

**ISLAMIC LAWS AND STATUS OF WOMEN: A
CASE STUDY OF PAKISTAN
SINCE 1947**

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MASTER OF PHILOSOPHY

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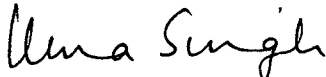
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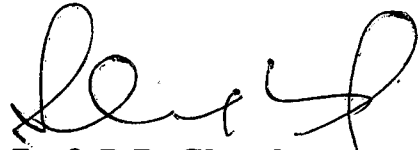
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CERTIFICATE

This is to certify that this dissertation entitled, "**ISLAMIC LAWS AND STATUS OF WOMEN : A CASE STUDY OF PAKISTAN SINCE 1947**", submitted by **RAVINDER KAUR**, in partial fulfilment of the requirement for the award of the degree of Master of Philosophy (M.Phil.) of this University, has not been previously submitted for any degree of this or any other University. This is her own work.

We recommend that this dissertation be placed before the examiners for evaluation.


Dr.UMA SINGH
(Supervisor)


Prof. B.D. Ghosal
(Chairperson)

For my Mother

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PREFACE

This work is an expression of solidarity with the women in Pakistan with whom the women in India share a common history of oppression. Since the Partition of the British India both India and Pakistan have witnessed a parallel rise in fundamentalist politics. This trend though vague and ambivalent initially, started taking deep-roots since the decade of 1970's. The effect of which was extremely regressive on women.

The first chapter of this study is introductory in nature discusses the genesis of Pakistan and gives the position of women as enshrined in the Pakistani constitution and also the political solution to the Gender Issue as given by the major political parties in Pakistan.

The second chapter is divided into two parts. The first part deals with the issue of Islam and women and the second one discusses the evolution and implementation of shariat Laws in Pakistan. This chapter also tries to show that how the Islamic verses have been distorted at times for the vested interests of the ruling elite.

The Third chapter tries to analyse the causes of female oppression in socio-economic and cultural terms. An analysis has been made of the important role played by both the rural and urban women towards the Pakistani economy. This contribution is seldom recognised by the ruling elite.

The fourth Chapter deals with the rise of the women's movement in Pakistan since 1980's and the lacunas existing within it. It is recognised that the women are making the movement possible in extremely hostile conditions.

The fifth chapter sums up the study to deduce generalisation.

I am deeply indebted to my supervisor Dr. Uma Singh for encouraging me to attempt this study. Her affection coupled with gentle chidings prodded me on to complete this work. I am grateful to Dr. Mohd. Manzoor Alam, at Institute of Objective Studies, New Delhi, Dr. Ahmad Mukkarram at Rajiv Gandhi Foundation, Dr. Munnawar Anees at `Peridioca Islamica, Malasiya, Nadia Bokhari at Shirkat Gah, Lahore, Rubina Saigal, Mufti Jamiluddin Ahmad at Pakistan High Commission, New Delhi, Dr. Zia Mian, SDPI, Lahore, Dr. Varun Sahni and Prof. Kalim Bahadur for providing me with useful material and suggestions.

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CHAPTER - I

INTRODUCTION

The genesis of Pakistan is inextricably linked with the politics of Islamisation, which is why Islamic tenets have become the pivotal point in determining the nature of its political, legal, economic, and social institutions. The impact of such fundamentalist politics has been maximum on marginalised sections and particularly on women as a separate class have been subjected to various legislations in the name of Islam.

In 1947, the British transferred power to a centralized high command which had to consolidate a new political centre over the Muslim-majority areas. This created a situation where the society was accommodating itself to state, whose structures of authority were as uncertain as its claims to legitimacy were vague and ambiguous.¹ The process of legitimising the state as well as facilitating its accommodation by society was well aided by the Islamic recipe. This recipe was vague and contradictory in the beginning at both political ideological and cultural level.

Mohammad Ali Jinnah, on 11th Aug 1947 had spoken in the Pakistan Constituent Assembly that,

"You are free to go to temples, you are free to go to

1. Jalal, Ayesha 'The State of Martial rule', (Lahore; Vanguard; 1991) p. 277.

your mosques or any other place of worship in this state of Pakistan you may belong to any religion or caste or creed- that has nothing to do with the business of the state.... . We are all Citizens and equal citizens of one state".²

But six months later he called upon the people to 'Sacrifice and die in order to make Pakistan a truly great Islamic state'.³ This simply showed that hardened politicians could take refuge in Islam when faced with the question of political survival,

However, Islam soon became the main point of contention between a few individuals, who predominantly belonged to a urbanised, educated, elitist society. But for the rural Pakistani's the life went on as ever, with or without Islam.

It has been argued that the Pakistani society has been defined by regional or tribal cultures which absorbed Islam, but were never wholly absorbed by it.⁴ The various forms of Islam practiced in different regions are a hybrid of the local customs, tribal rituals and many a times in combination with Hindu customs. The 'Pirs' and 'Sajda Nashins', the intermediaries between God and people have a premier position as compared to the Mullahs. The efforts to create pure Islamic state & society emanate predominantly

2. Ibid, p 279.

3. Ibid.

4. Ibid. p 287.

from urban centers. Thus, in the popular culture, excepting the urban townships, Islam assumes spiritual rather than doctrinal connotations. The Islam as a total way of life is seriously contradicted over here as the cultural and social institutions are determined by local customs and not by Islam.

The impact of islamisation has been limited primarily to the urbanised middle lower middle classes,. The state could actually implement its programmes in such urban areas due to easy access.

Such programmes were begun in 1947 itself when Fazlur Rahman, the education minister in Pakistan's first cabinet, declared that educational methods in future could be permeated by an 'Islamic ideology'. Not only that, the State would harness the film and broadcasting media to transform the outlook of the people, the young and old, to bring an ideological unity. Eminent scholars were to be recruited to rewrite history and other text-books from an Islamic viewpoint.

But by 1949, he was bemoaning that negligible progress had been made in Islamising the educational system.⁵ What men like Fazlur Rahman achieved was that the fundamentalist objective of Islamisation become an inherent part of the

5. ~~I~~bid. p 283

Pakistani politicks.

The Pakistani Constitution also fell prey to such thought as the prefix 'Islamic' to the name of the country was frequently dropped and added. This betrayed the vague & ambiguous position of Islam in the character of the nation. The 1973 Constitution called Pakistan as the 'Islamic Republic of Pakistan'.

The constitution makers perceived no difference in the Islamic ideology and the principles of democracy and social justice. They gave equal rights to both men and women and they were considered as equals before law.⁶

The Article 25 states that

(i) "All citizens are equal before law and are entitled to equal protection of law.

(ii) There shall be no discrimination on the basis of sex alone.

(iii) Nothing in this article shall prevent the state from making any special provision for the protection of women and children."

The article 39 further states that, "Steps shall be taken to ensure full participation of women in all spheres of national life..

The Article 51 allocates " 20 seats in the National

6. "Constitution of the Islamic Republic of Pakistan", Passed by the National Assembly of Pakistan on 10th Apr 1973

Assembly for women".

The Article 27 ensures "Safeguards against discrimination in respect of appointments to the service of Pakistan". The Article 26 ensures "safeguards against discrimination in respect of access to public places".

It nothing else, the constitution gave a commitment to the women of Pakistan to be able to lead a dignified life free of discriminations. By ensuring special provisions for women they recognised the unequal and marginalised status of women.

But Gen. Zia upon coming to power in July 1977 showed scant regard for the constitution of the nation when he suspended the fundamental right contained in the 1973 constitution and ordered that it was in abeyance henceforth. He boldly declared that Islamisation was his objective and that all measures would be taken course to in order to achieve this objective. As a first step he established the Shariat benches of the Civil Courts in 1978 to determine whether laws were repugnant to the injunctions of Islam. Subsequently, he introduced four criminal laws, the Hudood Ordinances which embodied the most determinant to women's rights in Pakistan.

Despite such Constitutional rights the women are far from equality. The women are less literate, have less access to opportunity's their economic contribution remains undervalued and their participation in the political activities is frowned upon at.

Even the Pakistani political parties have paid little more than lip service to the rhetorical women's emancipation.

The Pakistan People's Party (PPP) in its manifesto⁷ begins with the example of the struggles and sacrifices of women like Khadija, Prophet's first wife. It totally overlooks the courageous act of Ayesha, Prophet's third wife during the Battle of Camel, which became a watershed in the history of Islam The emphasis is on the sacrificing woman and not on an assertive woman like Ayesha. The PPP reaffirms its commitment to create conditions where the new consciousness of the women finds a practical outlet in bettering their own condition and nation-building. It promises to (i) take guidance from the revolutionary spirit of Qoranic teachings and to review all laws, and frame new ones to eliminate exploitations, discrimination and oppression to ensure the rule of women as equal members of

7.The Election Manifesto of Pakistan People's Party, 1993 p. 281.

the society. (ii) to pioneer an Islamic women's parliamentary group so that Muslim women gain experiences from each other (iii) to organise a female literacy corps with its roots in every village to impart literacy and education to girls (iv) Providing support system to women in small-scale industries like garment making & handicrafts (v) to reserve quota for women employment in Govt. organizations (vi) to establish a permanent commission for women (vii) to restore special seats for women in national and Provincial Assemblies (viii) to become signatory to the UN Convention on elimination of all forms of discrimination against women; to recognise family planning as a basic human right; to amend Hudood Ordinances.

The Pakistan Muslim League (Nawaz), PML (N) is not far behind in making commitments to the women.⁸ It recognizes that although the women constitute more than 50% of the population, but they are deprived of their basic social, economic and legal rights. No society has made progress without the development of women. Therefore PML (N) is determined to take for reaching steps to upgrade their condition and status by ensuring women's participation in the National Assembly; effective formulation and implementation of laws to protect women against oppression,

8. The Election Manifesto of Pakistan Muslim League (N), 1993.

maltreatment and discrimination including the ratification of the UN Convention on the elimination of discrimination against women; to create a safe environment for women including domestic violence, harassment and humiliation of women; shelters called 'saiban' for the victims of violence and injustice; a national employment policy for women will be formulated for the female workers in both formal & informal sectors; provision of child care centers and working hostel's for women in full-time employment.

Both the major political parties fail to define the role of a woman in the society. A mere talk about equality with men does not suffice. One has to be clear about which men should women be equal to. Even the men in the society suffer from class oppression which is why the question of gender is closely related to that of class. Should the women be equal to the men in their own class, knowing that these men are themselves oppressed. Does the solution lie merely in struggling within the structure or changing such unequal structure itself.

These uncomfortable questions are not addressed by the political elite in their election manifestos. They have adopted a piece meal approach, i.e. some promise for all the sections. Despite the apparent show of development, women actually remain at the same position. Some benefits that they receive, only reassert their unequal position that they are actually at the mercy of the male elite for betterment

of their lifestyles.

Analytical framework:

At the very outset there is need to define (a) the term feminism, (b) Feminism specifically in the context of Pakistan, (c) and the status of women according to Islamic doctrines. There is a vast amount of literature available on the definition of the term feminism, but there is no unanimity about the definition itself. Broadly, speaking there are five perspective on feminism - Liberal, Rational, Marxist, Radical and Post Modern Feminism .

The liberal and rational schools are considered to have grown out of capitalist societies essentially. The 'liberal feminism' seeks to grant women greater freedom and equality of opportunity within the existing framework of the society. Liberal feminists have always accepted the importance to women of equal rights and opportunities; demands for their realization in areas such as pay or tax laws persist; Recognising that women must compete with men in the job market, contemporary liberal feminists have often been drawn towards the more radical end of the liberal spectrum in demanding the welfare provisions like nurseries and so on - that would allow more genuine equality of opportunity.⁹

9. Coole, Diana, 'women in Political Theory', (Sussex, Wheatsheaf Books; 1988) p234.

The oft used slogan is "Personal is Political" which means women are geared towards greater individual freedom through reforms within the state.

The Rationalist Position is that women are considered less rational, more emotional and natural than men. This difference must be thoroughly rejected the great women the rightful place in society as non-differentiated equals of men. This over simplification of the problem exposed the limited understanding of the gender problem thus paving the way for post modern Feminism' which rejected the idea of universalisation of problems and instead recognised the multiplicity of ideas.

On the other hand, the 'Marxist Feminism' views the gender Problem as an extension of the class struggle, through which only an egalitarian society can be built. The Marxist criticize the liberal feminist for demanding reforms which simply reinforce capitalist materialist values without truly liberating women economically.¹⁰

The 'Radical Feminism' seeks to eradicate all kinds of systems of dominations which permeate the society at various levels as well as to reorganize society so that the 'self development' of the people can take precedence over imperialism, economic expansion and material desires.

10. Ibid

Feminism is clearly perceived as a struggle to end sexist oppression. A commitment to Radical Feminism demands each individual participants to acquire a critical political consciousness based on idea and beliefs.¹¹

The radical feminism is theoretically innovative, rejecting traditional definitions of both politics and theory while condemning all previous political theory as patriarchal. It does not struggle to incorporate women into a pre-existing political framework, but instead attempts to shift our whole perception of society, to restructure it in terms of a radically new set of women-centered meanings. It's aims has been to recast personal identities; to reclaim language and culture from their masculine forms; to relocate significant political power; to reassess human nature and to challenge traditional Values.¹²

The Pakistan women's movement betrays lack of a clear conceptual framework.¹³ This has been reflected in the vague stands taken by the women organisations on political events taking place around them and also their relationship with other social and political groups.

11. Hooks, Bell, "Feminist Theory: From Margin to Center" (Boston: South End Press:1984) p 18-19

12. Ibid. p. 235

13. Khawar, Mumtaz and Shaheed, Farida, " Women in Pakistan; One step forward, Two step backward", (London: Zed Books:1987, p 149

To being with the Feminism views Islam, like all other religions to be an instrument of male dominance and therefore to be oppressive.¹⁴ Yet the women activist in Pakistan have shied away from categorically defining Feminism in an Islamic Society. A major debate was begun in the last decade to decide whether or not a struggle against patriarchy be waged from within the framework of Islam. As most of the anti women legislations and actions were taken by the Zia Government as part of the Islamisation programme, so women felt that there was need to show that opposition to these laws was not opposition to Islam. But there was a conflicting view also that what was needed was a movement which posed resolution of its problem in opposition to Islamic discourse'. This view was heavily marginalised with the counter argument that as Islam was part of the Pakistani culture, the opposition to Islamic discourse would lead to alienation from the mass of common women. Thus, Radicalism seems to have little or no scope in the Pakistani women's movement.

In the Post Modern philosophies Islam has been put forward as an alternative political ideology to communism and Capitalism and the Muslim intellectuals have begun

14. Kusha, Hamid R. "Minority Status of women in Islam; A Debate between Traditional and Modern Islam", Journal Institute of Muslim Minority Affaris, vol 11 (1); Jan 1990, 58.

efforts to reconceptualise Islam according to the needs of a modern state. The Modern Islam has been reframed as a 'total way of life' defining every facet of state & society.

This framework would study the problematic while recognising that problems are best solved by localized solutions only while having a broader political vision. No movement can be successful if it is steered in isolation without the grassroot level political activism and linkages with the similar, sensitive movements. This study would view the opposition to the implementation of regressive legislations by the women as a stepping stone towards the eradication of similar systems of domination in the Pakistan's society and to construct gender conscious, sensitive institutions in the state and society.

This work has set out to prove the following hypothesis that:

- 1) The interpretation and conceptualization of Islamic teachings in different Muslim countries has been varied depending upon the suitability and benefit of the ruling elite which is invariably male.
- 2) The secondary status of Pakistani women in the traditional semi feudal society has been further reinforced with the introduction of Shariat legislations.
- 3) The response of the Pakistani women organisations has been to find solutions within the Islamic framework only.
- 4) The present women's struggle is a stepping stone

towards the eradication of systems of domination in the Pakistani Society

Although, the history of women's oppression in Pakistan as in other South Asian countries is deep-rooted in social-cultural patriarchal structures of the society, but the Pakistan case merits special study because here it was not the social forces, but the state itself which was inducing the instruments of oppression upon the women.

