women in all the four provinces agreed with the above-mentioned stereotypes except women in NWFP who take up jobs, seek divorce, or claim rights to property, and vote.²

However, when the data was divided, based on different sub-groups, it was found that the landlords, farmers and poor sub-groups were in agreement on all aspects.³ Pakistani women are socially, educationally, and politically far behind their male counterparts. Illiteracy ratio is quite high in females, as they are given no options to acquire higher education. As a result, women are usually unaware and uneducated.

This situation is a cruel reality. The questions that arise are: how to improve the situation of women in Pakistan; how to alleviate their hardships and reduce their burden; and how to make the conscious and conscientious citizens of Pakistan – the decision makers, the planners, the social workers, and the political workers – reach out to the suppressed women in order to arouse, educate, and teach them, and motivate them to alleviate their own status.

Pakistani women have many facets and to understand them, it is important to dwell into different aspects of their life in Pakistan.

**Female Education in Pakistan**⁴

The basic dilemma in the already pathetic state of education is the state of education of the girl child in Pakistan. The female literacy rate is half as compared to the male literacy rate, the reasons for which are many. Generally, it is perceived that educating women is a wastage of resources and it is considered an economic burden on parents. Another reason for this is again the patriarchal structure of society, which believes that after attaining education, women will raise their voices for their rights. In traditional rural societies, it is said that the educated lose

---

³ Ibid. p.29.
⁴ Most of the figures given in this section are from the different issues of *Economic Survey of Pakistan*, published by the Government of Pakistan, Islamabad.
their chastity and respect. As a result, the women suffer a lot. According to Human Rights Commission of Pakistan, 80 per cent of crimes against women are committed in the rural areas.

In 1992, approximately 50 million adults (28 million of who were women) above the age of 15 were illiterate. In Pakistan, according to an independent analyst, female literacy rate is 25 per cent, which is the lowest in South Asia, except Nepal. Of all the countries in the region, Pakistan currently has the highest index of male child preference out of 38 countries. Families, which have limited resources, give food, clothing, health care, and education first to sons, while daughters come a poor second. This was substantiated in 1991 by child mortality rates that showed that 37 girls died compared with 22 boys out of every 1,000 children between the ages of one and five years. Similarly in the education sector, by 1992, among the people older than 15 years, 22 per cent women were literate, compared 49 per cent men. The comparatively slow rate of improvement for women is reflected in the fact that between 1980 and 1989, among women aged 15 to 24, 25 per cent were literate. Among all people over 25 in 1992, women averaged a mere 0.7-year of schooling compared to an average of 2.9 years for men.

### Table 1

**Literacy Ratios of Population (10 years and over) by age, sex**

<table>
<thead>
<tr>
<th>Age group (in years)</th>
<th>Total</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Both Sexes</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>10 and over</td>
<td>45.0</td>
<td>56.5</td>
<td>32.6</td>
</tr>
<tr>
<td>10-14</td>
<td>55.3</td>
<td>61.6</td>
<td>48.4</td>
</tr>
<tr>
<td>15-19</td>
<td>58.2</td>
<td>68.3</td>
<td>47.6</td>
</tr>
<tr>
<td>20-24</td>
<td>52.0</td>
<td>65.8</td>
<td>38.1</td>
</tr>
<tr>
<td>25-34</td>
<td>44.7</td>
<td>58.7</td>
<td>29.1</td>
</tr>
<tr>
<td>35-44</td>
<td>39.3</td>
<td>54.0</td>
<td>23.5</td>
</tr>
<tr>
<td>45-54</td>
<td>30.8</td>
<td>44.8</td>
<td>15.9</td>
</tr>
<tr>
<td>55 and over</td>
<td>21.5</td>
<td>68.6</td>
<td>9.8</td>
</tr>
</tbody>
</table>

The figures given here speak for themselves about the state of women’s education in Pakistan. Age is an important factor when it comes to female education, as shown in Table 1. This is a basic hurdle in the way of getting secondary or college level education for women. Therefore, as a girl matures, the doors of education are closed on her because then it is considered inappropriate for girls to step out of the house. Therefore, the percentage of females getting education at age 10 and over is 32.6, which is almost half of the male percentage acquiring education at that age. However, there lies a considerable gap in rural and urban areas with regard to female education. Urban areas with higher literacy rate, awareness, and better facilities are much better and the gap between male and female education reduces. In rural areas, even girls of age 10 and above do not have the right to acquire education, and merely 21 per cent of them receive primary education. Female literacy rate increases a little in the age group of 10-14; the rate of literacy increases both in males and females. However, a noticeable factor is that in this age group, the gap between male and female literacy in urban areas is at a minimum level. In the age group of 15-19 and 20-24, the situation remains constant in urban areas, whereas rural areas show a decline in female literacy rate. In both cases, it is half as compared to the male literacy ratio. In rural areas, the decline becomes prominent in the age group of 25-34; a sharp decline can be witnessed as the percentage reduces from 24.4 to 16.2. The decline is also evident in the male literacy ratio but the decline in the female literacy ratio is distressing.

In the age group of 35-44 and 45-54, the female literacy ratio continues to decline and in rural areas it reaches to the saturation point of 11.4. Even in urban areas, this gap becomes prominent. These figures give a clear picture of female education in Pakistan.

**Economic Situation of Women in Pakistan**

*What comfortable stereotypes we created, it is men who carry the major burden of economic work on this planet. They are the breadwinners. Women’s work carries no economic value. Such work may be essential but banish the thought that it should ever enter national income accounts – or even surface in separate satellite accounts. What a successful conspiracy to reduce women to economic non-entities.*

Mahbub-ul-Haq
Women in Pakistan suffer in all spheres of life, they constitute a very important part of the economy, yet their services are easily ignored and have no material value. One of the reasons for this ignorance is the wrong definition of economic activity. According to a Human Development Report in South Asia, the central data collection and statistical agencies in South Asia suffer from serious gender blindness in terms of their ability to accurately depict women’s contribution to the economy. While all of them have, in recent times, made attempts to expand the definition of economically productive work, there are still large gaps in methodologies.\textsuperscript{5}

Due to the underestimation of work done by women, the crude activity rate, according to the 1996-97 labor force survey, was nine per cent for females and 47 per cent for males, while the refined activity rate for women and men was 13.6 per cent and 70 per cent respectively.\textsuperscript{6} A 1995 report referring to more reliable sources of information stated that female labor force participation rates in the rural areas ranged between 43 to 57 per cent while the participation rates for the urban women in 1991 was estimated at 17 per cent.\textsuperscript{7} A large majority of rural women work in the agriculture sector as unpaid family helpers and are amongst the poorest paid group in the rural sector.

