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FROM MALALA TO *BURKA AVENGER*: A FEW REMARKS ON CHANGING FEMALE ROLE MODELS IN CONTEMPORARY PAKISTAN

ABSTRACT This paper discusses some of the breakthrough initiatives by women in Pakistan, which may have a positive influence on other women and thus lead the way to further changes in the overall situation of women. It comprises of two main parts. The first part begins with a brief study of the image of women in the Qur'an and analyses the question of how sources and religious teachings were interpreted in regard to women's social status. This follows with an examination of the position of women in Pakistan and with the characteristics of the women's movement and various initiatives of the women's rights struggle. The second part discusses the work and achievements of various women's organisations and individual women activist, in reference to the main women's issues in the society. The study focuses on bottom-up initiatives that arise in response to the socio-political situation, and aims at showing how females active in the women's rights struggle serve as a positive model for other women in Pakistan.

Keywords: women issues, women in Pakistan, activism, role-models, women rights struggle, bottom-up initiatives

INTRODUCTION

The aim of this paper is to discuss some of the breakthrough initiatives by women in Pakistan which defy the traditional system. These activities – in the field of education, justice, health etc. – may have a positive influence on other women and thus show the way to further changes in the overall situation of women, to whom the activists may serve as rolemodels. A brief analysis of the image of women in Islam and an attempt of defining the place of women in the society will help in understanding the difficulty in bringing gender justice in Pakistan. Some remarks will be made on the role of media in spreading and/or promoting the changes in the women's position.

THE IMAGE OF WOMEN ACCORDING TO THE QUR'AN

There is a large scholarship on the role and/or status of women in Islam, done by Muslim intellectuals as well as Western academics. The historical overviews usually relate to the situation of women in pre-Islamic times (Jahiliyya), based on Islamic scripts (mainly concerning legal rights) in a conservative, fundamental or modern interpretation. They offer justification or claim to unequal gender relations in Muslim communities. Since I intend to discuss female role models in Islam, I will refer to a pioneering and detailed study on women in Qur'an by Barbara Freyer Stowasser.¹

In her book, Stowasser takes a closer look on the Prophet Muhammad's wives who provide "models for emulation"² as well as on women associated with other prophets (i.e. Adam, Jesus etc.) whose stories have a didactic function in Islam. Lives of these women are narrated with more or less detail, but taken as a whole these stories constitute a vast collection and present an example and pattern of conduct. *It is the Qur'an itself that establishes some of the women as "examples."* [...] *In the female protagonists, sin is exemplified as rebellion against God, unbelief, and also disobedience toward the husband if he be righteous. Virtue is faith to the point of martyrdom, obedience to God, "purity," and obedience to the husband if he be righteous; it also is modesty, bashfulness, and motherly love.*³ The Islamic exegesis, as Stowasser argues, allowed for extending their symbolism and meaning which resulted from the influence a specific worldview (times, customs, culture) had on the interpreter's reading. In this way, and because they provided not only a "model of," but also a "model for" Muslim women, these stories varied in interpretation, lacking some of the details and/or changing their meaning from context to context. One of the examples given in the book is that of "women's nature" which in the classical interpretation was symbolized by Adam's wife, Eve, and viewed in terms of freedom (of choice) and moral (personal) responsibility. In the

¹ B. Freyer Stowasser, *Women in the Qur'an, Traditions, and Interpretation*, New York 1994.

² Ibid., p. 3.

³ Ibid., p. 21.

medieval exegesis, however, both of these themes were excluded, as women's nature was perceived as weak and dangerous to the traditional moral order. For contemporary conservatives, Adam and Eve's story proves the equality of sexes seen as complementary halves (where one differs from the other). There, a woman's honorable role is to be wife and mother, not to work hard (as man). A message concerning working outside (of the house) was also conveyed through the story of the women of Madyan. These two women were working as shepherdesses because their old father could not fulfill his duty any longer. They used to water the animals after the male shepherds finished with their flocks, in order not to mingle with them. When Moses took over their work, he relieved them from their duty which was, using the conservative's vocabulary, a moral burden. Yet, while they worked, they managed to stay modest because they avoided the company of men. The lesson taught here is that a woman may work outside not out of her preference or choice, but only in exceptional circumstances. The society, or community, is obliged to safeguard such women and is responsible for their return home. Also, the modesty of women is being emphasized as a virtue which distinguishes a respectable woman from the less respectable (i.e. servant, slave) or, in modern interpretation, from a modern woman.⁴

In the story of Mary, the mother of Jesus, which was also subject to alteration in the Islamic exegesis during the time, some aspects of her behavior and nature were interpreted in terms of her obedience to God, but also woman's duty to realize her service to God by being submissive to her husband. Mary's withdrawal to a place of isolation, Stowasser writes, was understood as her acceptance of gender-based segregation, as she is also said to have covered her face with a veil.⁵

The wives of the Prophet constitute the most important example for Muslim women. *Numerous divine reprimands addressed to Muhammad's wives in the Qur'an establish their special responsibility to overcome their human frailties and ensure their individual worthiness. In this manner the Prophet's wives emerge within the Qur'anic context as models of the principle of ethical individualism.*⁶ They are depicted as "ordinary" as well as "chosen" women, they are also the first enforcers of the new law (which was revealed to the Prophet). Some stories describe them as lively, vivid women, engaged in the affairs of the society and giving their best support to their husband, but also involved in mutual quarrels and/or jealousy. The exegesis, however, puts great emphasis on their virtuousness and righteousness, and most commented passages concern women's modesty, veiling, and seclusion. The meaning of "hijab-verse" in Qur'an (33:53), which is the basis of gender segregation, was subject to many interpretations. It was revealed to the Prophet in a specific time⁷ and, as argued by Stowasser, it *is seen mainly as the legisla-*

⁴ Ibid., p. 61

⁵ Ibid., p. 81.

⁶ Ibid., p. 85.

⁷ After his marriage with Zaynab, but also, according to Fatima Mernissi, after the siege of Medina when the hypocrites gained power and the Prophet felt obliged to seclude his wives (as he was previously advised by Umar ibn al-Khattab). Cf. F. Mernissi, *The Veil and the Male Elite*, Reading 1991, p. 85, 162.

*tion of a means to provide domestic comfort and privacy for the female elite of Islam*⁸, as the Prophets quarters were located closely to the mosque and many people came to seek his audience. This verse was soon followed by others concerning the women's duty to cover themselves while they are outside of the house, *so that they be known* [as free women, not slaves] *and not molested* [in the streets] *by the hypocrites, and those in whose hearts is a disease [...]*⁹ It also means that women were allowed to go out, were not secluded within the house, and covering their body was to guarantee their safety.

The problem concerning these prescriptions is also a literary one. Originally, "hijab" meant a physical protection and/or seclusion achieved easily through a concrete object such as a curtain, a veil etc., while later (in interpretation) it became a synonym for both physical and abstract isolation – for women's veiling and women's confinement within the four walls. This custom is said to have originated from traditions prevailing among people (Sasanian and Byzantine) conquered by Medinans, and then assimilated by Islam.¹⁰ The hijab was always associated with the Qur'anic verses concerning which parts of a woman's body are to be hidden or covered in front of relatives and non-relatives. Thus, the discussion on women's seclusion is that of the garments covering their body and of the spatial isolation.¹¹ In context of the ideological struggles around the definition of the role of Islam in the modern world, the hijab *has come to signify the sum total of traditional institutions governing women's role in Islamic society, and has acquired the status of "cultural symbol"*.¹²

Even some of the modern interpretations tend to idealize the Prophet's wives, emphasizing women's active role in men's life as wives and mothers. Woman's virtues, as defined by Bint al-Shati', include: devotion in worship and defense of Islam against non-believers, knowledge of doctrines and laws of Islam, leading a life that satisfies her husband, raising children by herself so that the husband may concentrate on fulfilling his own duties (as prescribed by Islam), self-control, dignity, pride, and a commitment to stay in the house.¹³ This allows for the man to get involved in public affairs and the society to stay moral and strong.

As shown above, the source of the female role-models in Islam was subjected to many changes and interpretations resulting from outer influences and/or sociopolitical conditions. Women's status in society mainly depended (and still does) upon their modesty, bashfulness, and obedience to her husband (signifying her devotion to God). The patriarchal social system – adapted by the Muslim urban middle class from the pre-

⁸ B. Freyer Stowasser, *Women in the Qur'an...*, p. 91.

⁹ Ibid., p. 91.

¹⁰ *With these traditions' assumption into "the Islamic way of life," they of need helped to shape the normative interpretations of Qur'anic gender laws as formulated by the medieval (urbanized and acculturated) lawyer-theologians.* Ibid., p. 92. Similar remarks may be found in: F. Mernissi, *The Veil...*

¹¹ In India and Pakistan such religious and social practice is known as the Purdah system. I shall refer to this topic later.

¹² B. Freyer Stowasser, *Women in the Qur'an...*, p. 127.

¹³ Bint al-Shati' quoted in *ibid.*, p. 126.

-Islamic cultures and influencing the interpretation of the Qur'anic verses¹⁴ concerning the hijab etc. – saw the necessity of secluding women and confining them to the domestic sphere. This evolved into a need of controlling women's purity and virtue as a guarantee of moral order and stability.

