ISLAMIC LAWS, GENDER DISCRIMINATION
AND LEGAL INJUSTICES: THE ZINA HUDOOD ORDINANCE
OF PAKISTAN AND ITS IMPLICATIONS FOR WOMEN

- AND -

SHARED OPPRESSIONS AND NARRATIVE REPAIR:
FEMINIST RESISTANCE AND CROSS-CULTURAL
COMMUNICATION THROUGH AUTOBIOGRAPHY
IN THE MUSLIM WORLD

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Abstract

The first essay will examine the trend of sexual violence against women that emerged in Pakistan with the introduction of the Islamization process through the implementation of the Sharia laws since 1979. The paper's main focus will be on rape and the state-legislation that governs it, namely the Zina Hudood Ordinance of 1979 and the Law of Evidence of 1984, and how the gender-discriminatory nature of these laws in the name of religion serves to subjugate women.

The second essay will evaluate the importance of Muslim women's autobiographical writings as a medium for resistance and cross-cultural communication in the Muslim world through shared histories of gender-oppression. The essay will explore the writing of a Pakistani feudal wife, Tehmina Durrani through an analysis of her autobiography, My Feudal Lord, which sets out to expose the Pakistani feudal male elite and its mistreatment of women.
DEDICATION

To Imran
Thanks for believing in me

To Momin,
Thanks for the not so silent support, letting me use his computer, and always comparing me with his father. It is my dearest wish that one day you will be a staunch feminist, just like your father.

I owe you both my infinite gratitude for enabling me to be where I always wanted to be.

To Our Kittens Louis and Bibi Jan
You cheered me up when nothing else could. Thanks for completing the family.
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A very special thanks is due to Ms. Tehmina Durrani, author of My Feudal Lord, who kindly allowed me to quote extensively from her autobiography for my second extended essay. Her courage in writing her life story has been a source of inspiration for me.
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ESSAY ONE:
ISLAMIC LAWS, GENDER DISCRIMINATION
AND LEGAL INJUSTICES:
THE ZINA HUDOOD ORDINANCE OF PAKISTAN
AND ITS IMPLICATIONS FOR WOMEN

I. Introduction

This paper will place Pakistan in an historical perspective in order to introduce the process of Islamization under the dictatorship of General Zia-ul Haq (1977-88), and show how and why Islam was used as a political tool to introduce gender-discriminatory laws which have seriously undermined women's rights even further in an already orthodox and patriarchal society.

The paper will examine the Zina Hudood Ordinance and the Law of Evidence and their archaic and rigid Sharia perspectives that govern sexual behavior and morality under Pakistani law, and how the loopholes within these laws can, and have, specifically encouraged violence and legal injustices against women. I will analyze the difficulties and complexities for female rape victims in obtaining justice in Pakistan through the use of

1The Hudood Ordinance criminalizes Zina, which is defined as extra-marital sex, including adultery and fornication. It makes no distinction between consensual sex and rape.
2 The Law of Evidence states that the testimony of a female is considered half that of a man's in a Pakistani court of law.
3 Islamic socio-religious laws, based upon the Quran, dating back more than 1400 years, and believed by Muslims to be the divine word of God, and the Sunnah (The Islamic Traditions based on Prophet Mohammad’s life).


specific case studies. I will discuss how patriarchy and vested political motives in Pakistan joined hands and used religion as a tool to strengthen and support each other. Sociologist Saadia Toor elaborates on the particular nature of the vested political motives that were at play during General Zia-ul-Haq's initiation of Islamization in Pakistan:

The existing feudal elites found the patriarchal, anti-minority stance of the Islamicists and the state useful for furthering their own economic and political interests.....General Zia-ul-Haq's strategic use of Islam as his rallying cry thus had deep roots and so yielded dividends. Religious fundamentalists were finally allowed access to the Ideological State Apparatuses not previously within their purview, that is, the media, schools and newspapers. They were given positions in the government as advisors to the Head of State through an Islamic Ideology Council. In return, General Zia sought their endorsement for his own interests which included greater centralization of powers, postponement and ultimately cancellation of elections which had been promised in ninety days after his accession to power, and the declaration that democracy was actually antithetical to the ‘spirit of Islam’. Zia-ul-Haq moved towards the institution of the Shari'ah (Muslim law) as the primary code of law in the country.

It is also significant to note the regional and religious factors that were shaping the destinies of neighboring Iran and Afghanistan around the same period, and how the highly politicized Islam in all three countries strengthened and supported each other in the name of religion, and undermined and eroded women's rights as the first step towards Islamization.

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In conclusion, the paper will discuss Pakistani feminists' and women's growing resistance to gender discrimination and rigid religious laws since 1979, and their struggle to have gender-discriminatory laws repealed. This will include a discussion of the emergence, and growing strength, of the women's movement in Pakistan and the various resistance strategies developed by these feminists and women's rights organizations for the empowerment of women.

II. Methodology

I will employ an interdisciplinary focus from a feminist standpoint to examine the political, social, historical, and religious factors that are intertwined in the implementation, and continuation, of laws like the Zina Hudood Ordinance and the Law of Evidence, and their implications for women in Pakistan. For my research I will use secondary sources through archival and documentary research, and case studies, and draw on data from quantitative studies on the topic. This combination will facilitate in evaluating events and facts from multiple angles, thereby aiding a more cohesive and in-depth analysis of the topic.

Through documentary research, I will examine newspaper articles, NGO's reports, case studies and government statistics to support my topic vis-a-vis the gender-discriminatory nature and potential of the Zina Hudood Ordinance. Within the framework of this methodology, I will also research and analyze the historical and political factors that have been instrumental in creating the gender-oppressive legal environment for women that prevails in Pakistan today.
Additionally, through an interdisciplinary approach, I will map the critical junctures in Pakistan's history and the consequent political developments that led to the implementation of the Islamization process in 1979, and since.

It is pertinent to point out in terms of my research constraints that very little up-to-date and reliable statistical data on the issue of women rape victims is available from government sources in Pakistan, if at all. Added to this is the factor of heavy government censorship, male domination in every sphere of life, religious and patriarchal holds that permeate the social fabric of the Pakistani society and the socio-political and cultural constraints that restrict the airing of women's voices regarding anything that challenges the status quo. Another factor is the under-reporting, and thus documentation, of rape cases involving women in the face of the gender-discriminatory nature of the Zina laws that serve as deterrents to justice. Shahla Haeri, a U.S.-based Muslim feminist scholar, explains the deterrent nature of the Zina Hudood Ordinance.

Under the Hudood Ordinance the boundaries between rape and adultery/fornication, zina, have become rather blurred. The women of Pakistan are thus caught in a double bind: if they report a rape case, assuming that they can overcome all the familial and cultural barriers that militate against disclosure--not only may they not get justice, but there is every chance that they will be accused of adultery.

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8 Given this situation, it is not surprising that although Non-governmental Organizations (NGO's) such as the Amnesty International (AI), the Human Rights Watch (HRW), the Human Rights Commission of Pakistan (HRCP) etc, are still the most reliable and impartial sources for the documentation of such statistics, they too are limited in their scope for updating their statistical figures annually, and can only do so as per the availability and gathering of new statistics. However, it is best to rely on these sources and their updates as opposed to ones which cannot be verified by independent researchers/students conducting research through secondary sources.

I will use quantitative research data and statistics compiled by various human rights organizations and other NGO's within and outside of Pakistan for past records on sexual violence against women since the introduction of the *Zina Hudood Ordinance* in 1979. This research will be based on the latest available annual reports of human rights and non-governmental organizations available on the Internet, press-clippings, as well as newspaper archives and other media sources that can be accessed via this medium, to determine the numerical extent of sexual violence against Pakistani women. For this purpose, I will make use of the various reports compiled by women's rights and human rights organizations in Pakistan, such as War Against Rape, the AGHS Legal Aid Cell for women, Aurat Foundation, Simorgh Foundation, ASR, The Commission on the Status of Women (a Government of Pakistan body set up to probe women's gender issues and review the Hudood laws), the Human Rights Watch, and the Human Rights Commission of Pakistan, most of whom document and research violence related cases against women on a fairly regular basis, besides building national and international pressure for the repeal of the *Zina Hudood* laws.

I will analyze two case studies pertaining to my topic through archival research, and conduct a content analysis of these to support my research angle. I feel that the case study approach will be instrumental in shedding light directly on these victim's personal experiences of sexual abuse, and the outcomes of their ordeals and struggle for justice under the *Zina Hudood* laws. Feminist researcher, Shulamit Reinharz, elaborates on the relevance of the case-study approach in feminist research:

Feminists write case studies for the same reason that non-feminist scholars write them--to illustrate an idea, to explain the process of development over time, to show the limits of generalizations, to explore uncharted issues by starting with a limited case, and to pose provocative questions. For example, a carefully chosen case can illustrate that a generalization is invalid. For this reason studies of the exceptional case have a heuristic value. Although they
cannot establish a generalization, they can invalidate one and suggest new research directions. 10

Hence, through an analysis of two well-publicized sexual violence related case studies in Pakistan, I will investigate how Islamic laws have been applied under patriarchal sanction, and how they shed light on the gender-specificity of these laws.

It will be pertinent to my topic to investigate the particular nature of Pakistani women’s subordination and oppression under the Zina Hudood laws. The specific questions that arise are a combination of how Pakistani women and their status is further marginalized and subordinated under state-imposed Islamic laws and what other socio-cultural factors contribute to oppression. To what extent are specific political events and patriarchal social patterns in Pakistan’s history and society, respectively, responsible for the introduction of the Zina Hudood Ordinance? And, in order for a meaningful change to take place which will ensure a lasting solution to the gender-discriminatory nature of the Zina Hudood laws, what measures need to be taken, and how? I will approach the above questions from a feminist standpoint 11 with a particular emphasis on Pakistani Muslim women’s own standpoint on the issue as that would be appropriate to locate and analyze women’s oppression and marginalization from within the ranks of Pakistani Muslim women academics, theologians, lawyers and activists who are directly affected by these laws and have forged feminist alliances in Pakistan to establish an activism-oriented resistance movement since the

introduction of these laws. Although there are no objective or value-free standpoints as even among Pakistani Muslim women everyone's experiences will be shaded by their distinct class, cultural, social and economic positions, locations and perspectives, leading to varying standpoints, their marginalization and subordination as a gender under the Zina Hudood laws in Pakistan renders them subject to collective discrimination. I feel that an analysis, and call for changes to the existing Zina Hudood laws, from within the ranks of Pakistani Muslim women's feminist standpoint themselves will be more appropriate in elaborating and viewing their distinct oppressions from their feminist standpoint as the direct subjects of these laws and their implications.\(^\text{12}\)

I feel this combination of methods will facilitate my research from a feminist standpoint, and enable me to reach a deeper understanding of my topic through the identification process, while at the same time leading to a more informed analysis and conclusion.

### III. Pakistan in Historical Perspective

Pakistan gained independence in 1947 after the British colonial rule ended in India. After the independence, the British colonial legislation of Muslim family laws, like "The Child Marriage Restraint Act 1929"; "The Muslim Personal Law 1937" and "the Dissolution

\(^\text{12}\)According to Nancy Harstock, minority groups like feminist women, who develop a feminist standpoint because of their minority status, will have a more critical view of the world than their oppressors as they devise strategies to resist oppression and gain empowerment as the underprivileged group. For detailed discussion see Hartsco, Nancy C. M. "The Nature of a Standpoint". The Feminist Standpoint Revisited and Other Essays. Westview Press, Colorado, USA, 1998, p-107. and Hartsco, Nancy C. M. Money, Sex and Power: Towards a Feminist Historical Materialism. Longman, New York, 1983.
of Muslim Marriages Act 1939", continued to govern the new state. However, in 1955 a seven-member Commission on Marriage and Family Laws was constituted to decide areas needing reform.\(^{13}\)

The commission submitted its report in 1956 suggesting major reforms, which generated heated debates and harsh criticism from the religious parties who rejected it completely, calling it anti-Islam. However, after the 1958 Martial Law, General Ayub Khan, a liberal man, introduced the Muslim Family Laws in 1961 by incorporating some of the reforms recommended by the commission.\(^{14}\)

Since its birth, Pakistan has continued to experience many political upheavals, including prolonged authoritarian regimes in the guise of democracy. Despite the authoritarian environment of the country, women managed to carve their place in the polity. However, the 1977 martial law regime of General Zia-ul-Haq, that lasted for eleven years after usurping power from the first democratically elected Prime Minister, Z.A. Bhutto, introduced the concept of Islamization in Pakistan. Thus, a process was begun which would increase the legal discriminations against women through the introduction of the Federal Shariat Courts\(^{15}\) and the promulgation of the Zina Hudood Ordinance and the new Law of Evidence.\(^{16}\) It is significant to note the timing of events around this period regionally, and how the political developments in Pakistan led to the Islamization of neighboring Afghanistan.

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\(^{14}\) Ibid.

\(^{15}\) The Federal Shariat Courts were established in 1980, and all their judges are Muslims, even though non-Muslims are also tried in these courts under Islamic laws. These courts have the exclusive jurisdiction to hear appeals against all convictions passed under the Hudood Ordinances. For details see Jahangir, Asma and Jilani, Hina. The Hudood Ordinances: A Divine Sanction? Sang-e-Meel Publications, Lahore, Pakistan, 2003. pp.1-3.

\(^{16}\) Ibid. The Law of Evidence (The Qanun-e-Shahada) draft was introduced into the Parliament, known as the Majlis-e-Shoora (The Council of Islamic Ideology) under Zia-ul-Haq, in 1983, and passed in 1984. Its members were nominated by Zia, and not elected. For details see pp.30-31.
Zia's martial law regime and Ayatollah Khomeini's Islamic revolution in Iran paved the way for a backward journey for the women of Pakistan, Iran and Afghanistan, and turned them into the first targets of oppression and social and religious discrimination. Together, the Islamic Revolution in neighboring Iran, the execution by hanging of Z. A. Bhutto by the U.S.-backed military regime of Zia in Pakistan, the Soviet invasion of Afghanistan and the introduction of the *Hudood Ordinance* by the military regime were the four major events in 1979 that collectively had a profound impact on Pakistani society. These events not only hugely altered the socio-cultural ethos of the Pakistani society but also drew attention of educated Pakistani women at home and abroad to start investigating specific related feminist issues. Mumtaz Khawar and Fareeda Shaheed, feminist activists and co-founders of the Women's Action Forum, a pioneering women's rights organization in Pakistan formed in reaction to Zia's introduction of the *Hudood* laws in 1979, note:

On the 22 February 1979 (the Prophets birthday), amidst much fanfare and media build-up, the first concrete step towards Islamization was announced by the military government. This took the shape of the *Hudood Ordinance* 1979, which covers theft, drunkenness, adultery, rape and bearing false witness. The *Ordinance* makes *Zina* an offence against the state, unlike the British law hitherto in force, which considered adultery a matter of personal offence against the husband.

The process of Islamization strengthened patriarchal beliefs and practices in Pakistan through its extreme fundamentalist approach to religion. Despite the fact that Article 25 of the 1973 Constitution of Pakistan, which deals with the fundamental rights of Pakistani citizens, states clearly that nothing "shall prevent the State from making any special provision

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for the protection of women..."19, and Pakistan's ratification of the CEDAW convention (the UN Convention on the Elimination of all Forms of Discrimination Against Women) in 1996,20 hardly a day goes by when an incident of horrific violence or discrimination against a woman is not reported in the media in Pakistan, and yet the majority of the incidents go unreported altogether.21

IV. Politicization of Islam

The two questions that this paper will specifically try to explore is why did the need for such discriminatory laws arise in Pakistan, a country which had always been predominantly Muslim but yet had survived without 'Islamization', and why these laws have still not been amended or repealed even after a lapse of more than two decades?

Historian and South Asia scholar, Ayesha Jalal, opines that the motive behind the introduction of the Hudood Ordinance by General Zia was political. She says "realizing that very few had been persuaded, the General, a wily social tactician, calculated that playing the women's card could confirm his regime's commitment to Islam and, by extension, it's legitimacy".22

Zia used the 'women's card' as the first and most obvious symbol for his Islamization plans, knowing that a large majority of the male population of the country would have little difficulty in digesting its implications for a moral and puritan Islamic society. Consequently, the promulgation of the *Zina Hudood Ordinance* strengthened the Islamic legal framework of the country, but weakened the judicial system based on sectarian social principles. The *Sharia* laws are easily defended in an Islamic country, and any vocal dissent is seen as a detour from the path of piety, which can and must be met with exemplary punishment. Jalal explains further:

A devout Muslim, Zia proclaimed himself divinely ordained to steer Pakistani society back to the moral purity of Islam. Pakistan and Islam, he argued, were inextricably linked, and the preservation of both had been enjoined upon the military establishment. In case the equation between Pakistan, Islam and the military failed to register, Zia appropriated the call for a *Nizam-e-Mustafa* (a way of life based on the teachings of Prophet Mohammad) -- that umbrella term dignifying an ideologically and economically fragmented opposition --- and tried turning it into a personal mandate from the people. 23

The *Zina Hudood Ordinance* finds widespread support among the generally sexist male population of Pakistan because the law not only serves the purpose of terrorizing and subjugating women, but also resolves critical and controversial issues like proving rape in the court of law in men's favor. As part of its Islamization process, the Zia regime began to counter the comparatively lenient family laws of 196124, which gave at least some measure of protection and justice to the women of Pakistan, particularly regarding registration of marriage, discouraging polygamy, the right to divorce, and inheritance, with rigid gender-discriminatory laws.