The share of urban women in teaching and medical profession was about 20 per cent in 1992. They constituted 9.4 per cent of production workers, only one-sixth of whom were paid employees, while others were working as temporary, or as contract workers. It was estimated that 77 per cent of the economically active women in urban areas in 1991-92 were employed in the informal sector, four-fifth of whom were paid employees, while most were relegated to temporary casual or contract work outside. It was estimated that 77 per cent of the economically active women in the urban areas in 1991-92 were employed in the informal sector, four-fifth of whom were home-based workers with average monthly earnings of less than one-third of the factory workers – themselves the lowest level employees in the formal


\textsuperscript{7} Ministry of Women’s Development (MWD), Pakistan National Report submitted to the Fourth World Conference on Women, Beijing, 1995.
sector. The 1993 figures, which are not different from previous figures, show that only 5.4 per cent of federal government employees were women and they worked mostly in the social sectors, and their share at higher levels of employment was negligible.

The participation of women in the formal sector is only 13.45 per cent. According to the Human Development Report in South Asia, women occupy less than quarter of one per cent in the combined categories of legislators, senior officials and managers; 0.83 per cent as professionals, and one-and-a half per cent in the combined category of technicians and associate professionals. Statistics also reveal that women also have to bear hazardous effects of recession and structural adjustments in Pakistan. Inflation, high employment, and increasing poverty have put enormous pressures on women to contribute to family income. One evidence of this is that the women’s labor force participation tripled during the intensified period of structural adjustments from 5.1 per cent in 1987-1988 to 14.6 per cent in 1993-1994.

The concept of women’s ownership of land or property in Pakistan is totally missing. A survey conducted in 1995 of 1,000 households in Punjab showed that only 36 women owned land in their own names and out of these 36, only nine had the power to sell or trade without permission from their relatives, and in nearly two-thirds of the households, daughters did not inherit land.

Economic situation of women in Pakistan is quite appalling. Though Pakistani women are fully involved in economic activities, their services are not recognized as productive and thus not included in the national statistics.

---

7 Ministry of Women’s Development (MWD), Pakistan National Report submitted to the Fourth World Conference on Women, Beijing, 1995.
9 Ibid.
10 Ibid.
11 Ibid.
Legal Status of Women

The first order of business is to bring the moral pressure of the global community on these reluctant nations to accept the basic tenets of legal equality for women.

Mahbub-ul-Haq

In Pakistan, the legal status of women is totally unequal to that of men. The 1973 Constitution of Pakistan guarantees it as a fundamental right stating in Article 25(1) that: “All citizens are equal before law and are entitled to equal protection of Law.” Nevertheless, in Pakistan there are other provisions that create space for the violation of women’s rights. A parallel judicial system exists in Pakistan. This system is frequently used as a basis for challenging and re-deciding women’s rights, creating insecurity among women and uncertainty about their rights. While some parallel judicial systems are applied to the tribal areas, others are applied throughout the country. The Constitution of Pakistan included three distinct judicial systems i.e. the Federal Shariat Court, the Appellate Shariat Bench, and the Criminal Law Forums. Various amendments in the Constitution during the martial law period of 1977-1986 introduced these parallel judicial systems, which are causing great confusion in the country, according to a report of Asia Watch during the period of 1977-1987. The effect of Islamization was to bring more people, particularly women, into contact with an already abusive system, and to increase the state’s power over the lives and liberties of its citizen.

Women largely became the victim of these laws after its promulgation, as the offence of Zina (adultery) is cognizable and non-bailable. The number of women as pre-trials, under trials, and convicts has increased dramatically.

---

The report of the Inquiry Commission for Women (1997) clearly states that this legislation must be replaced as it discriminates against women and it is in conflict with their fundamental rights. Despite the demand by women’s movements to repeal this legislation, it continues to be a part of the statute book and shapes lives. The government has made no commitment to implement the recommendations of the reports. Today, a majority of women in prisons have been charged under the **Hudood Ordinance**. The data collected during a year’s time in various police stations shows that out of 113 cases registered, 94 were **zina** cases. Similarly, a national level study conducted by **indar-ul-amans** (shelters for women) mentioned that 21 per cent of women had **hudood** cases against them.\(^{15}\)

Due to their dependent socio-economic status, the suffering of women litigants is enormous. Very often, they lack the financial means to enter into litigation. Complicated legal procedures compounded by gender biases, of judiciary and law enforcing agencies, delays, high cost of court fees, and corruption of the judiciary make it extremely difficult for women to enter into litigation to get justice for themselves.

**Violence against Women**

Violence against women is the worst form of violation of human rights. It should not be accepted as a norm or culture of any society. Every society and religion clearly condemns violence against women as inhuman. However, violence against women, especially domestic, is so well entrenched in the societal culture of Pakistan that it is hardly recognized as violence and largely condoned by the society.

Pakistan ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996. Pakistan assumed the obligation to protect women from sexual and other forms of gender–based violence perpetrated by state agents and private actors.\(^{16}\) As a party to CEDAW, Pakistan is obliged to pursue by all appropriate measures and without delay a policy for eliminating discrimination against women.