The study sets upon to prove that firstly, the patriarchal semi-feudal structures of the society suited the interest of the state as it lessened its own responsibility towards the women. Secondly, the Islam ideology was less of a religious pursuit and more of a political instrument used at the convenience of the ruling elite which had mostly imposed itself upon the unwilling masses. The martial regimes found a suitable excuse in the objective of the construction of a true Islamic society to extend their illegitimate rule. Even the elected mass leaders took refuge in Islam for sheer political survival. Thirdly, the shariat legislations passed in 1979 merely formalized the existing secondary status of women. The focus of the study is more on the Zia regime because it was during his regime that an aggressive campaign was launched to shut women out of public life. It was during this period only that the women's campaign also took aggressive form to fight against these

legislations.

This study attempts to raise a few pertinent questions such as - Whether a woman Prime Minister has meant much for the common women. Is she really representing a separate constituency consisting of women. Has the end of martial rule meant an end to the woes of the women also?

This study attempts to look into such question with the aid of mainly secondary sources and a few primary ones.

CHAPTER II

SHARIAT LAWS AND ITS IMPACT ON WOMEN

"The muslim societies, both past and present have usually been regarded in Muslim circles and elsewhere, as a man's world."¹⁵

This perception of 'a man's world' is as incorrect as the belief that Islam is a monolithic and uniform religion. These misperceptions need to be removed in order to study the position of women in Islam objectively. There have been varied interpretations of Qoranic verses over a long period of time. These interpretations have been made keeping in mind the interest of the male ruling elite. Therefore, it is highly unjust to blame Islam for the oppressed status of muslim women.

ISLAM AND WOMEN:

Islam being the central theme, the unifying factor in most of the Muslim societies, the role of women is determined by the Islamic traditions. The Muslim women live in a variety of societies and communities where legislation, custom and traditions affected or inspired by the interpretations of Qoran, combine to define the concepts of female role and status. However, within specific Muslim society, these concepts may vary from one class or generation to the other as well as over time,

15. Waddy, Chris, Women in Muslim History (London: Longman: 1980) Pg. 10

just as they may differ from one Muslim country to another.¹⁶

This gives rise to a very basic although controversial question, that whether Islam has validated a secondary role for women?

The Qoranic verses have been subjected to many a interpretations by different interest groups which range from extreme conservatives to liberals. In confronting the claim made by Government, individuals, writers or organisations, one has to take amount of their specific context and not assume that they speak for one Islamic world or tradition, or that theirs is the only possible or legitimate interpretation of the religion.¹⁷ We are dealing with a diversity of views and interpretations, not a single body of thought.

Over a period of time different religious functionaries have given their own interpretations in different societies. Whether they are all equally valid is open to question, but the one thing which is clear is that interpretation of Islam by men have certainly suited their own interests.¹⁸

Therefore, It is not suprinsing to find that male interpretations of role norms may vary from one society to another. Often there may be disagreement between the

16. El-Solh, Camillia, and Mabro, Judy, ed., Introductions in Muslim Womens Choices Pg.1

17. Halliday, Fred, Islam and the Myth of confrontations Pg 142.

18. Hussain, Freda, Op.cit. Pg. 3

interpretations of different male authority structures but each one has used Islam to legitimise its views. However, one factor that is common to all interpretations is their aim to keep Muslim women subordinated to male role expectations.¹⁹

One feature that emerges common to all Muslim societies, whether liberal or conservative, is that male interest has been protected at the cost of women's rights. And to accomplish this, Qoran and the Hadiths.²⁰ have been used discriminately to justify the policies and actions of the ruling elite which is invariably male. If the question of women's rights is a problem for some Muslim men, it is neither due to Qoran nor due to Prophet, but simply becomes these rights are in conflict with the interests of male elite.²¹

The male elite tries to convince that their egotistic, highly subjective, and mediocre view of culture and society has a sacred basis.

The Iranian Revolution of 1979 forms a striking example of male elite subjugating women on the plea of forming an ideal Islamic society. During the Revolution, Islam was used as a political instrument, a rallying point against the growing

19. Ibid.

20. Hadith (Tradition is the collected record of actions and sayings attritruled to Prophet Muhammad. It is second only to Qoran in its importance as a basis of Islamic Jurisprudence.

21. Mernissi, Fatima, The Veil and male Elite Pg. IX

Western influence in a society afflicted by the hostile, oppressive rule of Raza Shah. Millions of women were inspired to participate in organised militant demonstrations and to wear veil as a symbol of protest, as well as a rejection of the Western ideologies.

After the accomplishment of the political objective, to the success of which women had made major contribution the women were told to go back to their tradition roles and wear Hijb-i-Islam or Veil.²²

The imposition of Veil was not as innocuous a matter as the Ayotollah's made it to be.²³ It was just the beginning of a whole series of measures which would logically lead to the seclusion of women from social, political and economic activity.²⁴

Ironically, the women become the casualties of the movement which they had helped to build hoping that they will have a more powerful voice in getting the new regime to concede to their demands.

In essence, women become the political actors at the direction of the political elite but fail to assert their

22. Enforcing the Veil Iran, Women Living Under Muslim Laws, Dossier No. 13 May 1993, Pg.52

23. An interview with Ayotollah Taleghani in Tabari, Azar and Yeganeh, Nahid ed, In the Shadow of Islam (London; Zed Books: 1982) Pg. 103.

24. Tabari, Azar, Ibid Pg. 14.

independent initiative and leadership. The usage or non usage of Islam as political instrument is dictated by the convenience of the dominant male elite of a particular society . The terms and conditions in a political movement,, even where there are large numbers of women participants, are seldom decided by women. This stands true for both secular and fundamentalist Muslim states.

For instance, in a secular Muslim society like Turkey, women and actively participated in the war of National Independence, which made the recognition of women's demands inevitable. Some of the long standing of the women were met 'from above' in the shape of civil code Reform (1926) and the suffrage Reform (1934). ²⁵

The patriarchal nature of Civil Code, which recognised the husband as the head of the family was never considered issue worth looking into. The fact that "the lives of Muslim women are influenced as much by patriarchal social arrangement as by religions ideologies"²⁶ was conveniently overlooked.

The secular state expected a corresponding loyalty and devotion to it from women. The state claimed that gender equality had become a reality in secularised Turkey, which is why there was no need for women's organisation. Soon, the Turkish women's Association was banned and the grassroots movement

25. Tekeli, Sirin, Women in Modern Turkish society. (London; Zed Books: 1995). Pg. 12.

26. El- Soth and Mabro, Judy, op. cit.,

disappeared to give way to `state feminism.²⁷

The Turkish women had supported the secularisation of state while overthrowing the Islamic traditions under ottomans, but their aspirations for emancipation were not to be fulfilled. The women were still oppressed only the forms of oppression had changed.

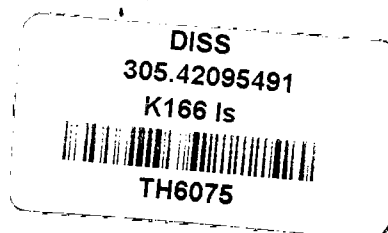
WOMEN IN EARLY ISLAM :-

The strongest symbol in Islam; Qoran was a radical document for its time, which advocated the improvement of women's position in society.²⁸ To make a fair assessment of the position of women during Pristine Islam,²⁹ the Qoranic traditions must be studied

27. Tekeli, Sirin, op. cit.,

28. Weiss, Anita in Weiss, Anita ed., Islamic Reassertion in Pakistan (Lahore: Vauguard : 1987) Pg. 98.

29. Kusha, Hamid, 'Minority Status of Women in Islam,' Journal Institute of Muslim Minority Affairs Vol. 11; Jan. 1990, Pg. 58.



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against the traditions of `Jahilliyah period.³⁰,

It has been suggested that the Pre-Islamic Arabia had a matriarchal social order,³¹ where women like Khadija, Prophet's first wife, were powerful and financially independent. But women like Khadija do not seem to be the order of the day, as they are rare figures of public visibility. The majority of the women seem to have lived in a male dominated society in which their status was low and their rights were negligible.³²

Most women were subjugated to male domination, either that of a male relative or that of a husband. The men's rights over

...Continued...

30. The term `Jahilliyah' has close connotation with barbarism. The reference is to the Pre Islamic period in Arabia.

31. Minai, Naila, "Women in Islam; Tradition and Transition in Middle East". (New York : Seaview 1981) Pg.5.

32. Stowwasser, Barbara F. "The status of women in early Islam" Pg.15 in `Muslim women' edited by Freda Hussains, op.cit.

their women were as their rights over any other property. The women were not only sold by their guardian's in a contract marriage, but were also captured to enter a forced marriage. The women's willingness, or the lack of it, was simply ignored. There seemed to be no restriction on the number of marriages a man could make.

As to divorce, it was a matter entirely upto the will of the husband who could dismiss his wife by paying back any amount of the payment that remained due to her guardian. This was enough to dissolve the contract marriage.

In the times of famine, a female could be killed at birth to increase her brother's food supply. The practice of burying alive the baby girls was quite widespread.

Against this backdrop, the reforms introduced by the prophet Mohammad were truly radical. To a large extent, the anti-women traditions carried on during Jahilliyah were put to an end. Thus Prophet has even been called 'the world's greatest reformer on behalf of women.'³³

Women in Qoranic Verses

At the very outset it should be made clear that 1) Qoranic verses were revealed in 6th c A.D. in specific context of a tribal society where all kinds of anti women practices were in

33. Goodwin, Jan, 'Price of Hnonour', (London; Little brown and Co.; 1994) Pg. 29

vogue. The reforms introduced by the Islamic laws were quite revolutionary in that particular time and space. It would be unfair to appraise those verses from a post-modern feminist viewpoint, while ignoring their spirit to elevate the status of women. 2) In most of the Qoranic verses, the men and women have been addressed separately, thereby recognising the separate independent entity of women. The women have not just been thrown in together with men. It is with this thought that one should set about looking into the Qoran.

In the Qoranic tradition, the men and women have been considered each other's equals and complimentary to one another.

"O Mankind! fear your Lord, who created you from a single soul, Created, out of it, His mate, and from them twain, scattered men and women; Fear Allah, through whom, You demand your mutual [rights] And be heedful of the wombs (that bore you); for Allah Ever watches you"³⁴

The man and women were deemed to have been created out of single soul (nafs) as against the Biblical tradition that woman was created out of Adam's rib. The women were credited with independent origin and an equally important role as men.

There after, the traditions of Jahilliyah were put to an end. One of the first such tradition was burying the baby girl alive, which Islam firmly prohibited.

34.Qoran, Surat (An Nisa) 4: Verse 1.

"When news is brought to one of them (of the birth of) a female (child) his face darkens, and he is filled with inward grief".³⁵

"With shame does he hide himself from his people, Because of the bad news he has had, shall he retain it, Or (sufferance and) Contempt, Or bury it in the dust ?

Ah! what an evil choice they decide on".³⁶

During 'Jahilliyah', women had no rights to inherit the property and even if they were bequeathed with some parental property they could not exercise control over it without male approval.

"Unto the men (of a family) belongeth a share of that which parents and near kindered leave, and unto the women a share of that which parents and near kindered leave, whether it is much or little - a legal share".³⁷

After the revelations of this verse the women were entitled to a half of share as that of a male child.

The Qoranic laws restricted the number of wives a man could have, in an effort to stop the practice of having innumerable wives., recognising the difficulty one would have to treat them all with impartiality.

".... Marry the women of your choice, Two or three or four,

35.Qoran, 16:58

36.Qoran, 16:59

37.Qoran, 4:7

But if your fear that ye shall not, Be able to deal justly (with them), Then only one, or that which your right hand possess. That will be more suitable to prevent you from doing injustice".³⁸

Although, Prophet permitted four wives but he recommended monogamous marriage to avoid injustice to women both practically and emotionally.

The women were guaranteed the right to have full control over their possessions, including dower even after divorce. The guardian no longer received 'mahr' but it was the women who got it under Islamic laws.

".... Seek them with your wealth in honest wedlock, not debaucher. And those of whom ye seek content (by marrying them), give unto them their portions (of wealth) as a duty. And there is no sin for what you do by mutual agreement after the duty (hath been done). Lo! Allah is Knower, Wise".³⁹

The new law stipulated a three months waiting period to negotiate divorce, whereas in the pre-Islamic era wives could be immediately turned out by their husbands.

"Women who are divorced shall wait, keeping themselves apart, Three (monthly) courses. And it is not lawful for them that they should conceal that which Allah hath created in their wombs if they are believers in the last day. And their husbands

38. Qoran, 4:3

39. Qoran 4:24

would do better to take them back in that case if they desire reconciliation. And they (women) have similar rights as men, and men are a degree above women. Allah is 'Mighty, wise'"⁴⁰

The widows and divorces had full rights to remarry. The Prophet himself had set the example by marrying widows and divorces, who had nobody to support them.

The Qoranic laws, while improving women's status, do not establish political, social or economic equality of sexes⁴¹ because men are considered a degree above women ?⁴²

The testimony of a woman is worth half that of a man.

.... And call to witness from among you men, two witness. And if two men be not (at hand) then a man and two women, of such as ye approve as witnesses, so that if one erreth, the other will remembers."⁴³

The woman's inheritance was half that of man, though it was can improvement of the earlier traditions. The marriage laws enjoined women not only to be monogamous but to marry only Muslims while the Muslim men were free to marry women of other faiths except idol worshippers.

The husband within the marriage had full control over her and can beat her if she is rebellious.

40.Qoran 2:228.

41. Stowwasser, Barfabares F., op.cit. Pg. 18.

42. Qoran. 2:228.

43.Qoran. 2:282.

"Men are in charge of women, because Allah hath made the one of them excel the other, and because they spend of their property (for the support of their women). So good women are the obedient, guarding in secret that which Allah hath guarded. As for those from who ye fear rebellion, admonish them and banish them to beds apart, and scourge them. Then, if they obey you, seek not a way against them. Lo! Allah is High Exalted and Great."⁴⁴

The seclusion and veiling is one of the man sensitive issues in muslim societies. The verses pertaining to these were the outcome of the specific circumstances and should be treated as such.

In 'Pre-Islamic Arabia' the practise of capturing slave girls was widespread. The veil was introduced to make a distinction between the slaves and free women. Moreover, the verse referring to veiling is specifically meant for the wives of Prophet, as they were not considered ordinary women, and were not meant for the women in general.

"O Prophet! say, To They Consorts, If it be that ye desire the life of this world, and its glitter - then come, I will provide for you enjoyment, and set you free in a handsome manner".⁴⁵

"But if ye seek Allah and His messenger, and the Home thereafter, the lo; Allah hath prepared for the good among you an

44. Qoran 4:34.

45. Qoran 33.28

immense reward".⁴⁶

"And stay quietly in your houses, and make not dazzling display, like that of the former times of Ignorance; and establish regular prayers and give Zakat and obey Allah and his messenger".⁴⁷

And for the general believers, both men and women have been asked "to lower their gaze and be modest".⁴⁸

The women have been specifically asked to,

". . . . lower their gaze and be modest and display their adornment only that which is apparent, and to draw their veils over bosoms, and not to reveal their adornment save to their husbands or fathers".⁴⁹

In case of adultery, however, both men and women were given equal punishment.

"The adulterers and the adulteress scourge ye each one of them (with) a hundred stripes. And let not pity for the twain withhold you from obedience to Allah, if ye believe in Allah and the last Day. And let a party of believers witness their punishment".⁵⁰

These Qoranic verses and Hadiths form the basis of the

46. Qoran 33.29

47. Qoran 33.33

48. Qoran 24.30

49. Qoran 24:31

50. Qoran 24:2

shariat law which is followed in the Islamic societies.

The 'Shariat' literally means 'the path leading to water' i.e. a way to the very source of life".⁵¹

Shariat is commonly understood as Allah's commandment relating to the activities of man.⁵²

It should be borne in mind that shariat is neither divine nor immutable.⁵³ as it went through a tedious process of evolution over several centuries under influences of time. The Principle of 'Ijhitihad' i.e. creative interpretation and application of Islamic jurisprudence, is well accepted in face of new circumstances. Thus, it is highly improbable to accept women being inferior as a natural law or a divine pronouncement.

The Shariat has never been a static concept as it rejected and accepted new principles through 'ijihthead' over a period of time. For example, the slavery was a justifiable system since the Pre-Islamic era, where the slaves themselves submitted to the system. The Holy Qoran was referred to justify slavery as it was considered natural for muslim societies to own slaves.⁵⁴ However, in the new civilized society, slavery was abolished and no one

51. Rahaman, Fazlur, 'Islam', (London: Wiedenfield and Nicolson; 1966), Pg. 100

52. Imamudin, S.M., Principles of Shariat' Islamic Quarterly, Pg. 1.

53. Engineer, Asghar Ali, 'Islam, Status of Women Social change', Islam and Modern Age, Vol XXI, No3. Pg. 186

54. Engineer, Asghar Ali, Ibid, Pg. 180

invoked scriptures to justify it. The interpretation of the verse referring to the right of having sexual intercourse with a slave girl has changed. Now it is interpreted as marrying the slave girl (whom the right hand possesses) to have sexual intercourse.