The question of patriarchy is the subject of another important study on the Qur'an by Asma Barlas. In her pioneering book titled *"Believing woman." Unreading Patriarchal Interpretations of the Qur'an* (first published in 2002), A. Barlas argues that the Qur'an is anti-patriarchal, since God never functions there as a father (male)-figure. Therefore, the Qur'an does not teach about a father/male rule over his wife and children, and the (biological) differentiation between the sexes does not mean gender inequality. In that sense, the descriptions of Islam as a religious patriarchy that allegedly has "God on its side" confuse the Qur'an with a specific reading of it, ignoring that all texts, including the Qur'an, can be read in multiple modes, including egalitarian ones. Moreover, patriarchal readings of Islam collapse the Qur'an with its exegesis (Divine Discourse with "its earthly realization"); God with the languages used to speak about God (the Signified with the signifier); and the normative Islam with historical Islam.¹⁵ Touching the problem of (mis)interpretation of the Qur'an and its textual polysemy, Barlas shows how Muslims read sexual inequality and gender-based violence into it. She approaches the Qur'an not only as a scholar, but also a believer ("believing woman") who, contesting the meanings ascribed to the Qur'an, appeals for a *believer's right to interpret religion which derives not from social sanctions (permission from clergies or interpretive communities), but from the depths of our own convictions and from the advice the Qur'an gives us to exercise our own intellect and knowledge in reading it.*¹⁶

Asma Barlas' study focuses on the voices in the inner-Islamic debate on modernity which, from its beginning, has concentrated on the position of woman.¹⁷ There are three main trends of thought representing three different approaches and interpretation: modernist,¹⁸ conservative, and fundamental. For the modernists, the woman's liberation from male domination is the most necessary step towards constructing a strong righteous society. The conservative, on the other hand, stand against modernity which, in their opinion, is a way of Westernization. They aim at preserving the traditional structure of the society which also means maintaining gender inequality as prescribed

¹⁴ As Barbara Stowasser puts it, often the "surface text" supported later medieval socio-moral paradigms as elaborated by the lawyer-theologians. *Ibid.*, p. 134.

¹⁵ A. Barlas, *"Believing Women" in Islam. Unreading Patriarchal Interpretations of the Qur'an*, Austin 2009, pp. 4-5.

¹⁶ *Ibid.*, p. 210.

¹⁷ *In the debate of moral society, women's issues have consistently played a major role. With the beginning of the modern age, and increasingly so at present, they symbolize main aspects of the Islamic struggle for the maintenance of indigenous values and "cultural authenticity." Women's questions, then, have been indicators of direction and are a parameter of the greater search for Islam's identity and role in the modern world. Ibid.*, p. 5.

¹⁸ I view the feminist approach as a part of the modern interpretative tendencies. Cf. A.A. Hidayatullah, *Feminist Edges of the Qur'an*, New York 2014.

in Islamic law. They view women in terms of their emotionality which makes them great mothers but exclude them from political activity, and which contrasts with men's rationality that predisposes them to the role of leaders.

The fundamentalists, viewing themselves as the fighters of Islam against the non-believers, insist on the literal interpretation of religious scriptures, neglecting the long-term work of theologians and legal experts. Their effort is to re-establish the Islamic order in the corrupt "modernized" structures. They perceive woman as a wife and mother who *fights a holy war for the sake of Islamic values where her conduct, domesticity, and dress are vital for the survival of the Islamic way of life. Religion, morality, and culture stand and fall with her.*¹⁹

Both conservatives and fundamentalists believe in the traditional societal division which confines women to the domestic sphere only. They perceive the women's fight for rights and equality as dangerous, undermining the traditional order, and threatening the Islamic structure as Western-oriented and thus immoral. In today's Muslim societies, the tradition of gender segregation often changed its shape. The upper-class women, whose seclusion was also a sign of their high status, nowadays often choose to work outside the house, get educated and pursue their carriers; the middle-class women have gained access to education and jobs, which sometimes results out of economic necessity. As Barbara Stowasser concludes, in such conditions *the obligation to observe the hijab now often applies more to female "garments" (worn outside of the house) than it does to the ancient paradigmatic feature of women's domestic "seclusion".*²⁰

WOMEN'S ISSUES IN PAKISTAN

The situation of women in Pakistan is a complex matter influenced by several factors including differences in class, religion,²¹ economic condition, ethnicity. This translates into other needs and other problems of women from different segments of society. The main problems concerning women are related to the traditional, patriarchal social system which recognizes a woman only through her male guardian (*saya*). A woman is not perceived as an individual, but in relation to a man (her father, husband, son), so not only on the political or legal level, but most of all on the private level, a woman's access to activities outside the house is being restricted. This also determines her participation (or lack of participation) in many spheres of life such as education and work, perceived as dangerous, impure, and against Islam (as they may expose women to having contact with strange men).²² The patriarchal system, based on the traditional and biased inter-

¹⁹ Ibid., p. 7.

²⁰ Ibid., p. 129.

²¹ By this I mean both different factions within Islam as well as other religions (e.g. Christianity).

²² There are such houses where women work and participate in the family budget. However, this does not mean that they are being treated with greater respect or given the simplest rights such as the right to rest after work. Cf. H. Alavi, 'Pakistani Women in a Changing Society,' at <<http://www.sacw.net/Wmov/alavi.html>>, 20 February 2014.

pretation of Islamic principles,²³ sees women as unequal and inferior to men, discriminates them by limiting their elementary rights, and justifies violence against them.

The main problems faced by women include: honour killings, violence caused by dowry, acid throwing, violence perpetrated by the state representatives.²⁴ This list should be supplemented by: rape, unequal rights of inheritance, trafficking and forced prostitution, sale for marriage purpose, violence caused by “improper” clothing/behaviour.²⁵

The position of Pakistani women and their activities focused on gaining liberties are closely related to the current political situation in the country. The newly established country paved its way between religion and secularism, between Islamic regulations and modern ideas of democracy, following initially the dreams of the freedom fighters (M.A. Jinnah, L.A. Khan etc.). Later on, the rule of more conservative politicians was introduced, which also influenced the approach towards the interpretation of Islamic law and, as expected, the women’s situation. In such environment, varying between modern and traditional, women’s initiatives slowly bring much change in the paradigm, creating new models to identify with.

FIGHTING FOR RIGHTS

The fight for women’s rights had begun before the creation of Pakistan, during the struggle for independence from the colonial rule on the Indian subcontinent. The need to modernize the society and strengthen the national identity gained uppermost importance and was closely related to the access to education. Initially, few Muslim women enjoyed this privilege, mainly due to ideological issues and concerns whether modern science, in the Western style, was compatible with Islam.²⁶ Over the course of time

²³ *The theologians allege that the liberals and the modernists often violate the fundamentals of the Qur’an and interpret it to suit their own ends, arguing that divine law cannot be trifled with. The argument, on face of it, appears to be quite weighty but seems less so the more closely one scrutinizes it. One has to take into account sociological influence while interpreting a divine scripture. No interpretation, however honest, can be free from such influences. The theologians and jurists of the first century of Islam – who had acquired great prestige and whose opinions were taken as final – were themselves subject to sociological influences. Their formulations and interpretations must be seen in the sociological perspective of their time, when women were looked upon as nothing more than instruments of perpetuating one’s progeny, bringing up children and providing pleasure for their husbands. This is how the pronouncements of the Qur’an were misinterpreted – A.A. Engineer, *The Rights of Women in Islam*, Lahore 1996, pp. 2-3.*

²⁴ Z. Udin Babur, *Violence against Women in Pakistan: Current Realities and Strategies for Change*, at <<http://epu.ac.at/fileadmin/downloads/research/Babur.pdf>>, 19 February 2014; *The Human Rights Watch Global Report on Women’s Human Rights*, New Delhi 2000, pp. 148-156.

²⁵ H. Alavi, ‘Pakistani Women...’

²⁶ Muslims were quite skeptical about the modernization of the country and education. A great role in this field was being played by reformers, especially Sayid Ahmad Khan, who through a number of publications argued that modernism and modern education are not only not anti-Islamic, but will help to bring the Muslim community out of the backwardness, and as a result – increase its chance for active participation in political and social life. I dwelled on this topic in the following paper (published in

this attitude slowly changed, allowing Muslim girls and women to attend schools and form all kinds of organisations, including the political ones.²⁷

This is when the first Muslim women's organizations like All India Muslim Women's Conference or Anjuman-e Khawatin-e Islam²⁸ were established. Women were engaged not only in social work, but often also in political initiatives, becoming members of political groups and parties. Among the most important female activists were: Begum Shah Nawaz, Amir un-Nisa, Begum Habibullah, Bibi Amman, Abru Begam, Jahan Ara Begum, Lady Harun, Aruna Asaf Ali.²⁹ The majority of these women came from the elites, the families of political activists, and this allowed them to be a part of the women's movement, organizing thereby a field of activity for women from lower social classes. Their pioneering work in times prior to independence was drawing attention to the lack of respect for women's rights and discrimination of the female part of society by attempting to negotiate space for women in the socio-political sphere, and create a platform for active co-operation.

The problems and demands formulated by these women's groups related mainly to polygamy and the so-called *Purdah* system.³⁰ Thus, they called for a greater access to the "outer" aspects of life and respect for the rights of women, which often simply overlapped with basic human rights. These postulates still remain valid, as women's rights are still not respected, even if partially supported by appropriate law.

