

# WOMEN UNDER SIEGE

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voices breaking boundaries

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*living room art*

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# CONTENTS

Women Under Siege  
April 28, 2012 & May 12, 2012  
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**03** *Invisible Thread*  
**Sehba Sarwar**

**10** *Moving Forward to Equality & Justice*  
**Rebecca L. White**

**14** *Women's Movement in Pakistan*  
**Hilda Saeed**

**27** *A Song Everlasting*  
**Attiya Dawood**

**28** *Interview: Miriam Kass*  
**Sehba Sarwar**

**38** *Daily Encounters*  
**Larissa Lindsay**

**49** *Parachute*  
**Autumn Knight**

**50** *Rising Extremism*  
**Zohra Yusuf**

**58** *Interview: Melaney Linton*  
**Ana Laurel**

**66** *Timeline*  
**Jacsun Shah**

**72** *The Diseased is not the Disease*  
**Ahsan Bari**

# Women's Movement in Pakistan

by Hilda Saeed

This essay/article began on a positive note: on March 8, International Women's Day, the Bill prohibiting Domestic Violence, and making it a punishable offense in Pakistan, had finally been passed by the provincial assembly, the conclusive step in an arduous journey. The Bill had already been passed by Pakistan's National Assembly and the Senate, and provincial legislation was the last step. Sindh, the province in which Karachi is situated, was the first to sign the Bill against Domestic Violence into law. Activists, following frustrating setbacks, were now rightly exuberant.

The exuberance was short-lived. The next day brought us crashing down to the reality that spells Pakistan—Christian homes, a church and a school in Joseph Colony, Lahore, were all burnt to the ground, precious Bibles and crosses destroyed, valuables looted. A little later on the same day came the news that a bomb blast in a mosque in Peshawar (northern Pakistan) had taken the lives of five worshippers, and left 28 injured.



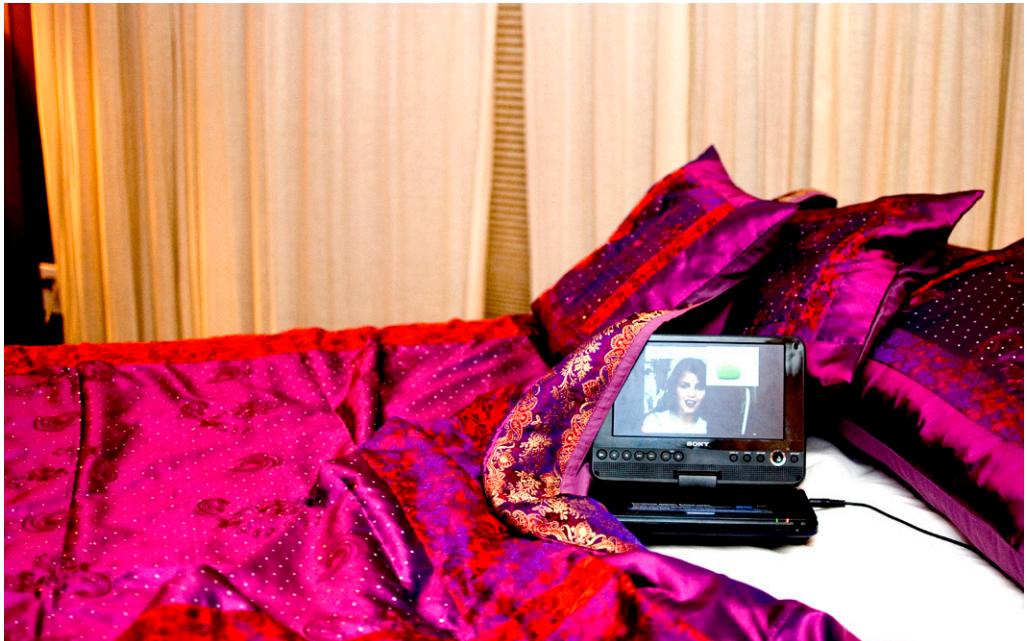


(Laundry Room) Viewing Tazeen Hussain's video installation  
*Women Under Siege, Part 1* | photo by Mahwash Rahman

On March 14, I stared in shock at the TV—a dear friend to so many of us, Parween Rehman, Director of the Orangi Pilot Project, South Asia's largest slum development project, had been shot to death. I'd met her just a month ago, and her sister, too, writer Aquila Ismail: they had already been uprooted through the trauma of the separation of Bangladesh, and now this..... She had been meticulously recording land from the several villages that comprised Orangi area: it was widely believed that the land mafia were involved in the death of this outspoken and determined activist.