\(^{16}\) Adopted and opened for signature, ratification, and accession by the UN General Assembly Resolution 34/180 of December 18, 1979; entry into force on September 3, 1981. Pakistan ratified CEDAW on December 3, 1996.
The Pakistani society is a patriarchal society and discrimination against women is rooted in its rural as well as urban society. Such a system is responsible for women’s subordination in the house as well as in the society. Patriarchal social norms not only grant control of family resources and property to men but also provide a dominant position to them. To maintain their dominant position, men in general and husbands in particular, use coercive methods including physical violence against their wives and other females ‘under their control’. A patriarchal society internalizes the violence against women to such an extent that we take it as part of our culture. Laws are distorted to tell women that Islam has put them in a subordinate position. Perhaps the most insidious, yet the most overlooked, form of violence is when society mandates and sets down guidelines for what women can and can not do, and what they are expected to do. They have no say in decisions that directly affect their lives like education, marriage and bearing children.

This unequal power relationship between men and women has created a situation of dependency of women on the men. According to an Indian study: “Dependency is also treated as a cause of physical violence in the conjugal relationships. In case, a wife is completely dependent, both physically and socially, her husband exploits her dependency and uses violence at whim to reinforce his dominant position in the conjugal relationships”17

The inequality in power relations in the family makes females vulnerable to exploitation especially in form of violence against her.

Customs and traditions happen to be a part of each and every society. These customs are aimed at creating a balance in the society. However, a majority of such customs are based on discrimination against women and practice of such customs ends up in grave violation of women’s basic rights as well as violence against them.

How a woman is excluded from the society can be best summed up in the proverb, which places them either in the house or in the grave. Women are excluded from certain rights in the name of religion. For instance, they are made to enter into a marriage contract without their consent, and cannot divorce their spouse. Also, they cannot own or inherit any land or property. A divorced woman threatens rigid norms

of chastity and risks being labeled impure and is therefore liable to be killed.

In tribal societies, many inhuman customs are still alive and in patriarchal societies, the sale of a woman is also common in the name of marriage. In fact, the parents of a boy pay Rs 100,000 to 300,000 as price for a bride. If a girl is beautiful and physically strong, she can be purchased for anything between Rs 75,000 to Rs 150,000. The woman has to bear the brunt of her sale after marriage. Her in-laws consider her as a commodity purchased on high price, and she is continuously reminded of it.

In an under-developed region like Diamer of Northern Areas, women’s noses are cut off on charges of moral turpitude. In Baltistan women are used in place of bullocks and are not allowed to seek medical treatment from male doctors.

Domestic violence is widespread and takes the form of physical, mental and emotional abuse. Wife abuse is rarely considered a crime unless it takes an extreme form – an attitude reflected in the behavior of both law and enforcement agencies. Of the 1,000 women involved in a relatively recent survey in Punjab, 35 per cent admitted to being beaten by their husbands. According to an independent research organization, in a developed and educated city like Karachi, 80 per cent women are subjected to domestic violence. Domestic violence sometimes takes extreme forms of murder or attempted murder – a commonly used method being that of stove burning.

Thus, the condition of women is constantly deteriorating, with opportunities for education, training and gainful employment shrinking and violence increasing. Poverty, ignorance, and an oppressive social structure inherited from ancient times on which colonial patterns were implanted made it extremely difficult for the modern and pragmatic traditions and systems to take root. The patriarchal system, inhuman culture, and traditions deeply influence the behavioral pattern of Pakistani women and their status in the society.

---

18 Figures collected from the Human Rights Commission of Pakistan.
Chapter Three

Fundamentalism and Struggle of Women: A Historical Account

*Those societies that have given equal access to women and men in economic and political opportunities have progressed much faster, much faster than those which denied such access. Gender equality is a necessary condition for human development.*

Mahbub-ul-Haq

Women in Pakistan pass through different phases of struggle for their rights and independence. Yet in Pakistan and in South Asia at large, women politicians have also gained significant popularity. In India, Indira Gandhi is an example, and in recent times Sonia Gandhi, dominate the political scene; in Bangladesh Sheikh Hasina and Khalida Zia are prominent names; Sirimavo Bandaranaike and Chandrika Kumaratunga in Sri Lanka, and Benazir Bhutto in Pakistan gained reputation as powerful women leaders. Ironically, this remains ineffective in changing the social and political status of women in the larger scenario of Pakistan or South Asia.

Religion remains a motivating force in Pakistani politics even though the founder of Pakistan believed in a pragmatic and modern approach towards religion.

Before Partition, there were two major schools of thoughts. While one believed in progressive Islam, the other believed in a dogmatic approach towards Islam. Many prominent religious personalities belong to the latter school of thought. After independence, the Ulemas started propagating that Pakistan was made in the name of Islam and with this assertion, they entered the political scene of the country.

In the years that followed, two important factors emerged. One was the phenomenon of Islam becoming central to the political debate in Pakistan, and the other was the formation of new social and political structures. These two were the major developments that directly impacted the life of women.
Ulemas, who migrated from India, launched a strong campaign against the modern and pragmatic people of Pakistan. Among them, Malian Maududi was very vocal. He was heading a prominent religious party, Jamat-e-Islami, and stated that his party would work as the sentinel of Islam and would form an Islamic government in Pakistan. He launched a strong campaign that voting rights should not be given to educated females and that this right was exclusively for men. He also propagated that women should not work in any office where they are likely to interact with men. The Jamat-e-Islami also advised that there should be separate assembly for women to address issues relating to women only.

Thus, from the very beginning, the fundamentalists tried to gain control over state functions. Due to their constant efforts in 1956, Pakistan was declared an Islamic Republic of Pakistan. However, it was also noticeable that many of their demands regarding the functioning of the Islamic Republic, such as excluding women from contesting or participating in elections, or for a ministry of religious affairs and separate electorate for Muslims and non-Muslims were ignored by the Constituent Assembly. In the 1951-52 elections, the women of Punjab got a right to elect women representatives into the legislature by a two-vote franchise.

However, one of the unfortunate elements in Pakistani politics was that Pakistan lacked visionary leaders and statesmen. Therefore, they branded themselves as purist and labeled other political parties as unIslamic. The maulvis made systematic efforts to publicize and propagate their brand of Islam and to make inroads into the educational institutions, the armed forces and the civil services. As a result, when Fatima Jinnah contested elections in 1965, initially, the religious political leader Maulana Madudi issued fatwas and called it un-Islamic. Ironically, the same leader later on supported Fatima Jinnah due to a political necessity.