In the anti-colonial era, the women's movement was a part of a larger movement: the struggle for independence was simultaneously a political, ideological, and social

the Polish language): K. Junik, 'Odrodzenie muzułmańskie w XIX-wiecznych Indiach. Sajid Ahmad Chan (1817-1898) i reforma edukacji,' *Indologia*, No. 1 (2009), pp. 28-40.

²⁷ Women, active in the social or economic sphere, took an active part in the independence movement, constituting its significant part. The process of fighting for the right to vote, attempts to change discriminatory laws (eg. relating to the segregation of women, unequal access to education or labor exploitation) have been described in several important publications, e.g. R. Kumar, *The History of Doing. An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990*, New Delhi 2002; Sh. Lateef, *Muslim Women in India. Political & Private Realities 1890s-1980s*, New Delhi 1990; G. Forbes, *Women in Modern India*, Delhi 2000 (*The New Cambridge History of India*, IV, 2).

²⁸ Initially, women's organizations were created by men to enable women to meet, participate in current events, formulate their own opinions. Over time, there have been initiatives taken up by women themselves, which include establishing numerous associations, e.g. Mahila Parishad, Women's Indian Association, and the first organisation for Muslim women under the name of Anjuman-e Khawatin-e Islam, formed on the initiative of Mian family from Lahore, led by the two important activists: Begam Shah Nawaz and her mother, Amir un-Nisa. A little earlier, in Aligarh, a conference of Muslim women was organized, and from 1915 it has been held every two years under the name of the All India Muslim Women's Conference. Cf. G. Forbes, *Women...*, pp. 64-91; V.Bh. Talwar, 'Feminist Consciousness in Women's Journals in Hindi: 1910-1920' in K. Sangari, S. Vaid (eds.), *Recasting Women. Essays in Indian Colonial History*, New Delhi 1999, pp. 204-232.

²⁹ Sh. Lateef, *Muslim Women...*, pp. 81-94; G. Forbes, *Women...*, p. 64 and next.

³⁰ As I already mentioned, the *Purdah* is a system of the segregation of women through the act of veiling, but also through denying their presence in places where they might mix with men. In the conservative sense it simply means isolating women within the four walls (hence the popular name – *char divari*), in specially designed parts of house called *zenana*.

struggle. After 1947, the integration and administration of the newly created Pakistan became the most important issues. The first decade was dominated by the ongoing attempts to stabilize the internal situation in the country and to impose an uniform law and policy. However, the rule of the generation of freedom fighters soon ended, introducing a new period in history described as a destruction of democracy and internal instability.³¹ Problems of gender inequality disappeared from the socio-political scene. Actions were then undertaken through a network of informal associations and organizations fighting for the rights of women outside the official policy. This is when one of the oldest women's organizations in the independent Pakistan was established – All Pakistan Women's Association (APWA). It was founded by Begum Rana Liaquat Khan³² in 1949 as a non-profit foundation and was aimed at an immediate assistance to women and children who suffered from the violent conflict surrounding the division of the Indian subcontinent into two young states.

There were more similar initiatives, most often undertaken by the upper-class women who took on the role of patronesses,³³ and associated primarily with the organization of temporary shelters, as well as building homes, schools, hospitals and other social infrastructure. These actions were part of a general trend of modernization and consolidation of the country. And even though many activists were members of socialist groups, the issue of gender inequality was not brought up by any of them. As noted by Farida Shaheed, a researcher and a feminist activist, small feminist groups were often accused of diverting the attention from the more important issue, which was the social reorganization and class struggle.³⁴

Over the last three decades of the 20th century much has been done concerning the women's issues. One may distinguish two main phases in the women's movement: the phase of intense activism of the 1980s, centered around the issue of state and law, and the phase of dissemination and strong presence in the socio-political space of the 1990s.³⁵ In the late 1970s the era of the rule of General Zia-ul-Haq began. By that time, the Jamaat-e Islami (JI) party became an influential political group. JI's founder and main ideologue was Sayid Abul Ala Maududi³⁶ who was known for his conservative approach towards women. Hence, the ideology of Islam in its most traditionalist version formed the basis for the newly created law. The legal provisions concerning

³¹ Muhammad Ayub Khan (1907-1974) – a politician and statesman. Since 1948, the commander of the army in East Pakistan (today Bangladesh). In 1958, he introduced martial law, becoming its administrator. In 1958-1969 he was the President of Pakistan.

³² Wife of Liaquat Ali Khan, the first Prime Minister of Pakistan.

³³ Fatima Jinnah, sister of Muhammad Ali Jinnah, was engaged in similar activities, including an engagement in politics. More information can be found in my paper: K. Junik, 'Between Tradition and Modernity: Fatima Jinnah,' *Cracow Indological Studies*, Vol. 11 (2010), pp. 341-349.

³⁴ F. Shaheed, 'The Women's Movement in Pakistan: Challenges and Achievements' in A. Basu (ed.), *Women's Movements in the Global Era*, Boulder 2010, p. 6.

³⁵ Ibid., p. 6.

³⁶ Sayid Abul Ala Maududi (1903-1979) – theologian, philosopher, and journalist. One of the most important Islamic thinkers of the twentieth century. Founder of the Jamaat-e Islami party.

physical violence and rape, testimony in criminal matters, honor killings, family planning, were discriminatory and humiliating.³⁷ In this way, the women's access to education, work, and other social activities became severely restricted. Interestingly, religious fundamentalism was not the most popular of the policy options, as evidenced by the poor performance of the party with such kind of inclination in the election. The Jamaat-e Islami, however, has become a desirable political representative of the military authority, which meets the basic condition – social credibility. The re-division of the subcontinent,³⁸ colonial experience, and a strong urge towards modernization, caused the necessity to redefine the identity of Pakistan. The old system needed to be replaced by something new – and it was Islam that sustained the old structure,³⁹ imposing at the same time control over any changes. Controlling women became, as stated by Shaheed and Mumtaz, *the last bastion of cultural identity*.⁴⁰

Reality became polarized in a conservative manner (“natural” as called by Islamic ideologies) – the outer sphere is available only for men, while the domestic sphere – for women, which was meant to ensure the purity and integrity, but also safety and comfort. Unfortunately, the scale of physical and psychological violence that takes place within the four walls of the house proves this argument fictitious. The control of men usually targets women from a higher class, the one that could set an example for other, less courageous or less conscious women.

The beginning of the 21st century saw the rise of extremism on the Pakistan-Afghanistan border, religious fundamentalism, and the presence of Talibans. This was mainly related to Pakistan's involvement in the war on terrorism led by the United States of America. The border regions became the front-line, and the Taliban gained power, also in the political sense.⁴¹ This led to another wave of discrimination against women, mostly by implementing conservative and fundamental interpretations of Islamic law reinforced by traditional paralegal institutions.

³⁷ These laws, among others, allowing to equate the testimony of one man with the testimony of two women in a criminal case, or to punish the victim of rape for extramarital indecent assault instead of punishing the rapist, were entered by force, without being put to the vote. Cf. H. Alavi, ‘Pakistani Women...’; H. Kumar, ‘Islam and Human Rights for Women’ in eadem (ed.), *Status of Muslim Women in India*, New Delhi 2002, pp. 108-111

³⁸ I refer here to the separation of Bangladesh in 1971.

³⁹ Many researchers, including Shahnaz Rouse, draw attention to the problem of Islam in the context of a national/state religion. Pakistan was separated from India as (in assumption) a Muslim state, however, the issue of religion was never a subject of a deeper debate. Since the creation of the country, the place of Islam in politics and society was not obvious and was a disputed issue. The question still returns whether Pakistan is “a country for Muslims” or “a Muslim country.” Cf. Sh. Rouse, ‘The Outsider(s) Within. Sovereignty and Citizenship in Pakistan’ in P. Jeffery, A. Basu (eds.), *Appropriating Gender. Women's Activism and Politicized Religion in South Asia*, New York 1998, pp. 53-54.

⁴⁰ F. Shaheed, Kh. Mumtaz, ‘Islamisation and Women. The Experience of Pakistan’ in *Other Voices from Pakistan*, New Delhi 1995, s. 74

⁴¹ By forming their own political party, Tehrik-e Taliban Pakistan (TTP). Cf. H. Alavi, ‘The Rise of Religious Fundamentalism in Pakistan,’ 7 February 2010, at <<http://hamzaalavi.wordpress.com/2010/02/07/the-rise-of-religious-fundamentalism-in-pakistan/>>, 20 September 2014.

ADVOCATING JUSTICE

One may distinguish two types of initiatives within the women's movement, using the theoretical apparatus of the German sociologist Maria Mies.⁴² On the one hand, there are top-down initiatives which attempt to preserve the existing order and incorporate women into it by creating new structures, i.e. institutes, centers, sections for women. Such institutions bring women in places where they did not operate before: in the realm of academics, government etc. Through them, in today's Pakistan there are many women at various levels of government, the public and private sectors, in education and culture, yet, this does not cause changes in the current socio-political discourse.⁴³

The second type consists of the bottom-up initiatives arising in response to the socio-political situation. They are characterized by a multiplicity of views and ideas of changing the existing patriarchal paradigm, critical approach.