Similarly, the women questions is undergoing the same process.

Contribution of Prophet's Wives to Islam

The women had a very significant role to play since the birth of Islam some fourteen hundred years ago in shaping the history of Islam. The Prophet's life itself bears testimony to the crucial role played by the women towards the rise of Islam.⁵⁵

Khadija and Aisha are the two most celebrated female figures in the Islamic history, though their contribution to cause of Islam are seldom recognised. The relationship of Prophet Mohammed with his wives give an insight into the Prophet's views on women.

Khadijah was a twice widowed, forty year old woman who independently ran business and owned several caravans. She

55. For details about the early life of Mohammad refer to Haykal, Mohammad H., 'The life of Mahommed' (), Muir, William, 'The life of Mahomet', (new Delhi; voice of India, 1992), Zararia, Rafiq, 'Mahommed and the Qoran' (London; Penguin; 1991), Robinson, Maxine 'Mohammad' (London; Penguin; 1971), Denny, Fredrick M., 'An Introduction to Islam' (New York; Macmillan; 1985) Waines, David, 'An Introduction to Islam' (Cambridge; Cambridge Univ. Press; 1995), Ahmad, Zahir 'Mohammad' (New Delhi; Ambika Pub; 1980).

proposed marriage to Mohammad, (b. 570 AD), a young man of twenty five who was in her employ. She bore him four daughters and two sons of which only daughters survived. She also took over the reins of business, as before marriage, in order to give him leisure to pursue a life of contemplation.⁵⁶

When he received his first revelation in the cave of Mt. Hira and was much shaken, it was Khadijah who reassured him that no evil spirit could approach him because of his faith and morality. She is known to have consulted her knowledgeable cousin Nawafal-ib-Waraqah, who told her that Mohammad' was chosen to be messenger of God.

The most significant contribution Khadijah made was when she expressed her faith in Mohammad's vision and became the first convert to Islam.⁵⁷ Later on, Prophet is known to have said that Khadijah was the best among all women because 'she believed in me when others disbelieved. She had faith in me when others rejected. She supported me with her wealth when others left me in lurch. And God gave me children by her, which He has not given me by any other wives'.⁵⁸

And till the time Khadijah was alive, Mohammad married no other woman. Thus to a large extent, it was Khadijah who was

56. Waddy, Chris,, op.cit.

57. Utas, Bo., " Women in Islamic societies"

58. Al-Hathimy quoted in Khan, Maulana Wahidudin, 'Women in Islamic Shariat' (New Delhi Islamic Centre; 1995), Pg. 52.

responsible for the smooth birth of Islam.

And the other woman who has had an unparalleled role in the history of Islam was Aisha, Prophet's second and most favorite wife. She was married to the Prophet at the age of ten, after Khadijah had died. Aisha like Khadijah had a strong character. According to some traditions, Prophet received revelations while he was in her company. Being much younger than he was, she survived him by fifty years. And with her almost photographic memory, was able to communicate in great detail everything she had learnt from him during their close companionship, so that she became a source for relating a large number of Hadiths to the scholars after Prophet passed away.⁵⁹

During Prophet's lifetime Aisha was involved in "affair of slander, where she was suspected of adultery."⁶⁰ This incident took place while she was traveling with Prophet's caravan and had gone in privacy to say her prayers. During which she lost her necklace and set about searching for it. Meanwhile, the caravan moved on, oblivious of her obscene. Later a young man on camel, escorted her back to the city. This set the tongues wagging as the man was far younger than the ageing Prophet. But Prophet refused to heed to the allegations of adultery. And the verse related to adultery was soon revealed to him, according to which

59. Khan, Mavlana Wahiduddin, op.cit, Pg.131.

60. Encyclopedia of Islam, Vol. I,

four witnesses were required to prove the act of adultery. The people who made the allegation were severely admonished for making false accusations.

Thus, many important verses concerning women were centered around Aisha and some of his other wives.

Become Prophet was committed to the welfare of orphans and women all his wives were widows, excepting Aisha who was the younger of all. When Prophet passed away, it was Aisha that many of his follower looked upto for interpretations of Qoranic verses and Hadiths. She also acted as a judge the fact as that she was Abu Bakr, the first caliph's daughter made her position more secure.

She was extremely active is the contemporary political struggle. So much so that she became a one women shadow cabinet to the ruling caliphs.⁶¹

When the regime of third caliph, Uthamn was plagued with nepotism, she took the initiative by reminding all the followers that the lessons of the Prophet were being forgotten to soon. Aisha succeeded in her mission, when Uthman promised reforms, but he was murdered soon by his detractors.

Ali, Prophet's son-in-law was elected as the Caliph, but his election was marked with accusation was marked with murder. Again, Aisha took the centrestage when she delivered a fiery speech at the mosque denouncing criminals and those who protected

61.Minai, Naita, op.cit. Pg. 22.

them by indifference.⁶² This sparked off a civil war in which Aisha fully participated seated on the camel back. This came to be known as the Battle of Camel (656 A.D.). Aisha was defeated and sent home by Ali.

Corrosion of Women's Rights:-

Aisha's defeat became the proverbial 'waterloo' for women, who after a spell of relative freedom since 'Jahilliyah' were again being marginalised. In fact, soon after Prophet's death the process of marginalisation had set in wherein the women's right to participate in public life and even to occupy public space began to erode.

although both Aysha and Umm Salamma, Prophet's fourth wife, had been close advisors to him in political and religious matters, neither they nor any other women were invited to elect the Caliph. Within some years, the women were barred from worshipping in the mosque despite his specific instructions to the contrary.⁶³ They were also forbidden to go by themselves on pilgrimage to Mecca.

However, the Caliphs could not totally ignore the women's petition, more so because, the Prophet's widows, who were revered as 'Mothers of all Believers', formed a potent feminist force in

62. Minai, Naila, Ibid, Pg. 23.

63. Ibid, Pg. 21.

the community.⁶⁴

Under their leadership, the ban on pilgrimage and public worship was lifted, although they had to accept segregated praying quarters.

The defeat of Aisha also marked the retreat of women from public life, since she was accused by male elite of causing bloodshed and division in the community. Into Shia and Sunni sects. It gave credence to a Hadith credited to Prophet that "No people who place a woman over their affairs prosper." This Hadith is conveniently used by the present day male elite also to keep women inside the household totally under their submission, despite the fact that, Hadiths are still being scrutinised for their legitimacy and are subject to interpretations from a feminine viewpoint. Never the less, the practise of seeking legitimisation of limiting women's role to harem had already begun. This practice has been used very effectively in majority of the Muslim societies by their male elite. Which is why very few women have followed the example of Aisha.

II

BACKGROUND

The 1940 Lahore resolution, calling for a separate Muslim homeland for muslims, was the beginning of a new hope, not just

64. Ibid. Pg. 22

for the Muslim men but also for the women. Perhaps for the first time the Muslim women had been recognized as an untapped form and source of strength.

The champion of two nations theory, Mohammed Ali Jinnah, while mobilizing for Pakistan's cause did not only appeal to Muslim Males.⁶⁵ He focussed equally on women, supporting their rights and deploring their institutionalized oppression.

At a meeting held at the Muslim University Union, Aligarh, on 10th march 1944, he remarked "No Nation can rise to the height of glory unless your women are side by side with you. We are the victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the houses as prisoners. I do not mean that we should imitate West. But us let us try to raise the status of our Islamic ideals and beliefs. There is no sanction anywhere for the deplorable conditionins which our women have been subject to. You should take your women along with you as comrades in every sphere of life."⁶⁶

This clarion call to women was in itself revolutionary for the Muslim women who virtually had secluded existence

65. Mumtaz, Khawar, and Shaheed, Farida

Women of Pakistan; Two steps Fowrward, one step Backward" (Lahore; Vanguard; 1987) Pg. 7.

66. "Qaidl-i-Azam and Muslim Women", Ministry of Education; Govenment of Pakistan; Islamabad; 1976, Pg (VII)

within the zenanas only, were being called to play an active role in public life. Even the vague perception of "Islamic ideals & beliefs" was clearly over-looked in the new found enthusiasm, to wear the mantle of political actresses.

The Muslim women found a suitable role model in Fatima Jinnah, who remained by her brother, M.A. Jinnah's side at all important public meetings and conferences. She founded the Pakistan Girl Guide Association on 27th December 1947, which did valuable social work among the Muslim Community.⁶⁷ She also established 'Muslim Women Students's Federation', which actively participated in the freedom struggle and worked towards securing education for women.⁶⁸

She frequently shared the dais with her brother in public meetings and big gatherings where Jinnah insisted on separate arrangement for women. It was here that women activists of Muslim league got an opportunity to speak their mind publicly.⁶⁹ The active role of Fatima Jinnah in politics enthused the spirit of awakening in the women.⁷⁰

67. Begum. G.A.Khan in Ibid., Pg. 48.

68. Baksh, Sultana M., "Pakistan Movement and Women" Pg 495 in Kaniz. F. Yusf, ed., 'Pakistan Revolution revisited (Islambad; National Institute of Historical & Cultural Research; 1990)'

69. Salma Tassaduque Hussain, a Muslim League activist in, Qaid-i-Azam and Muslim women, op.cit., P 23.

70. Baksh, Sultana M., op.cit, P 484

The spade work to facilitate women's activity in political sphere had begun by Muslim league in 1938 itself when a women's Committee was formed at the Patna Session, which gave representations to women in every province.⁷¹ The women eagerly responded to Jinnah's call to strengthen the league, which was working for preservation of Islam and Millat-e-Islamia.⁷²

It was the first taste of freedom that the women had, even though it was thoroughly patronized by male elite.

Although the idea of Pakistan had been conceived by the male elite they expected the women to naturally follow the course. The women's role in the nation-building task too had already been chalked out by them . In a speech made from Radio Pakistan: Dacca, on 28th March 1948, Jinnah stated, "In the great task of building the nation and maintaining its solidarity, women have a most valuable part to play. I know that in the long struggle for the achievement of Pakistan Muslim women have stood solidly behind the men. In the bigger struggle for the building up of Pakistan, that now lies ahead, let it not be said that the women of Pakistan had lagged behind or failed in their duty."⁷³

Jinnah constantly endeavored and earnestly desired that

71. Ibid Pg 482

72. Ibid,

73. Pg (VI) Qaid-i-Azam & Muslim women

the women of Pakistan be well known by outstanding achievements, be educated and enlightened, politically conscious and well-informed to be able to work alongside men in nation building activities.

But somehow, Jinnah's idea of women's emancipation was as inconsistent as his idea about role of Islam in politics. The vision of women with a dynamic role was marred with the traditional male role expectation of women. This was evident from his constant emphasis on the child rearing role of women. He called upon the Muslim men to be more supportive of women's freedom because "You cannot expect a woman who is herself ignorant to bring up children properly. The woman has the power to bring up the children on right lines. Let us not throw away this asset."⁷⁴

Fatima Jinnah too while fulfilling a public role knew that "it was the duty of women to raise the young men and women and give them a good character, as they were the real foundation of the nation".⁷⁵

Nevertheless, it was a beginning of women venturing out to occupy public space, even though in an extremely restricted way.

Soon after Independence, Begun Ra'ana Liaquat Ali, the

74. Ibid, Pg. (VI)

75. Baksh Sultana M. op. cit. Pg. 493.

wife of Pakistan's first Prime Minister took the lead by starting a Women's Voluntary Service in 1948. Many women responded to take up responsibilities of administering first aid, food distribution, dealing with health problems, epidemics which arose out of mass communal killings and migration of population across the Radcliffe line.

In another bold attempt Begun Ra'ana introduced military training to women prompted as she was by the 1948 armed conflict with India over Kashmir. The Pakistan Women's National guard (PWNG) and the Pakistan Women's Naval Reserve (PWNR) were set up as a result in 1949, under the chief controllership of the Begun herself. Somehow her vision of the future of women in Pakistan seemed to be much ahead of time.⁷⁶

At this juncture, cracks started appearing in an otherwise perfect scenario of a new nation where women were matching steps with men to create a revolutionary history. Though the Women's Voluntary Service, (WVS) was largely accepted in the society, but the problems arose over the women's wings in Army & Navy. The forces was latently seen as an extension of the traditional domestic role of women and therefore acceptable, the latter was criticized because 'the women cadets marching ahead with their heads uncovered

76. Mumtaz, Khawer and Shaheed, Ferids, op.cit. Pg 51.

and being trained by men'⁷⁷ was found to be threatening to the male ego. Many girls were forced to opt out of the forces due to family pressure whereby this bold attempt could not sustain the pressure created by the conservatives for long and was soon wound up in 1954.

The WVS, which was largely formed as a response to the refugee problem, soon became a precursor to future women's organisation. Once again the motivating force behind the formation of All Pakistan Women's Association (APWA) was Begum Ra'ana Liaquat Ali Khan. At her initiative APWA was formed on 22nd Feb 1949 with Begum as the founder president. The APWA was committed towards welfare of women in terms of education, economic development and socio-cultural consciousness. APWA was not lagging behind in the political perspective either as it recommended reservation of ten seats in Provincial & National Assemblies for women in 1953. It also successfully demanded the formation of family law commission to review the personal law affecting women.

The efforts of the women crystallized to some extent under the Ayub Khan period. The General Muhammad Ayub Khan's rule characterized the continuation of the ambivalent position of Islam in the Pakistani society. His assumption of power in 1958 marked the reversal of fortunes for the

77. Ibid, Pg. 52

Islamic advocates. To begin with, he dropped the prefix 'Islamic' from the official name of the country in the 1962 constitution whereby Pakistan came to be known as the Republic of Pakistan. Soon after he jailed many of the Ulemas including Maulana Maududi in 1963 for he believed that 'such reactionary elements were responsible for the backwardness of the country.'⁷⁸

However he took an about turn on the issue of fundamentalists politics as in 1962 itself the prefix 'Islamic' was added back to the country's name by his hand picked' National Assembly. Later, the Sandhurst trained, Westernized General himself invoked Islam apparently for greater unity of Pakistan when faced with growing resentment in Bengal.

The opportunistic use of Islam according to the convenience of the Ulemas & the ruling elite was best exemplified during the 1965 Presidential elections. Fatima Jinnah was the Presidential candidate of the Combined Opposition Parties (COP). General Ayub not only condemned her candidature by himself but also got it endorsed by the various Maulvis who issued fatwas citing 'her being a woman' as a reason. And more surprising was Maulana Maududi's position who had declared himself 'the defender of faith and

78. Ibid; Pg. 57.

on finding himself on the other side of the fence opposing Ayub Khan, he conveniently supported Fatima Jinnah's candidature.

However, the 1961 Family law Ordinance, promulgated by Ayub Khan, was hailed by the woman as it discouraged polygamy and regulated divorce.

The ordinance stipulated that a man who wanted to have more than one wife was obliged to obtain the consent of his first wife. Subsequently he had to process his request giving reasons for the second marriage to an arbitration council', consisting of a representation from each party and the Chairman of the Local Council. The final decision was that of the Arbitration council.

The ordinance eliminated the customary and much abused practise of Divorce by pronouncement of word 'Talaq' thrice. Now, the husband was required to send a written notice to the chairman of the Local Council, with a copy to his wife. From the time of Notification, the 90 day period started, during which the arbitration council set up to try and bring about a reconciliation, failing which the divorce became effective at the end of the stipulated period.

The ordinance made it compulsory to register all the marriages & to necessarily have a marriage contract, (nikah nama) which made it possible for the wife to seek enforcement through court. The contract included the delegated right of divorce to wife, through which she could

dissolve the marriage by sending a notice to the chairman of Local Council. The divorce could be negotiated through mutual counsel also.

The ordinance raised the minimum marriageable age of girls from 14 to 16 and laid down that the entire amount of dower (mehr) should be payable on demand. The ordinance was welcomed by the women activists even though it was not of radical nature as it did not outlaw polygamy, neither declared extra judicial divorce invalid, nor gave equal rights of divorce to men & women. The Ordinance fell short of the Women's recommendation's or expectations.