In Pakistan, the role of women in politics has been negligible right from the beginning. Before and after Fatima Jinnah, the participation of women in Pakistani politics was discouraged by religious fanatics. In the newly established state, only two women were appointed to the

---

19 Ibid. p.10
20 Ibid., p.11.
Constituent Assembly. These women served committees on Fundamental Rights and Minorities, Committee on Re-distribution of seats in the Constituent Assembly of Pakistan, Finance, Basic Principles and the Steering Committee.

**Period of Women Discrimination**

Since Independence, women have faced discrimination in all aspects of life. Any voice that was raised for the rights of women always faced strong condemnation from the so-called religious guardians. However, the real period of discrimination started when General Zia came to power and implemented martial law in a bloodless coup. Zia, in order to have firm hold on power, used religion as a tool. His intentions were evident from the beginning when he wanted to Islamize the penal code of Pakistan. The Jamat-e-Islami supported this move. During this period, several incidents took place, portraying the growing religious extremism in Pakistan. Women were becoming targets of male chauvinism and it was becoming increasingly evident that social attitudes and the atmosphere of the country was changing very slowly. The official campaign of the martial law did not face many hurdles and steadily gave support to the extremists in the society. The aim of the regime was certainly not to form an Islamic society but the hidden agenda was to give legitimacy to Zia’s illegitimate regime.

In the same period, those who were initially against the ideology of Pakistan came at the helm of power. Women were the main victims of this illumination process as religious fanatics bound Islam and its concept of morality and chastity only to women. Various debates began in almost all provincial assemblies on the rights of women. A debate was also started on laws related to women which were present in the Constitution, and which were passed in 1973 by a majority of members of the Assembly. Women’s right to drive a car was debated in the Sindh Assembly. Women were barred from taking part in all types of sports. There was also talk of repealing the family law. Till this time, women were not organized and they were politically immature but it was then that ideas of women’s rights organizations nurtured and finally after a period of four to five years, women established their own organizations which were to fight for their rights.

The illegitimate regime of Zia was constantly taking measures against women, with the cooperation of Jamat-e-Islami. Zia accepted their demand of imposing a dress code for women and the government also
issued various directives which stipulated what women should wear. The government also accepted Jamat’s demand of establishing a separate university for women.

One of the most disastrous measures which the government took was the promulgation of the Hudood Ordinance. This ordinance covers adultery, fornication, rape and prostitution, bearing false testimony (qazf), theft, and drinking alcoholic beverages. Under the Zina Ordinance, now both men and women were guilty of rape it is now possible for a minor girl, as young 13 years, to commit zina. The maximum punishment for zina was stoning to death for married persons and 100 lashes for the unmarried. The punishment could be given if the accused accepted his offence. Otherwise, the testimony of any four pious Muslim adult male eyewitnesses was considered sufficient to prove the offence. The confession could be made at any time before the execution of punishment. Under the Hudood Ordinance, again women were the sole victims. The first and foremost concern was that women do not become eyewitness to any such act as law restricted that only four males could be the witness of any such act. This was not according to the religion as in Islam, there is no distinction between men and women. Secondly, it forbade non-Muslims to give evidence unless the victim was also a non-Muslim or vice versa. The person who was liable for punishment had to make a confession at four different times and at four different places.21 This gave the accused time to retract from his previous statements.

Another impediment of the Hudood Ordinance was that it made no distinction between adultery and rape, as it was easier for any one of the charges to be used to accuse women of adultery. But in Islam, there is strict punishment for anyone who accuses any pious male or female of zina. Secondly, it is unlikely that an offence like rape could be committed in the presence of four males. However, it is possible that the offence is committed in the presence of females, but women witnesses are not acceptable. Thus, the law protects the rapists and when a woman registers a case, it is considered that she herself is accepting her crime, and the rapist goes unpunished.

---

21 Pakistan Legal Decision, 1980, Lahore.
The courts at that time were inexperienced and ill-trained to deal with such cases. Therefore, there were many cases in which courts were accused of being irresponsible and negligible. The language used was negative, value loaded, and the court did not show any sensitivity or understanding of the gross violation which a rape victim suffers. Some of the terms used by the courts were “loose character”, “a habitual case of enjoying sexual intercourse”, “shady person”, “willing party”, and “women of easy virtue”.22

Such was the law that mobilized women to take action against these injustices. One of the cases was that of Fehmida and Allah Bux. The Martial Court sentenced both of them to being stoned to death. In this case, Fehmida and Allah Bux married without the approval of Fehmida’s father. On this pretext, Fehmida’s family forced Allah Bux to divorce her but he refused. As a result, Fehmida’s family filed an FIR against Allah Bux of abduction. By such time, Fehmida was pregnant. The couple delayed the registration of their marriage, on the basis of which the judge sentenced both of them to hadd punishment. Such a move agitated many women. At this stage, women’s rights organizations decided to get organized and raise their voice. An organization called Khwateen-e-Mahz-e-Amal (Women’s Action Forum, WAF) was formed to protect the rights of women. The WAF gained popularity all over Pakistan in a very short time. Initially, it was established in Karachi and then it opened its offices in almost very big city of Pakistan. WAF was the first women’s rights organization that openly condemned the discriminatory Hudood Ordinance. It launched a non-violent signature campaign against the ordinance. It was also surprising to note that the founding members of WAF were the same women who actively participated in the Pakistan movement: these women took part in the struggle for Pakistan and when Pakistan came into being, it was hijacked by fundamentalist and due to this they launched a campaign to protect women rights.

However, this time they were fighting in their own country for their legitimate rights. The reason why women’s rights erupted into action virtually overnight was the series of outrageous measures undertaken or contemplated by the Zia regime in the name of Islamization. The regime took severe measures against WAF and labeled it as a bourgeois

---

elitist movement, and tried to promote the idea that WAF represented only the high-class modern sections of the society and not the ordinary women of Pakistan.