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The Zina Hudood Ordinance and the Law of Evidence

The factors that prompted the politicization of Islam for vested political motives during this era in Pakistan's history translated into fundamentalist religious laws and the establishment of Shariat courts that continue to operate in the country. Under the present combination of the Zina Hudood Ordinance and the Law of Evidence the raped and the rapist stand in opposition—not because of the crime committed--but because these laws themselves are designed to favor the male over the female. Although the Zina Hudood Ordinance governs both genders, in a country of 142 million, it carries the potential to affect negatively the more than seventy million female citizens of Pakistan. The following is a description of the Zina Hudood Ordinance as contained in the Hudood Ordinance of 1979 under the Sharia laws of Pakistan:

1) The Hudood Ordinance criminalizes Zina, which is defined as extra-marital sex, including adultery and fornication.

2) It also criminalizes Zina-bil-jabr, which is defined as rape outside of a valid marriage.

3) The Hudood Ordinance further defines Zina and Zina-bil-jabr on the basis of the assigned criminal punishment.

4) Hence there is Zina and Zina-bil-jabr liable to Hadd (punishment ordained (supposedly) by the Holy Quran or Sunnah):

5) And there is Zina and Zina-bil-jabr liable to ta'zir, that is, any punishment other than Hadd. The Hadd punishment is stoning to death, and the ta'zir punishment for Zina is up to ten years of imprisonment and whipping - up to

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thirty lashes and/or a fine. The *tazir* punishment for *Zina-bil-jabr* is up to twenty-five years of imprisonment and whipping up to thirty lashes.26

The *Zina Hudood Ordinance* in particular is an issue for feminist enquiry in Pakistan as it concerns women’s legal status and rights as citizens of that country. The Islamic legal framework within which this law has been protectively placed, is blatantly gender-discriminatory in nature, and has the potential to condone and legitimize male violence against women when combined with the *Law of Evidence*, which becomes mandatory for the purpose of bearing witness and testifying in court.

Considering the fact that the *Quran* is taken as the divine word of God by Muslims, and the *Zina Hudood* laws are supposedly constructed around a rigid interpretation of its text, these laws have remained untouched by successive democratic governments because their appeal lies with patriarchal men, who not only interpreted them from their very inception, but even today are in the majority as decision makers and legislators in Pakistan. The rigid interpretation of the *Quranic* text renders women as subordinate and inferior to men, and facilitates these laws as a non-debatable basis for acceptable female behavior in an Islamic society, ruled by *Sharia* Laws. The *Quran* notes:

Men are in charge of women, because Allah hath made the one of them to excel the other, and because they spend of their property (for the support of women). So good women are the obedient, guarding in secret that which Allah hath guarded. As for those [women], from whom ye fear rebellion, admonish them and banish them to beds apart; and scourge [beat] them. Then, if they obey you, seek not a way against them. Lo! Allah is ever High Exalted, Great.27


27 4.34. *The Holy Qur'an*. 

13
Considering the nature of these laws, it becomes apparent that the *Quranic* clause "men are in charge of women, because Allah hath made the one of them to excel the other" has been interpreted under the *Sharia* as men having divinely sanctioned authority over women, and thus the power and liberty to subjugate them as a measure of piety and religiosity.

**The Islamic Law of Evidence**

Under the Islamic Law of Evidence, introduced into the Pakistani legal system in 1984 by General Zia as another measure for watertight male control, a woman who has been raped can be imprisoned or subjected to corporeal punishment if unable to provide adequate number of witnesses to the incident. Women's rights lawyers Asma Jehangir and Hina Jillani elaborate on the complexities contained within the new law:

Pakistan followed the Evidence Act of 1872 based on Anglo-Saxon law which was repealed in 1984 and substituted by the Qanoon-e-Shahadat. Its preamble declared it was expedient to revise, amend and consolidate the law of evidence so as to bring it in conformity with the injunctions of Islam as laid down in the Holy Quran and Sunnah. The Qanoon-e-Shahadat, with the exception of nine new sections is drawn up exactly on the old pattern. The Islamic Law of Evidence lays much more stress on the number of eye-witnesses and character of the witnesses than the Anglo-Saxon law. The acceptability of evidence varies from crime to crime under Islamic law. The few changes introduced through the Qanoon-e-Shahadat are rules regarding competence and number of witnesses: "Court shall determine the competence of a witness in accordance with the qualifications prescribed by the injunctions of Islam as laid down in the Holy Quran and Sunnah for a witness, and, where such witness is not forthcoming, the court may take the evidence of a witness who may be available".29

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28 Teachings based on the life of Prophet Mohammad.
The *Law of Evidence* states that the testimony of two women is admissible only as one reliable source; i.e., the testimony of a female is considered half that of a man's in a Pakistani court of law. The law requires that an equivalent of four Muslim male witnesses of good character verify a woman's claim to sexual penetration and consequent rape.\(^30\) Otherwise, a rape victim is considered guilty of fornication or adultery under the *Zina Hudood Ordinance*.

Explaining the gender-discriminatory nature of the law, Shahnaz Khan points out:

> The onus of providing proof of rape rests with the victim under the *Hudood Ordinance* and there are severe ramifications if she does not provide that proof. If she is unable to convince the court, her allegation of rape is in itself considered as confession of *Zina* and the victim effectively implicates herself and is liable to *Tazir* punishment. Furthermore, the woman can be categorized as the rapist herself since it is often assumed that she seduced the man.\(^31\)

This approach finds further acceptance and sanction in an Islamic country because pre-marital and extra-marital sex is prohibited by Islam, and deemed a sin which can carry the sentence of capital punishment through stoning to death. Based on a rigid interpretation of the *Sharia* laws, the *Zina Hudood Ordinance* also makes no distinction as to whether a sexual act has been committed willfully or forcibly by a woman, and in a way, facilitates the rape of a woman by providing gender-discriminatory protection to the male rapist, thus turning the victim into the accused. Although men can also be charged with *Zina*, normally it has been recorded that with a simple denial they can go free because they can testify on their own behalf as opposed to women, and because they enjoy a higher status, both culturally and in

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terms of religion within the patriarchal framework of the country. The Pakistan Commission of Inquiry for Women Report of 1997 itself notes:

Muslims of good repute who are witnesses is an unfair standard since few men of good repute would stand by and watch a rape take place. In a Pakistani court a woman's complaint of rape is considered a confession of illicit sexual intercourse; a subsequent pregnancy is also evidence against her.32

Despite the rhetoric that surrounds Muslim males' claims of protecting their women by imposing rigid controls over their sexuality and conduct, the entire argument, courtesy the combination of the Law of Evidence and the Zina Hudood Ordinance, is turned around in court when a woman actually seeks justice, and stands accused till proven innocent. The chances of securing justice, which are never very promising to begin with, diminish even further for a woman with each passing day of humiliating questioning in court, considering that the Law of Evidence itself places hurdles in the path of obtaining justice by rendering a woman's own testimony as worth half of a man's. Dorothy Thomas of Human Rights Watch elaborates on the pitfalls of the law:

The testimony of women, under the Law of Evidence introduced in February 1983 by the Zia-ul-Haq regime -- not only the victim but also any woman -- carries no legal weight. This requirement means that women who have been sentenced to the maximum punishments have been so sentenced under a law that prevents them from testifying on their own behalf. Men have also been sentenced under these laws, although in general men accused of rape are effectively exempted from the maximum Hudood punishments because women can neither testify independently on their behalf, nor is any person likely to be able to produce four male Muslim witnesses to the act of penetration.33

The Zina Hudood Ordinance and the Law of Evidence empower men over women in the legal system, and their religious interpretations subdue and undermine women's rights regardless of their social, economic and age characteristics, placing them at the mercy and control of laws designed to discriminate against them rather than to ensure justice. Nasir Aslam Zahid, a former Supreme Court Judge and chair of the National Commission on the Status of Women (NCSW), who recommended a repeal of the Hudood laws in its 1997 report, notes that prior to the introduction of the Zina Hudood Ordinance, adultery was not a criminal offence, but a personal matter: "only directly affected persons - a wife or husband - could register cases, but only against men as a protection for women in a male-dominated, feudal society where women are rarely in control of their lives." South Asian scholar and linguist, Tariq Rehman, notes:

What happened under Zia-ul-Haq was that if a woman delivered it was considered proof enough, and she could be given the maximum punishment for adultery. This could mean, in a Kafkaesque reversal, that raped women could be punished, while rapists went scot-free. Moreover, as the evidence of women was not admissible, a rapist could rape a girl in a girl's hostel and still not get the maximum punishment, while the girl stood guilty.

Another violation of human and gender rights is that whereas the 1973 Constitution of Pakistan, and the Sharia Act of Pakistan passed later, did not place religious minorities under the ambit of such Islamic laws, under the Hudood laws these minorities ceased to be exempted on their religious basis and are instead subjected to the Sharia laws of the

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Even the fact that Pakistan has the distinction of being the only Muslim country to have been twice governed by an elected woman prime minister, Benazir Bhutto, who took power after Zia's death in a plane crash in 1988, she did nothing to actually change the situation in favor of women and religious minority groups. The following case study exemplifies the loopholes and the gender-discriminatory essence inherent in the Islamic Law of Evidence.

The Safia Bibi Case Study

A sixteen-year-old blind girl, Safia Bibi, was raped by her landlord and his son in Sahiwal, eighty kilometers away from the Punjab capital of Lahore in 1983. A case was registered against the culprits in July 1983, and the court asked the blind girl to identify the rapists. As she failed to identify them, Bibi's consequent pregnancy was treated as evidence of fornication (as if pregnancy can only result from consensual sex), and therefore she was sentenced to three years in prison, fifteen lashes, and a fine of 1,000 rupees. The judge said the sentence was light because she was young and disabled.

The above case study illustrates the pitfalls for a woman seeking justice in a rape case, and exposes the oppressive gender-discriminatory alliance forged between the Zina Hudood Ordinance and the Law of Evidence in the guise of religion.

It is important to consider that the stigma attached to a raped woman, particularly an unmarried woman, regardless of age, in Pakistan is as much entrenched in the socio-cultural factors concerned with extra-marital sex as it is in the religious context. Shahla Haeri elaborates:

Objectifying honor in the person of a woman, men possess honor, just as they possess gold and land--the three elements that are said to be the most

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sought after commodities in Pakistan, and therefore to lie at the root of all conflicts. Logically, it follows, women cannot possess honor in the same way as men. They represent honor; they symbolize honor; they are honor. Objectified into manipulable possessions, symbolic or otherwise, women lose a sense of individuality in the eyes of the community. Raping a woman robs a man of his most prized possession, his honor, but it obliterates a woman's whole being. Once a man's honor is violated, all he can do, all he is expected to do, all he should do is to seek revenge. As for the raped woman, no one cares—or dares to care; she doesn't exist as an individual.38

In Pakistan, where arranged marriages are still the norm, and the custom of dowry remains the vehicle by which families marry their offspring into the best social and economic class they possibly can, the stigma of rape can permanently jeopardize marriage prospects for a woman, not to mention the 'dishonor' and shame that would always hound the rest of the family, particularly the other female family members. It is assumed in the Pakistani society that a woman will enter marriage as a virgin, to be possessed physically and emotionally only by her husband. This notion is further enforced and strengthened by Islamic injunctions on prohibition of pre-marital and extra-marital sex.

A raped woman in the family would mean nothing but society's wrath, hatred, ridicule and contempt. This is the main reason that families who have been subjected to such incidents either resort to moving away from their familiar abodes, or in the tribal system and feudal classes, even kill the raped woman in order to rid themselves of the burden of what they perceive as 'dishonor'. This not only explains why 'honor killings' are common in Pakistan, despite the fact that Pakistani law deems them as murder, but most importantly, it throws light on how men see themselves and the importance they attach to their own sense of social respectability, while women are viewed simply as

possessions, who if tarnished by rape or an admission of extra-marital sex, undermine the family repute.

V. Legal Injustices

The Human Development in South Asia 2000 report notes that before the promulgation of the *Zina Hudood Ordinance*, when only men could be punished for adultery, there were only two reported cases. After the promulgation of the law, it became a tool for subjugating women, and now more than half of the women in Pakistani jails awaiting trial have been falsely accused under the *Zina Hudood Ordinance*.\(^3\) The report elaborates further:

Apart from the fact that the law is used to penalize rape victims as those who have indulged in extra marital sex, it has also been used by men to control and punish women in their own families, giving them a tool to enforce their own notions of women's conduct and to punish any deviations. Thus, a large proportion of women in jail on *zina* charges have been put there by their own fathers, brothers and husbands. These include girls who refuse to marry according to parental wishes, wives who wish to separate or terminate their marriages, women who leave their homes because of abuse, and women who refuse to go into prostitution.\(^4\)

Human rights groups in Pakistan report that a rape occurs approximately every two hours in Pakistan, half of all rape victims are juveniles, and seventy-two per cent of all women in police custody are physically and sexually abused by the jail staff and police. Most of those women are in prison on charges of violating the *Zina* laws.\(^5\) After the 1979

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\(^4\) Ibid. p.99.

introduction of the *Zina Hudood Ordinance*, cases of reported fornication or adultery jumped from a handful to thousands. In 1980, seventy women were in prison in the Punjab province alone: by 1988 the figures jumped to 6,000. A very large number of women have been tortured, molested and raped by the police with impunity. Asma Jehangir, lawyer and women’s rights activist, notes:

> From 1980 to 1987 the Federal Shariat Court alone heard 3399 appeals of *Zina* involving female prisoners. This is only the tip of the iceberg, given the number of women arrested and released before reaching the appeal stage.\(^4^2\)

Since the end of Zia-ul-Haq’s era in 1988, the number of *Zina* cases has dropped.

The Human Rights Commission of Pakistan (HRCP) estimates that in 2002 there were 2,200 women prisoners in Pakistan, most of who are awaiting trial or were convicted under the *Hudood laws.\(^4^3\)

The emphasis placed by Islam on modesty, piety and chastity,\(^4^4\) particularly for women, be it regarding something as routine as the dress code, leads to severe reluctance to even report something as urgently criminal and sexually identifying as rape, regardless of which social strata it occurs in, and is most intimidating for the most marginalized sections of the society. The HRCP noted in its 1997 Annual Report that "women who belong to especially vulnerable groups are particularly likely to be targeted for abuses, including rape, and find it

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very difficult to obtain redress. Such women include members of the religious minorities, very poor women and women bonded laborers.45

Even educated female victims of rape who can afford the legal process are daunted by the severity of the Zina Hadood laws, and they and their families deem it as the lesser evil to suffer in silence and let the matter rest as a private mishap. An equally strong reason for such reluctance is the desire to avoid the stigmas attached to rape46 and the social implications for a woman in an Islamic society even if justice were to be meted out. A public admittance of rape carries the potential to permanently socially ostracize a woman and her entire family as guilty of loose morals in a Muslim society where the worst can be assumed about a woman's character when rape is involved.47

When it comes to proving rape in a court of law, women, regardless of the operational societal and justice norms, usually find themselves faced with a justice system that is gender-discriminatory and tipped in favor of the rapist given the complexities involved in proving rape as opposed to consensual sex.48 The hurdles placed by the Pakistani legal system itself for women seeking justice against sexual violence is yet another tacit victory for its perpetrators and their vested politics of subjugating women as a means to political and religious authority. Criminologist Elizabeth Stanko notes that "raped and sexually abused women, few of whom even bother to complain to the justice system,

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typically meet the contempt of a legal process which can find no way of proving rape and sexual abuse without routinely humiliating the complainant.\textsuperscript{49}

The truth in Stanko's statement is more poignant when seen in the context of the \textit{Zina Hudood Ordinance} and the social implications of reporting rape for a woman in Pakistan. Firstly, a reading into the \textit{Zina Hudood} laws lays bare the fact that it was designed not so much to protect the female victims of rape and other sexual abuse, but rather to incorporate legal loopholes to keep them under rigid control, and to intimidate and punish even the innocent ones who did dare to come forward to report such a crime.

The loopholes in the \textit{Zina Hudood} laws categorically suggest that seeking justice for rape is perceived as a rebellion against the patriarchal system, and the intention on the part of the law is to teach the victim a lesson, and thereby, set a precedent of terror for others. In short, the message contained here is a warning not to challenge state/patriarchal power, officially sanctioned or otherwise, without risking the possible repercussions, as Stanko notes: “whilst institutional responsiveness to women experiencing men’s violence is clearly welcomed, confrontation with male power is certainly not part of the police agenda.”\textsuperscript{50}

The law enforcement system serves as another severe impediment for women seeking justice in rape cases. As per the stigmas attached to a woman who claims to have been raped, the police system has been notorious for its treatment of such women when in custody, regardless of the society and culture where this may occur. The situation is further compounded by the attitude of male judges and prosecution lawyers, as Dorothy Q. Thomas of the Human Rights Watch explains in her report on Pakistan:

\textsuperscript{50}ibid. p.100.
In part, judges hear ill-founded Hudood cases because they, like the police, are eager to show that they are tough on crime. However, wrongful prosecution of women also reflects a tendency on the part of the police and judiciary to see women as guilty until proven innocent. In effect, the Hudood laws have given legal sanction to biased social attitudes towards women, thus not only legitimating the oppression of women in the eyes of the state but also intensifying it: women who seek to deviate from prescribed social norms now may not only be subject to societal censure, but also to criminal penalties. It is this enforcement of religion and its use as a tool to legitimate abusive state power, rather than religion itself, that is at issue here. Although acquittal rates for women in Hudood cases are estimated at over 30 percent, by the time a woman has been vindicated she will have spent months, and in many cases years, in prison and, in all likelihood, been subjected to police abuse while in custody.  