In the last quarter of the 20th century many such initiatives emerged, in response to the unjust legal provisions. There was a great need for the education of women, as well as for making them aware of their rights. New women's organizations are being formed, some of them operate on the principles of NGOs, other support numerous non-governmental organizations whose work is based on an ad hoc, locally-oriented aid – legal, medical, psychological. They include:

Shirkat Gah Women's Resource Center (shirkatgah.org)

Established in 1975, it aims at empowering women and creating a supportive community where *human rights and dignity are enjoyed by all equally without discrimination*.⁴⁴ The organisation's approach is to challenge injustice, promote secularism, gender equality, but also environment-friendly practices. Since 1986, Shirkat Gah became the Asia Coordination office of the international solidarity network, the Women Living Under Muslim Laws (WLUML). Now, the organisation operates in 44 districts, in four provinces of Pakistan. It publishes educational materials,⁴⁵ research reports, and journals in Urdu, Sindhi and English.

⁴² Cf. F. Gardezi, 'Islam, Feminism, and the Women's Movement in Pakistan: 1981-1991' in *Other Voices...*, p. 58 and next.

⁴³ Ibid., p. 60. This took place in the days of the rule of General Zia-ul-Haq, when many branches, sections, centers and organizations were established, offering place for many activists. In fact, activities of these institutions did not bring any significant effect, but it was an argument against the allegations of sex discrimination. Apparent support for the efforts of women has an ulterior motive, as it creates a belief that the safest social unit for women and their development is their family, which in turn makes it difficult to campaign for women's liberation from patriarchal dependence, for access to education, work, financial independence, and autonomy. Such mechanism meets the criteria of a "passive revolution," formulated by Antonio Gramsci, according to which the ruling group, eager to maintain its dominance, tries to absorb other groups who demand changes and by adopting, to some extent, their ideas and taking over their activists, undermines their struggle.

⁴⁴ Taken from the official webpage: <http://shirkatgah.org/introduction/>, 20 September 2014.

⁴⁵ Concerning, for example, the necessity of having an identity card or the custom of honour killing in Pakistan.

Women's Action Forum (Khawateen Mahaz-e Amal)

Established in 1981 by the Shirkat Gah collective members in reaction to the implementation of the unjust and discriminating law (among others, the Zina Ordinance of 1979⁴⁶). WAF organization aimed at defying the militant regime of Gen. Zia by organizing protests, meetings, feminist poetry readings and thus creating awareness of the situation of women.⁴⁷ Women rebelled against the over-interpretation of Islam and the primacy of the ideologues of the Jamaat-e Islami. They also had to fight for recognition in media who initially offensively proclaimed them as feminists and did not print their opinions and protests. Nowadays, the WAF is still active in the field of women's issues as *a non-partisan, non-hierarchical and non-funded organization*,⁴⁸ operating in several cities in Pakistan.

Aurat Foundation (af.org.pk)

Established in 1986, during the years has become one of the leading institutions promoting gender equality and working for the women's empowerment in Pakistan. It operates through a network of voluntary citizens' groups and individuals in 128 districts, having its quarters in more than 40 cities. The main goals of the foundation are: to provide women with a greater access to knowledge and institutions; to create awareness about women's and people-centred issues; to encourage and support people's active participation in building a strong, conscious society. The Aurat Foundation's work has developed into a programme for 'Strengthening Civil Society for Women's Participation in Governance in Pakistan,' which focuses i.a. on advocating women's participation in democracy. AF's undertakings include projects committed to the women's involvement in local governments, councils, elections etc. It cooperates with various departments and organs of the government, expressing concern and drawing attention to the women's interests in the policy-making process.

⁴⁶ As remembered by one of the founding members, Zohra Yusuf: *It was on an afternoon in September 1981 that Aban Marker (Shirkatgah) called. She told me about the distressed call she had just received from Najma Sadeque (another SG founding member) regarding the case of Fehmida-Allah Bux. Pakistan's first sentence of death by stoning and public whipping handed down to a couple under the Zina Ordinance of 1979. We had all read about the sentence and in our individual capacities felt deeply disturbed. After a bit of discussion, we decided to call a meeting of all women's organizations at Aban's place. The rest, as they say, is history* – Z. Yusuf, 'My Years with WAF' (Article written for a souvenir on WAF's 25th anniversary, October 2006), at <<http://beenasarwar.com/2013/02/13/my-years-with-waf-zohra-yusuf-on-the-pakistani-womens-movement/>>, 21 September 2014.

⁴⁷ Shortly after WAF started their campaigns, first Islamic women organisations emerged, becoming a counterweight to the radical and modernist option. These groups – describing themselves as "fundamental" – initially undermined the activities of the women's movement, emphasizing their adherence to religious principles, which, according to them, not only did not humiliate women, but also created a safe place for them in the private sphere, without exposing women to the loss of honor and violence resulting from the contact with the external (male) world. Such activities were often joined by women from conservative houses, sentenced to life within the four walls, with no job prospects or education. By ostentatious aversion to "liberated" women they are trying to win respect and recognition in their own home and family. Cf. H. Alavi, 'Pakistani Women...'

⁴⁸ Taken from the description on the official Facebook page: http://www.facebook.com/WomensActionForumKarachiChapter/info?tab=page_info, 20 September 2014.

Alliance Against Sexual Harassment (AASHA⁴⁹)

Established in 2000, the AASHA organization was an alliance of nine organizations from Islamabad and Lahore acting against sexual harassment. Sexual harassment is faced by women in their workplace and in other public places, and includes physical violence like beating, slapping etc. It is *a fact of life that not only negates the fundamental rights of women, but also restricts them from taking an active and effective part in society according to the full-est of their potential and capabilities*.⁵⁰ The victims often do not press any charges or complaints because they are scared of losing their jobs or feel too weak to stand against the assaulter. AASHA's aim was to create awareness on this problem and to influence law- and policy-makers to recognize the need for a safe and harassment-free work environment. The members of the alliance were appointed as consultants to work on a code for gender justice at the workplace. This resulted in passing the Protection Against Harassment of Women at Workplace Bill 2010, after which AASHA concluded its work. On their website one may find the bill's complete text in Urdu and English as well as detailed instructions for the victims of sexual harassment. The website is maintained by **Mehrgarh**, a sister-organisation which continues to work against sexual harassment, but also concentrates on creating awareness among young people in terms of a responsible citizenship and social development. Mehrgarh is mainly a center for education – about human rights (basic rights of an individual), opportunities, methods of fighting injustice and inequalities.

Other worth-mentioning organizations concerned with legal aid and all kinds of health issues as well as fighting for equal rights for both genders include: Pakistan Women Lawyers Association (PAWLA), Human Rights Commission of Pakistan, Roshni Centre, Aware Girls, Legal Awareness Watch, Insan Welfare Foundation Pakistan, HEAL Pakistan.⁵¹

Women organizations, as I already pointed out, serve as a platform to educate, advise, organize meetings and develop awareness. There are several activists engaged in such work – operating in the frame of an institution or individually. These women – sociologists, psychologists, doctors and/or lawyers – offer their skills and time to improve the lives of other women (often uneducated, coming from poor, rural areas of Pakistan). They also become significant role-models for them, representing the possibilities to be achieved with education and knowledge. I shall mention here a few most influential women:

Asma Jahangir – a lawyer and a human rights activist. A dedicated defender of the rights of women and religious minorities, fighting for the equality of all citizens in Pa-

⁴⁹ “Āśā,” taken from one of the oldest indo-iranian languages, Sanskrit, means “hope.” AASHA's logo reads in Urdu: *Come, let us break together the chains of fear and oppression*. <<http://www.aasha.org.pk>>, 20 September 2014.

⁵⁰ <http://www.aasha.org.pk/about_aasha.php>, 20 September 2014.

⁵¹ There are many NGOs in Pakistan and their reach varies from the local to the national. A comprehensive list of Pakistani NGOs and an analysis of the role they play in women's struggle for rights may be found here: N. Farman, ‘The Role of NGO's in Women's Rights in Pakistan,’ at <<http://eprints.hec.gov.pk/1401/1/1104.html.htm>>, 20 September 2014.

kistan. She spent almost 30 years of her professional life fighting against unjust law, radical Islam, all kinds of extremisms and stereotypes. She represents victims of discrimination, wrong practices and crimes often committed by the power of evil customs, or misinterpreted religious law. Engaged i.a. in the formation of the Women's Action Forum, she co-/organized many campaigns and protests against several legal regulations.⁵² With her sister, **Hina Jilani** (see below), and a few other colleagues, she started the first women-led law office in Pakistan. She is one of the founding members of the Human Rights Commission of Pakistan, and for many years she worked as a Special Rapporteur for the United Nations.⁵³ For her dedication and courage she has received many awards, including Hilal-i-Imtiaz, UNESCO/Bilbao Prize for the Promotion of a Culture of Human Rights, and most recently The Right Livelihood Award.⁵⁴ For taking up controversial cases⁵⁵ and expressing severe criticism over violation of human rights in Pakistan,⁵⁶ she has received death threats and faced all kinds of assaults,⁵⁷ including house arrest and an a murder attempt.⁵⁸ But, as she puts it, *everything is a risk in Pakistan. If you defend women, it's a risk, if you defend non-Muslims it's a risk, if you discuss religion, it's a risk. But you can't really sit there like a vegetable in your own society. And I'm committed to that society...*⁵⁹

Hina Jilani is a lawyer and a human rights activist. She is a co-founder of the first all-women law company, AGHS Legal Aid Cell, which has operated as an NGO since 1987. Jilani is also one of the founding members of the Women's Action Forum, the Human Rights Commission of Pakistan and the Aurat Foundation. Later, Jahangir-Jilani started Dastak, a shelter for women seeking divorce or any kind of help.⁶⁰ Both sisters were engaged in all kinds of work which included giving support and legal aid

⁵² E.g. against the Law of Evidence, by which the testimony of one woman equals half of a man.