To activate the purported process of Islamization, Zia proposed and enacted some new laws. In 1998, a decree was issued that all women government employees would wear a chador, the most interesting part of this was that overnight, women working in the media were ordered to wear chadors, too. Women actors were not allowed to take off their duppatas from their head even during sleep. Zia made it his habit to gift chadors to women wherever he went to promote his law. Another absurd attempt was made to declare sari as unIslamic. This also showed the perplexity of the government over women’s issues. All these measures also indicated that the government was using women’s issues as a scapegoat to divert public attention from important national issues.

The Zia regime was taking incessant measures against women and these measures were damaging the image of women in the eyes of the local people. The Zia regime tried to promote the concept that those women who appeared in commercials and films were an example of obscenity. WAF was also against obscenity, but the government’s attempts to make working women seem synonymous with obscenity was truly threatening. The regime banned women from appearing on commercials, and in print media advertisements.

Zia did not stop here. He tried all measures to segregate women from all spheres of life. He ordered the University Grants Commission to implement the proposal for establishing a separate university for women. At first it was proposed that there should be a separate set up where women could be educated so that there was no need for a university. This measure was meant to make women incompatible in comparison to men. The government’s thrust was that being an Islamic country, there should be a separate Muslim university for women as it would be according to the Islamic injunctions. The dream of a separate women’s university never materialized due to opposition from many fields.

**Impact of Women’s Resistance**

The impact of women’s resistance was felt gradually. It was due to their resistance that Zia failed in his efforts to implement his version of Islam on women. An example of this was the failure of religious
organizations in elections that were held just after Zia’s accidental death. Women actively participated in the resistance campaign of women’s organizations. It was due to the efforts of educated women that women all over Pakistan were able to differentiate between the orthodox and irrational concept of religion and the pragmatic approach. The role of WAF in this cannot be ignored as it provided the platform for women to raise their voices against these brutalities.

It was because of discrimination that the representation of women in political parties was very low and even in the Pakistan People’s Party (PPP), which was headed by a woman, their representation was very low. In the 1997 elections, PPP and its supporting party Muslim League (J) put up 161 candidates of which only six were women. However, in this election, many women contested elections independently. But because major parties did not give tickets to women candidates, women’s voices in the Parliament were invisible. In the largest Pakistani province, Punjab, only one woman was elected. Women who contested as independents were not successful.

In 1993, PPP suggested that 25 per cent seats should be reserved for women in the National Assembly and five per cent in the Senate. Nevertheless, another major party, the Muslim League (N), did not support such a suggestion. Moreover, in 1997, when Nawaz Sharif’s Muslim League won the elections with a stupendous majority, he immediately brought major changes in the Constitution. Some members proposed for the recommencement of women’s seats in the Assembly but the government rejected the Bill. One of the members of the ruling party, Ibrahim Paracha, said, “If government will resume seats for women then the third sex can also demands separate seats.” This revealed the narrow minded and biased approach of males towards females.

However, it was due to women’s resistance that the government formed the Women’s Commission. Its report clearly stated that there was little chance of women’s representation in the Constituent Assemblies without concrete steps by the government. Other South Asian countries were also facing similar problems but they were progressing and making laws to deal with them. The Commission also made various proposals through which women could have an effective voice in Parliament and other law making institutions.
It is true that the WAF never succeeded in gathering a large number of women under its umbrella. Numerically, they were small in number but their resistance made a significant change in the political, social, and cultural life of women. It was due to their efforts that Zia and his regime never accomplished in establishing separate universities for women and their non-representation in Parliament and government offices. WAF made every possible effort to safeguard the rights of women and even under immense pressure, it launched strong campaigns against the extremists. The strategies used by WAF were audacious and successful. They first tried to spread awareness among the local people about Islam and the rights of women through the media. Though Zia strongly controlled print and electronic media, but through pamphlets, and women’s rights columns in women magazines, they somewhat achieved their aim. Secondly, they fought their battle legally in courts. They also held demonstrations and protests to make ordinary people conscious of their efforts.

Due to these efforts, the representation of women in Parliament increased, and in the newly formed Assembly, women had a strong chance of voicing their grievances and seeking measures to improve them. But an important fact was that women could not bring in any alterations unless they had the power and capability. Most of the women in the newly elected Assembly were inexperienced and at times they were exploited by the religious parties to spread patriarchy and fundamentalism.
Chapter Four
Islamization Campaign in NWFP

Specifics of NWFP

The recent campaign of Islamization of Pakistan has had its profound effects on the NWFP. Religious parties enjoy a majority in the Provincial Assembly in NWFP largely due to the sudden outburst of religious fanaticism after the government of Pakistan declared its support to the US's war against terrorism.

Historical bond between Afghanistan and NWFP

Afghanistan and NWFP are similar in many ways. Before the advent of Taliban, however, Afghanistan was a liberal, multicultural society, and the processes of modernization was very evident. The scenario changed after the Soviet attack on Afghanistan: it gave space to fundamentalists to penetrate the society in Afghanistan. Liberal sections of the Afghan society migrated to other countries, thus creating more space for fundamentalists to dictate their policies on the people of Afghanistan.

The Soviet invasion and the emergence of the Taliban was the beginning of a close relationship between the people of NWFP and Afghanistan, which greatly developed during the first Afghan war with the Soviet Union in which Pakistan supported Afghanistan. The jihad that was going on in Afghanistan was fought by thousands of mujahideen from Pakistan. This was the beginning of a relationship that made the people of NWFP feel that Afghanistan was also their country and they were obliged to protect its people from foreign invasions.