The gender and social biases that rape victims and women prisoners face is further complicated by the fact that, given the low literacy rate, particularly among women, these victims and accused do not possess even a basic knowledge of their legal rights, however few they might be, as Thomas elaborates:

The discriminatory treatment encountered by women who enter the criminal justice system reflects the treatment of women as second-class citizens by Pakistani society at large. Given this subordinate status, once a woman is in prison it is extremely unlikely that she will possess the knowledge or the means to secure even the minimal protections due to her under law, or that such efforts as she makes will be given credence. Eighty percent of all female prisoners in Pakistan are illiterate and nearly 90 percent live on a monthly family income of less than 40 dollars. According to a survey conducted in 1988, over 90 percent of the 90 women prisoners interviewed in two prisons in Punjab were unaware of the law under which they had been imprisoned. Over 60 percent had received no legal assistance whatsoever.

Furthermore, religious, cultural and social taboos make it incumbent on Muslim women in most of the Islamic world not to challenge the authority of the husband.

Consequently, laws in Pakistan do not include any separate provisions for marital rape.

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52 Ibid. p-7.
because Islam does not recognize a woman's unwillingness to have sex with her husband. On the contrary, Islam makes it obligatory for a woman to be subservient to his sexual desires. Therefore, cases of marital rape are almost never reported, and when a case of this nature is reported and tried, it is done so under the umbrella of the \textit{Zina Hudood Ordinance} and the legal system tends to tip in favor of the male accused, even if justice is meted out initially, as the following case study illustrates.

\textbf{The Zainab Noor Case Study}

In Pakistan, a shocking case of marital rape and abuse was unearthed in February, 1994. The \textit{Imam} (priest) of a local mosque, Qari Muhammad Sharif, in a village near Attock in the Punjab province, committed the worst kind of marital rape and later tortured his wife, Zainab Noor. The victim narrated the incident in her own words:

\begin{quote}
I was beaten and dragged in the house for hours till late in the evening. Then he (Qari) took me to bed, tied my hands and legs with a rope, inserted two iron rods in my vagina and anus, attached two electric wires with each of the two iron rods and connected them with the switchboard. There was no electricity due to load shedding. The moment electricity was restored, he switched it on and played havoc with my body. \textsuperscript{53}
\end{quote}

In the aftermath of the incident and the consequent trial and verdict, this is what had happened:

\begin{quote}
Amazingly, Zainab survived, but only to lead a miserable and abnormal life. According to the medical evidence authenticated by a Speedy Trial Court in Rawalpindi, the victim had lost at least three of her body organs—vagina, anus and urinary bladder. Zainab was sent to London, UK, for reconstructive surgery on the directives of Prime Minister, Benazir Bhutto. \textsuperscript{54}
\end{quote}


Although Zainab Noors' husband was sentenced because of the hue and cry raised by media and human rights organizations in Pakistan and abroad, he found favor with the gender-discriminatory justice system in Pakistan:

On February 19, 1994, the Speedy Trial Court sentenced Qari Sharif to 30 years of rigorous imprisonment --10 years' punishment on each count. The sentence was to run consecutively, meaning that the convict would have to remain in jail for 30 years. However, the Lahore High Court, on the appeal of Qari Sharif, reduced the sentence and ordered that his imprisonment would run concurrently, thus reducing the period of 30 years to 10 years. Qari Sharif, however, came out after spending only six years in jail, as he was given remissions in the sentence by the jail authorities, in violation of court orders, which denied him any benefit under Section 382 of CrPC. Under this section of the Pakistan criminal procedure code, the prisoners are given remissions as provided in the jail manuals and general amnesty is given by the executive functionaries from time to time.55

As the Safia Bibi and Zainab Noor case studies illustrate, Pakistani law fails to ensure logical justice in proportion to the injustice suffered by a woman in her own right.

So, what could be the realistic solutions to such a situation that has the potential to affect the majority of woman in Pakistan? Generally speaking, there are two distinct roads that can either contribute towards maintaining the status quo, or lead to meaningful change, however slow. German sociologist Maria Mies argues that "only when there is a rupture in the 'normal' life of a woman, i.e., a crisis such as divorce, the end of a relationship, etc, is there a chance for her to become conscious of her true condition".56

For women in the West, where equal measure of judicial justice and accountability is also guaranteed by the law, this can certainly hold true, depending on the will of the individual. But what needs to be taken into account here is that the 'normal life' Mies refers

to for the Western woman bears no semblance with the 'normal' life the Pakistani woman aspires to. To begin with, the majority of Pakistani women in such a situation are unlikely to seek out help and find recognition or sympathy for their misfortune, let alone have the practical means to make it on their own. The cultural, religious and social taboos, stigmas, economic dependence on men, lack of education, the hold of patriarchal ideology, and the laws of the land bind them in a role of servitude they may wish to break away from, but the alternatives of doing so are even more bleak and rare than continued subservience and torture.

Unfortunately, a woman who has either been raped, divorced, sexually abused or emotionally harassed in other ways in Pakistan may ironically long for the very 'normalcy' that she has been deprived of or dared to break out of, and thus once again be willing to subjugate herself to the will of the male hierarchy for a less rocky road ahead. For example, given the discriminatory gender-discriminatory loopholes within the Pakistani law, if a woman seeks to get out of an abusive relationship through divorce, it is something she cannot initiate and acquire of her free will due to socio-cultural stigma's and constraints through the courts, although Islam itself gives women the right to divorce and remarry57, and has to depend on the will of her husband to ultimately free her; if she is divorced, she stands to lose her children. Under Pakistani laws, the father almost always gets custody of his children. Otherwise his family can opt to get custody, as normally happens in case of the father's death. Hence, unless rupturing the 'normalcy' of torture, subservience and emotional dependence can be replaced by education and economic independence, the majority of

Pakistani women remain at the mercy of what the men in their lives and society deem best for her.

On the other hand, many educated Pakistani women have taken on the task to remedy their predicament by using their education and class privilege to consciously rupture the prevalent ‘normalcy’ of gender oppression and build a women’s movement that addresses gender-discriminatory practices and laws as its main areas of concern. As a result, the organized feminist movement that emerged in Pakistan since 1979 has only grown over the decades, forming and building notable male alliances, particularly in the media and the arts, along the way, and never let the issue of women’s oppression take the back seat in the political, social, religious and cultural debates in the country. It is a growing list of individuals and organizations that are fighting for women’s rights and elimination of oppressive measures in Pakistan today. A few of the most notable of these are discussed below.

VI. Pakistani Feminists Resist the Zina Hudood Ordinance

Following the implementation of gender discriminatory laws in the country, Pakistani feminists began to evolve strategies to build resistance and create awareness regarding women’s plight. These include education and media awareness campaigns, international networking, writing and publishing, and participating in international women’s conferences to present papers on the condition of women in Pakistan. The beginning of the 1980s saw

58 There are a growing number of male journalists, lawyers, writers, academics, human rights activists and performing artists who have unconditionally raised their voices through the media, stage and writings to highlight the plight of the Pakistani woman, and the urgent need to repeal all gender-discriminatory laws, particularly the Zina Hudood Ordinance if the Pakistani society is to make meaningful progress and keep in step with the times. Men are also working for these changes from within many women’s organizations and the Human Rights Commission of Pakistan (HRCP) in their capacities as researchers and academics.
an unprecedented mass mobilization of women in Pakistan to challenge gender-
discriminatory laws. In 1982, the urban based women’s groups, mostly from middle and
upper class, formed the Women’s Action Forum (WAF) to provide a significant platform to
women, and launched a systematic countrywide struggle through advocacy programs,
research, writing, pickets, lobbying, street agitation, and press campaigns. Meanwhile, women
of the Sindh province formed the first rural based women’s organization, the Sindhi Tehrik
(The Sindhi Women’s Movement) to mass mobilize women to seek protection of their
rights. In 1983, when the Zia regime proposed a new legislation, the Law of Evidence,
women organized a protest rally in Lahore to march to the High Court to present a
memorandum to the Chief Justice of Punjab High Court, denouncing the proposed law.
Over 300 women assembled on the Mall Road to march towards the High Court. The
peaceful rally turned violent when over 500 policemen stopped the rally and baton charged
and tear gassed the women. The protesters braved the street fight with the police, and
despite being beaten, dragged on the road, torn clothes and the arrest of over 50 women,
several women managed to reach the High Court where progressive male lawyers presented
them with garlands to acknowledge their militancy and strong resolve. In time, various
other systematic campaigns, letter writing to politicians for lobbying, and street agitations
forced the country’s political parties and trade unions to consider women as a political force,
and to include women’s rights and issues on their agenda.

59 For details see Mumtaz Khawar and Mitha, Yameema. Pakistan, An Oxfam Country Profile. Published by
60 Ibid. p-47.
61 Ibid.
62 Ibid.
Pakistani women's resistance to the *Zina Hudood Laws* and the *Law of Evidence* has never faltered, so much so, that February 12, 1984, when the *Law of Evidence* was implemented, has become the symbol of women's feminist resistance movement and is commemorated countrywide each year as Pakistan Women's Day in the memory of the peaceful women's demonstration that was attacked by the police.63

A vast number of urban women from Pakistan started to go to the West for higher education to study women's issues and gender development. They returned to Pakistan with the aim of generating an activism-oriented women's movement for emancipation and equal rights, as a result of which numerous Non Government Organizations (NGOs) began to emerge to fill the need. The *Shirkat Gab*64 (Participation Forum), The *Aurat*65 (Woman) Foundation and *ASR* (Impact) emerged as major multidisciplinary resource centers that fostered activism and research on women's issues. Women from these organizations regularly attend international women's conferences to present papers, and to network with other feminist organizations in order to create international awareness regarding women's problems in Pakistan based on gender discrimination.

*ASR* (Impact), defines itself as an applied social research socialist-feminist organization, and is involved in research, training, conducting academic courses, community work, documentary film production and assisting theatre and art groups on projects that deal with gender discrimination against women in all spheres. *ASR* also has the distinction of launching the first feminist press in Pakistan, holding the first National Women's Studies

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Conference, among others, and creating an educational and training Institute of Women's Studies in Lahore, with a focus on "cultivating and disseminating a type of Women's Studies that addresses the specific realities of Asian women's experiences and contributions".

The Pakistan Women Lawyers Association, (PAWLA), was founded in 1981 as an NGO to keep the pressure on successive governments to repeal and amend gender-discriminatory laws against women. With regional offices in all the major cities of the country, its members have been a strong voice in mobilizing street protests and rallies for equal rights and the repeal of the Hudood laws. Its main objectives are to create legal awareness programs and activities, which it has been doing by showing video films in schools, clinics, parks and out of reach areas on key laws and women's rights. As part of its awareness campaign, PAWLA also presents plays on legal issues, followed by question and answer sessions, on Radio Pakistan.

Two women lawyers, Asma Jehangir and Hina Jilani, both sisters and now advocates of the Supreme Court of Pakistan, launched the country's first all-women's law firm and set up Pakistan's first free legal aid center, the AGHS Legal Aid Cell for Women, in 1980, in Lahore to offer shelter and free legal aid to thousands of battered and abused women. Today, the organization has grown to include research and awareness programs and

69 Currently, Asma Jehangir is also serving as the Chairperson of the Human Rights Commission of Pakistan (HRC) and UN's Special Rapporteur on Extra-Judicial Killings.
70 AGHS Legal Aid Cell for Women (So named after the initials of its founding members). For details visit www.fnst.de/webcom/show_article.php/c-1056/_nr-1_/lkim-1673/i.html Accessed on September 29, 2004.
publications to educate women from all strata of the society regarding their legal rights.

Winners of the Millennium Peace Prize for Women, among many other international awards, and internationally known and respected as advocates of women’s rights, these sisters were also among the founding members of the Women’s Action Forum (WAF) and the Human Rights Commission of Pakistan. Theirs has been one of the most vocal struggles in taking on the state and press for the repeal of the Zina Hudood laws, while continuing to defend and represent women who are victims of domestic and fundamentalist violence and Zina Hudood laws, and other human rights abuses. Consequently, they have been arrested, received death threats, and faced hostile propaganda, intimidation, public abuse and murder attempts on themselves and their families as the fundamentalist elements accused them of ‘misguiding women’ and declared them ‘non-believers’ who are pursuing a Western agenda to undermine Islamic values.

The Human Rights Commission of Pakistan, (HRCP), established in 1986, serves as a watchdog organization that, besides espousing a host of other rights issues, actively works for women’s rights and documents violations and discrimination against them in its annual reports and other publications. It employs women at senior positions, while training others at junior levels for awareness campaigns and research for their reports.

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71 In 1997 Asma Jehangir created a countrywide stir, particularly among the clergy and fundamentalist sections of the society, when she secured a landmark ruling from the Lahore High Court confirming that under the marriage guardianship governed by classical Islamic Hanafi law (Abdul Wahad v. Asma Jehangir. PLD 1997 Lah 331), an adult Hanafi Muslim woman can contract herself in marriage without a wali’s (guardian’s) consent as essential requirement for validity of contract is the woman’s consent and not the wali’s. For details visit “Women of Pakistan” at: www.jazbah.org Accessed on December 9, 2004.

According to the Ministry of Women’s Development 2002 statistics, there are 13,013
NGO’s operating in Pakistan registered under the Voluntary Social Welfare Agencies
Ordinance, 1961. Many of these organizations, with chapters in all the major cities of
Pakistan, are run mainly by a female staff, and, over the years, have also evolved into
research and resource centers for feminist scholars. The mushroom growth of NGOs
introduced a new wave of feminist activism and pedagogical experiments as part of women’s
resistance. The majority of these organizations are staffed mostly by women, are free of any
political affiliation, and largely depend upon international donor agencies for funding. They
are working on women’s issues such as violence, education, development, discriminatory
laws and customs, healthcare, and spreading family planning awareness and choices for
women, and regularly organize seminars and workshops to highlight women’s rights issues
in Pakistan, while conducting awareness programs in rural areas through their research
teams.

In the last decade, Pakistani feminist academics, writers and organizations have also
made use of modern technology, such as the Internet and film, to establish international
links and post articles about the gender discriminatory laws in Pakistan. Several women’s
organizations use the web as a means to network internationally with other women’s
organizations and movements, and thus build coalitions. Due to the liberalization of the
state controls on independent channels in the last few years, a number of women have also

73 Women Working for Women, Pakistan NGO’s Directory, 2002. Published by the Ministry of Women
Participation in Political and Public Life in Pakistan. Project of International Women’s Rights Action Watch-
Asia Pacific. Published by Aurat Publications and Information Service Foundation, Islamabad, Pakistan, 1999.
pp. 81-82.
2004. Other web sites are listed as discussed in the paper.
taken to raising feminist issues and gender-discriminatory practices through documentary
films and television plays.76

The last decade has also seen the emergence of Women's Studies departments and
programs in all the major universities77 of the country most of which are state institutions.
Today many women's NGO's, because of their active presence on the national scene and
strong voice through international agencies such as the United Nation, etc, are consulted at
the government level in terms of policy making, legislation issues, and implementation
strategies.

Besides the organized women's resistance movement, Pakistani feminists in their individual
capacities as writers, poets, academics, journalists, theatre companies, politicians and activists
have waged an equally impressive and focused struggle for the elimination of discriminatory
laws and practices against women. Their numbers are growing with each passing year as the
overall feminist movement is also gaining momentum countrywide. It merits mention that a
rare few Pakistani women academics based in Western universities

76For an introduction to Pakistani women's contribution to feminism through the arts visit
77 For example, the Karachi University, Karachi, the Quaid-e-Azam University, Islamabad and the Punjab
University, Lahore, Pakistan.
have also taken up the task of building pressure for the enforcement of *Ijtihad* with a specific emphasis on the re-interpretation of the Islamic texts that considers women's human rights as inherent within the religious Islamic tradition itself. Amongst the most vocal of these are feminist scholar and professor of political science at Ithaca College, USA, Dr. Asma Barlas,

and Muslim theologian, Dr. Riffat Hassan, teaching religious studies at the University of Louisville, USA. Much to the chagrin of Islamic male scholars, Hassan has made her presence felt in an area traditionally hitherto confined to male theologians and commentators on Islam, and has written vastly about the urgent need for the revival of *Ijtihad*, particularly regarding Muslim women, so that they can keep in step with the present times instead of being confined by legal interpretations that render them at the mercy of male subordination. Her critics in Pakistan argue that she is doing so from the safe ambit of Western academia, and herself does not have to face the wrath and dangers of militant religious fundamentalists in Pakistan. But it needs to be appreciated and taken into account

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78 *Ijtihad* is a technical term of the Islamic law that describes the process of making a legal decision by independent interpretation of the sources of the law, the Qur'an and the Sunna. The opposite of *ijtihad* is *taqlid*, imitation. The person who applies *ijtihad*, the *mujtahid*, must be a scholar of Islamic law. The word derives from the Arabic verbal root *jahada* "struggle", the same root as that of *jihad*; the <t> is inserted because the word is a derived stem VIII verb. The common etymology is worth noting, as both words touch on the concepts of struggle, effort, and meditation. *Ijtihad* is a method of legal reasoning that does not rely on the traditional schools of jurisprudence, or madhabs. For detailed definition see "Ijtihad". Accessed at: http://en.wikipedia.org/wiki/Ijtiihad on June 6, 2005.


that her feminist scholastic devotion to research on such a topic has the potential to affect Muslim women not just in Pakistan, but also globally.