⁵³ On Extrajudicial Executions from 1998 to 2004, and on Freedom of Religion and Belief from 2004 to 2010.

⁵⁴ She was also among 1000 women collectively nominated for the Nobel Peace Prize (2005).

⁵⁵ Among the persons defended by A. Jahangir are: Safia Bibi, a blind girl, who was raped and then sentenced for adultery; Salamat Masih, a Christian accused of blasphemy; Saima Sarwar, who fled from her husband seeking for divorce (later a victim of a honour killing); Saima Waheed, a victim of an unjust law allowing a girl's guardian (wali) to arrange her marriage without her consent.

⁵⁶ Asma Jahangir has co-authored two books (*The Hudood Ordinance: Divine Sanction* – with sister, Hina Jilani; *Children of a Lesser God: Child Prisoners of Pakistan*) and has written many articles on legal matters and discrimination.

⁵⁷ The assaults include: beating, tearing off her clothes. Cf. "Pakistan Should Have Taken the Moral High Ground," An interview with Asma Jahangir by Amitav Ghosh, at <<http://www.outlookindia.com/article.aspx?215501-0>>, 20 September 2014.

⁵⁸ Cf. H. Julien, 'Asma Dzahangir – adwokatką z Pakistanu' [Asma Jahangir – a lawyer from Pakistan] in Ch. Ockrent (ed.), *Czarna księga kobiet* [The Black Book of Women's Condition], trans. by K. Bartkiewicz et al, Warszawa 2007, pp. 82-86.

⁵⁹ <http://www.thestar.com/news/world/2014/01/04/before_malala_there_was_asma_jahangir.html>, 20 September 2014.

⁶⁰ H. Rappaport, *Encyclopedia of Women Social Reformers*, Vol. 1, Santa Barbara 2001, pp. 339-340.

to women, religious minorities, prisoners. Hina Jilani legally represented many victims of domestic violence, sexual abuse etc. As an experienced advocate and campaigner, she became one of the most recognized experts in human rights violation, need for democracy, and threat of terrorism. She was a Special Representative on Human Rights Defenders for United Nations (2000-2008), a member of the International Commission of Jurists, and recently joined a group of respected global leaders, the Elders. Besides many insightful essays on various topics related to women's issues, she published a book entitled *Human Rights and Democratic Development of Pakistan*. She was awarded the Millennium Peace Prize for Women and the Amnesty International's Ginetta Sagan Award. Her activity in human rights, especially helping abused women in getting divorce, are the reasons why she has received several threats and survived many attacks, including an arson attack in her office.⁶¹

Mukhtar Mai (Mukhtaran Bibi) – was a victim of a gang rape executed by an order of a tribal council (jirga⁶²). She was violated in revenge of alleged extra-marital sex between her relative and a girl from a higher clan. Although she had been intimidated and harassed not to do so, she filed a complaint against the rapists and went to court to seek justice.⁶³ Initially, all the suspected men were sentenced to death, but later, five out of six were acquitted, despite numerous protests from the victim, women's rights groups, national and international public.⁶⁴ Mukhtar Mai, regardless of the threats and fear for life, began working as an activist. She established two schools in her village using the compensation money awarded to her. She also started the Mukhtar Mai Women's Welfare Organization which provides support to girls and women fighting for their rights. The organization's main aim is to bring education and welfare to females, which results in opening schools, women's shelters, resource centers and building a net of volunteers engaged in the cause.

Farida Shaheed has been working in the field of women issues for more than 25 years. She is a member of the Women Living Under Muslim Laws (WLUML) International Solidarity Network. As an independent expert, she took part in several negotiations at the national and international level (e.g. for the United Nations). For the last few years she has been working as a Special Rapporteur in the field of cultural rights, for which she was awarded the International Award UCLG – Mexico City Culture 21 on 12 November 2014. She publishes a lot on gender equality, social classes and marginalised minorities. Her publications include a pioneering book on the women's movement,

⁶¹ When Samia Sarwar came to her office, seeking divorce from her husband, an armed man shot twice in her direction, killing her (Hina Jilani escaped a shot). S. Sarwar was killed to prevent the divorce which would stain the family's honour. Cf. H. Julien, 'Asma Džahangir...', p. 85.

⁶² I discuss this issue in more detail later in this paper.

⁶³ Victims of such unjust practices are expected to commit suicide to wash away the stain on his/her family's honor.

⁶⁴ <<http://www.speroforum.com/a/52691/Pakistan-Court-verdict-reveals-tribal-cultures-mistreatment-of-women#.VKREDMnvdIQ>>, 20 September 2014.

Two Steps Forward, One Step Back? Women of Pakistan,⁶⁵ co-authored with Khawar Mumtaz. Head of Shirkat Gah and one of its founding members, she also played an active role in forming the Women's Action Forum.

Khawar Mumtaz – a human rights activist associated with Shirkat Gah, where she worked as the CEO. Currently she is the Chairperson of the National Commission on the Status of Women, Government of Pakistan. For almost 30 years she has been working towards the empowerment of women, development and environment as well as for reproductive health, rights, and poverty. She gathered rich experience participating in several conferences; she has been also a part of many NGO coalitions. One of the founding members of the Women's Action Forum, she was awarded the Sitara-e-Imtiaz in recognition of her engagement in social development and women's rights. She was among 1000 women from around the world collectively nominated for the Nobel Peace Prize (2005). She is also a researcher and publishes on women-related issues.

Fouzia Saeed is a social scientist and activist, associated with the WAF, AASHA, Bedari and Mehergarh, where she currently works as a director. For many years she has been working on women issues – sexual harassment, slavery, prostitution, violence against women. She conducted many training in these fields, including preparation of materials for dissemination (brochures, short films) as well as training programs for official institutions. She wrote two well-regarded books: *TABOO! The Hidden Culture of a Red Light District*, which deals with the prostitution in Pakistan, and *Working with Sharks: Countering Sexual Harassment in our Lives* (translated into Urdu by Fahmida Riaz⁶⁶), which is an autobiographical account of dealing with sexual harassment in the United Nations. While working for AASHA, together with her colleagues (and with the help of Sabir Nazar, a famous cartoonist), F. Saeed created a calendar which represented various forms of harassment,⁶⁷ which was aimed at spreading awareness of the problem. She is also active in preserving the folklore of Pakistan – theatre, dance, and other forms of expression.

IN FIGHT FOR EDUCATION

Hina Jilani in her article on the women's movement against the religious fundamentalism pointed out that the poor participation of women in the movement is caused by their insufficient education. She writes: *the rate of literacy amongst women is very low, and results in an acute lack of awareness. A fear of the authorities – especially in view of the repressive punishments for dissent for which this Martial Law regime is famous prevents*

⁶⁵ For this publication both the authors were awarded with Pakistan Prime Minister's Award.

⁶⁶ Fahmida Riaz (b. 1946) – a prominent Urdu writer and a feminist.

⁶⁷ <<http://tribune.com.pk/story/104490/harassment-calendar-takes-the-mickey-out-of-sexual-fiends/>>, 20 September 2014.

*mass participation in the movement.*⁶⁸ Jilani wrote her words in 1985, yet they still remain valid. Even if the number of women engaged in fighting for women's rights is on the rise, the problem of education has not disappeared.

According to the Constitution of Pakistan (Article 25-A), every child from age 5 to 16 is entitled to free and compulsory education. Besides, Pakistan signed the UN Convention on the Rights of the Child (1990) which assures equal rights to children in terms of education, and The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1998. In 2000, Pakistan adopted the Millennium Development Goals (MDG) with i.a. two targets – directly related to education issues – to be achieved by 2015:

- to ensure that all children everywhere will be able to complete a full course of primary schooling (target no. 3),
- to eliminate gender disparity in all levels of education⁶⁹ (target no. 4).

A report issued by the governmental Centre for Poverty Reduction and Social Policy Development a decade later, examining the scale of fulfilling these promises, did not show very optimistic results. It predicted that the goals are unlikely to be achieved in the defined time, indicating gender equality as a necessary step in this process.⁷⁰ Very slow progress, high statistics of girls being out-of-school – these facts were also confirmed by educational reports issued by the UNESCO's Education For All Global Monitoring Report⁷¹ (2012) and the Global Campaign for Education⁷² (2012). The UNESCO's EFAGMR Report placed Pakistan among ten countries with the highest number of children not getting education (33%, i.e. almost 7 million of children). It also put Pakistan among countries with the highest illiteracy rate in the world. In 2013, the Annual Status of Education Report (ASER) published its data on education, in a form which allows comparing situation in various states or through a selected factor.⁷³ According to this detailed report, even if the statistics prove the participation of children in primary or secondary education, the skills and knowledge achieved by these children are often on a very low level.⁷⁴

⁶⁸ H. Jilani, 'The Pakistan Women's Action Forum: Struggling against Islamic Fundamentalism,' *Canadian Women Studies/Les Cahiers de la Femme*, Vol. 7, No. 1-2 (1986), p. 109.