When the war ended, Pakistan wholeheartedly welcomed the new Taliban government in Afghanistan. Interestingly, the Taliban was also a creation of Pakistan; its supporters were brought up, and trained in Pakistan. Here, Pakistan’s interest was to secure its border with Afghanistan, as it always faced a threat of invasion from Afghanistan since Afghanistan never accepted Durand Line (the border between Pakistan and Afghanistan). Afghanistan always claimed that NWFP was a part of its territory and should be given back to it.
The terrorist attack of September 11, 2001, had its repercussions all over the world. Pakistan was a key suspect. The US began its war against terrorism and its first target was Afghanistan. Pakistan was caught between the crossroads of either supporting Afghanistan or the US. In the national interest, it supported the US. As a result, NWFP came under strong influence of the Taliban. Support for the Taliban grew but Pakistan continued to change its stance for strategic reasons and openly condemned Taliban. This created a serious conflict among the pragmatic approach of the military government and prominent religious parties. Inhabitants of the NWFP also turned against the government’s policy of alignment with the United States. The reaction of the people against government policies became vivid and in the recent elections, an alliance of prominent religious parties got the majority of seats in the NWFP Assembly. Significantly, one member of this alliance is leader of a Taliban madrassa in Pakistan.

The Pakistan government is currently combating a civil war of sorts in the outskirts of NWFP where, according to government officials, the Taliban’s supporters are hiding.

**Shariat Bill in the NWFP**

The Shariat Bill 2003 was tabled in the Provincial Assembly in NWFP with slight modifications, keeping in view the powers of the NWFP government. While the Shariat Act of 1991 was meant for the entire country, the proposed Bill, passed by the Assembly, is applicable only to the province. The Bill, framed by the 21-member Nifaz Shariat Council, constituted for the Islamization of society, has suggested enforcement of Islamic laws in the province, covering almost every field including judiciary, education, discouraging bribery, obscenity and other social evils, protection of life and property of citizens, promotion of Islamic values in the media and taking steps for the introduction of an interest free economic system.

Instead of the words ‘Pakistan’ and ‘Federal Government’ used in the 1991 Act, the ‘provincial government’ has used the words ‘NWFP’ and ‘Provincial Government’ in the proposed law. Moreover, unlike the 1991 Act, which is in English, the Shariat Bill is drafted in Urdu. Even the preamble of the Shariat Act and the proposed law are almost identical. The enforcement of the Shariat Act, 1991 (Act X of 1991), was passed by the Parliament and it received the Assent of the President of Pakistan on June 5, 1991. Under Section 2 of that Act, Shariat means
the injunctions of Islam as laid down in the Holy Quran and Sunnah. The same section has been incorporated in the proposed NWFP Shariat Act. The drafts of both these documents – the 1991 Shariat Act and the proposed NWFP Shariat Act, 2003 – are identical up to Section 13, except slight changes. In the proposed law, there are 52 sections whereas in the 1991 Act, there are 22 sections. Interestingly, sections of the 1991 Act have not been included in the proposed Bill which is not in accordance with the policy of Muthaida-Majlis-e-Amal. Under both the documents, the concerned governments have to establish an education commission and an economic reforms’ commission for putting forward recommendations regarding Islamization of the educational and economic system in the country and the province, respectively. A deviation in the proposed Act is a provision about the establishment of a Judicial Reforms Commission, which would give recommendations for bringing the judicial system in the Provincially Administered Tribal Areas (PATA) in line with Islamic injunctions.

The cabinet has also banned alcohol for non-Muslim foreigners in the province. Ironically, for the local users, the commodity is easily available a few kilometers away in the tribal area outside the MMA government’s jurisdiction. To cancel the legal permits of hotels importing alcohol, the cabinet took the plea that the permits have been misused in the past. According to Iqbal Daudzai, NWFP Information Minister, “The permits were being misused and alcohol was being openly sold to the locals. Banning this activity was thus vital. And who says non-Muslims should be allowed alcohol when alcohol is prohibited by all religions.” Even if we assume it is true, hotel managers’ sales to locals only showed an administrative failure on part of the government.

However, according to religious scholar Dr. Muhammad Farooq, there is no bar on the consumption of alcohol on non-Muslims. “Islam allows non-Muslims to consume alcohol. Non-Muslims were allowed to produce alcohol even in the times of the Caliphs, but not allowed to sell it to the Muslims.”

---

23 To know the opinion of society about these regulations, some interviews were conducted with intelligentsia, (efforts were also made to conduct interviews with local people, especially women. However, they were not willing to discuss the issue. Thus interviews are fewer in number and not detailed.
Another controversial decision of the government was replacing trousers and shirts with shalwar-kameez as school uniforms. The government claims that this is a step aimed at removing disparity among the wealthy and the poor. The Information Minister said: “We have this policy to bring uniformity in the education sector. There used to be one uniform in public schools and a different uniform in private schools and this promoted a class disparity. Uniforms are the first step. Once through with this we will also bring about a uniformity of syllabi.” However, this decision has nothing do with religion, as there is no specific dress for Muslims of different regions of the world who can wear any dress that suits their culture and tradition. Declaring Urdu the province’s official language is another controversial decision. Those who oppose it say the working of different government offices has become even more time consuming and complicated with the introduction of this policy without any prior planning.

A renowned intellectual Mohsin S. Jaffri said: “In Pakistan, where the society is still grappling with the definition of liberalism and fundamentalism in the light of Islamic cultural values, it is certainly difficult to come to terms with a group way of thinking. In Pakistan’s somewhat disturbed político Islamic environment, a faction is trying to impose its own interpretation of Islamic society without obtaining the consensus of the general public at large. The incidents of tearing down and defacing advertisement hoardings with pictures and paintings of women in the northern areas of Pakistan pose a number of questions with regard to the ethics and rights of the doings of a handful of men trying to impose their minds on others.” The analysis clearly depicts the state of affairs in Pakistan.

According to I.A. Rehman, Director, Human Rights Commission of Pakistan (HRCP), Lahore, the content of the legislation is not as disturbing as its implementation. He said, “We have learned through the Zia period that his policy of theocratising the state went beyond the laws he made. The impact of Peshawar will also go beyond what it says in the body of law. Male doctors can no longer attend women patients. Education will be strictly segregated. Offices, schools, shops will be closed during prayer time. And as attempted before, saying prayers five times day will be mandatory for civil servants. All these have nothing to do with the Shariat Act. These are policy directives.” Thus this drive for the Talibanization of Pakistan was mainly due to the coming of power of religious fanatics.
**Hisba Act**

Unlike the Shariat Act, the recently proposed Hisba Act has caused much uproar among the intelligentsia and in the business circles. The proposed Hisba Bill is a document that was prepared by the law department of the provincial government and checked twice before sending in to the Prime Minister for approval. It was later presented to the governor of NWFP under rules and regulations. However, its official text was not allowed to be published for the public. It is in conflict with the basic human rights as declared in the Constitution of 1973 and with other laws of the country.