On the literary scene, feminist writers, both male and female, have campaigned for social change and awareness through their creative works, although the effects of such an exercise remain a class issue that pertains to the literate sections of the society. Two women, working as poets, writers, journalists and activists, Kishwar Naheed and Fehmida Riaz, among many others, have been prominent and pioneering voices that have unceasingly spoken out against women's oppression and discriminatory Islamic laws for the last four decades in a field dominated by traditional male voices. Through their writings they have dared to step into the realms of female sexuality, politics, and social issues, something that had never been done by female poets in Pakistan before at the national level.

Kishwar Naheed has campaigned to raise awareness about women's rights in Pakistan through her writings, which have been translated in over 20 languages, and through lecture tours internationally at North American and Western universities.

The establishment of an organized feminist resistance in Pakistan is impressive, given the odds that women have to contend with, and is testimony that Pakistani women have proved their resilience in the face of oppression and discrimination to keep the feminist movement vibrant and alive. But the journey towards substantial legal reforms will depend on a host of factors that are as yet still to be defined across the board as essential to the elimination of gender-related biases and discriminations, both religio-social and legal.

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VII. Conclusion

Till the introduction of the *Zina Hudood Ordinance* in 1979, the women's organizations that existed in Pakistan were mainly involved with social and welfare work for women, children and the poor. But in the wake of countrywide protests by women's organizations against the *Zina Hudood Ordinance* and the *Law of Evidence*, the government of Pakistan was forced to set up several commissions and enquiry committees to review women's issues and submit recommendations for changes in discriminatory laws and other welfare sectors. These commissions, supervised and run mainly by women government servants, are placed under the Ministry of Women Development, Social Welfare and Special Education, which was ironically founded in 1979, the same year that the *Hudood* laws were introduced, and President General Zia-ul-Haq held the ministry portfolio from January 1979 to March 1985. It is also interesting to note that of the 15 ministers that have headed this ministry since its inception, only nine have been women, while of the eighteen federal secretaries so far only seven have been women, while it is mainly men who are in other senior positions as well within the ministry. 84

The latest addition to the ministry is the National Commission on the Status of Women (NCSW) that was set up in July 2000. 85 After the September 11, 2001, attacks by Muslim hijackers in New York and Washington DC, USA, the military regime of General Musharaf joined the international community to fight war on terror as a front line state. The western world put pressure on the military junta to restore democracy and repeal repressive

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legislation. In an attempt to soften Pakistan's image as a moderate Islamic state, Musharaf's government increased women representation as legislators in the provincial and national assemblies, and their presence in the senate has increased considerably after the revival of reserved seats with an enhanced percentage. Also, women's representation in the local government has increased by 33 per cent. In the original 1973 constitution of Pakistan twenty reserved seats were allocated to women in the National Assembly but the 1997 general elections were held without this provision. However, in the October 2002 elections the government increased the seats of the National Assembly from 217 to 350 of which 60 seats were reserved for women. With 60 and 128 reserved seats in the National and Provincial assemblies respectively, and the allocation of 17 seats in the Senate, women's position in the political arena has strengthened considerably. With the backing of a sizable women's representation in the assemblies and the Senate, it can be anticipated that enough pressure will be created to put an end to all gender discriminatory laws, besides creating the space to fight for women's due representation in all other walks of life.

Following the growing pressure from the international community and from the Pakistani women's rights organizations and feminists, the current military dictator, General Pervez Musharaf, was forced to establish the National Commission on the Status of Women to review the *Zina Hudood* laws and recommend amendments. The twenty-member commission was headed by a retired High Court Judge, Majida Rizvi, the first woman judge to have been appointed to a High Court in Pakistan. The commission recommended

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that the Zina Hudood laws are flawed and need to be revised in order to make them non-discriminatory. Currently, the recommendations are under review by the government and legal experts. In an interview with the network of Women Living under Islamic Laws, Majida Rizvi said that only two members out of twenty, the representatives of religious parties and the Council for Islamic Ideology, asked for reform, while eighteen recommended a complete repeal of the Hudood laws. She said the two members who opposed the repeal admitted flaws in the laws, "but according to us, there are so many defects that this will not serve the purpose. It will have to be repealed if the government really wants to do something."89

The recommendations of the NCSW encountered severe opposition from the religious parties in the parliament, who declared the Hudood laws as based on the Quranic text, and thereby divine sanction. Member of Parliament and daughter of the Jamaat-e-Islami (a main religious party) chief, Samia Raheel Qazi, who is also vice-president of the Jamaat-e-Islami's women’s commission, said “these laws are given in the Quran, and Allah does not give humans the right to change them”.90

Pakistan People's Party parliamentarian, Sherry Rehman, who is leading an active campaign for the repeal of these laws, said 'these laws are not delivering justice, but rather are facilitating “miscarriage of justice” and therefore repeal is the only way to deal with them.

They are such flawed laws and so poorly executed and drafted, that you are left with very little if mere amendment occurs. 91

Except for the Pakistan People's Party, the largest political party in Pakistan, which strongly recommends the unconditional repeal of these laws, other important political parties like the Pakistan Muslim League (N) have taken an ambiguous stand, linking any amendments with complete restoration of democracy, while the small and medium sized political parties, fearing a backlash from conservative and religious groups, want to maintain the status quo.

The legal and constitutional debate in the Parliament regarding the Zina Hudood laws has yet to yield any results. The ruling party, Pakistan Muslim League (Q), which was created by the military to counter Pakistan People's Party and the Pakistan Muslim League (N), has a majority of conservative members as opposed to liberal, and therefore has been unable to evolve any consensus on the issue of repealing the laws. Secondly, the ruling party does not enjoy a majority in the House and therefore depends heavily on religious parties, with whom it has formed coalition governments in two provinces of the country.

The Zina Hudood Ordinance remains a huge stumbling block in women's status as equal citizens, but the encouraging factor remains the women of Pakistan themselves, whose resistance and struggle against gender-discriminatory state laws and socio-cultural practices continues, and has kept the pressure on successive governments, and the debate alive at all levels. Recently, due to the concern expressed by the West over the growing violation of human rights and discrimination against women in Pakistan, President Musharaf again asked the parliament to amend the law and promised an international gathering on gender issues to

91 Ibid.
look into the *Hudood* laws. The next day the Prime Minister, Shaukat Aziz, called for a review of the Islamic laws in the spirit of *Ijtehad*, and directed the country's Council of Islamic Ideology for an 'enlightened and modern reinterpretation'. What kind of legislative measures and realities such proclamations may or may not translate into remains to be seen. In light of the increased women's representation in the government, besides the women's resistance movement against oppressive laws, it can be hoped now that the atmosphere of struggle and resistance will be strengthened in a manner that will reap long awaited and lasting results. If left unchecked, these laws will only be strengthened with the passage of time as they are repeatedly employed as a weapon for women's subjugation. Pakistan's recent alliance with the West in the war against terrorism would be more meaningful and complete if it were to introspect and eliminate its self-created war of terror against half of its own population--women.

Discriminating male attitudes can only be strengthened in the absence of state checks and balances and a judicial system that ensures egalitarian treatment for both the sexes, regardless of the crime committed or the social and cultural prejudices attached to certain violations, like rape and sexual violence. The growing women's movement in Pakistan has proven that organized resistance and awareness campaigns can, and have, put women's issues on the national political agenda as well as creating international pressures for the repeal of gender discrimination in the country. However, to keep in step with the changing times, it is imperative to push for new strategies of resistance, both long-term and short-term.

The key long-term factor in women's empowerment and progress towards a self-determining role in the country remains education, and consequently economic independence and thus a meaningful status in the society. The importance of women's education cannot be undermined as is apparent from the makeup of the women's movement in Pakistan that was initiated and led by a handful of educated women. But for a significant change to take place in this area, the state will have to play its due role in establishing enough girl's schools in the country, and ensuring that the compulsory education act is strictly adhered to, so that families which might otherwise be contrary to sending their daughters to co-education institutions due to religious or socio-cultural constraints, will have a choice.

Apart from compulsory basic education for girls, it is necessary to follow up on educating Pakistani men in terms of equality and the benefits of women's participation in the work force. A growth in women's economic independence can be instrumental in redefining their status and role in the national as well as the family sphere, and thus make a much needed dent in the country's gender-biased policies and attitudes towards women.

What is often overlooked is the fact that the struggle for women's rights and equality in Pakistan, and most of the Muslim world, is one primarily against a mentality that is steeped in patriarchal values that have been conveniently disguised as religious and cultural values and dictates through a politicization of Islam that benefits the ruling elites. There is an urgent need to undo this situation, which, in the short-term, can only be achieved by reverting back to the 1973 constitution of Pakistan which allowed greater security and justice for women under the earlier family laws, and in the long-term an increased number of educated women entering decision-making positions in the government and other bodies for women to be able to locate their own definitions of freedom and emancipation within their
cultural contexts. Commenting on the strategies for women’s emancipation in Pakistan, Pakistani activist and sociologist, Farida Shaheed, points out:

From the social perspective of the everyday, interventions aiming to change women’s lives and empower them to determine the nature of the choices available must first consciously work to free women from preconceptions emanating from either custom or law and certainly from the culture that permeates both. Programs of social activism must therefore provide women with the tools to unpack the concepts, identify the sources and understand the institutions in the areas of law and custom that serve to maintain control over women through definitions of womanhood.94

The separation of the state and religion is a must to enhance women’s and minority rights and their recourse to the legal system as equal citizens. The strategies for change employed, and victories won, by Pakistani women, however small, are significant in symbolism and attempt for the women in the entire Muslim world as they have been evolved from within a Muslim society and by Muslim women with shared histories and experiences of gender oppression at the hands of religious laws that require gender-friendly reinterpretation.

In addition to the women’s struggle to gain equal status in Pakistani society and the continuing pressure from the West to repeal gender-discriminatory laws, it is also an opportunity for General Musharraf to make good on his rhetoric of ‘enlightened moderation’95 for Pakistan by initiating a roadmap for the secularization and liberalization of the Pakistani society. A committed effort in this direction will not only lead to an eventual repeal of these laws, but also address the wider issues of women’s equal participation and say

95 As a measure of his commitment to the war on terrorism and alliance with the USA and the west in this regard, General Musharraf has introduced this slogan as the driving force behind his vision for Pakistan’s future as a liberal and progressive society as opposed to a fundamentalist image favoured by General Zia-ul-Haq before him.
in all spheres of life. Recently, General Musharaf made the following remarks on the limitations of the *Zina Hudood* laws at a press conference:

Interpretation by obscurantist forces came to signify nothing more than the opinion of self-proclaimed custodians of the faith....As a result the law became separated from reality. We simply can’t take from the shelf a system that has not been used for a century, dust it and start using it again as a comprehensive guide to answer complex questions about governance, rule of law and development today..... Unless Islam is rescued from the clutches of its fossilized interpreters, it will not be allowed to respond to the needs of society, the environment and time.... We must reconsider not only the eternal principles of Sharia, but also its spirit and norms......We must set ourselves on the course to the advancement of science and provision of education to women and emancipation of minorities....A suspected rapist could not be allowed to walk free simply because the required number of witnesses were not available. His medical and DNA evidence connected the accused with the rape and he was being let off because the required witnesses were not there...... In other criminal cases blood tests, ballistic reports, chemical analyses and scientific evidence could not be ignored simply because there were no witnesses at the scene of the crime.96

Although the link between democracy and a truly liberal and free society cannot be denied, the present military regime should also not be allowed to overlook women’s issues in the guise of religion and dictatorial practices, and be held accountable for the contradictions between its utterances of reform and practices.

In the same way that General Zia-ul-Haq evolved these laws, General Musharaf, who like Zia, is not answerable to the parliament or the masses, can reverse the process provided he is really committed to his promise of transforming Pakistan into an enlightened, moderate Islamic state.

General Zia used mosques and textbooks\(^7\) systematically to drag the country into regression while General Musharraf can liberalize and use state controlled communication channels to promote a progressive world view and space to further his vision of an 'enlightened and moderate' Pakistani society. The government could start by making changes in the syllabi from Zia’s days, initiate progressive legislation, and ensure its enforcement to undo the damage done by the earlier fundamentalist military regime.

However, the ultimate test, and remedy, lies in the democratization and secularization of the Pakistani society whereby religion and state can operate as separate entities, without recourse to drastic measures such as the \textit{Zina Hudood Ordinance} in the name of religion to control, terrorize and subjugate an entire population into submissive compliance. The return of democracy in Pakistan will be key to its evolution as a progressive society, where gradually patriarchal patterns can give way to gender-equality and women’s empowerment through economic, educational and socio-cultural independence and liberation.

A meaningful and contemporary approach to Islamic principles that ensures equal citizenship rights for women and minorities needs to be evolved without alienating the various sections of the society by recourse to \textit{Ijtihad}, a practice that will not only benefit Pakistan in the long run, but also be a model for the Muslim world. The gender discrimination and gender-specificity contained within the loopholes of the \textit{Zina Hudood Ordinance} and the \textit{Law of Evidence} serve as facilitators of violence against women, and, consequently, a society that breeds religious extremism through women’s bodies as the most

convenient and obvious site for nurturing patriarchal domination. This vicious cycle in the name of archaic religion needs to be addressed through permanent legal reforms that ensure a fair treatment of women and minorities through strict deterrents in the legal system itself.

Pakistan's failure to return to democracy at this stage when religious fundamentalist forces, however few they may seem to be at present in the country, are vying to protect their vested interests, will only result in a gain for the extremist religious groups with women as their first targets of oppression, a lesson the Pakistani's have learnt only too well from their country's history, and that of its Muslim neighbors, Iran and Afghanistan.

VIII. Bibliography

Books and Journal Articles


The Holy Quran.


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ESSAY TWO:

SHARED OPPRESSIONS AND NARRATIVE REPAIR:
FEMINIST RESISTANCE AND CROSS-CULTURAL
COMMUNICATION THROUGH AUTOBIOGRAPHY
IN THE MUSLIM WORLD
APPROVAL

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Extended Essay: Shared Oppressions and Narrative Repair: Feminist
Resistance and Cross-cultural Communication through Autobiography in the Muslim World

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I. Introduction

Autobiography, a genre that explicitly allows for a personal perspective on one's life history, offers the author/narrator the chance to record their life and events from a personal standpoint. What, then, are the possibilities offered by autobiography for feminist knowledge and advancement, and how do the interchangeable natures of reconstruction of the past as a step towards deconstructing it in order to reconstruct/construct for the present and future serve as a means towards that end? To explore these possibilities, I will discuss women's autobiography as a means to new constructs of healing and recovery through the sharing of personal histories of oppression and abuse, particularly women in the Muslim world who have broken the barriers of silence through the narration of their life stories.

In particular, I will analyze Pakistani writer Tehmina Durrani's autobiography, *My Feudal Lord*, as an account of oppression and physical and emotional abuse. I will focus on its relevance as a tool for feminist resistance, and its cross-cultural appeal and value that links it with the feminist struggle within the marginalized realm of Muslim women writers.

I will discuss the emergence of women's feminist literary voices in Pakistan, in what used to be a predominantly male domain, and trace their progress from writing conventional romantic novels and poetry towards the contemporary feminist literary milieu that questions the status quo through literary genres as an act of feminist activism. I will critique this development with particular reference to Durrani's autobiography, *My Feudal Lord*, and its implications for feminist studies as a cross-cultural tool against gender oppression. I will also probe the reasons why, despite worldwide recognition through winning various awards,
including Italy's prestigious Marissa Bellasario prize, and translation into 36 languages,\(^8\) including Pakistan's national language, Urdu,\(^9\) and being originally written in English and attaining national bestseller status in Pakistan, her work has not been academically researched or critiqued either in Pakistan or in the West. Despite my best efforts, including correspondence with literature/cultural and women's studies professors at a few British and American universities, I was unable to locate any academic sources/research/critique for Tehmina Durrani's works. This marginalization remains the prime reason for my choice to evaluate her autobiography, and the analysis in this paper is meant to address this gap. I will probe if this asserts the view that women writers from the third world suffer marginalization in the feminist context, both at home and abroad, in terms of academic critique and acceptance, despite having made notable strides in establishing their voices across cultures and geographical boundaries in terms of literary accomplishment and feminism.