In spite of the weak & moderate nature of the Ordinance, it was attacked by the Ulema, who declared it Unislamic. They felt that the ordinance would give rise to waywardness & promiscuity because denial of legitimate wives would lead men to take up 'mistresses'. Moreover, the men had rights to take up four wives under the Islamic laws. But a more convincing reason of ulema's opposition to this ordinance was reduction in their rights to interpret Islam because state had assumed the role of interpretation of Islamic laws, thereby rendering ulema irrelevant.⁷⁹

The adamant posture of the Maulvi's was soon mollified

79. Ibid, Pg 58.

during the Bhutto's regime who came to power after a brief period of political turmoil which led to the dismemberment of Pakistan in 1971. In such politically fluid circumstances, Bhutto introduced an era of Populism in Pakistan in order to contain the socio economic grievances that were seething below.⁸⁰ And for obvious reasons. Islam became the central theme of the populist package which had the trappings of Socialist ideology also. Bhutto felt that Islam and socialism were based on the same principle of equality which resulted from a class-less society and therefore PPP was merely striving to implement the whole ideals of the Islamic faith.⁸¹ From then on Islam became the focal point, when Bhutto declared, on 17th January 1970, in Rawalpindi that,

"We are first Muslims and then Pakistanis. Unlike Islam Pasands, we not only like Islam, we love Islam..... our foremost principle in Islam is our religion. The election symbol of PPP was designated as a sword which invoked the legend of 'Zulfikar-i-Ali", the sword of the fourth caliph, Ali. The image of a sword was also meant to be used to inspire the masses with the ideal of Jihad against the evil

80. The 1970 PP Manifesto Quoted by Hussain, Mir Zoharir 'Islam in Pakistan under Bhutto & Zia-Vi-Hig'. in 1950 Mutalib, Hussain & Hashmi tal-ult Islam, edeled, Islam Muslims & Midern State.

81. Talal Ayisha, "Democracy and Authoritananesm in South Asia," (Cambridge; Cambridge University Press, 1995) pg 79.

forces.

Even the 1973 Constitution was far more Islamic in the letter and spirit than the previous two, despite his personal secular conviction.⁸² Bhutto adapted the policy of appeasement apparently to undercut the powerful Islamic interest groups which were, created out of the Identity Crisis generated by the Bangladesh episode. Therefore a series of Islamic measures were introduced from 1973 onwards. In 1979, the Ahmadias were declared to be a non-Muslim minority under pressure from right wing lobby; he changed the name of Red cross to Red Crescent, established a ministry of Religious Affairs (Auqut), created facilities for those wanting to perform Haj (Pilgrimage)⁸³, invited the Imams of Mecca & Ka'aba to Pakistan amidst much publicity. switched the weekly holiday from Sunday to Friday, banned the sale of liquer and all forms of gambling; closed night clubs and placed a copy of Qoran in all hotels; promoted Arabic instructiion in school; provided increased facilities for the separate Islamic instruction of Shia and Sunni childern in all schools; Organised an international conference on the life of Prophet Mohammad.

In short, Bhutto unwittingly played to the whims of a

82. Ibid, Pg. 82

83. Ibid; and Mumtaz, Khawar and Shaheed, Fareets, op.cit, pg 14.

petty and scornful religious gallery.⁸⁴

This very period saw the the politicization of women through the Islamic-Socialist ideology. It held speical appeal for women as it promised them equal rights as well as a more emancipated life away from the drudgery of household chores.⁸⁵ The political exposure for women came through the formation of mohalla committes by PPP where women from upper classes as well as working classes were able to interact with each other after a long period. This experience made them more bold in making demands. Although, they lost the long standing demand for reservation of seats for women in National Assembly, they won other demands aimed at raising the women's status.

All the Govt Services mere opened to women through the Administrative reforms of 1971 from which they had been debarred such as Foriegn service; they were accepted as capable of holding the office of Prime Minister, Governor or Cabinet Minister . As a result, Ra'ana liaqut Ali was appointed the Governer of Sind for the first time. In 1975, International women's Year was launched and Pakistan signed the Mexico Declaration recognising the growing aspiratioins

84. Jalal, Ayesler, op.cit, Pg. 84

85. Mumtaz, Khawer and Shaheed, Ferrede, opct, Pg 62

of the women.⁸⁶ In 1976, a women's Rights Committee was also formed to propose laws to improve the socio, legal and economic conditions of women in Pakistan. The Committee made its recommendation in the same year but far from implementing them the Govt did not even make the report public.

This amply proves that firstly, the manifesto promises aimed at women were more populist in nature and secondly the measures to elevate the status of women had an elitist bias despite the rhetoric of socialism. The Appointment of a woman Governor or the opening of Foreign Service to women had little relevance to common women who were virtually imprisoned by the social religious norms.

The only positive outcome was the women getting politicized through the growing feminist awareness, although in the socialist framework, the emphasis was more on class struggle than on women.

The Bhutto's brief sojourn through 'Islamic Socialism' was abruptly brought to an end by Gen Zia in a 1977 bloodless military coup. The political uncertainty caused by the Protest Movement launched by a nine-party Pakistan National Alliance (PNA) against the Un-Islamic regime of Bhutto, prompted Gen Zia to assume power apparently to avert a national crisis.⁸⁷

86. Ibid, Pg 63.

87. Mumtaz, Khawar, Shaheed, Farida, op.cit. Pg. 15

The 'soilder of Islam'⁸⁸ made no pretensions about having any objective other than establishing a true Islamic society and soon he set about Islamising the society as promised.

Initially he had promised to conduct elections within 90 days, but soon this period got lengthened interminably. The plea was to ensure the supremacy of Islam in society & State before handing it back to the civilian leaders. In this way Islam became an instrument to justify the continuation of Martial law while political parties were demanding an end to it. Gen, Zia had found a perfect excuse in Islam to prolong this illegal regime.

His first step was to Islamise the penal code for which he co-opted various politicians into his Government from mainly Jamaat-i-Islami and Pakistan Muslim league. The Jamaat was the self proclaimed defender of Islam in Pakistan with an established record of opportunistic politics and the PML was a right-of centre party of no particular consequence. The fact that Jamaat had never got a chance at governnance in the past because of its regressive position made them all the more eager to join the Government.

Their long standing demand of Islamising the society

88. Hussain, Mir Zohair, op.cit, Pg. 57.

was soon to come true. During the time that the Govt had co-opted Jamaat Ministers (1978-79), the age-old demand of Jamaat for a separate women's University was accepted in principal. Similarly, the Govt also issued a directive to all its women employees to wear Islamic dresses. At the same time the Women participats in sports were also banned.

These measures were indicative of the obscurantist belief of Maulana Maududi, the founder of JI, who had fixed ideas on gender division of labour and social organisation.⁸⁹ His views were evident in the 'Purdah and the Status of women in Islam' (1939)', where he said that, "the people who abhor Purdah sincerely believe that the real aim of the education of woman is to enable her to aquire the art of appearing attractive to the male. Her real position according to them is that like the man she should also be an earning member so as to subscribe fully her share to the common budget. They think that woman is meant to add charm and sweetness to community life by her beauty and attractive manners. She should attend conferences, and devote her time to tackle political, cultural social problems. She should take part in physical exercises and sports, compete in swimming, jumping & race contests and set new records in distance flights. This is their ideal for womanhood. For

89. Shaheed, Faida and Mutaz Khawar" the Rise of Religious Raght and its inpact on Womens" South Asia Bulliten; 10 (2); 1990, P12

them material gains & sensual pleasures are of real worth, whereas the sense of honour, chastity, moral purity, matrimonial loyalty, undefiled lineage, and the like virtues, are only worthless whims which must be destroyed."⁹⁰

Thus, Maulana decried the new image of the women who were out to prove the worth of their existence. His emphasis on 'the preservation of division of labour as devised by nature between sexes',⁹¹ grew proportionately to the growing activities of women. His warning to his male audience was that, any alteration in the gender division of labour, no matter how innocent seeming today, will inevitably lead to an usurpation of their male identity. This warning betrayed a very deep-rooted fear of loss of masculinity and manhood by men, and hence the need for strengthening the patriarchal bonds. To retain the superiority on women, segregation of sexes was a must, thereby eliminating the chance of competition between the sexes.

As Gen Zia's Government was composed of people abiding by such obscurantist ideology, the series of discriminatory laws against women were soon passed under the garb of Islamisation.

90. Ibid.

91. Ibid

Hudood Ordinance

The first such law was the 'Hudood Ordinance', which was announced on 22nd Feb, 1979, on part of the Islamisation Programme. It covered theft, drunkenness, adultery, rape and bearing false witness.

At legal level, the part of the Ordinance which affect women most seriously is Zina. It encompassed adultery, fornication, rape and prostitution. There two sections: 1) Zina (adultery and formication) and 2) Zina-al-jabr (rape). It holds that Zina has been committed by two same adults having intercourse, when they are not, and do not suspect'that they are married. The Ordinance does not differentiate between adultery & fornication.

For this crime (Zina), the maximum punishment,' hadd', is stoning to death for married persons and 100 lashes for unmarried person. However, the level of proof required for'hadd' is that there be four Muslim male adult eyewitnesses of good repute to the sexual act, or a voluntary confession in a competent court of law. With any other type of evidence, including, that of women or Non-Muslims,' hadd can't be inflicted. The crime is then punishable by 'Tazir' i.e. any punishment lesser than hadd'. In case of 'Zina' the tazir has been defined as imprisonment for upto ten years, a whipping of up to 30 strips and/or a fine.

In case of rape (Zina-al-Jabr) the law is same as applicable to Zina, except that the punishment extends the time of imprisonment from ten to 25 years, with a minimum of four years. ;

These clauses concerning women raise the following concerns. Firstly, by restricting the testimony to four adult male Muslims, it excludes the non-Muslims and women from being witnesses. There is a practical lacuna existing in this law, as there are more reasons to believe that women can be raped in the presence of other women. But as their witnesses is not accepted in the court of law, the rapist is invariably set free. Moreover, it is a rather difficult precondition that a women can be raped when there are four adult male believes around to bear witness later. Secodly, this clause does not even have any divine bases in Qoran. The Qoranic verse is that' four believers amongst you shall bear witness. It does not specify the gender of the eyewitness.

Another serious concern is that this law does not make any distinction between rape and adultery and requires same level of proof to prescribe 'hadd'. This amounts to grave injustice, for the high level of proof required for Zina is in order to protect the inccocent from wrong accusations and

the Qoran is very explicit that should anyone accuse a woman of Zina without producing four witnesses,' then let him be given four score lashes and his evidence have not be taken into account.⁹²

This law as it stands, protects rapists, prevents women from testifying and confuses the issue of rape with adultery. As a result a woman who registers a case of rape can by her own admission be prosecuted for adultery while the rapist goes scot-free for the lack of evidence.

Law of Evidence In April 1982, the Zia regime proposed a new law of Evidence to replace the Evidence Act of 1872 as a further step towards consolidation of Islamisation programme.⁹³ The proposal which became law on 28th Oct 1984, prescribed that in all cases other than those covered by the Hudood Ordinance and any other special law,' two male witnesses, one male and two females, would be required for proving a crime. In specifically female matters such as menstruation and delivery, which are not directly related to men, the evidence of two or even one woman could be accepted.

92. The 'Affair of Slander' concerning the accusation of adultery on Aisha Prophet's third wife was thus settled by the prophet himself

93. Khawar, Mumtaz and Shaheed, Farida, and the Impact of Islamisation on Rights of Women', op. cit.

Laws of Qisa and Diyat: This law was drafted in Dec 1980 by the Council of Islamic Ideology.⁹⁴ It covers all aspects of intentional and unintentional, murders, bodily injury and abortions. The word 'qisas' literally means retribution and covers punishment in the logic of an eye for an eye' while 'diyat' is blood money for murder, or financial compensation for physical injury in lieu of retribution.

The draft proposal of the law stated in Section 25 (b) that the diyat for a female victim of an offence of unintentional murder would be half that of a male. The blood money for a man was fixed at 30.63 kg of silver, and only half of this for a woman. Similarly, in all instances of compensation for bodily injury, an injured or maimed woman would only receive only half the compensation due to the man for same injury.

This law neither had the divine sanctity of Qoran, nor did it inculcate any human dignity in placing a price on human life.

The reason given for the reduced diyat for women by the propogators of this law was that it is man who is financially responsible and therefore with his death the family loses its provider. This raisen-de-etre could also be understood as that women have no significant contribution to make in the family and could also be replaced easily by

94. Ibid

finding another wife.

Another clause in this proposal was section 10(b), which was found to be discriminatory in nature. According to this, for proof of murder liable to qisas, the testimony of two Muslim male witnesses was necessary. The woman's witness would be admissible for awarding tazir i.e. lesser punishment. Thus, a woman's eye-witness evidence was to be reduced to the status of circumstantial evidence in all matter of murder or injury.

The Law on Abortion:

The law on abortion formed section 96 and 97 of the proposed law of Qisas and Diyat.⁹⁵ It declared abortion illegal carrying a punishment of seven years for both the expectant mother and the person who performs it.

This law reflected upon the sheer insensitivity of the law makers. It did not even exclude the rape victims from it who would have to live with not only the trauma of violence but a constant reminder of it in the shape of an unwanted child and also the extreme social stigma attached to it. These laws were further strengthened by the introduction of state sponsored nation-wide campaigns, apparently focussing on inculcation of Islamic beliefs and ways of life.

95. Ibid

Dress Code In 1980, the Govt issued the first series of directives ordering all its women employees to wear Islamic dress. This meant that women were to wear Chador over whatever that were wearing. Overnight, the female announcers, newscasters on the Govt controlled Television started appearing with their heads covered in full sleeved dresses. In summer, notices were sent to all educational institutions to introduce Dupatta/Chador as part of their uniform. The female teachers were expected to set example for their students by wearing modest dresses with their head covered. Even sari was banned as it was considered a Hindu dress and therefore against Islam.

The Govt's attempts at enforcing the Dress code was entirely focussed on one half of the population. The restrictions were placed on women exclusively, whereas the men were left at their own discretion. Gen Zis's in his over zealousness to implement the Islamisation programme, made a habit of presenting chadors to women wherever he went, in colleges, schools, or hospitals etc. This irked many a woman as they interpreted that as the state intervention in the private sphere of their lives. They were being dictated as what to wear and what not to. The controversy was imminent as there was no unanimity as to what is Islamic way of life and Islamic dress. The declaration of Sari as being Un-Islamic was found to be illogical as a majority of Muslim women in Bangladesh have been wearing it since ages.

In May 1982 the Govt launched a campaign against obscenity and pornography. One cannot doubt the need for such a campaign, but the problem arose when Govt started equating women themselves with obscenity. The Govt issued notices that women be eliminated from all the commercial advertising products which have little relevance to women. Another directive was that the women models could not appear in a commercial for more than 25% of its allotted time. And wherever they appear, they should be dressed in full sleeved dress with Dupatta.

These directives were extended to the national press and special supplements of newspapers, which contained colour photographs of actresses. The female face soon disappeared from the.

This campaign was now being viewed as an attempt to reduce womens visibility in the public not against obscenity as stated by the Govt.

THE IMPACT ON WOMEN: These measures put together, created a rather hostile enviroment for women. They were generally being regarded as synonymous with obscenity and corruption and immortality. Now if a woman was harrassed or raped, it was because she had provoked this action by her speech, behaviour or even by mere presence.

Far from obeying the Islamic injunctions that men cast

down their eyes in presence of women, the men were scrutinizing them from head to toe in a manner previously unheard of. The vilification of women was increasing in direct proportion to the self righteous declarations of a new Islamic order.⁹⁶

It almost seemed that men had got legitimate rights to keep an eye on women and reprimand them whenever they faltered from their pre-determined path. And it did not matter whether you knew the woman or not. A number of cases were reported in Press where women were unduly harassed when they went out with male friends or even with their fathers. In one incident a woman was slapped by a total stranger inside a shop for not covering her head. In another, a mother of teenaged children was detained in police-station for hours at end, because the Law-keepers suspected her of having an illegitimate affair with her children's tutor.⁹⁷

In a more bizarre incident, a sixty five years old widow was brutally gang raped by the policemen in Lahore for they suspected her of harbouring two loose women who were to rent a room in her house. Later on she was charged with Zina

96. Khawar, Mumtaz and Shaheed, Farida, op.cit P 82

97. For details see Ibid, P. 71-72 and Mitha, Yameena, "Combating Obscenity" From The Nation May 10, 1991 P.f in South Asia Bulliten Vol 10(2) 1991.

and imprisoned.⁹⁸ The supposed loose women were also gang-raped and severely tortured.