⁶⁹ <<http://qismat.org.pk/component/content/article/38/82-millennium-development-goals-in-pakistan>>, 29 September 2014.

⁷⁰ *Pakistan Millennium Development Goals Report 2010*, p. 44, at <<http://qismat.org.pk/images/pdf/mdg-report-pakistan-2010.pdf>>, 29 September 2014.

⁷¹ <<http://www.education-inequalities.org/countries/pakistan#?dimension=sex&group=|Female&year=latest>; http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/EDUCATION_IN_PAKISTAN_A_FACT_SHEET.pdf>, 29 September 2014.

⁷² <http://campaignforeducation.org/docs/reports/GCE_INTERIM_Gender_Report.pdf>, 29 September 2014.

⁷³ <<http://www.aserpakistan.org/index.php?func=report>>, 29 September 2014.

⁷⁴ As an example: in the 5th grade, 66% of children in Punjab and 41% of children from Sindh can read a story in Urdu/Sindhi; 56% of children in Punjab and 29% in Sindh can do 2 digits division. Cf. *ASER Report 2013 National Cards*, p. 4, 8, <http://www.aserpakistan.org/document/report_cards/2013/summary_report_cards/National.pdf>, 29 September 2014.

The importance of education lies in gaining certain skills in order to work effectively and earn for living which translates directly into the development of the whole country and the improvement of living conditions for every citizen.⁷⁵ As for women, it has been proven that better educated females earn more and work in better conditions. Education is not a goal in itself, but a means to get knowledge about the available opportunities, legal provisions etc. The UNESCO Report emphasized the relationship between female education and health. Educated girls and women are expected to be more aware of the environmental and physio-biological issues, which helps to prevent deaths in childbirth, child deaths, child marriages, malnutrition, spread of diseases. Education also allows for controlling births and avoiding pregnancy at an early age.⁷⁶ It helps to enhance the quality of life, to understand the rights provided. For these reasons, in a traditional, patriarchal society it is perceived as a dangerous tool, a threat to stability. In Pakistan, mostly in the rural parts of the country, females are being deprived of their constitutional right to education, and even if they go to school, they get only few years of primary learning.⁷⁷

The low female literacy rate (approx. 26% on the national level) is a consequence of many factors. There is an overall problem with the schooling system in Pakistan: there are not enough schools, especially in the rural and tribal areas where the government closed down temporary schools. In such areas schools are being established by NGOs, human rights organizations, and are being funded from donations.⁷⁸ Very often, the existing educational institutions lack professional, well-educated staff. There are not enough female teachers (as few girls graduate from high schools and colleges), which again becomes a counterargument for not sending girls to schools. The economical condition of the family is also a decisive factor – many girls are forced to work and support the family. These children rarely receive any education, even if they strive for it. In most cases, the family represents a patriarchal model where the woman is a subordinate of men – seen as a sister, wife, mother, mother-in-law etc., rarely as an independent human being. In such families girls are refused the right to go to school (or to work) outside the house – into a possibly inappropriate mixed-gender environment, because it would threaten the family's (men's) honour ('izzat').⁷⁹ Preserving the honour is possible by i.a. arranging their marriages at an early age, which means they will never get any education whatsoever.

⁷⁵ *Education plays a pivotal role in the growth and progress of countries in an increasingly competitive, interconnected and globalising world, where the creation of skills and human capital is a key component of any development strategy – Pakistan Millennium Development Goals Report 2010*, p. 34.

⁷⁶ The UNESCO Report states that only 30% of illiterate women have a say over the number of children they may have. In the group of women with lower secondary education this rate reaches 63%.

⁷⁷ According to the UNESCO EFAGMR Report, females in the age group of 17-22, on an average spend one year in school.

⁷⁸ One of the worth mentioning NGOs is the Al-Khidmat Foundation Pakistan (al-khidmatfoundation.org) working i.a. in the field of education, establishing schools, hostels, providing scholarships and school supplies.

⁷⁹ I refer to the problem of honour in the next chapter. See also: M. Khan Jalalzai, *Women Trafficking and Prostitution in Pakistan & Afghanistan*, Lahore 2002, pp. 50-63.

The position of women depends on the current political situation (military dictatorship, armed conflicts etc.), which allows the patriarchy to remain a central fundament of the society.⁸⁰ From the beginning of the 21st century Pakistan has faced the rise of extremism, especially on the Pakistan-Afghanistan border. The Taliban – now visibly present in this region – introduced their law and order based on a traditional, very conservative interpretation of the Holy Scriptures. According to their understanding of the Qur'an and *shari'a*, women should fulfil their duties at home and may go outside only in emergency situations, wearing a veil and being accompanied by a male member of the family. They should practically be invisible in the public space. Musa Khan Jalalzai, referring to the Taliban regime in Afghanistan, writes: *Women had no importance in Taliban eyes unless they are occupied producing children, satisfying male sexual needs or attending to the drudgery of daily housework.*⁸¹

The wave of Talibanisation went across Pakistan, spreading religious fundamentalism and resorting to violence against those not obeying their order. One of the victims of such violence was Malala Yousufzai, a girl from Swat who, despite her young age, was an active supporter of the right to education. Engaged in her father's work in that field, she often accompanied him when he gave speeches about development, education and democracy in Pakistan. She was writing a diary for BBC Urdu⁸² under a pen-name Gul Makai,⁸³ describing the difficult life under the Taliban. When in 2009 the Taliban announced closing the girls' schools, she took part in a documentary for the New York Times,⁸⁴ talking of rights and the need to learn. She gave interviews and shared her opinions in several newspapers and TV programs. In 2011, she was awarded the Pakistan National Peace Prize for her advocacy of education and non-violence; she was also nominated for the International Children's Peace Prize of the Dutch International Children's Advocacy Group Kids Rights Foundation. Her identity was no longer a secret, yet she bravely talked about the need to gain knowledge and to take part in the development of the country. As a clear opponent of the Taliban regime, who criticised their ban on girls' education and stood against them, she was getting threats through all kinds of media (i.e. Internet, newspapers), and also on paper. On October 2012 she became a target, being shot by a Taliban gunman on her way home from school. However, this incident did not stop her from campaigning for children's (especially girls') education. She became an internationally recognizable role model of courage and promoter of education and human rights. She started a foundation (malala.org), where money

⁸⁰ Cf. T. Azhar, *Patriarchy, Militarization, and the Gender Gap in Education: The Case of Pakistan*, doctoral thesis submitted in 2009, at <<http://etda.libraries.psu.edu/paper/9422/4784>>, 29 September 2014.

⁸¹ M. Khan Jalalzai, *Women Trafficking...*, p. 173. On the next pages one may find some of the restrictions introduced by the Taliban in Afghanistan, which are similar to those imposed by them in Pakistan.

⁸² She wrote a blog named *Ṭālbā ki dā'irī*, to be read from this site: <http://www.bbc.co.uk/urdu/pakistan/story/2009/01/090109_diary_swatgirl_part1.shtml>, 29 September 2014.

⁸³ In Urdu: "a cornflower"; also: the name of a Pakhtun heroine.

⁸⁴ A.B. Ellick, I. Ashraf, *Class Dismissed: The Death of Female Education*, The New York Times Documentary, at <<http://www.youtube.com/watch?v=9F5yeW6XFZk>>, 29 September 2014.

for girls' education is raised. She gave speeches in many notable places, including Harvard University and the Girls Summit in London. Her appearance in the United Nations on her 16th birthday was announced as Malala Day (12 July) – a day of every child who is deprived of her/his rights. She received many awards and prizes, including the Sakharov Prize for Freedom of Thought (2013), the Anna Politkovskaya Award (2013) and, most importantly, the Nobel Peace Prize (2014, shared with Kailash Satyarthi) for her fight for children's education. In 2013, she published an autobiography (co-written with Christina Lamb) *I Am Malala: The Story of the Girl Who Stood Up for Education and was Shot by the Taliban*.

Before the attack on Malala, the Taliban tried to quiet down other female activists.⁸⁵ In July 2012, they assassinated a social worker, Farida Afridi, who co-founded and worked for a local organization, the Society for Appraisal and Women Empowerment in Rural Areas (SAWERA).⁸⁶ Hina Khan, a young girl from Swat, faced several death threats after organizing a press conference and condemning the Taliban for destroying girls' schools.⁸⁷ Malala has been accused by the Taliban of obscenity and propagating against Islam. Now, when she has become a powerful role model for every girl child in the world, the Taliban attempt to blacken her image and slander her in many ways⁸⁸ – they spread their propaganda to discourage others from following her steps.

But there are more girls and women like her, who live for the cause. Like Gulalai Ismaili, a social worker and activist, engaged in empowering females in North-Western Pakistan. When she was 16, she – together with her sister Saba (then 15 years old) – established the Aware Girls organization (2002). She saw the necessity of creating a platform for women, where they could get educated about their rights and ways to improve their lives. She believed that, quoting her words, *if we have to bring change then first girls should believe in their human rights*.⁸⁹ At the beginning, they focused on the women's issues, raising awareness and training young people to become locally active. The programs conducted by the Aware Girls include: encouraging the political and human rights leadership, providing help to the victims of violence, fighting against gender-based violence and against sexual harassment. While working in this field, Gulalai Ismaili soon discovered the close relationship between gender and peace. Since militancy cultivates patriarchy, only peace may bring tolerance, non-violence and

⁸⁵ First victim of the Taliban, Shabnam, was shot dead in a public place for not obeying their rules. Cf. <<http://tribune.com.pk/story/449931/targeting-women-malala-talibans-third-female-victim/>>, 29 September 2014.