The year 2013 had dawned with the bombing of the Shia Hazara community in Quetta, killing more than a hundred people; a month later, the same scene was repeated, killing 79 people. The Lashkar e Jhangvi, a Taleban group, accepted responsibility for the massacre.

Alongside these tragedies, the daily targeted killings continue with a monotonous, mind-numbing yet fearful regularity. Five killed, or ten, twelve, twenty. Nothing stops this daily cruelty. Sometimes the killers own up, sometimes not. The drone strikes and civilian killings in the north are another story...



(Bedroom) Yaminay Chauduri's short video  
*Women Under Siege, Part 1* | photo by Mahwash Rahman

Daily living continues, as it must, through this deadly unchanging routine. Each time, we try to pick up the pieces, keep going through our dumbed-out lives, and often talk about how difficult it is to “think straight”... Then we force ourselves to face reality, and deal with the changes that we can and must make to achieve justice and empowerment for, and of women.

Going back to when the contemporary women’s movement began in Pakistan in 1981, it now seems as if those were simpler times. Many of us—friends, work colleagues—had grown up in a Pakistan which still tried to abide by the guidelines set by its founder, Mohd. Ali Jinnah. Just before Pakistan came into being, he had stated, in his speech to the constituent assembly on August 11, 1947, “You are free to go to your temples, your mosques—that has nothing to do with the business of the state.” Those thoughts, and the region’s tolerant Sufi culture, had given birth to a cosmopolitan and vibrant lifestyle, where one’s religion was a personal matter. Festivals were shared, celebrated; far greater thoughtfulness abounded than there exists today.

Into this tolerant culture came military dictator Zia-ul-Haq in 1977; he ousted the democratic leader Bhutto, and eventually had him hanged. By 1981, General Zia had put into legal process

his version of the “Islamization” of Pakistan, an extremely puritanical form of Islam. Among other features, it decreed severe, brutal punishments for crimes. The first one that came to public attention, and which was point one on the agenda at our regular meeting at Shirkat Gah (an NGO, women’s resource centre) was the case of Fahmida and Allah Baksh. The couple had married of their own free will, against the wishes of Fahmida’s father. He reported to the police that his daughter had been kidnapped. The young couple was promptly caught and taken into custody under the new Hudood Laws; they were accused of adulterous behavior. The judgement was cruel and unexpected: 100 lashes to the woman, and stoning to death for the man in public.

We were shocked and angry at this blatant miscarriage of justice—we could not let two lives be disgraced and destroyed in this fashion. Shirkat Gah called a meeting of all NGOs, to somehow work out an action plan to stop this chilling punishment. Following discussion, we finally came to the conclusion that a strong pressure group was needed—no matter what work each one of us did, with this group our aim would be justice for women: we would be a pressure group to make that justice a reality. The Women’s Action Forum (WAF) was born. We pursued that case, and, with the help of a lawyer (Khalid Ishaq) secured justice and honorable acquittal for the couple.

We learnt more about the Hudood Ordinance, which made rape and adultery punishable offences. It took a while to fully understand the implications of those laws. In that topsy-turvy system, there was a dangerously fine line between rape and adultery: if a woman complained of having been raped, or had conceived as a consequence of rape, that was virtually akin to admitting adulterous behavior. Prisons became filled with thousands of raped women.

Till General Zia’s time, Pakistan’s legal system had functioned under a mix of the inherited colonial legislation, common law, and religious personal law. With the support of General Zia’s backers, including Saudi Arabia, strict conservatism was introduced: the cabinet contained members of Islamist parties (Jamaat I Islami). Fundamental rights were suspended, the constitution heavily amended. Laws that were new, and anti-women, followed swiftly and added to laws that went against religious minorities.