These kinds of incidents are several to be discussed over here at length. More shocking is the treatment meted out to common women at the hands of the judiciary after the implementation of Hudood Ordinance.

Fehmida and Allah Bux Vs. the State: The Fehmida and Allah Bux case became the first of its kind under which a man was sentenced to be stoned to death and a woman to 100 lashes. Fehmida belonged to a lower middle-class family. She fell in love with Allah Bux, a married bus driver who belonged to a different community from her own and a lower social class. She eloped with him and they got married. Fehmida's parents were outraged by her action, tried to persuade her to return, and then offered a bribe to Allah Bux to divorce her. When all her attempts failed they filed a first information report (FIR) with the police which stated that their daughter had been abducted. Fehmida was pregnant by the time she was recovered by the police from Allah Bux's home where she had been living with his first wife and children. Fehmida and Allah Bux claimed that they had entered into an oral marriage and that they had delayed

98. Goodwin, Jan Price of Honour (London; Little Brown & Co.; 1994) P 49-50

registration of their nikah until after Fehmida became pregnant. On the basis of this the judge sentenced both of them to hadd punishments. Fehmida's 100 lashes were to be executed two months after the delivery of her child.

The important point in this case is not whether Fehmida and Allah Bux were guilty but that neither confessed to the crime and there were no witness, let alone the four male adults of good repute required under the law. Both the accused repeatedly stated that they were married and produced witness to that effect. That the case and the sentence were weak was amply proven when an eminent lawyer, Khalid Ishaq-an authority on Islamic jurisprudence-pleaded the case in the Supreme Court, from where it was returned to Karachi and finally dismissed.

Safia Bibi Case: In July 1983, Safia Bibi, an 18-year old virtually blind girl had been sentenced to public lashing (15 lashes), three years imprisonment and a fine of Rs. 1,000/- on charges of adultery. The details of the case were that Safia, daughter of a poor peasant, was employed in the local landlord's house as a domestic help. According to her statement made to the police she was raped first by the landlord's son and subsequently by the landlord himself. As a result she became pregnant, and finally gave birth to an illegitimate child who later died. Her father registered a case of rape after the death of the child. The Sessions

judge acquitted both the son and the father of the crime, as there was not enough evidence to prove rape under the Hudood Ordinance. Safia Bibi's self-confessed pregnancy was used as evidence of adultery by the judge who, in his opinion, was giving Safia a light sentence because of her young age and near blindness. The sentence shocked the public at large, particularly because Safia was said to be blind. What escaped the public until it was brought to their notice by WAF, was the fact that Safia Bibi's father had registered a case of rape, and the judge had taken it upon himself to sentence a rape victim for adultery, on the basis of her own evidence. Before a proper appeal could be filed, the Federal Shariat Court using its suo moto powers for the first time, asked for the case to be transferred to it for review. The verdict of the Shariat Court is important for highlighting the weakness of the Ordinance which lends itself remarkably to lopsided interpretation. According to the Federal Shariat, the Court went on to say that in the case of rape, if the man was acquitted due to lack of evidence and given the benefit of the doubt, the woman must also be given the benefit of the doubt, and the mere fact of her pregnancy was insufficient to prove her guilty.

Sohail Iqbal Vs. The State: In this case the accused faced a charge of rape in which it was alleged that he had dragged the complainant into a room, gagged her and bound her hands,

and the medical evidence confirmed recent abrasions and contrusions and fresh tearing of the hymen. The accused was convicted of rape and a tazir punishment was imposed of ten years rigorous imprisonment, ten stripes of whipping and a fine of 2,000 rupees payable to the complainant as compensation. He appealed to the Federal Shariat Court and his conviction was "converted" to Zina (i.e. fornication), the sentence was reduced to five years of imprisonment, the sentence of whipping was confirmed, but the payment of the fine was set aside " since there is a possibility that [the complainant] might have been a willing party to the offence...." The complainant was not convicted in this case, but on a further appeal to the Supreme Court the accused submitted that if there was consent, the complainant should also have been convicted. Although the Supreme Court did not interfere with the sentence, it dismissed the appeal with the following stern comments on the Federal Shariat courts decision:

"With respect, it is pointed out that the Federal Shariat Court failed to notice that the correct age of the victim was only 16 years as against the petitioner, a fully grown male in his mid-twentics. She had a frail body weighing only 94 pounds. She bore marks of violence of the back of both the forearms... typical of use of brutal force. She was a virgin before the act. The fact that gagging of her mouth with a cloth did not produce any injury was not

indicative at all of either it being a false assertion or that it was unnatural. We are unable to agree that it might have been a case of consent.⁹⁹

These judgements and incidents show as to how vulnerable women are to false accusations of adultery or fornication. The legislation instead of providing a legal cover for women, further expose them to injustice. The women had to bear the brunt of this Islamisation Programme both because of discriminatory laws & because backed by state authority it encouraged men in general to intensify their control over women's lives. At the receiving end of the most horrific state measures have been Pakistan's poor women, but the most widespread affect has been on urban women who have to leave their homes for education, employment or other reasons. These women found themselves having to operate in a increasingly hostile & constricted place.

The demise of Gen Zia in 1988 and the subsequent election of Benazir Bhutto as the country's first Prime Minister again brought a ray of hope for the struggling women. Alongwith the plane crash in which Zia died, it was considered that the women's suppression had also died.

99. "The Impact of Islamisation on the Right of Women" in a Report on "Pakistan: Human Rights Martialler Regime" (Karachi Study Circle; 1987) - P 128-129.

Benazir Bhutto inherited a weak economy, an Islamised State and society and a strong opposition from President-Army-Ulema combine. The establishment of a democratically elected Government created a new sense of enthusiasm among the marginalised women. The new Government upgraded the women's Division to the level of ministry of Women's Development in July 1989. The first important task of the new Ministry was to provide the Government with a list of the laws that are discriminatory against women. The compiled list had most of the laws promulgated under Zia's Islamisation Programme.¹⁰⁰

But the programme of rolling back the Islamisation campaign has remained on mere paper since then. Benazir caught as she was in a constant struggle against the powerful Army-Ulema-President (armed with eighth amendment) combine, the plan to repeal the discriminatory evidence never materialised. Since her second tenure in 1993 her confidence has soared with Farooq leghari (her long time confidant) installed as the President, which has subdued the Army-Ulema lobby also considerably. The women's Development Programme has also been announced simultaneously. The areas of priority of development projects are in following order:

(a). Human resource development on public private partnership;

100. Weiss, Anita M., Benazir Bhutto and the Future of Women in Pakistan? Asian Survey, Vol XXX, No. 5 May 1990 P 443.

- (b). Improvement in educational status;
- (c) expansion of health care facilities;
- (d). provision of free legal aid protection.¹⁰¹

The government also appointed three women High Court judges for the first time, the woman police officers have been inducted and a ten per cent quota has been fixed up for woman in police services.

But the fundamental issue of repealing the discriminatory laws find only a brief mention that Government is still lobbying to gain political consensus on the issue. This despite the fact that Benazir has a comfortable majority and given the political will, the necessary steps can be taken to provide a breather for the legally oppressed women.

One may also question the wisdom of the Government in giving high profile appointments to the women (like Ambassador to US, Maleha Lodhi) in the name of Gender Justice.

These women belong to an elite section and perhaps the emancipation must not remain at the elite level only. The symbols of social change must trickle down to the grassroot level women. Till then the measures taken by Benazir may make a cosmetic effect only.

101. A report on "People Govt fulfilling : An Agenda for Change-Social Sector", Nov 1994, Government of Pakistan, Islamabad.

CHAPTER III

THE FEMALE OPPRESSION AND IT CAUSES

A study of the Legislations regarding women in Pakistan allows us to make two generalizations. Firstly, no law said to be based on Islamic injunctions has been legislated by the elected representatives of the people.¹⁰² Whether the progressive personal laws (Family Law Ordinance, 1961) of Gen. Ayub Khan or the retrogressive ones of Gen. Zia-ul-Haq (Hudood Ordinances, 1979, Law of Evidence, 1984, Enforcement of Shariat Ordinance 1988), all came into force as decisions of authoritarian military rulers. Secondly, once such laws have been enacted, no democratic institution has succeeded in reversing them.¹⁰³ Despite the restoration of democracy in Nov, 1988, the elected Govt. of Benazir Bhutto could neither repeal nor make any alterations in the legislations pertaining to women.

Thus, the legislations fashioned by the narrow interpretations of Islam by military Govts have remained in force, despite their acknowledged oppressive nature.

In this context, it would be important to study a) the female status b) The causes of female oppression.

102. Shaheed, Farida & Muamtaaz Khawar, "The Rise of Religions Right and its Impact on Women." South Asia Bulliten Vol;10 No.2; 1990 Pg 9

103. Ibid.

Social Indicators of Female
Status in Pakistan

Population :	male	50,614,000
	female	47,058,000 (1995 census)
Urban Population (%)		30
	Sex ratio (Female Per 100 mates)	91
	Annual Population Growth Rate	3.1
Maternal Mortality Per 100,000 live births		500
	Total Fertility rate	6.2
	Female mean age at marriage	16.5
	Literacy rate	22.3
	Enrollment ratio :	
	Primary (female as % of males)	55
	Secondary "	44
	Tertiary "	38
	Gross Ratio	16
Labour Force Participation Rate (LFPR)		8
Economic Activity (Age 15+)		14
Occupation :	Managerial	3
	Technical	22
	Clerical	3
Political Participation :		
	Municipality (Share % of Seatsheld)	nil
	Parliament (")	2
	Ministerial Level(")	4

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- a. Human Development Report, 1995, UNDP, New York.
b. Moghadam, Valentine M., 'Patriarchy and Politics of Gender in Modernising Societies: Iran, Pakistan and Afghanistan, South Asia Bulletin; vol 13 (1&2): 1993; p 120
c. Pakistan Labour Force Survey, 1991, Islamabad

To determine the Female status in Pakistan, mainly four indicators have been used- Literacy rate, Fertility rate and Maternal Mortality rate, Economic activity and the level of Political Participation among women. The present analysis has been restricted to quantifiable factors only , although, socio-cultural factors have an equally important role to play.

The Female status itself has been described firstly, as to denote a woman's access to resources such as economic, gainful employment and health services and secondly, the position(power, prestige, authority) that a woman has in various situations.¹⁰⁴ This Power enables her to change or influence the behavior of other men and women when they are opposed to her.

The improvement in status of women is directly linked to the increase in the female literacy, which has conventionally been regarded as an indicator of female status. Consequently, there is a consensus that female education and fertility are inversely proportionate to each other. An uplift in the status of females through increased educational and employment opportunities enables her to have greater control over her reproductive behavior and enhances

104. Manzoor, Khalida, "An Attempt to Measure Female Status in Pakistan and its Impact on Reproductive Behaviour The Pakistan Development Review, 32 (4); Winter 1993: 919.

her participation in familial contexts.

This ultimately leads to a fertility decline as has been the experience of developed countries. The effect of education on fertility reduction manifests itself through an increase in age at marriage and thereby reducing the length of her reproductive period and also by increasing the opportunity cost of her time as she becomes a potential entrant to the labour force.¹⁰⁵

Along with female education, employment is considered a critical policy measure to lower fertility rate.¹⁰⁶ However, in the case of Pakistan, like other developing countries it has been found that the inverse relationship between employment becomes a critical determinant of reproductive behaviour. The employment has a more likely negative effect on fertility for women in higher level occupation, but for those who work at lower levels or inside their homes in informal sector, the employment does not necessarily change their status and does not also mean greater participation in familial decisions.

In Pakistan despite two decades of industrial growth the Female Labour Force Participation Rates (LFPR) have been

105. *ibid.*

106. Kazi, Shahanz and Sathar, Zeba. A. "Informalisation of Women's Work; Consequence for Fertility and child schooling in Urban Pakistan. Pakistan Development Review 32(4): Winter 1993; Pg. 887

quite low. The female participation at technical levels has been limited to 22% and at managerial level only a dismal low of 3%.

However, this should not be construed as meaning a virtual non-existence of women from the economic activities. The women labour force makes a critical contribution to both rural and urban sectors.

While there is no exact data by which one could enumerate the number of women engaged in paid labour activities but the labour force survey (1991) estimates the Urban LFPR at 8.5% for women and the Pakistan Integrated House hold Survey 1991 suggests an over whelming majority of economically active women actually engaged in their homes either as unpaid family helpers in the family business or in income generating activities with in the home which fail to get them included in labour statistics.¹⁰⁷ This indicates the existence of a large informal labour sector as women enumerated in the formal sector comprise less than one fifth of those who are excluded from it.

A large number of women work in home-based piece-rate employment, consisting of activities like, shelling peanuts, wrapping toffees, making paper bags, weaving chairs, material packaging, cleaning rice etc, for which they are

107. Kazi and Sathar, op.cit. P.889-90

paid a measly sum of Rs.0.50 to Rs.5 per piece/kg.¹⁰⁸ Many other are employed as sweepresses, washerwomen, maids etc because of low education & skill.

The informalisation of women's work reduces labour costs since temporary workers are outside the purview of labour legislation and are thereby not entitled to maternity leave & other benefits. Subcontracting in addition, not only allows firms to circumvent labour legislation but also offers 'reduced overhead cost' advantage.¹⁰⁹

The female urban labour force is just the tip of iceberg when compared to the Rural labour force, where women form the backbone and are engaged in a variety of activities like cattle feeding, poultrykeeping, hoeing, harvesting, winnowing etc. In fact, the women perform the full agricultural activities, both visible and invisible apart from thus traditional household and social activities. In Pakistan the women usually work for 12 - 16 hours a day in farm & house activities throughout the year.¹¹⁰

The importance of rural women in agriculture is least

108. Bilquees, Faiz and Hamid Shahnaz, "Employment situation and Economic Exploitation of Poor Earning Women in Rawalpindi," Pakistan Development Review Vol XXVII (4); Winter 1988; P 791-3

109. Kazi and Sather, op-cit., P.888

110. Khan M.S., and Sullan, Zafer, "Pakistani Women in Agriculture," Journal of Rural Development and Administration Vol : XXI, No.3, Summer 1989, P.29

recognized due to a deep-rooted feudal system where male authority is considered supreme, whereeven the women do not assert themselves as co-producers of the agriculture yield .¹¹¹

Although, the women participate exclusively in the production and processing of crops and perform activities ranging from harvesting to grain storing, but as the crop is processed and made ready for sale, men take over at this stage as they alone are permitted access to the world of business and exchange. Ironically, both the credit and return for the finished commodities go to the person who makes the sale.¹¹²

The women involved in the livestock activities cannot buy or sell animals in the market. All the monetary transaction are conducted by and amongst men and payment is made to the male heads of the household even for the work done by the women. This income earning power of men gives them an upper hand on women and makes them appear in the large cultural pictures as the only providers, devaluing the women's worth on the one hand and trivializing their work on the other.¹¹³

111. *ibid*, P.26

112. Ibraz, Tassawar S, and Fatima, Anjum, "Uneducated and Unhealthy: The plight of Pakistani Women," Pakistan Development Review, 32(4) Winter 93; Pg 910

113. *ibid*.

These rural women are the tarests of `underinvestment (Both in education and health) whereby low levels of education, lack of awareness and access to medical facilities pose a major threat to their development as a healthy and productive group. Such neglect of women hampers their access to facilities, opportunities and structures of power.

The Pakistani women not only lag behind their male counter-parts in literacy only 47% if females are literate as compare to men. But the female literacy rate in Pakistan is one of the lowest in the world (only 22.3% of women are literate).¹¹⁴ While the basic literacy is denied to women, a strong cultural focus and value is on their fertility rate which is one of the highest in the world (6.2 children per women).¹¹⁵

Consequently, the maternal mortality rate is also very high (500 to 100,000 live births).¹¹⁶

This is related to assigning low priority to female education and a higher reproductive burden resulting in multiple pregnancies. The low focus on women's health is

114. Human Development Report. 1995, New York.

115. Ibid.

116. Ibid

reflected in the inadequate medical facilities available to women especially in rural areas. Only a total number of 1057 maternity child-centers and 464 rural health centers, cater to a burgeoning female population.¹¹⁷

Every year approximately 28,000 mothers die during childbirth (at 1988 level), one third of which are related to maternity problem.¹¹⁸

As men are perceived as bread winners, they receive both nutritional and educational priority, women on the other hand remain illiterate and malnourished relatively. At the level of political activity, there is only a marginal participation from women. (Only 1.6% of the women are members of National Assembly of which only 4 have attained ministerial level). Ironically, these women hardly represent the oppressed Pakistani women as on one hand, they belong to elite backgrounds and on the other, they are either the daughters or wives of members of ruling elite. They can hardly act as grassroots level leaders of the oppressed Pakistani women.