The paper will locate Durrani's own life and status within the Pakistani society in terms of her own role in her marriage as a feudal elite wife, and then as a role model protesting her maltreatment in the Pakistani feudal patriarchal system that treats women as possessions and symbols of honor, making her the first and only woman writer in Pakistan to have done so through autobiography to date. I will discuss the author's choice of using autobiography and the medium of English as her tools to break her silence and translate her life experiences, and how the exercise translates into a class issue. Additionally, I will provide a brief history of Pakistan before and after independence from the British in 1947 to locate


\(^9\) Urdu version translated under the title Mere Jigirdar aur Aga, Ferozesons (Pvt.) Limited, Lahore, Pakistan, 1992. Although there are no sources available regarding the mechanics of how Durrani herself first published her autobiography in Pakistan, it can be safely gauged that her class, connections in the media and Khar’s political rivals may have aided her in this respect.
women's status in the post-colonial context. To situate and analyze my topic in the cross-cultural context, the paper will discuss and relate the works of other women writers from the Muslim world who have been instrumental in establishing a distinct Muslim feminist identity through categories of literature, autobiographies, critiques of Islamic culture and religious and cultural discrimination against women in their respective Muslim societies, e.g. African, Arab and South Asian feminist writers and academics.

The paper will conclude with an evaluation of the impact of Durrani's autobiography for feminist struggles and Muslim women in terms of its rationale and success in using and sharing the personal as a tool for awareness and reform. I will conclude the paper with Durrani's current status and work as a feminist activist and her contribution to the feminist cause in Pakistan.

My topic will have a cross-disciplinary focus (literature, feminist studies, post-colonialism/history and cultural studies) to situate it within the genre of literature and Muslim feminist literary writing to investigate it historically, culturally, and politically within the context of religion and patriarchy, both in terms of the Pakistani society and cross-culturally in the Muslim world. I will use secondary sources to map the cultural, social, religious and political history of Pakistani women in particular, and use accounts/critiques of Muslim/Pakistani feminist writers, academics, social historians and activists to investigate my topic in the Muslim cultural and feudal context. I will use newspaper/media archives via the Internet for current articles and book reviews of feminist writings, besides journal articles and literary critiques relevant to autobiographical literature.
II. National Independence and After: An Overview of Women's Participation and Writings in Pakistan

Pakistan's history after independence from the British colonizers in August, 1947, has been a checkered one in which its society has steered a political course from a liberal, progressive one to a fundamentalist, religious extremist identity internationally. Although formed distinctly as a state for Muslims, Pakistan's early founders and politicians of the time prized a secular and democratic society. The clergy, however, continued to demand a share in the political arena, pressing for a conservative religion-based code of conduct for women in particular. The clergy and the political elite clashed over the country's identity as an orthodox religious state, and the early political elite's emphasis in the new state was on "Islamic principles and not Islamic law" which would seriously clash with the foundation of a secular society that they favored. Initially, however few in number, women were encouraged to participate in various fields without the fear of social stigmatization. Religion and the state did not dictate their lives, but rather culture, family and religious values, combined at the personal or family level, constituted the moral and social code of behavior and conduct for women. South Asia historian Ayesha Jalal explains:

Although women were apparently welcomed into the public domain as participants in the Pakistan movement, most of them did so not as autonomous actors but as appendages of their men.101

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However, gradually, as the new state matured and found its niche in the Muslim world, so did its women, who ventured out in the fields of politics, medicine, engineering, law, etc, besides the arts, including filmmaking, music and literature.\(^{102}\)

Although the *Islamization* process initiated after the military coup by General Zia-ul-Haq in 1977 changed the social and political conditions of the country enormously through the implementation of orthodox Islamic *Sharia*\(^{103}\) laws, the women's movement gained momentum in every sphere, including the arts, theater and literature, as a measure of their resistance and refusal to succumb to discriminatory state policies regarding women. New women's organizations sprung up\(^{104}\) with offices in major cities of the country, to initiate awareness campaigns and to mobilize women to resist and protest the politically motivated and specifically gender-discriminatory legislation in the guise of religion, which are still intact although pressure from women's rights groups, as well as international rights groups that monitor human rights violations in the third world, has been mounting on successive governments to repeal these laws.\(^{105}\) This struggle for equality and justice also led to a notable increase in women's writings and other artistic contributions around the issues of gender-discrimination and religious orthodoxy, particularly through poetry and theatre.\(^{106}\)

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\(^{103}\) Socio-religious law of Islam based on the *Quran* and *Sunnah* (the Islamic Traditions based on Prophet Mohammad's life) For detailed discussion on the origins of the *Sharia* see “Intellectual Background: Islamic Sources of Information and the Development into Islamic Law. Accessed at: www.mwlusa.org on June 6, 2005. p.1.


\(^{105}\) For details see Ibid. "Legally Reducing Women's Status". p.99.

Today, the contemporary Pakistani society has evolved into one of many contradictions. On the one hand, there is a struggle to enforce an Islamic culture as a means of thwarting Western influences of modernization and liberalism which are seen by the religious orthodoxy as a threat to Muslim identity, particularly in terms of the emancipation of women. On the other hand, the majority of the urban, educated classes and many in the ruling elite of the country favour a liberal and secular society, much as it used to be before the Islamization process of the late 1970's. In particular, urban, educated women in Pakistan, as in Egypt, Algeria, and Morocco, etc, have been at the forefront of leading the struggle for women's emancipation, equal opportunities, and the repeal of gender-discriminatory laws regardless of the socio-religious segregation and restrictions placed upon them through Islamic fundamentalist interpretations of the Islamic holy text, the Quran. Discussing the possibilities for Muslim women's emancipation, Pakistani theologian, Riffat Hassan points out:

No matter how many sociopolitical rights are granted to women, as long as these women are conditioned to accept the myths used by theologians or religious hierarchies to shackle their bodies, hearts, minds, and souls, they will never become fully developed or whole human beings, free of fear and guilt, able to stand equal to men in the sight of God...... In my judgment the importance of developing what the West calls feminist theology in the context of the Islamic tradition is paramount today with a view of liberating not only Muslim women but also Muslim men from unjust structures and laws that make a peer relationship between men and women impossible.107

Thus, Muslim women, because of their shared heritage of religious and patriarchal oppression, have forged a cross-cultural alliance in their respective domains as activists, academics and writers to press for justice and equality. For example, the shared memories

and experiences of patriarchal abuse and feminist objectives and demands of emancipation
and equality find a unifying voice within literature written by Muslim women. For them, it is
easy to identify with the other whether its roots are in Pakistani society or the Arab world.

III. Emergence of the Feminist Voices in Pakistani Literature

The literary scene in post-independence Pakistan had traditionally been dominated
by male Urdu writers--poets, novelists, short story writers, dramatists and essayists. This was
largely so because the literary tradition among the Muslims in the Indian sub-continent did
not allow women's voices to be heard in public. Culturally, women were not in a position to
find recognition as individuals due to the spatial segregation of the sexes. The most popular
form of literature in Urdu has been poetry, with a tradition of public recitations, known as
the mushaira, supplying the forum for poets to compete with each other by reciting their
latest works. Women could not participate in this exercise due to social and cultural
segregation. However, some educated Urdu speaking women did break the norm by writing
short stories and novels on the theme of the partition from India in 1947\textsuperscript{108} which was also
the occasion of Pakistan's independence from British colonial rule, focusing on the trauma
and aftermath of the mass migration between India and Pakistan at the time which witnessed
tremendous personal turmoil, bloodshed and displacement at all levels of the society. It is

\textsuperscript{108} See Chughtai, Ismat's "Roots" and Hyder, Qurratulain's "When the Prisoners Were Released, the Times Had
pertinent to mention here that these Muslim women belonged to the upper echelons of the Indian society, and boasted of wealthy and liberal family backgrounds.\textsuperscript{109}

Women poets emerged in the new state but the themes of their writings were generally romantic love, veiled in flowery traditional metaphors, or in the tradition of religious poetry with the specific purpose of being read out or sung without music at religious occasions frequented only by women, to either mourn religious heroes and heroines or to commemorate a religious occasion or event in Islamic history. Gradually, as Pakistan evolved as an independent state, women from educated family backgrounds began to emerge on the literary scene in very small numbers, but their writings were mostly confined to romantic and patriotic poetry and romantic novels for the consumption of a largely female readership, although by now they had begun to participate in small numbers in public recitations of poetry alongside men.

Ironically, the significant turning point in Pakistan's literature and arts has its roots in the imposition of the Islamic \textit{Sharia} laws implemented by the military dictatorship of Zia-ul-Haq in 1979 after deposing the democratically-elected government of Z.A. Bhutto. As the country's Islamic but progressive society faced a shocking, forced regression through the implementation of authoritarianism and gender-discriminatory laws, its writers, artists and academics emerged as the most vocal voices of resistance and inspiration, urging youth to reject the regime's religious fundamentalism and to fight for democracy and progressive ideals that would not demean women as lesser citizens. Poets, artists, playwrights, actors, prose writers, newspaper columnists, academics, and women activists spread awareness

\textsuperscript{109}The most notable names of the times were Qurat-ul-Ain Haider and Asmat Chughtai, who wrote novels and short stories from the feminist perspective to highlight the social and cultural barriers that stood in the way of women's emancipation.
against oppression and mobilized people throughout the eleven years of the martial law regime. For example, several female newscasters on the state-run television resigned in protest against the state decree for all females working in government offices and organizations to cover their heads as a measure of the Islamic tradition. Inderpal Grewal elaborates on the political and social environment in Pakistan during that period:

It is not only within a distortion of the role of women but also through various marginalizing practices that General Zia-ul-Haq brought in his Islamization programme. A move to Qur'anic laws, supported by a fundamentalist party called the Jamaat-e-Islami, turned out to be mostly anti-women. The Jamaat-e-Islami in 1983 was pushing the government to ban women from government jobs, the arts, the media, and even from driving cars, and to create separate women's universities. The Majlis-e-Shoora, the Federal Council, included members such as Dr Israr Ahmed, who proposed "chadar and chardvari" (Purdah (segregation) and four walls) for women, saying that women should be confined to their homes and exist just for the pleasure of the male. The Majlis-e-Shoora was also responsible for the official "Should women vote?" questionnaire distributed in 1985.10

The dictatorship, on its part, launched a massive crackdown on progressive individuals who resisted religious fundamentalism by sacking them from their jobs, implicating them in false court cases, harassment, imprisonment, torture, or forcing them into exile.

Despite the military government's policies, a distinctly feminist literature emerged in the 1980's, with women poets protesting gender discrimination and oppressive laws and practices, such as the imposition of Islamic injunctions that specified a lower social and gender status for women. This was a new development in the country's literary culture, and one that was wholeheartedly supported by the progressive male elements in the literary world. These women writers broke conventional expectations of female writers, braving

conventional opposition within the literary community as well as their society. Writer and literary critic Rukhsana Ahmad elaborates on the patriarchal climate that prevailed:

…the literary establishment always implies that women poets are a special case: they achieve publication and, sometimes, celebrity, because they are women rather than because they are poets…. They are easily marginalized by the implication that the interest in the work derives from its rarity rather than any intrinsic qualities the work itself might possess. The source of the prejudice in both cases is exactly the same: the conservatism of literary establishments and their stranglehold on aesthetic values, their tendency to dismiss work to which they cannot themselves relate and their inability to empathize with work that derives directly from women's experiences.  

In view of the above observation, the emergence of feminist literary voices in Pakistan from within what used to be a predominantly male domain served as notable progress towards a feminist literary milieu that questioned the status quo through the genre of literature as an act of feminist activism. The new breed of feminist poets that rose to prominence in the environment of state ordained Islamization went a step further as they veered away from the conventional form of the elitist ghazal, somewhat akin to the sonnet in English, which is a highly stylized poetic medium that is characterized by Persian influences using a controlled rhyme scheme and poetic conceit, with romantic love as the common theme. Women poets like Kishwar Naheed and Fehmida Riaz were at the forefront of writers who were harassed persistently during the martial law years because of their very vocal resistance to religion-based gender oppression through discriminatory laws.


Fehmida Riaz, who was an editor and publisher of an Urdu magazine, *Awaaaz*, at the time, was charged with fourteen court cases of sedition, including one carrying the death penalty, and therefore driven into seven years of self-exile in India as a Poet in Residence at the *Jamia Millia* University in Delhi. These and other women writers took up contemporary women's issues as their themes, and chose a departure from the classical Persian/Urdu tradition of *ghazal* and turned to using the common man's idiom and diction through free verse for greater accessibility and a fresh feminist identity. They used autobiographical details of gender-oppression to illustrate their case, and struck a chord with other women not only in their own country, but, through the translations of their works, with women across cultures who could relate to similar oppressions. A reading of these and other feminist Pakistani writers depicts the non-passive attitudes of a great number of urban, educated Pakistani women who joined the struggle for liberation and a return to democratic rule in the country through various means. It is significant to note that in opposition to the *Islamization* process, the women's movement in Pakistan emerged as a strong political and social entity at several levels as opposed to the earlier women's organizations that mostly worked in women's social welfare spheres. Consequently, organizations such as the Women's Action Forum, which mainly comprised writers and academics, came into existence and concentrated mainly on opposing gender-discriminatory Islamic laws as their agenda for change and reform.

In their bid to reclaim their identities as women and individuals in their own right, Pakistani feminist poets and activists rejected the imposition of the *chador* and seclusion within four walls as symbols of patriarchal male honor and tradition that was being extended

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115 See Ibid for further biographical details on these and other Pakistani women poets.
116 For detailed discussion see Ibid, "Introduction".
by the Islamists to symbolize national honor and pride through the marginalization of women through a direct curtailment of their physical activity and social spheres.

Tehmina Durrani, through her very decision to write her autobiography, played a unique role in the Pakistani context, and furthered the feminist struggle against patriarchal oppression and domination by pioneering to reveal both through lived experience of abuse and surviving to tell it. Although her detractors in Pakistani elite circles have accused her of immodesty, sensationalism and opportunism, Durrani, as a Muslim woman in the Pakistani context, has the distinction of telling her story without omitting details of her own extra-marital affair with the man she would later marry and write about as her 'feudal lord', besides the emotional and physical torture she endured to make the writing of it an option and reality.

IV. Autobiography as a Means to New Constructs of the Self

What constitutes a life story in print and what is the relationship between the author/narrator and the genre of autobiography? Is it simply the telling of a story that could very well have remained untold, or is there a motive in the telling of it, whether in the first person, through another writer, or through the use of fictionalizing events as a means to anonymity? Most importantly, when and how does such a journey commence and what are its objectives? Whatever the case, whether through oral accounts or through diaries, memoirs, journals, or autobiographies and biographies, including voluntary self-narration as part of psychoanalytic therapy, etc, people have been recording and sharing their life histories from their individual perspectives for centuries. Saul K. Padover notes:
The word *autobiography* is of recent origin. It was first used by the poet Robert Southey in the year 1809. Previous to that year autobiographies went by various names such as *Journal, Life, Memoirs, Confessions*, often proceeded by *My* or some comparable form. Autobiographies and their first cousins, biographies, made their appearance long before there was a name for them. The oldest of them go back to Egyptian and Assyrio-Babylonian culture approximately 4,500 years ago. They were written on clay and on stone, generally for graves and temples, and hence large numbers of them have been preserved and deciphered in modern times.\(^{118}\)

Given this background, can we then conclude that the sole purpose of writing an autobiography was, and is, the author's quest for self-preservation for posterity, or are there more complex reasons for telling one's life story, particularly if the writer/narrator does not lay claim to fame and position before the writing of it? It is much simpler to understand the reasons behind life histories presented by those who are already in the public eye, regardless of gender, and feel it a compulsion, while having the means as well, to entrust history with their own version of their lives for future reference, for example politicians and celebrities.

To understand the nature of the genre of autobiography, it is imperative to distinguish it from other forms of writings whose intention is also to reveal life histories, or slices of it, like letters, journals, memoirs and diaries. James Goodwin elaborates on the characteristics of autobiography:

> Though they provide historians and biographers with an invaluable resource, as literary forms the diary, the journal and letters do not share with autobiography the necessary temporal perspective, a deliberate distancing of the self from the original experiences....Autobiography is retrospective. In most instances this is obvious, but in some cases retrospection is conducted at a provisional, implied or latent level. An autobiography represents the writer's effort, made at a certain stage in life, to portray the meaning of

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personal experience as it has developed over the course of a significant period of time or from the distance of that significant time period.\footnote{Goodwin, James. "Temporality and Memory". \textit{Autobiography: The Self Made Text}. Maxwell Macmillan, Canada, Inc. 1993. pp.10-11.}

It is this retrospective characteristic of autobiography that brings with it a host of possibilities, particularly for the marginalized and oppressed ordinary women's voices that find their way into feminist writings, as in Durrani's case. The motives behind why a woman writer decides to tell her particular life story, or a part of it, and put it on record may vary. The reasons for such an exercise can range from anger, fear, remorse, guilt and explanation, apology, confession, redemption or self-praise and self-aggrandizement, etc. Communicating in the first person, the writer finds the freedom to explore and share that private space of the mind and heart that has compelled and empowered her to share her life in the first place. Looking back through the lens of selective memory, the writer is at liberty to weave her tale in the manner and sequence that serves her specific purpose. Marilyn R. Chandler explains the process of writing an autobiography and what it may entail:

One common fear autobiographers describe is fear of remembering. The urge to explore the past competes with a powerful urge to escape it, particularly if that past is filled with anguish. Memories may come unbidden, but when they come, one can decide whether to resist them or enter into them—whether to stay on the surface or to plunge into the past and become vulnerable again to recollected suffering. Remembering is a decision.\footnote{Chandler, Marilyn R. "Remembering and Imagining". \textit{A Healing Art: Regeneration Through Autobiography}. Garland Publishing, New York and London, 1990. p.45.}

It can be argued that the initial 'remembering' is not a conscious decision, but rather something that the author/narrator cannot put behind them, and forget. The therapeutic value of catharsis, the undeniable sense of freedom to look back and be able to speak about it after catastrophic events in one's life, the joy of celebrating a new beginning after many an
upheaval, and the rejoicing at one's turn of fate have often been the essence of autobiographies. What factors spur this process of conscious remembering and culminate in the act of writing an autobiography? Is it a quest for connectedness with others, loneliness, helplessness, a fear of closeness and yet a desire for it, or to celebrate a survival through trying times that compels a writer to take the risk of disclosure? How far is the autobiographical plot credible and how can we judge the discrepancies of another's memory and life without having been a part of it? Lastly, is the reading of an autobiographical account as therapeutic for the reader as the writing of it for the author?