⁸⁶ <<http://frc.com.pk/news/a-feminist-women-rights-activist-killed/>>, 29 September 2014.

⁸⁷ <<http://www.telegraph.co.uk/news/worldnews/asia/pakistan/9628136/Second-Pakistani-girl-fears-for-her-life-after-being-threatened-by-extremists.html>>, 29 September 2014.

⁸⁸ She is accused of e.g. being a CIA agent, a Western-oriented enemy defaming the name of Islam and Pakistan. Whenever she was awarded or her message appeared in the media, anti-Malala articles, posters and posts appeared. Recently, after she received the Nobel Peace Prize, the All Pakistan Private Schools Federation announced an Anti-Malala day. Cf. <<http://www.independent.co.uk/news/world/asia/pakistan-schools-denounce-nobel-peace-prize-winner-malala-yousafzai-with-i-am-not-malala-day-9855642.html>>, 14 September 2014.

⁸⁹ <<http://www.awaregirls.org/meet-the-founders-2/>>, 29 September 2014.

equality. She and her co-workers started campaigning against Talibanisation and extremism. According to the data gathered, children are being indoctrinated in various ways – the word *jihad*⁹⁰ appears everywhere, even in the school books, popular songs and films, glorifying war and injustice. For this reason, Aware Girls called the Seeds of Peace program into existence. Its main aim is to educate children, not only about their rights, but also about non-violence, tolerance and respect for “the other.” The organization’s activities also include: raising awareness about health issues, HIV/AIDS, monitoring the elections.

Gulalai Ismaili won the YouthActionNet Fellowship (2009), Paragon Fellowship (2010), and Democracy Award (2013). She and her sister, Saba, were among the 100 Leading Global Thinkers of 2013. Gulalai, a devoted advocate of gender equality, fighting for children’s education and rising awareness in the rural parts of Khyber Pakhtunkhwa, is another role model to identify with. Despite several threats and attempted attacks,⁹¹ she continues her work against Talibanization, for equal right of all humans.

‘RAISING VOICE FOR THE VOICELESS’ – THE FIRST FEMALE JIRGA

In the rural areas of Pakistan the customary laws exist together with the official. The pluralistic concept of law (defined as Legal Pluralism⁹²) refers in this case to the many interpretations of the Qur’an (as by various law schools etc.) as well as to the different interpretations of the *shari’a* according to custom (*urf*). Many of those customary practices (e.g. stoning to death for adultery, unrestricted polygamy, cutting one’s hand for theft) existed in pre-Islamic times and became essential for shaping the Islamic law. As Rubya Mehdi writes, *the issue if normative orders are law or not is not central in many instances. Because of their great dominance they are in many instances the only norms for social control.*⁹³ In 2010, the National Commission on the Status of Women (NCSW) published a study on formal and informal legal systems in Pakistan.⁹⁴ In the analysis, the existing legal system has been divided into three categories: the formal legal system, the parallel legal system, and the parallel informal and illegal system. The formal legal system includes a Supreme Court, four High Courts, local courts subject to them etc., it is not, however, valid in the whole country. In FATA the Pakistani law applies only partially, giving more power to local jirgas, whereas in the Malakand Division of Khyber Pakhtunkhwa the Nizam-e Adl Regulation passed by the Pakistan’s central government

⁹⁰ Jihād – in Arabic “fight, resistance” – is an Islamic term referring to every Muslim’s duty to struggle for a cause, religious and/or secular. Yet, religious fundamentalists interpret jihad as a fight against infidels, a crusade in the name of Islam.

⁹¹ <<http://thehumanist.com/commentary/i-advocated-for-womens-equality-in-pakistan-then-i-was-attacked>>, 29 September 2014.

⁹² R. Mehdi, *Gender and Property Law in Pakistan*, Lahore 2002, pp. 43-47.

⁹³ Ibid., p. 46.

⁹⁴ ‘A Study of Formal & Parallel Legal Systems Prevalent in Pakistan,’ p. 14, at <http://www.ncsw.gov.pk/prod_images/pub/report%20parallel%20legal%20systems.pdf>.

in 2009 allows for freedom in interpreting the *shari'a* law. This means that in these areas the parallel and informal legal systems, being approved as formal, constitute mostly the only sources of law available. Formally, a judge (*qazi*) ruling in accordance with the Islamic law and authorized in free interpretation of the Qur'an should be accompanied by a judicial officer of the High Court, but, as stated in the NCST report, there are no women judicial officers. One may expect that many cases concerning women are settled down according to custom and tradition, interpreting the law against woman and allowing for gender discrimination.

The customary law institutions (described in the NCST report as parallel informal legal systems) mainly consist of panchayats and jirgas. Panchayat (literary meaning "consisting of five") is a council/assembly of elders (usually more than five people) which for centuries constituted a self-governance system in rural India. In Pakistan, panchayats had recognition in Sindh and Punjab where, although abolished in 1959, they still remain in villages. According to Mehdi, *traditional panchayats were and are method of solving local disputes through arbitration in accordance with local values. [...] The main emphasis is on compromise and peaceful continuity of relationships.*⁹⁵

Jirga (in Pashto *jarga* – 'a group'), on the other hand, represents a system which decides on the punishment or compensation in cases and disputes between the members of one tribe or between tribes. It is practiced in the Pakhtun areas of Afghanistan, in Balochistan, Khyber Pakhtunkhwa and, as mentioned above, in FATA in Pakistan. A jirga functions on a few levels: as a legally formulated "sarkari jirga," as a council of elders regulating life in tribal community, and as a bridge between a tribal community and the government. In her article *Rethinking jirgas*, Huma Yusuf gives examples of jirgas appointed to fight terrorism and militancy, especially on the Afghanistan-Pakistan border, or even having a diplomatic significance. Yet, quoting from Yusuf, [...] *in these contexts, jirgas are posited as inclusive, democratic institutions that facilitate consensus-building while expressing regard for and engaging with ancient tribal customs. But for democratically minded individuals, jirgas are far more demonic institutions.*⁹⁶ Jirgas operate by applying the ideology of Pakhtunwali, a strict communal code, "whose main principles are hospitality and asylum to all guests seeking help, justice and revenge for misdeeds or insults, fierce defence of 'Zan, Zar and Zameen' (women/family, treasure, and property); defense of the homeland; and personal independence."⁹⁷ The ideology is mainly based on the notion of honour ('izzat) – keeping and preserving it by any means necessary. As may be observed in the above-quoted fragment, women (*zan*) along with money (*zer*) and land (*zamin*) constitute the sphere of personal property of a man who is responsible for their preservation. A violation, loss, degradation etc. of any of those three "subjects" brings harm to a man's honour and prestige. Women, as was already noted, are part of the "property" of a man and any case concerning women is subjected to a jirga's decision. This includes offering a woman in a marriage, as a compensation

⁹⁵ R. Mehdi, *Gender and Property Law...*, p. 54.

⁹⁶ H. Yusuf, 'Rethinking Jirgas,' *Dawn*, 11 April 2010.

⁹⁷ Sh. Wahab, B. Youngerman, *A Brief History of Afghanistan*, New York 2007, p. 15.

or simply “doing justice” to the victim by harming a woman from the culprit’s family/tribe. As observed by scholars and journalists,⁹⁸ the jirgas’ orders include gang-rapes,⁹⁹ forced child marriages (*vani, swara*), honour killing (*karo-kari*) and other practices described as “tribal,” “customary” which in fact are destructive and inhumane. Much is being done against these evil practices and jirga’s decisions that implement them. Besides the women and human rights organizations’ work, some steps have been made by the officials. As Dr. Masuma Hasan reports, *on Thursday, 11 July 2013, a three-judge bench of the Supreme Court of Pakistan ordered law enforcement agencies to remain vigilant and take swift action to ensure that women and girls are not exchanged to settle local disputes through the jirga system.*¹⁰⁰

Yet, the jirgas’ unjust decisions are still being implemented on women. And women are not included in the debates nor have the right to speak up in the cases concerning them. When some two years ago the social worker Tabassum Adnan tried to get access to the Swat Qaumi Aman Jirga in order to ensure justice for woman, her request was rejected as “impossible in Pakhtun society.” This is when she decided to form the first separate women jirga in the country. Da Khwendo Jirga (Sister’s Council), established in January 2013, has 25 female members motivated to bring about a change in gender discrimination in Pakistan. Apart from meeting on the bi-weekly sessions of jirga, its members visit nearby villages in order to inform other women about their rights and privileges as well as about the jirga.