The main reason is the establishment of a special force under this proposed law and the way it would conduct its business of purification of the people by turning them into *momineen*. As details of the force and its constitution have not been made public till now, people fear it to be close to the one created by the Taliban in Afghanistan and christened *Amr bil Maroof wa nahi Anil Munkir* force. There is a general perception that once authorized by the government, the force would in all probability take law into its hands.

This fear has been further strengthened as activists of Shabab-i-Milli, Jamat-e-Islami’s youth wing, led by the MNA, who destroyed hoardings and billboards with photographs of female models in May 2003 in a self-styled drive against obscenity and vulgarity. Though Chief Minister Akram Durrani directed his law minister to register FIRs against the responsible people, the government’s failure to take any action on the day of the incident proved its inefficiency in establishing the writ of law.

Under the proposed Hisba Act, yet to be debated by the Provincial Assembly as these lines were being written, the Hisba department would be assigned 27 responsibilities. It would ensure compliance of Islamic moral values at public places, discourage lavish spending at weddings and social parties, root out beggary, enforce compliance of Islamic injunctions and *iftari* and *taraweeh* during the holy month of Ramadan, ensure closure of business activities and games during Friday and during prayer times, checking those roaming idle and disturbing others,

---

24 Shabab-I-Milli is the youth wing of Jamat-e-Islami, a fundamentalist religious party, which is struggling to bring the Islamic system in Pakistan, though their own interpretation of it.
discouraging honor killing of women, checking artificial price hike and hoarding, discouraging children from disobeying parents, and trying to resolve all disputes among people.

The Hisba department would have its own special force and its members would have the power and authority to enter any government office for interrogation and securing documents. The Act is silent on whether the force would resort to the use of power to ensure public compliance in the above-mentioned spheres. There is no mention of the way the Hisba force would conduct its business and activities. The government is expected to come up with more details once it tables the Hisba Act in the Assembly.

The Hisba department would incur Rs 30.4 million as its annual expenditure. According to the proposals of the 21-member Shariat Council, the Hisba department will be headed by a person eligible to be a judge of the Federal Shariat Court and will be called Ombudsman. The said person will not be entitled to indulge in any profitable activity during his tenure and will be unable to contest any national or provincial election until two years of leaving the post.

Apart from the Chief Ombudsman in Peshawar, similar officials would be appointed at district and even police station levels. The Ombudsman would constitute a consultative council to help carry out the routine duties. The council would comprise two religious scholars, two lawyers, a journalist and two government officials of BPS-20 scale. The Ombudsman will also have the authority to secure the help of the police department from time to time to conduct its operations.

The main architect of the proposed Hisba Act is the incumbent provincial law secretary Amir Gulab, who served as Zila Qazi in Dir district when the government, under pressure from Sufi Muhammad’s Tehrik Nifaz Shariat Muhammadi (TNSM), introduced Islamic laws in Malakand division. It has been clarified time and again by MMA that the new Hisba force will not be a Taliban-style force of Amr bil Maroof wa nahi Anil Munkir, but whether such fears are unfounded or real will only become clear once the details are made available.

The NWFP Law Minister Zafar Azam further said that within a month of the approval of the Shariah Bill, the NWFP government would constitute a reforms commission for courts that would thoroughly study the existing laws. A separate commission comprising experts, public representatives and religious scholars would be constituted to propose
reforms in education and finance sectors. Islamic jurisprudence will be made a compulsory subject in all law colleges. Laws will be made to curb obscenity and vulgarity and promote Islamic values in the society.

**Impact on Women**

The recent uproar over MMA’s proposed Islamic legislation in NWFP has renewed the focus on issues pertaining to women’s rights. Whether it is the controversy surrounding blackening of female models on the city billboards, the banning of male coaching of sportswomen or the discriminatory stipulates of the proposed Shariat Bill 2003, MMA’s Islamist agenda is largely being perceived as a threat by women’s rights advocates.

The immediate case is the imposition of the Shariat Bill, which will only further suppress women’s rights and also deprive them of the status of equality advocated by the scriptures.

Some of the points discussed in the current Shariat Bill are:

- Women to observe *purdha* from the age of 11 onwards
- No images of women to be displayed on billboards
  
  Male doctors not to examine women
- Male coaches not to train sportswomen
- Male tailors not to stich women’s clothes
- Family planning policy to be abandoned because it is considered un-Islamic, and because the size of the population is not a burden on the economy.

It is interesting to note that wherever the Islamization process was implemented or demanded to be implemented in this country (take for example the Zia regime), the focus was primarily on non-issues especially the ones concerning women.

It is noteworthy to observe that religious representatives in Parliament who advocated the implementation of the Shariat Bill were quiet on issues which breach the fundamental rights of citizens. The precarious nature of feudalism and exploitation of the weak are considered as part
of their culture. These are the factors responsible for the violation of rights of the less privileged members of our society. For example, religious leaders have never bothered to raise their voice against such heinous practices like honor killings – (karo-kari) – which are so widely prevalent in the province of Sindh. The positive point and a noteworthy controversy is that President Musharaf has denounced the proposed Shariat Bill saying: “The People of Pakistan want a dynamic, enlightened and progressive Islamic State. We should also take into account the opinions of women who would be directly affected if the Shariat Bill were to be implemented. We need to know what their wants are. Are they ready to accept whatever is given to them in the name of religion or do they want an environment where they can do as they see fit?”

Dr Talat Zafar, Senior Registrar in the Department of Gynecology and Obstetrics at the Jinnah Postgraduate Medical Center and an active family planning worker, expressed her concerns while opposing the Bill against family planning. “We are a poor country that has a high maternal mortality rate. If this Bill were to be implemented, the population would also increase as well as the rate of maternal mortality. We would nose dive deeper into the grip of the vicious circle of poverty and since family planning would be abolished, there would be no way to reach out to mothers and explain to them the need to have a gap between children,” she said.