The written forms that the author's mind and imagination create are colored by the writer's motives. The very process of writing one's life story and putting intimate and personal details on the record, the circumstances under which it is written, and the motive for doing so also become part of the story and the writer's art, as she reconstructs her past to review it, and then ventures to select and highlight the most important aspects from her life that would support her motive for writing it. Within this act of reconstruction of the past, the author is also invariably, and simultaneously, deconstructing it as well to analyze the events and processes that led to her present state and decision to pen it. Chandler elaborates on the role played by the writer and the effect of the exercise on the author:

Healing is completed in transformation. As a writer gains distance from personal crisis, the opportunities for artful revision of autobiographical material become clearer. In autobiographical fiction, an author can actually finish an experience, reach a conclusion, reclaim the past and build on it. The process is dialectical: in his or her writing the author enters into multiple dialogues--between the conscious and the unconscious, between inner and outer voices, between the living self and the emerging text. The autobiographer, therefore, always plays a double role: he or she is both
subject and object, both patient and healer, both the writer of his life and the reader of it.  

Conversely, how this process of transformation is carried out in the mind and heart, emotionally and psychologically, also plays a part in the content and making of the story that will emerge. For the writer, it can be an act of settling scores with life itself, contradictions notwithstanding, but the reader will only know the final product, however selectively re-created. Judging an autobiography also immediately becomes an act of judging a stranger's life.

V. My Feudal Lord: Autobiography as Feminist Resistance through Expose

Every life can be treated as a unique history/story, which has been shaped by unique events, and responses. When people decide to pen their autobiographies, they are recreating a theatre plot in prose, within which the characters will be molded by the memory's selective responses to the past, piecing together possible answers to their lives long lived puzzles. The writer is suddenly in control of the past and can review the pace of past events and their impact on the present and the future. Through the genre of autobiography, the writer can use unapologetic subjectivity to imbue characters and events with selective characteristics as their salient features, painting the angels and devils, the heroes and villains as per the demand of the personal story told in retrospect, choosing and re-arranging the sequence of events to suit present and future motives. There is no compulsion to present the past with objectivity, truth as the primary factor, and strict realism as the mode. One could

\[^{121}\text{Ibid.} p.40.\]
metaphorically apply Plato’s Theory of Forms\textsuperscript{122} to argue that art is twice removed from reality because it is just an imitation of an imitation, and similarly, an autobiography too is twice removed from reality as it is a reconstruction of the past through memory into a translation through text in the present. But, on the other hand, is not being twice removed from reality in this context the very basis that enables its creation, and is not the exercise of its re-creation an integral part of the art itself, in this case the autobiography? On the other hand, Mao Tse Tung advocated that "if you want to know the taste of a pear, you must change it, i.e. you must chew it in your mouth"\textsuperscript{123}. If one applies this notion to life and the writing of it through autobiography, then it is in the deconstruction of the past as whole that the personal truth can be deciphered and renegotiated through new realities and consequent emerging forms. Tehmina Durrani’s decision to pen her life-story, entitled My Feudal Lord, illustrates the use of narrative repair that serves to recreate and alter her understanding of her past from a retrospective distance.

Durrani’s courage to break her silence and expose her 13-year marriage with a feudal politician, Mustafa Khar, through an autobiography may not have had the same value if such an account had been written by a Western celebrity and published in the West. It is the fact that this book, meant as an expose of the feudal male mentality in Pakistan and its treatment of women, was written by a divorced Muslim woman, a factor that in itself carries a stigma, living in a society that is dominated by patriarchal values and conservative religious mores,

where any form of public exposure by a woman is seen as an act of betrayal of the cultural and religious values, that it acquires significance as a tool for resistance, and feminist studies, as well as in its capacity as the first such intimate and detailed account to be written and published by a woman in Pakistan. 124

Durrani's own identity as the considerably young sixth wife of a powerful feudal politician, who was also the chief minister of the Punjab province at the time of their affair, and her social status as a Muslim woman from a wealthy and socially prominent family in her own right, were factors that could have been the most powerful detriments to prevent her from speaking out. Yet, these very factors played a part in her development and journey from a divorced woman who used her own misfortune and experiences of abuse to reach out to others with similar histories, both within her own society and cross-culturally, and eventually her emergence as a feminist activist through the writing of them. It would be unfair in Durrani's context to evaluate her book in terms of literary merit, because firstly, it was not written with an intention to that end, and secondly because it would seriously limit a discussion of her very intent of writing it, and its relevance to the feminist cause. On the contrary, a broader overview that inculcates socio-cultural aspects of Muslim societies can explore the implications of such an exercise in the wider cross-cultural context, particularly in terms of Muslim women writers.

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124 Prior to this, Pakistani women writers had primarily used romantic poetry and fiction as a more exalted, and culturally safer, literary form and vehicle to incorporate and camouflage details from their personal lives. Although this resulted in autobiographical literature to some extent, it did not carry the burden or risk of being categorically linked, as women in a conservative and religious society, to the particular events and sentiments detailed in their writings, thus securing them a respectable socio-cultural status within their literary milieu. For detailed discussion on the literary evolution of Urdu women writers in Pakistan see Yaqin, Amina. Desbaratar la nación: modelamiento genérico de la poesía Urdu (Disrupting the Nation: Gendering Urdu Poetry), Asparksia: Investigació feminista, vol. 13: 159-80. 2002. (English version of the essay accessed through personal communication with the author via email).
Although Pakistani women have recorded their life experiences in the past through autobiographies, the intent had been to narrate their life experiences in terms of their political and professional struggles and accomplishments. Benazir Bhutto, later to be the first elected woman prime minister of a Muslim country, wrote *Daughter of the East*, recounting the political hardships faced by her family in their political struggle for democracy and civilian rule in Pakistan. Although the book narrates incidents of great personal loss such as the hanging of her father, elected Prime Minister Z. A. Bhutto, by the military dictator, Zia-ul-Haq, and the death of her brother, her intent is to lay bare personal tragedies and struggles endured in the political context. Similarly, Shaista Ikramullah, in her autobiography entitled *From Purdah to Parliament* and Jahan Ara Shahnawaz in *Father and Daughter: A Political Autobiography* relate their experiences as participants in the independence movement during the British colonial period in the Indian sub-continent, and later their involvement in politics and the foreign service as an ambassador and women's rights activism and social welfare, respectively. These accounts hold importance primarily because these women, from the upper strata of the society, left the confines of conservative, veil-observing Muslim households to come out in the public as a show of their commitment to the national politics of their region and times. It is significant, and ironic, to note that all the women mentioned above chose to pen their personal experiences in English rather than their mother tongues as they belonged to the elitist strata of their societies, where despite the anti-colonial politics,

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English was, and remains, the common and preferred medium of communication, besides being a symbol of elite status and education. Despite independence from the British, the Pakistani state language has remained English, and the educational system remains aligned in its academic structure with the British system.\textsuperscript{128} The ruling elite, the civil services, the military and all the institutions that have a claim to a higher rank, use English as their medium of instruction and communication.

Durrani’s choice to originally write in English as opposed to her mother-tongue, Urdu, is also representative of her class as she was educated at a Convent school, where the medium of instruction is English and not the local languages. Consequently, it is understandable that she chose to write her life-story in English rather than her native tongue. Ironically, it can also be debated that this class, popularly referred to in Pakistan as the \textit{brown sabius}, feels and expresses its most intense sentiments and experiences not in its own languages but in the colonial master’s diction. But, on the other hand, if Durrani’s purpose was to get her story out, writing in English served her well in internationalizing her expose and bid for creating cross-cultural awareness.

Durrani sets the parameters and tone of her autobiography by contextualizing the feudal system and its dominant forces at the very outset, and dedicating it to the following:

When I decided to write this book, I was more than aware of the many perils of exposing my private life to a male-dominated Muslim society with crushing conservative sensibilities. But my convictions did not buckle under pressure from considerations of a more personal nature.

Feudal power is articulated and represented in government by men with a particular kind of upbringing and mentality. My ex-husband, Ghulam Mustafa Khar, symbolizes this breed of powerful men who hold the destiny

of this country in their clutches. There is a deep-rooted deficiency in the feudal value system which should be diagnosed before suitable attempts are made to uproot it.

This book is based on the material available in the one library I visited again and again--my own mind. I have had to relive every footnote of my life to emerge with this account. In its truth lies my ultimate vindication.

I dedicate this book:

To the people of my country who have repeatedly trusted and supported their leaders--leaders who in return, used the hungry, oppressed, miserable multitudes to further their personal interests. I want our people to know the truth behind the rhetoric, so that they might learn to look beyond the facade, so that they might not be stripped of the only right they have--their vote.

To the ex-wives of Malik Mustafa Khar who have silently suffered pain and dishonor, and seen him get away with impunity. This time one of them is holding him accountable.

To Malik Mustafa Khar. I want this book to serve as a mirror so that he becomes aware of the man, the husband, the father, the leader and the friend he is.

This is the autobiography he will never write.129

Having established her premise for writing her story at the very outset, Durrani goes on to narrate incidents of tremendous emotional and physical abuse at the hands of the man she fell madly in love with and married after divorcing her first husband. Although it may appear as a naïve ambition to ‘diagnose’ the ‘deep-rooted deficiency in the feudal system’, Durrani’s autobiography does make a notable contribution in attempting to expose it, if not ‘uproot’ it. Her use of autobiography as a ‘method’ that Khar would never use is significant in its utility as a tool for feminist resistance and personal ‘vindication’.

Durrani splits her life and association with her former husband, Ghulam Mustafa Khar, into sections that span her life till 1990, including the nine-year exile period that the couple spent in London, UK, detailing the betrayals and humiliation that became a way of life for her till she decided to end her marriage.

She starts the sequence of her journey backward in time to relate the various turning points in her association with Khar that ultimately led her to dissolve the marriage and step out of his shadows, and then to write her autobiography. She begins her account with the release of Khar from prison and the role she had played in campaigning for his release. It is a time of promise and excitement for both of them despite their past differences, and Durrani happily looks forward to a different future that will be based on mutual aspirations for a political role to be played by Khar for the restoration of democracy in Pakistan. She recalls with obvious admiration and awe:

Mustafa always spoke with passion and absolute conviction. His words seemed like quotations. His arguments were sound and well thought through. There was a messianic quality about him which his chains served to embellish. I was obsessed with getting him out. A mind such as his should not be allowed to rot in jail. Here was a man whose experiences had sculpted him for this moment in history. He had a decisive and critical role to play at this juncture. His life was in danger. The forces arrayed against him are very forceful. If they perceived him as a threat to their very existence they could liquidate him. He seemed to have all the answers.

It is pertinent to note Durrani’s honesty in recounting her own optimism and renewed faith in Khar as a measure of her idealism and naiveté despite the bitterness and realization to the contrary that would later shatter her faith in him both as a man and a political leader. For her own part during Khar’s detention and subsequent release, Durrani attributes her struggle and campaigning to her belief in him as a political leader who had his people’s best interests at heart and her own emerging political awareness in the wake of the changing political climate in Pakistan and her husband’s mentorship and influence. She describes her newfound identity through symbolic outward changes in her appearance:

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131 Ibid. p.9.
Years of exposure to a new world had done this to me. I rejected the superficial artifacts of respectability. Mustafa had converted me. He had through his words and actions made me into a serious person with a sense of mission. I had packed away my designer clothes and mothballed my vanity……I belonged to another class. A class that thinks and takes its decisions consciously. A class that rejects accidents of birth and strives to find its true niche. I belonged to the ‘could have hads’. I was ashamed of my acquisitive nature. My wardrobe was excessive. My collection of shoes of Marcos proportions was obscene. Exquisite matching handbags would remain empty from now on. Something in me snapped one day. I could not be bothered with dressing myself up anymore. Colors still fascinated me but not on my body. I went to see Mustafa and told him of my decision. He was not at all shocked. He seemed to expect it. He had led me to it, he proudly supported my decision. From now on I would only wear white cotton.132

Durrani’s rejection of the restrictions of her social class enabled her to choose a different path for herself, one that would eventually liberate her even from the man to whom she attributes its initiation, and come full circle to emerge as the rights activist that she eventually became. It is pertinent to note here the candidness with which Durrani also exposes her own vanity, limitations, and longings throughout her autobiography as a means of reconciling with a past that does not suit her present.

Before these stirrings for a new and different political role were to find realization, her life with Khar was to take many turns, littered with betrayals, disappointments and abuse. To understand the motivating factors that eventually led to her autobiography, it is pertinent to trace her journey from one of an elitist wife to that of a battered woman silenced by fear and social considerations and inhibitions.

Durrani thwarts her religious and cultural conditioning which expects women to accept marriage as their final fate, without aspiring to another union or divorce, by admitting that

132 Ibid. p.22.
her relationship with her first husband, Anees, despite its promising and romantic start and their daughter, had deteriorated into a dull union:

My marriage to Anees soon reached a plateau. There was no incline and no gradient. It was a bland relationship.... Monogamy and monotony became synonymous. The freedom I had craved for was there in abundance. I did not know how to use it or misuse it. I was to learn fast.133

It is in this state of mind and stage during her first marriage that the beautiful 22-year old Durrani is first introduced to Mustafa Khar, aged 42, at a party that she is attending with her first husband. What follows are details of the extra-marital affair she conducted with Khar when he was at the pinnacle of his political power in the 1970's as the governor of the Punjab province. Given her young age and a marriage that she is conscious is not offering the excitement she craves, Durrani finds herself vulnerable to Khar's position as a very important figure politically and his reputation as a charming and charismatic leader. She recalls her state of mind at the time:

Anees and I experienced none of the turmoil of a marriage turning sour. We remained passive. There were no quarrels. The squalls of infidelity had not yet invaded our boring calm. He was totally oblivious of the change that was invading my life. A more sensitive man would have noticed all those little signs that a woman contemplating adultery brazenly displays.... Let him notice, God, please. Let him assert himself before I go over the brink. The abyss lured me. Enticed me. I knew I would fall.134

Despite the knowledge that Khar is an oft married feudal, Durrani does little to avoid an affair that would ultimately lead her to divorce her first husband, giving up her claim to their daughter and possessions, and moving in with Khar while he is still married to another woman, Sheherzade. Khar proposes to Durrani while dancing with her at a party, an offer that she accepts, and then follows an affair that is built on deceit and exploitation of

133 Ibid.p.188.
134 Ibid. p.194.
privilege and power. Given his political clout, Khar arranges for her husband to be sent to serve in another province, paving the way for Durrani to move into the Governor's House as Khar's willing mistress while his wife is also living there with their daughter. As a result of her liaison with Khar, who had a wild and dangerous reputation as a womanizer and ruthless political animal, Durrani's family severed its ties with her. The candid admission and expose of their romantic escapades while they were both married to other spouses is in itself a striking departure from the docility and privacy associated with Muslim women, both socio-culturally and in religious terms. Shattering socio-cultural gender taboos, Durrani volunteers intimate information regarding her heady affair while conspiring with Khar to dodge their respective spouses even in the face of their high profile social and political status.