Da Khwendo Jirga already has some achievements in implementing lawful and fair decisions. The members of the jirga along with other female activists are engaged in reporting the cases of violence against women to the police and/or courts.¹⁰¹ They also encourage the women’s and girls’ families to report such cases, which is extremely difficult in a country where a man’s reputation is the uppermost value. The main aim of their work is, quoting Tabassum Adnan’s words, to establish *a progressive and sustainable society, wherein all women live peacefully and with dignity, enjoying social, political, and economic equality as well as the right to livelihood, freedom of expression, religion and equal opportunity.*¹⁰²

Tabassum Adnan campaigns not only in the rural areas of Swat, but also on the Internet, seeking support of the human rights organizations. Her appeals may be found on many websites engaged in fighting for human rights,¹⁰³ she is also active in social me-

⁹⁸ R. Mehdi, M. Zia Lari, H. Yusuf. Many cases have also been reported in media, including the electronic media. However, as Maliha Zia Lari pointed out in her study, *there is a lack of consolidated and accurate data on honour killings. Contributory factors include absence of proper reporting, general misreporting as when honour killings cases are filed under another motive.* Cf. M. Zia Lari, “Honour Killings” in *Pakistan and Compliance of Law*, Karachi 2011.

⁹⁹ As in the case of Mukhtar Mai.

¹⁰⁰ M. Hasan, ‘A Women’s Jirga in Swat,’ *Pakistan Horizon*, 22 July 2013, at <<http://pakistanhorizon.wordpress.com/2013/07/22/dr-masuma-hasan-a-womens-jirga-in-swat/>>, 29 September 2014.

¹⁰¹ With the support of a local NGO The Awakening.

¹⁰² M. Hasan, ‘A Women’s Jirga...’

¹⁰³ E.g. her appeal on the WorldPulse website reads: *We the women members of the Jirga would like to make a request to kindly provide an opportunity to these unsung heroes of the women Jirga an opportunity to*

dia (Facebook, Twitter etc.). It was Twitter where on 28 January 2014 she proudly announced taking place in a male jirga (followed by a picture, too). She tries to spread the news on her actions, not only to draw further support from outside, but also to show other women in Pakistan that it is possible to fight patriarchy and injustice. Recently, as she informed through a website, she is working on her new project which includes establishing 20 female jirgas, engaging more women in campaigns and initiatives in the field of human rights through workshops, trainings etc.¹⁰⁴ And even though Da Khwendo Jirga and her members have received threats,¹⁰⁵ it would be hard to stop them in their work.

“LADY IN BLACK”: IN SEARCH OF THE NEW ROLE MODELS

Since the struggle for independence until the present, there have been many influential women in Pakistan. Firstly, the women from the elite took an active part in shaping the modern reality, engaging themselves in the political affairs (e.g. Fatima Jinnah, Shaista Suhrawardy Ikramullah, Benazir Bhutto). Their attitude conveyed a clear message for other women to be strong and stand side by side with men to create a healthy, modern society. When the forced Islamization process began, introducing unjust law and trying to make women disappear from the public sphere, they objected openly, demanding equality in every aspect of life. Here, too, actions and protests were led by some women's rights activists, who became an example to be followed by other females. Many women not only got educated and started professional careers, but also gained access to several official institutions, allowing the women's voice to be heard. Yet, if their achievements (in the form of various legal provisions¹⁰⁶) are to be available to every women, the knowledge about them needs to be spread, too. This is why it's so important to conduct various trainings, campaigning, organize meetings and workshops. This is being achieved by all means available, including the use of the Internet.

Whereas in the rural areas there is a necessity for physical meetings, many NGOs and other organizations publish their educational materials, reports, and brochures online. In this way, these resources are also accessible to volunteers and social-workers. For example, the Aurat Foundation issued several booklets on the history of women's struggle, the challenges and successes of Pakistani women, as well as leaflets and pamphlets on dealing with natural disasters or restoration of the local government.¹⁰⁷ Many of them

learn from your prestigious organization and promote our work and let the world know about the great efforts that are made by these unsung heroes who are challenging the patriarchy of the Pashtun Society – <<http://worldpulse.com/node/86787>>, 29 September 2014.

¹⁰⁴ <http://www.masterpeace.org/project/khwendo_jirga_from_intent_to_action> 30 September 2014.

¹⁰⁵ Pictures of such threats in Urdu were posted on jirga's Facebook page: <<http://www.facebook.com/pages/Khwendo-Jirga-Tabassum-Adnan/693129447376071>>, 30 September 2014.

¹⁰⁶ E.g. The Acid Control and Acid Crime Prevention Bill (2011), Offences against Women added to Pakistan's Penal Code (2010).

¹⁰⁷ <<http://af.org.pk/publications.php>>, 30 September 2014.

are in Urdu, they are also illustrated which makes them understandable even for illiterate women. The foundation's website opens with a video explaining the reason and meaning of fighting for women's rights, with Kishwar Naheed¹⁰⁸ reciting one of her poems, *Meri Awaaz*¹⁰⁹ ("My voice"). Many useful materials and reports, both in English and Urdu, are available on the official website of the National Commission on the Status of Women, referring to legal issues and problems with the law implementation in Pakistan.¹¹⁰ The Aware Girls' website offers assistance for the victims of violence against women by providing helpline numbers, lists with addresses of services, numbers and names of persons to be contacted if needed. They also share digital stories of women who experienced violence and whose account could be helpful and inspiring for others.¹¹¹

Many organizations and activists see the importance of using the social media (i.e. Facebook, Twitter, blogs) in raising awareness about the gender discrimination and showing ways to fight it. There are several campaigns initiated by Malala or inspired by her. Most popular are:

- #girlwithabook – an initiative to show solidarity with Malala and other girls from the whole world who struggle to get education, because, as it was stated on the official Facebook page of the campaign, "What the Taliban is most afraid of is a #GIRLWITHABOOK."¹¹²
- #TheLast ("Be the first to see the last [child to work in factory; child out of school etc.]") – a campaign initiated by Malala in her Nobel Peace Prize acceptance speech, where she called for action in the area of girls' education all over the world. One may share her words and in this way show her/his support of the mission, or donate money through the Malala's Fund.¹¹³

Malala Yousufzai, delivering her first speech in the United Nations, said: *One child, one teacher, one pen and one book can change the world.*¹¹⁴ A similar thought is expressed by Jiya, a teacher in a local school who changes into a superhero (or, rather, superheroine) fighting for education. Burka Avenger – Jiya's nick name and also the name of the cartoon series¹¹⁵ – is a skilled fighter of *takht kabaddi*, armed with a book, a sharp pen and

¹⁰⁸ Kishwar Naheed (b. 1940) – a feminist Urdu poet. She wrote the famous poem 'Vo jo bacciyō se bhī dār gae' ('They got scared even of little girls'), commenting on the Taliban's attack on Malala Yousufzai. Cf. <http://www.bbc.co.uk/urdu/interactivity/2012/10/121010_malala_kishwar_naheed_zs.shtml>, 30 September 2014.

¹⁰⁹ <<http://af.org.pk/videos.php>>, 30 September 2014.

¹¹⁰ <<http://www.ncsw.gov.pk/publications.php>>, 30 September 2014. There is also a bibliography of publications available in the Resource Center of NCSW, at <http://www.ncsw.gov.pk/resourcecenter/RC_Pub_List_v2.htm>, 30 September 2014.

¹¹¹ <<http://www.awaregirls.org/portfolio/addressing-gender-base-violence-through-the-use-of-ict/>>, 30 September 2014.

¹¹² <<http://girlwithabookmovem.wix.com/girlwithabook>>; <<http://www.facebook.com/GirlWithABook>>, 30 September 2014.

¹¹³ <<http://www.malala.org>>, 30 December 2014.

¹¹⁴ <<http://www.youtube.com/watch?v=3rNhZu3ttIU>>, 30 September 2014.

¹¹⁵ <<http://vimeo.com/71435071>>, 30 September 2014.

“andaruni sakun” (“inner peace”). She has two (symbolic) opponents: Baba Bandoor¹¹⁶ – a villain who tries to harm the children (by closing the girls’ school, stealing the polio vaccines etc.), and Vadero Pajero, the chief of the village, corrupt and not caring for the welfare of the community. Like other superheroes (Batman, Spiderman), she wears a costume. Her costume is a black burqa, which – being popular among conservative Muslim women – was not equally well-received by all the viewers (also in Pakistan).¹¹⁷ Yet, Jiya is a strong woman who is fighting against stereotypes – so this choice of costume fits her attitude and the message she conveys: that only knowledge, logical reasoning, and concentration count. The cartoon’s aim is to make the children aware of the importance of education, but at the same time it provides positive role models to identify with. It also teaches that women have power and should find ways to use it.

There are more women whose breakthrough initiatives and achievements can serve as a positive model for other women, including Samina Baig, the first Muslim woman and the first Pakistani female to climb the Mount Everest,¹¹⁸ Ayesha Farooq, the first combat-ready female fighter pilot, or the women playing in the national kabaddi team. The changes in the women’s situation are happening, though very slowly.

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¹¹⁶ The characters’ names are also symbolic: Jiya means ‘soul, spirit,’ but also someone who revives, brings to life; Bandoor means literally a gun or weapon.

¹¹⁷ <<http://world.time.com/2013/08/01/burka-avenger-conservative-pakistanis-new-animated-liberal-superheroine/>>, 30 September 2014.

¹¹⁸ <<http://khabartv.tv/index.php/%D8%B1%D9%88%D8%B4%D9%86-%D9%BE%D8%A7%DA%A9%D8%B3%D8%AA%D8%A7%D9%86-%D9%88%DB%8C%DA%88%DB%8C%D9%88/item/2410-daughters-of-pakistan>>, 30 September 2014.

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