One after another, from 1979 to 1984, came the Hudood laws. Ostensibly based on the Sharia, they are a collection of five criminal laws, covering rape, adultery, theft, robbery, prohibition of the use of alcohol and narcotics. The law against blasphemy against the Holy Prophet was also added. Previously this law was part of the Penal Code, and applied equally to leaders of all religions: now it was made specific to Islam, and blasphemy against the Prophet Mohammad (peace be upon him) was made punishable by death.

More laws were added, including the Law of Evidence in 1983, which decreed that women's evidence was altogether excluded in "hadd" (maximum) punishments, and halved for the lesser tazir punishments. Non-Muslims are not allowed to give evidence, in direct contravention of the country's Constitution, which guarantees equality of all citizens irrespective of caste, creed or sex.

Angered, we came out on the streets against this Law of Evidence; I remember there were truckloads of armed police surrounding the area where we marched, the mausoleum of Mohd. Ali Jinnah. For most of us, it was a new experience, but we marched, many of us with our children. My own daughter was just ten at that time: today she's a strong feminist herself. Fortunately we in Karachi were not attacked by the police, but our friends in Lahore were beaten up, some arrested and jailed, and later released.

Conservatism came gradually; it visibly affected code of conduct, of dress, of behavior. Ramazan, and fasting, were more frequently and visibly practiced, language became dotted with religious phrases, few women wore the traditional saree, which exposed bare midriffs, or sleeveless tops.

Women's Action Forum continued its struggles. Within the space of a few months, chapters had opened in Lahore and Islamabad; we were able to achieve action from all over the country. The media, particularly the press, was our strong support. Many of us began, or stepped up, writing for the press; many of our meetings were held at the press club, which gave us access to journalists and the independent press (that is, as independent as it could be under a strong Press and Publications Ordinance). The *Star* was a regular haunt for many of us; its editor, Zohra Yusuf (now Chair of the Human Rights Commission of Pakistan) fully supported us. Our articles criticized discriminatory laws, spoke of the violence that they engendered and discussed the cases that, to us, spelt blatant miscarriage of justice.

Over the last thirty years, our struggles have continued. Most of all, they were against the discriminatory laws. We managed to stop their worst impact, the cutting off of hands for theft, the lashing, and the stoning to death. But overturning, or even amending the Hudood Laws has been a difficult battle. In between, there remains the struggle to achieve justice in the alarmingly large numbers of cases of child marriages (25 percent of all marriages), honour killings, rape and gang rape, sexual harassment. Nor can these be addressed in simplistic single-minded fashion, because we are surrounded by domestic and regional geopolitical tensions, bombings, and terrorism. Zia-ul-Haq's years have left a legacy that is brutal and destructive, and not easy to dislodge. Most of all, it is difficult to change the patriarchal misogynist mind-set—an attitude that promotes the subservience of women.

Hampering our actions was the fact that positive change could only be achieved under a democratic dispensation: Pakistan's misfortune has been that it has suffered long spells of military rule. Our steps forward have been slow; the Bill against Domestic Violence for instance, had been moved for the second time. The first time, in 2010, after considerable lobbying with parliamentarians, it was passed in the National Assembly, but ran into hurdles in the senate.

Other laws too, took a long time to achieve even amendment; repeal in the current political climate is out of the question. Our initial efforts for repeal of discriminatory laws could not be attained. Nevertheless, we have succeeded in that the worst impact of those laws has been contained. Side by side, we have worked for the establishment of a National Commission on the Status of Women (NCSW), to be affiliated to the UN body. It would be a watch-dog body, to ensure legislative justice for all women.

With the NCSW in place, greater rapport with parliamentarians has been built up. Particularly helpful has been the Parliamentary Women's Caucus, an across-party lines grouping of women parliamentarians, who came together to work for justice for women, and their empowerment, and where required, amendments to discriminatory laws.