Durrani divorced Anees and married Khar in 1976. What emerges thereafter is a strange threesome, which includes Khar's other wife, Sheherzade (Sherry), who, like Durrani, also belonged to the Pakistani elitist class. Sherry, despite being convinced that Durrani is a transitory whim in her husband's life and he would soon be rid of her for another, shares personal stories of his perverse and brutal nature, and the physically and mentally abusive relationship that she shared with him. Durrani recalls this strange union between two women tied together by a similarity of interests and predicament:

Sherry began to open up with me. She would tell me stories about Mustafa. They sounded like horror stories. They featured Mustafa as a sadist. A grotesque figure who derived pleasure from humiliating the ones he professed to love. She told me he suffered from an inferiority complex. He could not stand women from our family background. He resented them and had made it his mission to subjugate them. He disguised his class envy by putting on feudal airs. He was a course man. He was very angry with our class because we did not give him access. We never accepted him. His revenge was in his political ideals. His concern for the poor and the downtrodden was a sham. His hatred for the elite took precedence. He wanted to demolish the structure that ridiculed his origins and laughed at his lack of breeding and style. Women were his obvious victims. He was out to
destroy our confidence. I took this in and stored it away. Future events would enable me to see what was true and what was merely the ravings of a scorned woman.\textsuperscript{135}

However, Durrani did not have to wait long to see proof of Sherry’s accusations while they lived together. She narrates:

I noticed his impatience when he dealt with Sherry. He treated her with utter contempt and would abuse her using filthy language. I had never heard such expletives. My ears burned. I felt he was being unreasonable. Sherry was pregnant with his child. She was vulnerable. He never let her forget.\textsuperscript{136}

Finally, after Sherry delivers a much-awaited son who dies a few days later, Khar discards and divorces her immediately, turning all his wrath and hostile attention to Durrani for the next 13 years. Looking back at her life with Khar, Durrani states her predicament and fears:

There was not a day in our marriage when Mustafa would not hit me for some reason. Delayed food, faulty water geyser, creased clothes, anything at all. Sherry’s stories became real. I became like Sherry. His whipping boy! The tragedy was that I had stopped questioning his violent outbursts. I knew that he would beat me if I dared to question him....He ruled the house like a tyrant. Everyone in the house shuddered when he came home. I had become one of the serfs. He was the master. The lord of 22 kanals. Where deer roamed. Where chicken rooted. Where peacocks strutted. And family, servants, mother and wife all quaked....I knew I couldn’t leave him. I had made a controversial marriage and had to strive to keep it. Although it was no longer based on trust, or love or respect. It was rooted in unmitigated fear.\textsuperscript{137}

Throughout her book, Durrani makes repeated references to her ‘class’ as opposed to the ‘feudal class’ that Khar belonged to. It is not so much a sense of class superiority over her husband that emerges out of the bitterness that she is subjected to during her association

\textsuperscript{135} Ibid. p.224.
\textsuperscript{136} Ibid.p.225.
\textsuperscript{137} Ibid. pp.231-232.
with him, but rather an honest and naïve attempt to put her circumstances and resultant outcomes in perspective in order to decipher the root cause of her humiliations and misfortune. The insight she offers into her family background is important in understanding her and her family's reactions and decisions in the face of socio-cultural pressures and expectations. Daughter of a high-ranking banker father, hailing from the Afghan royal family, and an affluent elite class mother belonging to one of Pakistan's most politically prominent families as a result of her father's knighthood for services rendered during British colonial rule in India, Durrani describes her lineage as both a source of social prestige as well as conservative when it comes to their women and their expected roles in society. Given these impeccable credentials of birth, both socially and politically, Durrani falls in love with, and marries, Khar, a feudal who, although wielding political and individual power in his own right, is frowned upon by Durrani's class as an opportunist and upstart. She describes Khar's feudal lineage in great detail as driven by a lust for political power and position through betrayals, intrigues, deceptions and violence. What comes across is a charismatic man who has no qualms about his ruthless modus operandi when it comes to getting what he wants, be it political or personal success. Her own disappointment and disillusionment in the man whom she had become to idolize as a leader and hope of the downtrodden in Pakistan are apparent as she tries in earnest to dissect his character and actions, and thereby the reasons for her own sufferings, through piecing together incidents from his childhood and political beginnings and how he maneuvered his political and social rise through manipulation of events and individuals. She details Khar's consequent political status as a

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138 Her father, S.U. Durrani was the former Governor of the State Bank of Pakistan.
139 For details on the origins of the Khar tribe and their rise to political power in Pakistan see Durrani, Tehmina. "Et Tu Brutus". *My Feudal Lord*, Sterling Publishers, New Delhi, India. 1991. p.245.
popular leader of the masses, while espousing and furthering his own rise and political ambitions at their cost. She recounts his mingling with leaders of the Muslim world at the time like Yasser Arafat of the Palestinian Liberation Organization (PLO) and Libya’s President Muammar Gaddafi, etc, and the various political intrigues he was a part of that bordered on treason in Pakistan. Durrani paints a picture of Khar as an arrogant ‘political animal’ who stopped at nothing to secure his own political survival and safety even if it meant deserting his political party, the Pakistan People’s Party, and negotiating with the military dictatorship for a safe exit into exile.

The next phase in Durrani’s ordeal as a feudal wife begins when the democratically elected government of Z.A. Bhutto is overthrown by a military coup in 1977, resulting in the dictatorship of General Zia-ul-Haq, which also marks Pakistan’s journey towards Islamization and religious extremism. During the initial period, Khar, along with other political leaders from the Bhutto government, were thrown into prison. However, given Khar’s political acumen and maneuverings, he successfully negotiated with the army dictatorship to be released and allowed to go into exile with his family to London, UK. Durrani elaborates:

While he was bullying and bludgeoning me, he was involved in serious political work. His domestic life was a side-show. He was in his element making and breaking alliances, plotting and scheming and persuading the skeptical. His intricate intrigues allowed him to survive in the jungle of exile

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140 London, UK, is a popular destination for Pakistan’s elite and political leadership to seek refuge when conditions are averse at home. At present, Benazir Bhutto, the deposed prime-minister of Pakistan, and several other political leaders favoring a return to democracy in Pakistan are living and conducting politics and party affairs from there. Currently, Durrani’s third husband, Mian Shabaz Sharif, former chief minister of Punjab province, and leader of the Pakistan Muslim League (N), is also stationed there in exile.
politics where every political activist and leader soon developed an inflated opinion of their sacrifices and importance.  

In a bid to establish the inherent differences, and thereby reasons for these differences, between herself and the man who abuses her as a matter of routine, she describes in detail the class and social prestige of her own family name, which, in Pakistani social terms, would otherwise have been a guarantee of social status and prestige, something that her marriage to Khar eroded in the eyes of her own family. Durrani offers the following background and analysis of her parentage:

It was natural for such a family to adhere to colonial values. My mother grew up in a home where the British way of life was slavishly aped and the Brown Sahib tried desperately to become very ‘pucca’. The British rulers had allowed some natives limited access into their exclusive world. The Hayats were amongst the favored. The Hayat men were content with pursuing pastimes of the idle rich. They strived for sartorial excellence, played polo, learnt the latest dances, went on shikar and threw lavish parties. The women retained their Eastern charm, dressing exotically but became anglicized in their speech and behavior. My father came from the Abdali family which traces its descent to the royal house of Afghanistan.

As for the class expectations regarding girls of her generation in her family, Durrani elaborates:

The ideal man for us, we were told, would be well-educated, preferably at Oxford or Cambridge, from good noble families. My parents had to be proud to announce that a match had been made with such and such a boy. We were taught that marriage is a sacred institution and that we must on no account break our vows. If the man turned out to be a brute, it was our duty to persevere and attempt to change his character. A broken marriage was a reflection of our weakness as women.

142 Urdu word for ‘authentic’ or ‘proper’.
143 Urdu word for ‘hunt’.
145 Ibid. p.181.
Ironically, dissolving her marriage with Khar in defiance of her socio-cultural conditioning proves to be the very juncture that ensures her release, salvation and eventual emergence as a strong woman and activist in her own right.

Durranis' life with Khar in exile in London becomes the testing ground for not only the abusive nature of their relationship, but also her own disillusionment, endurance, and growth at multiple levels. In the chapter that she aptly titles "Contours of Hell", Durrani narrates the incidents and outcomes that shaped her destiny as not only Khar's wife but also as a sister, daughter, mother, woman and eventually as an individual who was acquiring the will, skill and resolve to shed her abusive life with the man whom, in her idealism, she had embraced as a champion of just causes. Whereas going into exile also spelt a reunion with her own family in London at long last, it also marked the beginning of yet another betrayal—Khar's incestuous affair with her 13 year old sister, Adila, who responded to his advances brazenly. This on-off affair, which was to last long enough, despite her protestations, Adila's own marriage later on, and Durrani's repeated separations from Khar, ultimately becomes the breaking point of both their marriages. Durrani narrates the pain and humiliation at the hands of her own parents who refuse to believe her allegations against her sister, her sister’s refusal to give up her liaison with Khar, and Khar's manipulation of the situation by playing one character against the other to fulfill his own lust and abusive control over Durrani. She explains:

In the past he had used my first marriage to beat me with. He would accuse me of having fallen in love with my ex-husband. I was capable of adultery. I had married him after another man.....I was afraid that my slightest response to his advances would reinforce his image of me as some sort of a common slut. This was a feudal hang up. The feudals believe that a woman is an instrument of their pleasure. If she ever indicates that she has derived pleasure, she is a potential adulteress. She is not to be trusted. Mustafa did not even realize that he had crushed my sensuality. The consequences of
refusing were too frightening. I would go through the charade realizing that I was functionally necessary.\textsuperscript{146}

Despite a sense of her utility to the marriage, Durrani's abusive life led her to a failed suicide attempt, which in turn led to further wrath and humiliation from Khar who accused her of failing to live up to his expectations as a wife and mother. Durrani presents an analysis of the feudal mind which by now had come to rule her entire existence:

High on the list of precepts that had to be adhered to, were his views on the role of the wife. A wife was honor-bound to live her life according to her husband's wishes and whims. A woman was like a man's land…. The feudal loves his land only in functional terms. He will enclose and protect it. He will neglect it if it is barren. He will stay away from it and allow others to tend to its needs. For him land was power and prestige. It was property. So the feudal's woman had to be covered properly, be docile, produce sons, remain hidden from strangers and make him happy by administering to his needs.\textsuperscript{147}

Ironically, it is at the birth of her son, who is born in a National Health clinic in London as Khar's way of degrading her, as opposed to a private clinic where a woman of her class would normally go, that Durrani makes first meaningful contact with other women who have simple stories to share. She recalls:

I came alive after this birth. I was curious again. I looked around and listened. Here around me were ordinary people. People we see on the streets or behind perfume counters or bowing or scraping to 'madame's needs' in exclusive boutiques. Suddenly they were my friends. Our bond was our swollen bellies. We compared notes and told each other our stories. I knew about Harry and his problem with the bottle, about Sid and his ‘horrible boss’, about Nancy's new fridge and Daphne's new washing machine and how the nasty Hire-Purchase fellas had taken Trudie's colour telly away because Frank was behind on the payments. I could see their little tragedies, I could share their joys. It did not matter where we were on the social ladder.\textsuperscript{148}

\textsuperscript{146} Ibid. p.51.
\textsuperscript{147} Ibid. p.60.
\textsuperscript{148} Ibid. p.87.
Durrani's growing awareness leads her to a rejection of Khar's abusive behavior and serves as the breaking point in her docility and acceptance of a situation that treats her as subordinate and subservient. After her sister confirms her affair with Khar herself, and finding no support from her own family in dealing with the situation, Durrani is emboldened to take her destiny into her own hands and begins to contemplate a divorce from Khar despite the prospects of losing her children. After yet another routine incident of physical abuse, this time in the kitchen, Durrani suddenly retaliates by throwing a pot of hot food at Khar, saying:

The next time you raise your hand at me I will pick up a knife and kill you......Mustafa I have taken enough.... I am not your sister or your mother. I am your wife. I am not bound to you by ties of blood. We have a contract to live together. I can tear that up whenever I feel like it....I find no necessity at all in living in this concentration camp. You correct your ways and make our lives worth living or I am going.\(^{140}\)

After this point in their marriage Durrani's attitude changes drastically from one of subservience to a steady defiance that also entailed exposing Khar's violence to their friends. Says she:

For a change I wanted Mustafa to be humiliated. I wanted this not to be my humiliation. I had suffered long enough behind closed doors. It was time this closet-wife-beater was exposed.\(^{150}\)

Durrani's new-found confidence and defiance lead her to a legal separation while in exile in London. At this point Khar abducts their children and has them flown back to Pakistan to be hidden away in his feudal stronghold among family. Despite her resolve to fight back, Durrani once again finds herself swayed by social and family pressures and the future of her children and the fear of losing them. She makes yet another attempt, although

\(^{140}\) Ibid. p.90.  
\(^{150}\) Ibid. p.100.
not out of any love for Khar, to salvage the union and thereby avoid a broken home for her children. At this stage the Khars also end their exile and return to Pakistan to join active politics once again and mobilize public sentiment for a return to democracy. Durrani recalls nostalgically:

I found an excuse to remain his dutiful wife. I was suddenly in love with a noble idea—the return of the exiled leader…. I would not leave him as long as I believed in his politics and respected his ideals. I wanted him to show me that the myth of his courage was not a creation of folklore. This he could only do by remaining steadfast in his beliefs and not compromising with the regime. It was time to face the dictator.\textsuperscript{151}

What followed their return to Pakistan was immediate imprisonment for Khar under the military dictatorship, which had sentenced him to 14 years of rigorous imprisonment in absentia, and Durrani’s fervent political campaigning for his release that in turn also initiated her own subsequent political career and identity. Looking back, Durrani remembers the day they arrived back in Pakistan:

Suddenly every horrible detail of my marriage to Mustafa crowded into my mind. How was it possible that I was standing here now as that man’s champion and only hope? I had been to hell and back. I knew so well the contours of hell.\textsuperscript{152}

It is ironic that the very man who tried to crush Durrani’s spirit and growth through violent and deceitful means of control became the catalyst for her coming into her own and her consequent emergence as a political, social and feminist activist in her own right. As the ‘crusading wife’, Durrani experiences for the first time the travails of frustrations and excitement that accompany political negotiations and maneuverings, which led to her own growth as an activist. For her it was a time to define her own political ideals and path,

\textsuperscript{151} Ibid.p.42.
\textsuperscript{152} Ibid. p.45.
regardless of the dictatorial climate of the country, and her status as a feudal elite wife more accustomed to luxury than mobilizing crowds and political party workers. Her decision to chart an independent course brought her new friends that included young and idealistic journalists, activists and political workers. Durrani describes her political development at the time:

During my involvement in active politics I found myself evolve from a robot that Mustafa had programmed, to a thinking person who was capable of independent actions....Gradually, I realized that his style of politics needed to be tempered. A woman's touch gave the necessary softness and the sincerity which was needed during these difficult days. I believed in his cause but I found myself selling an idealized version of Mustafa's political vision. In doing so, I might have distorted reality, but I proved that the ideal was workable.133

As a result of her campaigning and the sudden death of the military dictator in a plane crash in 1988, Khar's release a year later was to mark her own political coming out party that was accompanied by public acknowledgement and success.

However, their personal life, which had never been ideal, suffered the final blow when Khar, a prominent political prisoner with high-ranking living facilities, raped Durrani in a prison suite on one of her visits. As a result she filed for divorce yet again while Khar was still in prison, and left with her children for England. But years of political association proved too strong for personal considerations and lured her back to Pakistan's political arena once again. Durrani recalls the time and reasons for her decision to return:

Another poem of Faiz134 crept into my canvas. "I bequeath my life to the lanes and the alleys of my land, where the ritual of silence stalks. Where no one holds his head up high. And Fear takes nightly walks". I painted women with their heads bowed. With their hair loosened as if in mourning. These

133 Ibid.p.317.
134 Lenin Peace Prize winner Pakistani Urdu poet known for his revolutionary poetry, political struggles for democracy, exile and repeated imprisonments under non-democratic governments in Pakistan.
were the people that Faiz had written for, wept for. Ordinary people with limited wants. They had penetrated my mind and had appeared on the canvas with the obvious message. Your land, its lanes, its alleys beckon you. You have to bequeath your life to that land, those people. Silence must not be allowed to proliferate. Fear must be confronted.\footnote{p.301.}

This political and social awakening was also to serve as a catalyst for Durrani to break her own silence, confront fear, and write her autobiography as a means of feminist resistance against gender-oppression and abuse through an expose of her ‘feudal lord’.


Durrani relates incidents of daily battering and marital rape during her thirteen-year marriage with Khar that produced five children their political exile in London during the martial law years, Khar’s ongoing incestuous relationship with Durrani’s younger sister during their marriage, and later, her struggle and political campaigning to have him released from prison in Pakistan. She narrates several incidents of violence:

The violence lasted for more than 20 minutes. I remember my body being flung around. I remember it striking against walls. I remember something bursting in my ears. I remember something splitting. An agonizing pain in my eye. I recall something blowing up. I felt my lips swelling. I felt my face was suddenly out of proportion. I could see a horribly mauled face. A mangled shadow of myself. As though I had just walked away from an accident. Someone had done this to me on purpose. I was totally shell-shocked. My face was contorted. My nose had merged into my face which was horribly bloated. My cheeks were puffed up. My eyes had disappeared deep into huge purple patches. A capillary had burst in my eye. I felt a piercing pain in my ear. We had to go to an ear specialist, to an optician, to a physiotherapist. My eardrum, the capillary in my eye, the bruises and sprains had to be seen to. But I could not go in that state. It was more than
apparent that I had been assaulted and battered. I had to endure the pain to keep up appearance....It took 15 days for my face to return to something approximating my original one. It was only then that I could dare to venture out and see the doctors.\textsuperscript{157}

From the above show of docility even in the face of tortuous pain and humiliation, Durrani goes on to narrate her decision to finally leave Khar, which resulted in having to forego all claims to property, inheritance, the custody of her children, and the severing of ties with her own siblings and parents, who had accepted her into the family again after her first divorce and marriage to Khar on the condition that she could leave his home only in a 'coffin'.\textsuperscript{158} She not only sheds her submissiveness to her socio-cultural norms, but also announces it through a press conference in which she details her husband's affair with her sister as the primary reason for divorcing him:

I called a press conference, for the first time in 13 years. I endorsed the veracity of what had been a rumour. I nailed the truth. I said that Matloob (Adila's husband) was right. Mustafa and Adila were the reason for my divorce. I had denied it earlier for the sake of my sister's home and my family. I also let it be known that Mustafa Khar had not only committed incest and thereby violated the injunctions of the Koran, he was also guilty of statutory rape. He had started the relationship with Adila 13 years ago when my sister was still a child. It went down very badly. People said that I should have been dignified. I felt like the millions of rape victims in our society, who walk away from the crime simply because of the shame of exposure. The villain must not be allowed to use society's queasiness as his cover. Women must learn to speak out or be damned.\textsuperscript{159}

The question that arises is that what does Durrani achieve by deciding to reveal her life of torture and betrayal, and how should her exercise be rated in terms of its relevance to feminist resistance against oppression?