Thus, the women in Pakistan continue to exist amidst the institutionalized oppression. The Pakistan commission on the status of women (1985) aptly wrote about the plight of their women.

117. Ibrah & Fatima, Op.cit., P.906.

118. Ibid

" Bought and sold, beaten and mutilated, even killed with impunity and social approval.. dispossessed and disinherited despite legal safeguards....."119

The Islamic regime of Gen. Zia not only arrested the process of providing women with what so ever little 'legal safeguards' they had in the family law ordinance it also introduced a series of negative laws (discussed in ch-II) in effect formalized women's secondary position in society.¹²⁰

An important thing to remember is that the legislations concerning women that are enacted from time to time, actually reflect upon the state's position on women. The state's position may be based upon ideology or pure opportunistic interest of the ruling elite. And to understand the causes of female oppression one has to look beyond the reflections of the state. The causes may vary from socio-cultural factors which are deep-rooted in Patriarchal structures, economic development, social change (including the rise of fundamentalism) to the politics of gender where state is often an active player.

To begin with Patriarchy has been simply defined as a set of relations between men, which have a material base, and which, though hierarchical, establish or create

119. Khawr, Mumtaz and Shaheed, Farida, op.cit., P21.

120. Ibid, P94.

interdependence and solidarity among men that enable them to dominate women

The theory of Patriarchy contends that the material base upon which patriarchy rests lies in men's control of essential productive resources and instill in women the belief that it is natural for the women to do unpaid housework. Men keep their patriarchal control by restricting women's sexuality.¹²¹ The state and sophisticated institutions to control and appropriate women's freedoms, sexuality and labour are designed and maintained successfully by the three most significant social organisation- the community - reflecting its position in the rank order; the family- where sense of belonging to a particular community, and the need for its support in the times of distress requires obeisance to the community's norms; and the state -through its gradual evolution within the region.¹²²

The structures of Patriarchy are firmly entrenched in the Pakistani feudal system. The feudal lord known as Zamindar assumes the chief decision making role. The women and children form the lowest rung of feudal hierarchy. The position of women in a feudal structure is aptly portrayed

121. Brock Utne, Birgit, 'Womens and Third world countres- what do we Have in common', Women's Studies International Forum, Vol.12(5); 1989, P. 500

122. Majumdar, Vina, 'Women and Development', in South Asia 2000 ed., Emerging South Asian Order P.310

in the autobiographical book 'My Feudal Lord' written by Tehmina Durrani, who herself was married to one such feudal landlord. As is evident in the book that brutal marital violence is an accepted social behavior on part of the husband. A man who is on the wrong side of forty but has material power is at liberty to marry young girls barely out of their teens. A wife who is independent spirited and has been able to pursue a chosen career is frowned at by not only men but also women because women are schooled since childhood that their allotted place in a society is her father's/husband's home. They are never encouraged to be self dependent in a patriarchal feudal structure.

The Patriarchy extends even beyond the limits of a household. Outside, of the household, a source of patriarchal control is political-juridical, that is, state and legislation. Constructions of gender and discourses about women are sometimes a convenient weapon between contending political group.¹²³ The Political elite or states may raise "The woman question " - or the issue of morality and cultural identity - to divert attention from economic problems or political corruption. States base and legitimise their own power on patriarchal structures such as the extended family or rural groups foster and encourage its

123. Moghadam, Valentine M., 'Patriarchy and Politics of Gender in Modernising Societies: Iran, Pakistan and Afghanistan', South Asia Bulliten; Vol.13(1&2); 1993; p125

perpetuation through legislation subordinating women to the control of men.¹²⁴

The states find it useful to foster patriarchal structures because the extended family performs the vital function of providing welfare and security to its members.

The persistence of Patriarchy relieves the State of responsibility for the provision of welfare to citizen.¹²⁵

The befitting example in this case would be the martial Regime of Gen Zia in Pakistan, which took up the role of a state Patriarch. The state took up the responsibility of defining the 'sphere of access' for women. The issue of women's morality was linked with sexuality, the parameters of which were determined by the state. The women were the target of Islamic Reform Programmes. This trend led to the rise of fundamentalist, movements which claimed to have a political and cultural agenda.

The Fundamentalist or Islamic movement must be understood as both political struggles on part of the descending or ascending classes in contention with ruling groups and as a cultural phenomenon which seek a return to values and structures of the past including traditional sex

124. Agarwal, Bina, in Ibid, P 125.

125. Ibid.,

roles 126.

The crucial position of women with regard to the symbolic identity of any society or community may explain why all fundamentalist target women in the name of identity and moral order. All fundamentalist have defined women (and children) as collective property in need of protection because the confinement of womanhood in fundamentalist religious code is a precondition for maintaining and reproducing the fundamentalist version of society.¹²⁷

In this context, one can discuss one of the most important writings concerning Muslim women in the sub-continent - 'Bahishti Zevar' (Ornament for gaining Paradise) which was written by Maulana Ashraf Ali Thanwi (1868-1943) who best represented the champions of old values of a stagnant social order and proponents of status quo. Maulana tried to arrest the rising influence of western thought on the lives of Muslim women. On the religious basis, he tried his best to keep the women in their allotted position in the old structure of society. Thus, for the education and training of women in the old style of life, the Maulana

126. Ibid

127. Helle, Anita, 'Women and Muslim Fundamentalism', Economic and Political Weekly; Nov 6, 1993, p2455

wrote Bahishti Zewar, so that after its reading, a woman may easily accept the superiority of man and not only remain contented with her slavery but she may consider it a matter of pride.¹²⁸ The main objective of this excuse was the creation of an ideal women who would be subservient and servile, so that the structures of patriarchy remains intact.

Maulana Thanwi painstakingly not only described the duties of an Ideal woman but also the process which goes into creating one He was strongly opposed to giving modern education to girls as it was harmful and injurious for them.¹²⁹

As a concession he prescribed religious education consisting of Qoran and ten parts of Bahishti Zewar, which was considered sufficient. He was not in favour of teaching the skills of reading & writing to the female children. If they did learn them it was to be limited to simple letters and accounts of the family. He disapproved women reading books of romances, poetry and novels. If one saw his daughters reading such material then he should snatch it and burn it.¹³⁰ He allowed only a limited scope for women and by

128. Ali Mubarak, 'Bahishti Zewar and the Image of Muslim Women', South Asia Bulliten, Vol.V111;1988;p60.

129. Ibid., P 61.

130. Thanvi, Maulana Ashaf Ali, bahishit Zewar, (Lahore; Taj o. (no Date), Part-III P. 59,

keeping them practically illiterate, ignorant and obsoletely backward, he wanted to uphold a decaying society and to protect the aristocratic values.¹³¹

The women were thus bound within the home often at the mercy of the dominant male. Maulana insisted that all economic pursuits were the sole domain of men and it was their duty to provide the basic needs of women.¹³² The women on their part were to remain gratituos and obedient to their 'masters'. The violation of a husband's will was considered a violation of social norms. The male superiority was also defended on the grounds of religion and morality. He strongly emphasized that women should carry out all the commands of their husbands without any question If the husband calls his wife, then she should immediately attend upon him even if she were engaged in some important domestic task.¹³³ She should try to beautify herself in order to please her husband. The main objective of her life should be happiness and pleasure of her husband, he also forbade women from wearing tight clothes. According to his description, the best dress for women was a shirt with long sleeves of a

131. Ali, mubarak, op-cit, P. 61.

132. Thawr, Manlava Asharf Ali, op-cit, Part IV, P29.

133. Ibid., P. 34

thick fabric that would wrap around completely.¹³⁴ The women were to be bound within the homes and wrapped around from head to toe, as if to be ashamed of their body and feminine sexuality. Maulana was also convinced that it was best to keep the woman within the four walls of her house like a tamed animal.¹³⁵

Such beliefs of men like Maulana Thanwi proved to be popular among the literate Pakistani families who invariably gifted a copy of Bahishti Zewar to their daughter about to get married. This work betrays the elitist values of upper class Muslim society which lay great emphasis on a women's virginity and her obedient character. The class and gender bias are also evident as such ideas would influence only the middle strata which constantly apes the class higher-up in the social hierarchy. The common people with pressing economic needs would rarely abide by concepts like 'Heroism' or 'Purdah'. Nevertheless, the elite imposes its own class values on the common people because of its material power over them.

Over a period of time, such values become part of the popular culture itself. For instance at the cultural level, religion informs our notions of sexuality, marriage, the

134. Ibid, P.29

135. Ali; Mubarak, op-cit, P62.

family and so on. ¹³⁶ These are the aspects of one's everyday life that are all too often taken as self-evident and seldom subjected to challenge and confrontations. Yet it is at this level that the socialization of both men and women has historically been rooted. This does not also mean that cultural notions and constructions of gender inequality are monolithic and static.¹³⁷ The socio-economic realities of existence constantly serve to adapt and transform cultural modalities over time such as, increased female education and economic realities which induce women into paid labour force. These changes do not, however, in themselves bring about a necessary change and transformation in popular perceptions regarding women's role and position in society. For example, the official Pakistan Governments statistics never fully recognize the Contributions made by the large burgeoning female work force (both rural & urban) to the economy.

However the Pakistani economy like other developing countries is undergoing industrialization, urbanization and the consequent social changes. The experience of developed countries shows that the passage to modernization is ambiguous, fragile and full of tension. The traditional

136. Rouse, Shahnaz, 'Women, religion and State, South Asia Bulletin, Vol.8 (1988), P.54.

137. Ibid,

groups often co-exist uneasily with the modern social classes. Women's rights groups and fundamentalist movements, female autonomy and familial control of women, mass poverty and elite privilege, high-tech industries and traditional markets, all co-exist uneasily.¹³⁸

This sets a situations of disparity and disaffection that underlies calls for moral and cultural renewal, including the privatization of women's roles. The women becomes the symbol of social control.

The politicization of gender is used for this purpose. The representations of women are deployed during revolutions (as in Iran) or state building processes. They are linked to cultural identity, tradition and religious orthodoxy. For Fundamentalists who prefer veiling and restriction, women are seen as the bearers of culture and repository of traditions, constructions of gender inevitably emphasize women's reproductive roles and thus, the state assumes pro-natalist policies.¹³⁹

The state in Pakistan is represented by the erstwhile feudal landlords in their new roles of political leaders, capitalists and bureaucrats. This class has its own oppressive history.

This class for its own sheer survival has evolved two

138. Moghadam, Valentine M., op.cit. p-125

139. Ibid, P.126.

hypothesis - firstly, Islam is a social and economic system distinct from Capitalism and Socialism and secondly, the Pakistani society must undergo a process of Islamisation.¹⁴⁰ This Process of Islamisation must be according to its standards and value perceptions and interpretations. The sole motive of formulating these two hypothesis is tendentiously aimed at advancing the interests of the ruling Capitalist & Landlords in economic, Social, political, ideological & cultural framework of a dependent state. To achieve this, the religious rituals were politically exploited by autocrats and usurpers (Modern ruling classes) for there own vested interests.¹⁴¹

140. Haque, Ziaul, 'Islamic Processes; realities and Trends,' South Asia Bulliten, Vol.8 (1988) P 50.

141. Ibid.

CHAPTER - IV

WOMEN'S MOVEMENT IN PAKISTAN

Although the women's movement in Pakistan existed ever since its creation in the form of All Pakistan women's Association, it took a more aggressive shape with the formation of Women's Action Forum in 1981. There existed a fundamental difference between WAF movement and earlier women's movements. Earlier the women's groups were to a large extent patronized by political groups/leaders and worked with the state in a bid to participate in the nation building process. They also became part of the establishment in a way, when they accepted positions on Government sponsored committees/programmes on women.

But after the creation of Bangladesh in 1971, the euphoria of achieving Independence from British as well as oppressive Hindu Majority had died down. The women who had participated in the national/movement, begun to see through the pitfalls that existed for them soon after, the Zia regime unleashed the Islamisation Programme which had a marked derogatory affect on women.

These laws combined with underdevelopment, religious and social norms, and the patriarchal structure, came to define the role and status of women as inferior and subservient to

that of men. Consequently, the contribution that women made to society was under-valued, underplayed and often ignored.¹⁴²

Under such hostile circumstances, WAF was born to launch the women's struggle afresh. This time the women were firmly opposed to the Govt. implementation of repressive laws. The partnership of women with establishment since Jinnah's era had ended under Zia's rule. The soft approach of women's group had given way to a more militant posture adopted by them at an activist level. Earlier, the upper class ladies would venture into such activities more as an excuse to step outside the Zenanas than any firm political-ideological commitment.

This time the women were politically conscious of their rights, role and position in society.

The Birth of Khawateen Mahaz-e-Amal:

The oppressive and hostile regime of Gen Zia acted as a catalyst in awakening the spirit of women. The Islamisation Programme and the retrogressive set of laws provided the backdrop for the birth of Khawateen Mahaz-e-Amal for the Women's Action Forum (WAF). The sustained onslaught on woman by the state prompted Shirkat Gah¹⁴³ to take the matters in

142. Rahman, F.; No Return to Veil in Davies Miranda editea 'Third World, Second sex' II (Londen, Zed Books 1987) p.16.

143. Shirkat Gah, a Lahore based women's organisation and Resource Centre was formed in 1975.

its own hands. It felt that there was a need to have a platform which would represent as many women's organizations and individuals as possible, and that the existing trend to deny or rescind women's rights could only be countered by a co-ordinated effort of all women's organisation's. It called a meeting of women organisations and concerned women, of which initially only 30 women attended.

Those who formed WAF were perturbed by two major trends; first, they were alarmed at the growing trend to segregate women, which they saw as a part of a larger move to push women out of public arenas and back in their homes. It was in this context that they rejected the idea of a separate women's university and banning of spectator sports for women participants. Secondly, they were angry about various measures which were being adopted or proposed in the name of Islam.¹⁴⁴ The Hudood ordinance was a measure which legally reduced the status of women.

The WAF launched a signature campaign which demanded; that the Family laws Ordinance be strengthened to protect women and not be repealed, the women be given protection in police custody; that the ban on women participating in spectator sports be lifted; that scarce financial resource be put into basic literacy for women and not into the luxury of a separate women's university; and that the ban on

144. Kahwar, Mumtaz and Shaheed, Farida, op.cit p. 74.

cultural activities in educational institutions be lifted.

The WAF, as an organisation, came on its own on Feb 12, 1983 when they came out in a public demonstration against the military dictatorship and state's Islamisation policies. This demonstration was an important landmark in the history of women's movement in Pakistan. The women's solidarity marching down the streets of Lahore was an indicator of the defiant, aggressive mood of the women.

On Mar 8 '1983, WAF decided to hold another demonstration in protest against the passage of law of Evidence in the Majlis-i-shoora. WAF invited two alims (religious scholars) to address the meeting. In their speeches both the alims opposed the law of Evidence passed by the majlis as being Un-Islamic and said that the women's evidence was as admissible as men.

This demonstration cum public meeting brought forth a sharp difference that existed among women on the issue of usage of Islam as a political instrument. Some women felt that an invitation to alims was as blatant a use of Islam for political interest as was being done by the Zia regime. This position was despite that fact that the alims had spoken in favour of the women, others, who primarily belonged to the middle and lower middle class went back home more satisfied as the alims speech had given them this assurance that their (women) position had religious

sanctity.

This public meeting however, because the focal point of a debate generated on women working within or without the Islamic framework.