In its six-month rule, the MMA has already banned alcohol, stopped music in public places and buses, changed the school uniforms for boys from ‘western’ shirts and trousers to the traditional kurta, and forced girls to cover their heads. Since June 1 all offices, schools and shops are to be closed during prayer time, so that all men can go to the mosque. Praying five times a day is compulsory for civil servants. Shabana Khattak, an international athlete and national record holder in 100 meter hurdles, criticizes this decision. In an interview with a news agency, Shahbana, who represented Pakistan in the Commonwealth Games in Manchester recently, said her future was at stake because of this decision. In another decision concerning women, the government has also exempted female students from pasting their photographs on their examination forms. Critics claim this will promote proxies in

examinations. President of Peshawar University Teachers’ Association (PUTA) Arbab Khan Afridi opined that fixing photographs is necessary to check malpractice in examinations.

Dr Jamal Ara, National Coordinator of the Position Control Center for WHO, thoroughly disagreed with the proposed Shariat Bill. She said that for the extremists, women are the easiest fixation to fix their brand of religion on. They completely ignore issues that corrode our society and they do not demand the abolition of crimes like *karo-kari*, which are completely against the teachings of Islam.

This leads us to a question of who has defined the role of women in an Islamic society. There is no definition that delineates women’s role and creates boundaries for them. It is the patriarchal approach which allows extremists to define women’s role according to their own desires. The problem is that on most issues concerning women’s social and cultural values and their economic independence, a clear-cut policy has not come about as there is no consensus on the interpretation of some Islamic injunctions. Each ‘school of thought’ is going its own way. In this regard, there are various followings on matters like *purdha*, social life, working away from home, makeup, fashion, going to mosques, working in a male environment, among others.

Unlike the stereotype of the veiled, faceless woman the media likes to sensationalize, a majority of Pakistani women work unveiled inside and outside the home but remain unaccounted for their work, and hence have no power. As in the wider South Asian context, in Pakistan, too, a woman’s identity is a fragile social construct, subject to almost daily negotiation with powerful economic, political, and cultural forces. What so-called Islamic laws will do is introduce a new slew of legal limits and cultural constraints to restrict even more the public space that most women can operate within.

Mohammad Ali Jinnah would find most of the 71 points that the Council of Islamic Ideology as recommended in this Shariat bill repugnant to the spirit of tolerance and liberalism he espoused in his vision of Pakistan. Conceived as a home for Muslims to live in peace and prosperity, Jinnah had made it amply clear that Pakistan was never to be a theocratic state.

Justices M. Munir and M.R. Kayani convincingly drove this point in a judicial inquiry half a century ago. They wrote: “As long as we rely on
the hammer when a file is needed and press Islam into service to solve situations it was never intended to solve, frustration and disappointment must dog our steps. The sublime faith called Islam will live even if our leaders were not to enforce it. It lives in the individual, in his soul and outlook, in all his relations with God and men, from the cradle to [the] grave, and our politicians should understand that if Divine Commands cannot make or keep a man a Musalman, their statutes will not.”

In the making or interpretation of Shariat laws the non-Muslims citizens will have no voice. They will be deprived of their fundamental rights and cease to be equal citizens.

Conclusion

Pakistan at present is in a difficult position and women are again victims of this new syndrome. Leaders of religious parties explicitly regard the Taliban rule as an ‘ideal Muslim state’. However, religious parties are not promoting the true concept of Islam but are using it for political purposes. Religious parties who never supported the creation of Pakistan now pretend to be its original leaders. But this is not restricted only to religious parties. In all political parties and military leaders have used Islam for their own political purposes. Benazir Bhutto, from whom women had a lot of expectations, failed to deliver much. During her period, not a single significant step was taken to improve the condition of women and ironically her ancestral place Larkana, an underdeveloped borough of Sindh, where she enjoys full authority, is considered the worst area with regard to violation of women’s rights. Here honor killings are relatively high as compared to other parts of Pakistan.

Thus, the real problem in Pakistan is the absence of visionary, sincere and courageous leaders who have the capability to detach patriarchal norms from religion. President Musharraf is opposing steps taken by the MMA in NWFP but he is neither a popular nor a legitimate leader. MMA leader Qazi Hussain Ahmed rightly said: “An elected legislature has the right to legislate and Musharraf being an illegal President has no business to challenge it. MMA has taken its place in assemblies after the people of Pakistan voted for it unlike Musharraf who has come to power through the backdoor. Whatever steps we have taken for Islamization in the NWFP are in accordance with the 1973

Constitution and the recommendations of Council of Islamic ideology.” Therefore, in this situation, the people of Pakistan cannot expect any bold steps from the President or the army. The only hope left for women and moderate Pakistanis is women’s rights’ organizations, and women who are now in the government. They need to organize their efforts in creating awareness all over Pakistan.

However, a positive factor is that with the globalization of information, women are becoming aware of their rights. Therefore now the picture has two sides. On the one side, a woman is the target of various kinds of injustices and on the other side, she is struggling for her rights and is no longer willing to accept a submissive role under the traditional patriarchal system. And it is not easy for fundamentalists to turn back the clock now that women’s groups are directly confronting the ruling parties in their states.

One practical measure to strengthen women’s groups in Pakistan is to connect with feminist groups all over South Asia. It could help in various ways like sharing of knowledge, problems, common experiences – all of which would help in the de-escalation of tension in the region and a common regional understanding among women. It would also help in re-defining the relationship between men and women in South Asia.

Bibliography

Reports and Surveys

Published Work

1. An Impact Assessment of Small-Scale Credit Scheme for Disadvantaged Women, 1997, provided by The First Women’s Bank Limited. JICA, Pakistan.
5. Elimination of All Forms of Discrimination Against Women (CEDAW), Islamabad, Pakistan.
Books
16. Jinnah, Pakistan and Islamic Identity: The Search for Saladin

Websites
3. www.dawn.com
5. www.thenation.com
7. www.focusintl.com/widnet.htm