(Living Room) Stories gathered by Planned Parenthood Gulf Coast in Pakistani fabrics  
*Women Under Siege, Part 1* | photo by Mahwash Rahman



The search for gender equality for all women began many years ago: The Child Marriage Restraint Act was passed in 1929, but remains, even now, inadequately implemented. The Muslim Family Laws Ordinance was moved by the All Pakistan Women's Association in 1961, primarily to discourage polygamy and regulate divorce. Then, following a long gap of 28 years, unprecedented change started coming forward. In 2006, the Bill on Protection of Women was enacted: honor killings, rape, and related crimes were now punishable offenses. The year 2011 brought with it a series of successes: Bills for the Prevention of Anti-Women Practices as well as on Acid Throwing and Crimes Prevention were enacted. The Women in Distress and Detention Fund (Amendments Bill) was passed; this provided legal and financial assistance to women in jail. Other laws have been passed against customary practices and forced marriages (including to the Holy Quran). Workplace and Sexual Harassment have been criminalized since 2012. The contributions of parliamentarians, particularly women, has been remarkably forward-looking. Now our continued efforts will be to work for implementation of all these pro-women laws, at the national level.

National elections were held on May 11, 2013. Thankfully, the process remained fairly smooth, but the future remains uncertain. At the start of the year (in February and March) the Ministry of the Interior had warned that a massive terrorist threat was expected to sabotage the forthcoming elections. The Tehrik-e-Taleban have already threatened to attack the political rallies of three major political parties (PPP, ANP, MQM), and some attacks did take place.

The political uneasiness that exists is largely Pakistan's own doing—but not entirely. Many years ago Zbigniew Brzizinski referred to the US role in 1980 (*Le Nouvel Observateur*, Paris, Jan. 16–18, 1998). According to the official history, CIA aid to the mujahideen began in 1980, after the Soviet army invaded Afghanistan. Part of that aid also encouraged the continued presence of military dictator Zia-ul-Haq, who ruled for 11 long years. Since that time, Pakistan has been awash with extremism, weapons and drugs.

This is the legacy against which Pakistan is struggling, plus its own baggage of medieval traditions, which have perpetuated discrimination against women. Added to this are a faltering economy and immense debt.

A more conservative party has taken over; for the average person, there is, so far, little visible change in governance. Ethnic, sectarian, political and criminal killings continue unabated, as do bombings.

We are deeply troubled about the future, and the firm establishment of democratic institutions and women's empowerment: this time, fewer women parliamentarians have been elected to the national

assembly. In one province KPK (Khyber Pakhtoonkhwa), the risky suggestion has been put forward that the women's ministry should be merged with zakat (the collection of charitable donations).

The Council of Islamic Ideology (CII), a body established in Zia-ul-Haq's time to advise the government on Sharia laws, pronounced that DNA analysis could not be accepted as primary evidence in case of rape (according to the CII interpretation of the Sharia, the presence of four upstanding adult Muslim male witnesses is the first essential to prove a case of rape). Given this climate, many of us feel as if we are back to square one. Within a few days of the CII pronouncement, we (WAF) promptly organized a roundtable discussion with representatives from the CII, medico legal experts, social and human rights activists. Our conclusion was that the CII is/was redundant. The news was well publicized, and our stand was subsequently editorialized by a leading newspaper (*Dawn*).

As of June 18, a new development has taken place: the US is planning to have talks with the Afghan Taliban: already an office has been established for the purpose in Qatar, Saudi Arabia. Pakistan is also cooperating in this strategy towards "peace building" (news reports, June 18, 19, 20 and 21, 2013 and subsequent reports). We are trying to fully comprehend this new development: Our fear is that the Taliban have never favored justice for women: their approach is misogynist. The Afghan Taliban are reportedly fighting for their country, and so may be justified to some extent, but the Pakistan Taliban have already owned up to many of the horrific crimes mentioned above. Reportedly there is already a nexus between the Pakistan and Afghan Taliban. We do not know what this means, or what the future holds—that is difficult to understand; it does raise our fears and uncertainty.

But we do have reason to hope: Pakistan's future is not entirely dim. Young people and women are two groups that have taken enormous strides forward. Positive change is in the offing; indications are that education and literacy are increasing, albeit slowly. Women are making their mark in fields as varied as music, arts, culture, medicine, literature, education, sports (21 year old Samina Beg became the first woman, and the first Pakistani, to climb Mount Everest). Their role in the social development sector is already significant, and they are now reaching the top in the corporate sector too.

We continue to hope that this time, democracy is permanent, and that it will facilitate our struggle for women's rights. Our hope remains for a brighter future for women's rights, and our struggles towards that will continue.