Feminism From Within or Without Islam

The term Feminism is still not a frequently accepted terminology in the Women's Movement in Pakistan. This is not only true of the official policy makers, but also of some of the women's activist. A clear example of this ambiguous position is that even the women's studies departments in Pakistani Universities avoid using the term feminism.¹⁴⁵ even much of the writing on women in Pakistan is prefaced with statements distancing the work from 'radical' western' feminism. The author of the foreword in another book commends Pakistani women for advocating gradual change and being dedicated to their families which are a great protector of a woman's position.¹⁴⁶

145. Fauzia Gardezi Islam, feminism, and the women's movement in Pakistan; 1981-1991, South Asia Bulletin 10(2); 1990; P.19

146. Ibid

This dilemma was facing the WAF activists also as whether to wage struggle against patriarchy from within or without the framework of Islam. The fact that women's oppression was being formalized in the name of Islamisation prompted the debate on Islam. The hudood Ordinances , Law of Evidence, and the law on Qisas and Diyat were all proving to be anti-women legislations. Gen. Zia was virtually 'selling' his policies to the masses with an emotionally charged religious plea to create a true Islamic state. This exploitation of Islam for an extremely selfish purpose- to extend his illegal rule - needed to be exposed before the unsuspecting masses.

Therefore, one section of the women felt that ,there was a need to show that opposition to these legislations was not opposition to Islam. They felt that the common women needed to be assured that their activities were in agreement with the Divine proclamations. The lower middle class women would participate in the movement if they felt that the movement had religious sanctity.

One side of this debate is that what is needed is a movement that poses resolution of its problem in opposition to Islamic discourse. The point is not to reject Islam, but to clear that the issue of women's rights is a secular issue

of human rights. On the other hand, women felt that Islam is part of Pakistan's culture; in order not to be perceived as alien, there is a need to operate within Pakistani culture and, therefore, within Islam. In addition, they state that, while upper and upper-middle class women may prefer a secular women's movement, a discussion of women's rights within Islam is needed to appeal to lower-middle class and working class women.

Those who see the women's movement and Islam as diametrically opposed forces tend to confuse Islam as a religion with patriarchy as a social structure, seeing the latter as a direct consequence of the former, whereas in fact there is a juxtaposition of the two, or a superimposition of one on the other. Those who admit the necessity of working within Islam but only in the present context (believing that a change in government will automatically resolve the 'Islamic issue'), fail to recognize the historical role of Islam in the general evolution of the country as well as in specifically determining the male-female relationship

It has been argued by both Muslim and non-Muslim women that Islam denies women their rights, reduces their status to half that of men and is therefore the cause of Muslim women's oppression. Further, being fundamentally patriarchal, it cannot be used as a vehicle for the women's movement, and any women who attempt to do so are doomed to

failure to form the start. The focus on Islam seems to blind such women firstly to the fact that Islam is no more, and is often less, oppressive towards women than most world religions, and secondly that religions, like ideologies, are used to justify and maintain control in a particular social structure, be it that of capitalism, feudalism or patriarchy, and are not in themselves the cause of the actual structures nor are they synonymous with them.

The patriarchal system to be found in Pakistan today does not owe its existence to Islam and predates the arrival of the latter in the sub-continent. It is nevertheless not an Islamic patriarchy, containing within it elements which are pre-Islamic, some of which are in blatant contradiction with Islamic injunctions. As a social system patriarchy remained largely untouched by the advent of Islam, or at a more basic level by the transformation from a tribal to a feudal society, by the experience of colonization or by the introduction of a capital mode of production. The hierarchy that is an integral and inherent part of a patriarchal system subordinates younger to older men, dividing the former in their rivalry to attain power at the same time that it subordinates all women to all men. It is therefore a system that militates against equality between men as well as between men and women, and is an ally of all social structures of inequality. Whether they are tribal, feudal or

capitalist in nature. For this reason patriarchal systems continue to exist despite other infrastructural changes, altered only in so far as it is expedient for the latter. That the basic contradiction exists at the level of the social relations of production and not at the level of ideology or religion, and that Pakistan patriarchy is neither Islamic nor caused by Islam, is evident from the selective adoption and adaptation of Islamic laws and injunctions in South Asia.

In Pakistan, those aspects of Muslim jurisprudence promoting the predominance of men have been widely accepted but Islamic injunctions protecting or promoting the rights of women have been systematically rejected. Inversely, customs which contradict Islam but which ensure the supremacy of men have been accepted and continue to operate.

Political Perspective: The charter of WAF described it as a non-hierarchical, non-political organisation. But study of the Forum's activities would prove that it was non-hierarchical but not non-political in nature. The term non-Political is commonly equated with the term 'apolitical' meaning being politically apathetic. What the WAF meant by using the term non-political was that they were not affiliated to any political party or were not involved in any parliamentary politics.¹⁴⁷ However, this message could not

147. Khawar, Mumtaz and Shaheed, Farida, op.lit, p 127

be affectively conveyed to the masses. Although, WAF tried to defend the usage of this term but later reacted its negative affect not only on other progressive movements but also on their target group i.e. women. This is amply demonstrated in the WAF paper titled 'Struggle for women's Rights in Pakistan' presented at Beijing women's conference in September 1995. The revised introduction of WAF reads as,

"It is a lobby cum pressure group committed to protecting and promoting the rights of women by countering all forms of oppression. It is a non-hierarchical, non-governmental and while (being) politically conscious, it is not affiliated to any political party".¹⁴⁸

The political framework of WAF was quite ambiguous in the beginning when it refused to form linkages with other progressive movements demanding restoration of democracy. This decision of WAF was an outcome of the deep-rooted fear that once the political target has been achieved, the women who have been active partners in the struggles find themselves still meaning the shackles of age-old tradition".¹⁴⁹

The promises that are made to them are conveniently

148. "Struggle For women's Rights in Pakistan" Paper presented by WAF, Pakistan at Fourth World Conference on women, Beijing, Aug-Sep 1995. p 2.

149. Khawar, Muntaz and shaheed Farida, op.cit. p129.

forgotten as men takeover the reins. This apprehension was correct to a large extent but the women could not overlook the necessity to have a political framework. The women do not live in isolation', but are a part & parcel of the society. The position of women is rooted in the societal structure itself and until that structure is changed the status-quo will remain. After lengthy deliberations the political framework was also envisaged. WAF stood for a democratic and pluralistic system where 'people can express themselves freely and where women are involved in all political processes at every level.'¹⁵⁰

The initial hesitation at joining the movement for restoration of Democracy was overcome (MRD). And WAF opposed the military rule of Gen Zia demanding a return to the democratic parliamentary system.

IMPACT

The biggest impact of WAF activities was that women came to be regarded as an independent entity. WAF's impact should not be judged simply on the basis of the number of women and men it has reached or mobilized. It has left its mark in other ways such as evolving a pattern of work and providing a model for other organizations.

WAF's impact has been felt at the national level where the women's question has been raised in an unprecedented

150. 'Struggle for Women's Rights in Pakistani op.cit. p 7.

manner. Previously, the activities of women's organizations, when these were related to rights, have almost inevitably been restricted to a particular right or law. Never before has there been such an effort to focus attention on women's issues when and as they have emerged. And if in the public's mind WAF became so identified with the Law of Evidence that some felt that the two were synonymous, it is due to the publicity reaped by that issue and WAF's sustained effort in that regard, certainly not because it was actually WAF's sole concern. WAF's concerns have ranged from the implications of the Sixth Five Year Plan to sports, passing through various laws affecting women, whether passed or proposed, crimes against women, inadequate statistics, dowry and a host of other issues. If WAF's campaign against the laws has been highlighted, it is because this is where it has directly opposed the government, supported by other organizations. WAF demonstrated women's ability to resist government moves and to defy martial law restrictions. Under the circumstances this is what caught the public imagination.

Co-ordinated by WAF, the combined efforts of women's organizations have induced other sectors of society to acknowledge women. The professional groups, trade unions, and politicians (both those belonging to political parties and independents) as well as the Government itself, have

consciously started addressing themselves to women or at least paying lip-service to the need for women's participation. Obviously lip service is only a very first step, but it is nevertheless a step in the right direction. For the first time in Pakistan the more progressive forces have acknowledged that a women's question, as distinct from a class or general struggle, may exist.

The level of activity generated by WAF also resulted in at least two political parties incorporating a separate section on women in their manifestos. The fact that in three instances (once in Karachi and twice in Lahore) WAF members were approached by party members to draft or help draft the section, is a measure of the extent to which WAF was directly responsible for this change. In Karachi, the formation of an Action Committee on the proposed laws, comprising associations and organizations which are not women's organizations, has ensured that women's issues were raised from a number of platforms other than women's groups.

Split in Women's Movement:

WAF was credited with organizing the demonstration and mobilizing women, which, in combination with the unqualified success of the demonstration had immediate repercussions. There was an overwhelming sense of achievement and pride among the participants and their supporters, expressed in a desire to be identified with WAF. Yet because WAF had no formal membership, the only persons who could say with

impunity that they were WAF members were those on its working committee. In reaction there was an immediate push for membership and a move towards converting WAF into a formal organization.

This because a cause for split in Lahore WAF each claiming to be genuine WAF. Splits are not new to either the women's movement or to any social and political struggles, and seem almost to form an inherent part of the development process of any social movement. They derive either from a genuine difference in perception or, and often simultaneously, from a clash of personalities and a contest for power. Had the split in Lahore simply resulted in the creation of another women's organization it would have had only a minimal impact and therefore have been only of passing interest. The hostility, bitterness and disillusionment engendered by the split emanated from the fact the those who broke away, instead of creating a new organization, presented themselves as the legitimate WAF. The conflict that crystallized around an apparent difference in perception, actually focused on the use of the name WAF, which in itself only became important in the wake of the national and international publicity that followed the February 12 demonstration.

If for a while the split itself, by creating an atmosphere of competition, provided an impetus to the two

groups in Lahore that produced a flurry of activism, as the dust settled, other sources needed to be tapped. The existence of two WAF's after an unpleasant public conflict confused or disillusioned a number of supporters who withdrew from both. At the same time the split focused attention on infrastructural details. The resulting preoccupation with procedural matters sapped the energies of many supporters, while leaving unchanged the more basic problem of WAF's dependency on its collective leadership in either group. And neither has been able to devise a system that allows for an effective use of the general body's potential for action and initiative. Consequently, the pace and nature of work in Lahore, as in other cities, continues to be determined by the energies and direction of the respective working committees. This remains true even after the merger of the two groups which took place in April-May 1986. There is obviously a need for all WAF chapters to examine the more fundamental reasons for the general sense of malaise. One possible source of WAF's present problems is the very reason why WAF has enjoyed its success.

CHAPTER-V

CONCLUSION

The Pakistan women's movement has set a bold example of struggles launched in repressive regimes. The Pakistan women's oppression is based in deep-rooted semi-feudal, patriarchal structures where women have a marginalised role to play. This oppression has been further formalised by the state sponsored moral campaigns and legislations which were insensitive to women.

The women's struggle since 1981 against the anti-women legislations, if on one hand has forced the state, political parties, trade unions and other bodies to acknowledge women as separate entities, on the other it has also exposed the lacunas existing in the organisation and the theoretical framework of the movement.

The WAF was begun in 1981 in response to the Hudood Ordinances and other repressive laws implemented by the martial regime of Gen. Zia. This movement could be called spontaneous in nature also., which is why it was lacking in political and a clear feminist Perspective. It has been discussed earlier that how a section of the women tried to distance themselves from the feminist 'Label'. The women's rights were seen in isolation from the existing political framework. In one instance the women workers emboldened by the WAF activities raised protest against gender

discrimination in the factories and approached WAF for direction.¹⁵¹ Surprisingly, the WAF sent back the women saying that it was a part of the trade union activity and not of the women's movement.

Thus, the women activists were themselves not clear as to what was women's sphere of activity and what was not. This confusion was similar to of the state which launched the obscenity Campaign and restricted women from appearing in advertisement exhibiting other than women related products. The question arises whether the products related to women are restricted to sanitary napkins, baby food, cooking oil and cosmetics only. Are't the women also the consumers of all other products that the also men use excepting the personal effects.

This confusion seems to be resolved to a large extent as during 'Beijing Conference on women' in 1995, the WAF called for a 'pluralistic democracy'. The women's movement in Pakistan was sharply divided on the issue of 'Islam'. One section opposed Islam as it felt that it had become a system of domination instead of being a matter of personal faith. Therefore the Islamic ideology itself had to be opposed for the struggle to succeed. The other section felt that the common women would be apprehensive to join the movement if

151. Khawar, Mumtaz & Shaheed, Farida, op. cit,

they felt that Islam was being opposed and rejected. This created a need to show that opposition to Islamisation was not an opposition to Islam.

Although, the WAF in 1995 had called for separation of religion and politics and establishment of a secular order, it did not spread message forcefully enough.

The Pakistan, if not exactly a theocracy is not a completely a secularised state either. The constitution still calls it an 'Islamic Republic of Pakistan' with its preamble ensuring that measures shall be taken to bring the state and its different functions in consonance with the principles of Islamic ideology. This ideology is considered at par with democracy & equality.

While recognising the good intentions of the constitution writers, one can argue that the 'total way of life' principle of Islamic ideology leaves little space for democratic debates & discussions. According to this principle, the Allah has pre-ordained the facet of the state in its directives in Qoran & Hadith. The divine will is considered supreme as compared to human will. The democratic motto of - 'of the people, for the people and by the people' therefore stands negated where the people's voice is of paramount importance. In a democracy, it is the people's representation who are responsible, whereas in Pakistan the leaders preferred to call themselves the Allah's appointees.

Notwithstanding this contraction the constitution made

a commitment to place women in equal position as men in the society. But sadly, the ruling elite framed the constitution in order to justify their' illegal rules. The Dress Code, obscenity campaign which were not legislation's but an attempt to induce Islamisation at a socio-cultural level was directly violating the constitutional position of social equality. These campaigns were directly aimed at women alone, the men were beyond the purview of such campaigns.

The women's movement despite its loose framework was able to make a strong impact the Asari Commission which had suggested that women's participation in the elections be restricted, could never be fully implemented. The commission claimed that its proposals were in conformity with the injunctions of Qoran and Sunnah, and that a truly Islamic state would come into existence if the proposals were adopted as whole.

According to the report, the office of Amir-e-Mumlatat (head of state) is to be closed for women. The head of the state should be a Muslim male. It also suggested that women candidates be not less than 50 years of age and should have written permission of their husbands, after which the women could contest for any seat in the National Assembly.

Similarly the proposal for a separate university for women also set with strong opposition from women's bodies

and thus the proposal was stalled temporarily. Another success story was created when the women strongly protested against Dr. Israr's television shows on religious discusses. Dr. Israr was a close confidant of Gen.Zia and a member of majlis-e-shoora who advocated that a pre-requisite of a truly Islamic state was that all working women must retire and be pensioned off. And women must not leave the combines of home in any case except emergencies. The women were simply outraged and they demanded that the TV programme be put off the air. This public outcry succeeded in put a stop to such a programme which day in and day out called for women's subservience towards the men.

These kinds of incidents bring forth the question that whether feminist movement would succeed in such a society where the state either remains a mute spectator to such happenings or becomes an aggressive participant encouraging the seclusion of women. Even the women's organisations remain undecided over the theoretical framework. They are of the opinion that use of term feminism would alienate the common women as they will not be able identify with the concept. In common perception feminism is associated with western ideology and women who are considered man haters. And the Radical feminism which calls for dissolution of all structures of masculine power and creation of a new female centric society seems to be a futuristic idea for Pakistan.

In the context of Pakistan where the vast majority of

women suffer the dual oppression of their class and sex and are deprived of the most basic rights, the scope for a radical feminist movement is extremely limited. The potential for such a movement or group is limited to a minuscule proportion of the urban population. Those who would be open to such a movement are those few women who already enjoy considerable rights in their personal lives - a privileged position which allows them to theorize in feminist terms. This does not mean that feminist theories cannot be expounded or that a women's movement should not be formed on the basis of feminist theory. On the contrary, a women's movement needs to be based on a sound feminist analysis of the problems confronting women in Pakistan. What needs to be avoided is the rejection of all issues which are not strictly speaking feminist in nature. WAF's success has lain in its image of being a women's rights lobby and not in consequence of a feminist ideology. By confining its activities strictly to those falling within the purview of feminism it risks alienating the very women it is trying to reach.

Without entering into the debate on which is the more basic contradiction, that of class or that of sex, it is still obvious that the ability of upper-middle class women to isolate the impact of their female identity from other factors stems from the fact that patriarchy is one of the

few oppressions that they suffer, and certainly the most fundamental one. In other aspects of their lives they are unquestionable part of the ruling classes, sharing in part the power that these have over both men and women of other classes, sharing in part the power that these have over both men and women of other classes. For them, therefore, the women's issue is of more immediate importance and is more easily perceived by them as being the more fundamental contradiction than by women of other classes for whom the class contradiction may often take ascendancy over that of the sexes. This holds true even though patriarchy is an older form of exploitation and domination than class structure.

The women's movement in Pakistan has not fully identified itself with other similar progressive movements which places women's issue in a larger context and does not remain limited to the issues of rape & crimes against women only. The women living Under Muslim laws (WLUML) formed in 1989 is such a step in this direction. Shirkat Gah is a member of this Paris-based network for Muslim Women all over the world. In this way the movement does not remain isolated.

The women's struggle is still limited to elite sections and is largely urban-based. It is yet to take grass-root proportions. For which common women have to identify themselves with the issues involved. The best solutions can

be evolved by the women at the local level only. Because the problems are not uniform in nature and have strong local influences.

The women's struggle at this juncture can be perceived as a stepping stone towards eradication of all systems of domination. The WAF has risen from its initial confusion to perceive a politico - ideological framework for its struggle. It has also recognised that Islam, the personal faith is far removed from the politics of Islamisation propagated by the rulers due to vested interests. The Islamic laws framed by the military regime of Gen.Zia have become structures of male domination of women. Although, Benazir had promised to repeal them in 1993 elections, she is yet to fulfill her promises.

The present Govt. in Pakistan is of particular importance for the women, as it is being headed by a women Prime Minister. During her first tenure since 1988 her Government took various steps like creating a ministry for women's development, reservation of women in Government services etc. to elevate the status of women.

During her second tenure from 1993 onwards her Government appointed women judges in superior courts and established exclusive police stations for women.¹⁵² But her

152. Benazir Bhutto's special write-up in Human Development Report, 1995, New York, p 112

long standing promise to review the laws discriminatory to women has remained hollow till date, although a law Commission has been appointed to look into such laws.¹⁵³ Benazir Government's inherent flaw has been, not having the ability to shake of the fundamentalist politics. She lack's Political will to put an end to the politics of Islamisation. If on one hand she cannot be accused of being on extreme right wings, on the other she cannot either be exonerated of remaining a mute spectator to such sectarian politics. It seems to be a populist strategy in constantly referring to Islam ideals & beliefs. She believes that "the backwardness of women is rooted in male prejudice and non-religious culture taboos."¹⁵⁴ She totally overlooks the blatant use of Islam in legally reducing the status of women. Perhaps, her elite background and Oxford education have shielded her from the drudgery and discrimination that the common women face in every day life. That is why the mass of Pakistani women have a few reasons to identify themselves with her and vice versa.

153. Ibid,

154. Ibid.

BIBLIOGRAPHY

PRIMARY SOURCES 2

- Amnesty Report - 1995, "Women in Pakistan", Geneva
- Charter of "Women living Under Muslim Laws", 1984. Grabels, France.
- Charter of "Women's Action Forum", Pakistan, 1981.
- Human Development Report - 1995, New York
- Manifesto of "Pakistan Muslim League(N)", 1993.
- Manifesto of "Pakistan People's Party", 1993.
- "Constitution of the Islamic Republic of Pakistan" Passed by the National Assembly of Pakistan on 10th Apr.1973.
- "Muslim Family Laws Ordinance, 1961" (Gazette of Pakistan, Extraordinary, 2nd March 1961.
- "Offence of Zina (Enforcement of Hudood) Ordinance, 1979", (Gazette of Pakistan, Extraordinary 10th Feb. 1979)
- "Pakistan 1995; An official Handbook", Govt of Pakistan, Islamabad.
- "Pakistan: Human Rights After Martial Law," Report by International Commission of Jurists, Karachi Study Circle; 1987.
- "People Government Fulfilling: An Agenda for change" Nov, 1994, Govt of Pakistan, Islamabad.
- "Reforms Introduced by the People's Government in Pakistan - 20th December 1971 - 20th April 1972", (Govt. of Pakistan: Islamabad, 1972)

"Struggle for Women's Rights in Pakistan" Women's Action Forum (WAF) Paper Presented at the Fourth World Conference on Women, Beijing, August..... September, 1995.

"Qaid-i-Azan and Muslim Women," Ministry of Education; Government of Pakistan, Islamabad, 1976

"The Holy Qoran".

SECONDARY SOURCES

Books

Abbot, Freeland, Islam and Pakistan (New York: Cornell University Press, 1968).

Agarwal, Bina, ed., Structure of Patriarchy - State, Community and Household in Modernising Asia (New Delhi : Kali for Women, 1988).

Ahmad, Anis S, Women and Social Justice in Islam. (Naushaba Pub.: New Delhi: 1994)

Ahmad, Sahir, Mohammad, (New Delhi; Puub; 1980)

Allman, James, ed., Women's Status and Fertility in the Muslim World, (New York; Praeger Pub.; 1978)

Al-Hatimy, Sasid Abdullah Women in Islam (Delhi : Taj Company, 1982).

Ayoob, Mohammed, The Politics of Islamic Reassertion (Ghaziabad: Vikas, 1982).

Bahadur, Kalim and Uma Singh, ed., Pakistan - Transition to Democracy (Delhi : Patriot Publishers, 1989).

Bank, Olive, Faces of Feminism (Oxford: Martin Robertson and Co. Ltd., 1981).

Baxter, Craig, ed., Zias Pakistan - Politics and Stability in a Frontline State (Pakistan : Vanguard Books Ltd., 1985).

Bhasin, Kamla and Khan, Nighat S., Some Questions on

- Feminism and its Relevance in South Asia (New Delhi : Kali for Women, 1986).
- Binder, Leonard, Religion and Politics in Pakistan : (Berkeley : University of California, 1961).
- Choudhary, G.W., Pakistan, (England: Scorpioni Publishing, 1988).
- Davies, Miranda, Third World-Second Sex : Women's Struggles and National Liberation; (London: Zed Books, 1983).
- Davies, Miranda, Third World, Second Sex, II (London; Zed Books; 1987)
- Denny , Freofick Mathewson, An Introduction to Ialam, (New York; Macmillan;1985)
- Engineer, Asghar, Islam and Liberation theory.
- Engineer, Asghar Ali, ed., Islam and Revolution (Delhi: Ajanta Publications, 1984).
- Esposito, John, L. Islam and Politics (USA : Syracuse University Press, 1984).
- ., ed., Voices of Resurgent Islam (Oxford University Press, 1983).
- ., Women in Muslim Family Law (USA: Syracuse University Press, 1982).
- Goodvin , Jan, Price of Honour, (London: Little Brown & Co.: 1994)
- Hafeez, Sabeeha, The Metropolitan Women in Pakistan (Karachi : Royal Book Company, 1981).
- Hasan, Zoya, "Forging Identities", (Delhi; Kali for women; 1994)
- Hayes, Louis D., The Struggle for Legitimacy in Pakistan (Lahore : Vanguard Books Ltd., 1986).
- Hussain , Freade, Muslim Women, (London; Croom Helm; 1984)

- , ed., Muslim Women (Kent : Croom Helm, 1984).
- Jameelah, Maryam, Islam in Theory, and Practise, (Delhi : Taj. Co; 1983)
- Jain, Sushila, Muslims and Modernisation (Jaipur : Rawat Publications, 1986).
- Jalal, Ayesha, The State of Martial Rule (London: Cambridge, 1992).
- Khan, Mavlana Wahidudin, Women in Islamic Shariat, (New Delhi: The Islamic Centre: 1995)
- Khan, Mazhar ul Haq, Purdah and Polygamy (Delhi : Amar Prakshan, 1982).
- Kurdi, A.A., The Islamic State - A study based on the Islamic Holy Constitution (England : Mansell Publishing Ltd., 1984).
- Lapidus, Ira M., A History of Islamic Societies (Cambridge : University Press, 1988).
- Lerner, Gerda, The Creation of Patriarchy (Oxford : Oxford University Presds, 1986).
- Levy, Reuben, The Social Structure of Islam (London: Cambridge University Press, 1957).
- Ludsasy, Beverly, Comparative Perspectives of Third World Women - The Impact of Race, Sex and Class (New York : Praeger Publishers, 1980).
- Maceoin, Denis and Ahmed Al-Shahi, ed., Islam in the Modern World (London : Croom Helm, 1983).
- Manai, Naila, Women in Islam, (New Yourk; Seaview; 1981)
- Maududi, Sayyid, Abul A'la, Islamic Law and Constitution (Lahore: Islamic Pub. 1960).
- Mernissi, Fatima, Beyond the Veil, (London; Al Saqi Books; 1985)

- Mesah, MT, MJ Bahonar, Status of Women in Islam (New Delhi : Radiant Publishers, 1990).
- Mies, Maria, Bennholdt-Thomsen, Veronika, Werlhof, Claudia, Women - The Last Colony (New Delhi : Kali for Women, 1988).
- Mies, Maria, Patriarchy and Accumulation on a World Scale (London : Zed Books Ltd., 1986).
- Mitchell, Juliet and Ann Oakley, ed., What is Feminism ? (Oxford : Basil Blackwell Ltd., 1986).
- Mitchell, Juliet and Rose, Jacqueline, Feminine Sexuality (New York : WW Norton and Pantheon Books, 1982).
- Moazzam, Anwar, Islam and Contemporary Muslim World (New Delhi : Light and Life Publishers, 1981).
- Muir, Willam, The Life of Mahomet, (New Delhi: Voice of India: 1992) Reprine
- Mumtaz, Khawar and Farida Shaheed, Women of Pakistan : One Step Forward, Two Step backward (London : Zed Books, 1987).
- Munir, Muhammad, From Jinnah to Zia (Delhi: Akbar Pub. 1981).
- Nadwi, Abdul Hasan Ali, Islam in a Changing World (Lucknow : Academy of Islamic Research and Publications, 1977).
- , Status of Women in Islam (Lucknow : Academy of Islamic Research and Publication, 1986).
- Nye, Andrea, Feminist Theory and the Philosophies of Man (Kent : Croom Helm Ltd., 1988).
- Papanek, Hanna and Gail Minault, Separate Worlds - Studies of Purdah in South Asia (Delhi : Chanakya Publication, 1982).
- Phadnis, U. and Indira Malani, ed., Women of the World : Illusion and Reality (New Delhi : Vikas Publishing

- House, 1978).
- Philips, Anne, ed., Feminism and Equality (UK : Basil Blackwell Ltd., 1987).
- Pickhall, Mohammed Marmaduke, The Meaning of the Glorious Quran (Delhi : Taj Company, 1988).
- Rizvi, Hassan-Askari, The Military and Politics in Pakistan 1947-1986 (Lahore : Progressive Publishers, 1987).
- Robinson, Maxine, MOHAMMAD (London; Allen Jane Pengein; 1971)
- Rupesinghe, Kumar and Mumtaz, Khawar, ed. Internal Conflicts in South Asia. (London: Sage Pub.; 1996)
- Seigal, Paul N., The Meck and the Militant - Religion and Power Across the World (London : Zed Books, 1986).
- Siddiqi, M.I., The Family Laws of Islam (New Delhi : International Islamic Publishers, 1986).
- _____, Islam Forbids Free Mixing of Men and Women (Delhi Adam Publishers, 1988).
- Siddiqi, M.M., Women in Islam (Lahore : Institute of Islamic Culture, 1952).
- Smith, D.E. ed., South Asian Politics and Religion (Princeton : University Press, 1966).
- Syed, A.H., Pakistan - Islam, Politics and National Solidarity (New York : Praeger Publishers, 1982).
- Thompson, Mary Lou, ed., voices of the New Feminism (Boston : Beacon Press, 1976).
- Utas, Bo, Women in Islamic societies (Bombay : Popular Prakashan, 19889).
- Waddy, Chris, Women in Muslim History. (London: Lovgman: 1980)
- Waines, David, An Introduction to Islam, (Canbridge: Cambridge Univ. Press; 1995)

Zakaria, Rafiq, Muhammad and the Qoran, (London; Penguin; 1991)

Articles

Ahmed (Feroz Bakht), 'Talaq' and the need of uplift Muslim Women, Link 36(2); 22 Aug 93; 4-6.

Ali (Asghar), Rights of Muslim Women and Reform of Personal Law, Mainstream 30(30); 16 May 1992; 28-30.

Anwarul Haq (M.), A family size and sex preferences among rural Pakistan, Journal of rural Development and Administration; 21(3); Summer 89; 41-58.

Bahadur, Kalim. Islam, shariat Ulema; World Focus; 13(7) July 92; 9-12.

Bilquies (Faiz) First Women Bank : Why and for whom ? Pakistan Development Review, 30(4); Winter 1991; 745-51.

Bindra, S.S., Imperatives of Islamisation in Pakistan New Quest; July-Aug 89', 223-28.

Brock-Utne (Brigit), Woman and Third World Countries: What do we have in common. Women Study International forum, 12(5); 89; 495-504.

Devji (Faisal Fatehali) : Gender and the politics of space : The movement for women's reform in Muslim India, a 1857-1900, South-Asia 14(1); June 91; 141-54.

Dixit, Aabha, Islamisation of Pakistan : An Explosive Political Myth, Strategic Analysis; July 91

Gahrana (Kanan), Women's Right, World Focus 13(3); Mar 92; 19-21.

Ghadially (Rehana), Veiling he unveil : the politics of Purdah in Muslim sect, South Asia; 12(2); Dec. 89, 33-48.

Gardezi (Fauzia), Islam, feminism, and the women's movement in Pakistan; 1981-1991, South Asia Bulletin 10(2);

1990; 18-24.

Hamid (Shahnaz), Determinants of the supply of women in the labour market: A micro analysis, Pakistan Development Review 30(4) Winter 1991; 755-64.

Hassan (Masuma). Women's Education in Pakistan, New Frontiers in Education, 19(1); Jan.-Mar 89; 80-9.

Hassan (Sakina), Muslim Women's struggle for education, social and political equality : A historical perspective, Man and Development 14(2); June 92; 27-33.

Issues in the Women's Movement in Pakistan, South Asia Bulletin 10(2); 1990; 1-24, (Series of articles).

Kazi (Shahnaz) and RAZA (Bilquees) Duality in female employment in Pakistan, South Asia Bulletin 10(2); 1990; 9-17.

Khanduri, Chandra. B, Zarb-e-Manin and Changed Pakistan Perspective, 14(4) ; Strategic Analysis Mar '90'.

Koser (Karoline O.N.), Gender Planning in the third World : Meeting Practical and strategic gender needs, World Development; 17(11); Nov. 89; 1799-1825.

Kusha (Hamid R.), minority status of women in Islam : A debate between traditional and modern Islam Journal Institute of Muslim Minority Affairs; 11(1); Jan. 90; 58-72.

Moghadam (Valentine M), Patriarchy and the politics of gender in modernizing societies : Iran, Pakistan and Afghanistan, South Asia Bulletin, 13(1-2); 1993; 122-33.

Mujahid-Mukhtar (Eshya) and Mukhtar (Hamid) Female participation in household decision making : An analysis of consumer durables acquisition in Pakistan, Pakistan Development Review 30(4) Winter 1991; 953-62.

Nimayatullah and Parveen (Samina), inter-relationship between population and status of women, Journal of

Rural Development and Admn. 22(2); Apr-Jnu 90;
113-20.

Pearson (Ruth), Question prestrokia : A socialist-feminist
interrogation, Feminism Review, (39); Winter 1991;
91-96.

Shariat Act, Taxt and commentary from Pakistan South Asia
Bulletin 10(2); 1990. 54-65.

Ubermiver (Carla Makhlouf, Islam, Women and Politics : The
Demography of Arab Countries, Population and
Development Review, 18(1), Mar 92; 33-60.

Wadud-Muhsin (Amina), Muslim women in minorities, Journal
Institute of Muslim Minority Affairs; 10(1); an.
89; 161-70.

Weiss (Anita M.) Benazir Bhutto and the future of women in
Pakistan, Asian Survey; 30(5); May 90; 433-45.

Women in Development, Pakistan Development Review 27(4);
Winter 88; 781-804, (Series of Articles).

Ziring, Lawrevce Benazir Bhutto: A Political Portrait; Asian
Affairs; 18(3); fall 1991: 178-89.

NEWSPAPERS AND NEWS ANALYSIS

Indian Express (New Delhi)

National Herald (New Delhi)

Public Opinion & Trends (Pakistan Series)

The Hindustan Times (New Delhi)

The Telegraph (Calcutta)

The Times of India (New Delhi)