\textsuperscript{158} Ibid.p.48.
\textsuperscript{159} Ibid. p.363.
Durrani's dedication makes her intention of writing her life story clear. She reconstructs her tortured past primarily as a way of putting her side of the facts on record, besides focusing on exposing the Pakistani feudal male elite from first hand experience. In doing so, Durrani rebels against Islamic doctrines that value women as the subservient bearers of children and caretakers of the men in their lives. Through the very act of writing her life story, Durrani ruptures the socio-cultural and religious pattern that places a tacit obligation on Muslim women to remain silent about their own longings and sufferings. In the process, she also breaks the feudal concept of women as a man's property and honor as she comes into her own, and establishes her identity and honor by exposing and dismantling her ex-husband's feudal mentality. Reflecting on her decision to break her silence Durrani explains:

For a woman to reveal her intimate secrets, in our closed society, will be considered obscene by many. But silence is a greater crime. It condones injustice. It breeds in us subservience and fosters a malignant hypocrisy. Mustafa Khar and other feudals thrive on our silences.\(^{160}\)

After a meeting with her ex-husband to discuss their children's future, when he informs her of his next marriage to a twenty-year old girl, Durrani notes:

He said, "The girl I am to marry has a greater capacity to love me than you ever had". I was stunned at his superficiality. I had loved this man despite what he had done to me. I had loved him in spite of what he was. We had spent 15 years of adversity together. This poor innocent girl did not even know what he was. She only knew what he had revealed to her. They only met one month ago. That day I took two decisions. I told him, "I will give no statements about you any more". He looked surprised and pleased. "Not even about my marriage"? I looked at him proudly. "No".

The other thing that I decided to do that day was to write this book. I decided not to waste fifteen years of my life. I decided to share my life so that our people might become aware of our politics, our leadership, their

\(^{160}\) Ibid.p.360.
values, their mentalities, their Islamic principles and their views on women. I decided to cast a stone at hypocrisy that is endemic because of our silence.

I sat down. I wrote.161

Trained to endure a marriage in the name of social success, regardless of the emotional price exacted in the process, and the cultural stigmas attached to revealing one's private life in any manner, Durrani's decision to marry below her class both times, divorce and eventually pen her life-story proves her resilience and resolve to expose the hypocrisy and suffering that is camouflaged in the name of maintaining social status and appearances and upholding family honor in Muslim patriarchal societies. South Asia historian, Ayesha Jalal, offers the following critique of Pakistani women from privileged classes and their stake in maintaining the status quo through subservience to their social order as women rather than challenging its oppressive patriarchal nature:

Educated urban middle and upper class in the main, these women have toyed with notions of emancipation but carefully resisted challenging their prescribed roles in society. Such deference is merely the outward expression of a deeper and largely subjective consideration: the stability of the family unit and by implication of the social order itself. As beneficiaries of social accommodations worked out over long periods of history, middle and upper class women everywhere have a stake in preserving the existing structures of authority, and with it the convenience of a subservience that denies them equality in the public realm but also affords them privileges not available to women lower down the rungs of the social hierarchy.162

161 Ibid. p.365.
Largely true as Jalal's assumptions may be in general, Durrani for one shatters the notion that women of privilege, who have everything to gain by maintaining the status quo, rather than rocking the boat, regardless of personal suffering and humiliation at the hands of a gender-discriminatory social and religious system, by using her class and social position to do just that. Born into the lap of luxury that could have rendered her just another high society socialite, Durrani takes on the task to shed this 'convenience of subservience' to a system that dictates her subordination as a woman in all her roles, and candidly reveals a life punctuated by extreme humiliation, abuse and betrayals in spite of her class privilege. In the process, she also exposes the double standards and hypocrisies that are at play within her own class as a means of preserving a scandal-free social standing in society. The very act of recording and sharing these experiences becomes an act of feminist resistance against patriarchy and bonding across cultures with women, regardless of their social class and cultural calling, who can identify with her gendered experiences of oppression.

Durrani's autobiography serves as an example of a Muslim woman's independent search for ways and means to secure a life that would be free of fear and abuse in a society and class that endow her with gender-based restrictions and social pressures to conform to the dictates and expectations of a patriarchal order that allows little room and opportunity for an independent identity for a woman. Even her own parents, all too conscious of the stigma of having a divorced woman in their family, discouraged her from leaving Khar, thereby endorsing a pattern of conformity in the name of family honor and social acceptance. Durrani's refusal to succumb to a life, man and a system that impose oppression on her as a woman is in itself a tremendous act of resistance when seen in her cultural, social and religious contexts. Further, her conscious decision to share her life story, knowing fully well the consequences of opposing and exposing a system and a man who are all too
powerful to put hurdles in her path in society, serves as testimony to the utility and power of women’s autobiography as a means of feminist resistance. Durrani’s expose renders her a transformed woman who has shed her docility and submissiveness at great personal price, and emerged as an individual who refuses to compromise or tolerate oppression in the name of socio-cultural hypocrisy. Journalist Shabina Nishat Omar elaborates:

Patriarchal discourse limits and transcribes the image and identity of Tehmina but she inverts the social and familial constraints to emerge as a new woman. She strives against all odds to escape all forms of essential categorizing that render the subaltern or minority woman both the victim and the unwilling perpetrators of damning stereotypical metaphors both by Eurocentric imperialism and the patriarchal tenets of her Islamic society, the power politics in Pakistani Government and the social ethos of Pakistani marital life. Tehmina is urging her readers and other socio-culturally repressed sisters to rediscover their marginal self and thereby gain emancipation and empowerment.¹⁶³

Durrani’s situation and story resonates with those of many other Muslim women across cultures who discovered their feminist calling under similar circumstances and experiences of gender oppression to become feminist activists.

VII. The Cross-cultural and Post-colonial Context

As much as there is a tremendous diversity among Muslim women, they also share common gender-based oppressions across cultures. Iranian human rights activist and academic, Mahnaz Afkhami, elaborates:

The infringement of women’s rights is usually exercised in the name of tradition, religion, social cohesion, morality, or some complex of transcendent values. Always, it is justified in the name of culture. Nowhere is

This diversity, which stretches across Africa, Central Asia, South and South East Asia and the Middle East, also calls for cross-cultural communication as a means of feminist bonding for mutual learning and support in the struggle for liberation from socio-cultural and religious constraints. Martha C Ward explores the cultural aspects of autobiographical writings, and how each account can be distinct from the other despite similarities:

Real cultures are very slippery, shambling creatures. They are not just in our heads. So where they come from is crucial to understanding women's lives. Autobiography, like life as we know it, is not one size fits all... Today many of us share a belief that feelings are natural—that we all have the same response to the same event, or that any given event will predictably have the same effect on us. But feelings are not prescribed. For example, a husband dies; a wife is secretly relieved. A husband dies; a wife finds her life torn asunder. Autobiographies are not the truths of objectivity, facts, or science; they are the truths of lived experience, of shared stories. There is no right way or wrong way to be a woman—or to tell a woman's story.165

It is this very quality of transcending cultural differences and yet finding understanding through the telling of women's stories that enables women to narrate their life histories to a female readership that finds little difficulty in identifying with them, and relating their own life experiences with the torments and joys of one otherwise distanced by culture, customs and traditions, status, language, and faith and beliefs. For example, women writers in the Muslim world have successfully managed to reach out to each other through the narration of their personal ordeals and triumphs, the one common factor being either


writing in English, it being the most widely spoken and understood of languages, or being translated into it. It can be argued that whereas translation of literary texts can be lacking in conveying the cultural metaphors of one language and culture into another, nevertheless when it comes to autobiographical writings, the colonial language has served as a useful feminist tool of communication to spread awareness of cross-cultural struggles and situations through the sharing of personal stories and concerns.

Regardless of the language used, it is invariably the "I" in autobiography and women's stories and accounts that resonates to serve as a collective "we", leading to a connectedness that needs only the gendered understanding of each other's predicaments to make itself understood across cultural barriers. In the process of narrating their life stories, many Muslim women have also broken the traditional religious and cultural taboos of conforming to the accepted and expected dominant ideals of docile female behavior in Muslim societies. By speaking out, they have challenged the norm in these societies to treat women's lives and experiences as a strictly private matter within the family. This 'coming out' in the public arena has been primarily made possible by Muslim women gaining formal education at college and university levels and their participation in various professions, including politics, hitherto dominated by men. They have also used academia and literature to provide an international audience with documentary proof of their resistance against fundamentalist religion and cultural discrimination. Jan Campbell and Janet Harbord note:

What was once contained within a discreet literary genre is now surfacing in diverse and multiple forms, in video diaries, docu-dramas, the Internet, and not least academic writing".  

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Just as new mediums of communication have erased spatial boundaries considerably, they have also unified women's causes, and movements and issues across the world. Aided by technology, this development in terms of cross-cultural networking can be considered as testimony that globally women's primary concern is still the struggle against gender discrimination and inequality as the very foundation for women's liberation and rights movements in their respective cultures and societies.

In the post-colonial context women writers and activists from across cultural and geographical divides have been instrumental in challenging gender oppressions and patriarchal norms through personal narratives and literature. Many Muslim women writers and activists have successfully managed to re-translate their past into contemporary contexts as a means to initiate dialogue and struggle for their rights as women and individuals in their respective Muslim societies. Whereas they may reject the colonial designs of bracketing all eastern/Muslim women in the same category, one of oppressed and subservient gender, they have gradually started to redefine the post-colonial theory as per their own terms, realities and social and historical conditions. Whether it is a shattering of the essentialist, orientalist view of the Western colonialists that romanticizes and confines the image of the eastern/Muslim woman as docile and meek to a point of exoticism, one ever dependent on their identity either through subservience to the male gender, or a system that will guarantee them a safe passage through life, Muslim feminist writers have slowly honed their image into one of women who can speak and act on their own behalf, as is evident from the growing number of feminist activists, writers and academics from the Muslim world. These women have struggled to carve out a niche for themselves by expounding and critiquing the

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traditional imperatives of culture, patriarchy and religion in the Muslim world, and in the process have begun to reject the sexual colonization of their gender. Their memory and experiences of post-colonial gender-based marginalization, despite national liberations in their respective countries, have imbued writers and feminists in the Muslim world with the resolve to step out of the shadows of male domination as much as an act of resistance and defiance as the quest to redefine their own roles without rejecting their Muslim identities and keeping in step with the changing times and challenges. Discussing the colonial racial construct and stereotypes of Asian women during colonization, Ania Loomba explains:

The veiled Asian woman becomes a recurrent colonial fantasy, as does the recurrent figure of the Eastern Queen, whose wealth testifies to the riches of 'the Orient' and whose gender renders those riches vulnerable to the European self. The Biblical story of Sheba arriving laden with gold at Solomon's court and willingly surrendering her enormous wealth in return for sexual gratification initiated a long tradition of stories in which the desire of the native woman for the European man coded for the submission of the colonial people.  

The rejection of such colonial memory has served as a motivational energy for new constructs and identities for Muslims. Post-colonial Muslim nations have not only ventured to shed these colonial constructs, but also many Muslim women today have carved out a path to emancipation that challenges the oppressive measures within their own cultural and religious parameters as well. Discussing the process and outcome of delving into the past for answers and guidance for the present, Homi K. Bhabha notes that this act of remembering "is never a quiet act of introspection or retrospection, but is a painful re-membering, a putting

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together of the dismembered past to make sense of the trauma of the present". 169 It is in this sense that postcolonial Muslim women writers have used the trauma of their individual and collective pasts to question the constraints of their present religious, cultural and patriarchal domination and discrimination, and ventured to constitute a framework and roadmap for the future within which their voices can be heard distinctly as women's voices for justice and equality as opposed to political nationalist ranting that does not cater to their specific needs, but rather uses their marginalized status temporarily in the service of political identity and national pride. Robert J.C. Young elaborates on women's predicament in this context:

As women participated alongside men in nationalist struggles for the emancipation of their country, they also sought to win their liberation as a sex, by claiming rights, equality, access to public space and public activism, and to education. As long as these demands were compatible with those of the liberation movement (as they were in most socialist-based movements), the two worked well together in a complimentary way. Where the liberation movement was not thoroughly socialist in its political agenda, however, for example in India, relations were more conflictual. Independence removed the colonial power, but by no means guaranteed that the new state regarded women's emancipation as a primary component of its political agenda.170

However, as colonized countries gained independence one by one, women's emancipation and demands for equality and liberated status continued to be overlooked by the dominant forces of patriarchy and religion. Despite national independence, women were awarded a subaltern-like status which was not only demeaning, considering the active role they had played in supporting the liberation of their countries, but also led to a renewed struggle for freedom from the shackles of patriarchal and religious dictates of subordinating women. This movement in the Muslim world, however small and marginalized still, has gone

on to produce feminist theologians, academics, literary writers and artists and social and political activists.

Muslim postcolonial feminist writers have taken the first steps to question and critique Islamic culture and practices from within its own theological framework to situate the status of women as individuals and their forced subordination to patriarchy in the name of religion, male honor and nationalism. Additionally, they have questioned their own political, social and gender histories to redefine the sources of their particular oppressions in order to formulate strategies for emancipation and equal rights. Leila Ahmed elaborates on the realities that operate cross-culturally today, arguing the importance of cross-cultural acceptance of each other, not only in the Muslim world but also between the Muslim and Western world:

But what is needed now is not a response to the colonial and postcolonial assault on non-Western cultures, which merely inverted the terms altogether and a rejection or incorporation of Western, non-Western, and indigenous inventions, ideas, and institutions on the basis of their merit, not their tribe or origin. After all and in sober truth, what thriving civilization or cultural heritage today, Western or non-Western, is not critically indebted to the inventions or traditions of thought of other peoples in other lands? And why should any human being be asked to do without some useful invention, political, technological, or of any kind, because it originated among some other tribe, or, conversely, be compelled to practice a custom that has nothing to recommend it or even much against it for no better reason than that it is indigenous? 171

Similarly, Fatima Mernissi critiques the historical politicization of Islam from within its own ranks to serve vested interests:

Not only have the sacred texts always been manipulated, but manipulation of them is a structural characteristic of the practice of power in Muslim societies. Since all power, from the seventh century on, was only legitimated

by religion, political forces and economic interests pushed for the fabrication of false traditions. A false Hadith is testimony that the Prophet is alleged to have done or said such and such, which would then legitimate such an act or such an attitude. In this conjecture of political stakes, and pressures, religious discourse swarmed with traditions that legitimated certain privileges and established their owners in possession of them.  

Analyzing the hurdles faced by Muslim feminists, Egyptian activist and academic, Nawal El Saadawi, highlights the impediments to women’s emancipation within Arab societies themselves:

We the women in Arab countries realize that we are still slaves, still oppressed, not because we belong to the East, not because we are Arab, or members of Islamic societies, but as a result of the patriarchal class system that has dominated the world since thousands of years. To rid ourselves of this system is the only way to become free. Freedom for women will never be achieved unless they unite into an organized political force powerful enough and conscious enough and dynamic enough to truly represent half of society. To my mind the real reason why women have been unable to complete their emancipation, even in the socialist countries, is that they have failed to constitute themselves into a political force powerful, conscious, and dynamic enough to impose their rights.  

Women such as Fatima Mernissi, academic and writer from Morocco, Assia Djebar, filmmaker and writer from Algeria, Nawal El Saadawi, activist and writer and

Leila Ahmed\textsuperscript{178}, academic and writer, both from Egypt, Mariama Ba\textsuperscript{179}, teacher and novelist from Senegal, West Africa, and Riffat Hassan\textsuperscript{180}, academic and Islamic theologian, from Pakistan, among others, have been at the forefront of waging a feminist \textit{jihad}\textsuperscript{81} against religious and patriarchal oppression and gender discrimination through an autobiographical depiction of their own experiences of growing up and living in postcolonial Muslim societies. They have been actively demanding a re-interpretation of the \textit{Sharia} as per the provisions contained in the Islamic concept of \textit{Ijtehad}\textsuperscript{82} that allows for progressive reasoning by analogy and thus reinterpretation of Islamic injunctions according to the times.

These Muslim women have made use of sharing their personal experiences through academic and autobiographical writings as an act of activism. They have incorporated autobiographical details in their writings to connect with women cross-culturally, translating their experiences into shared histories of gender oppression and injustices in Muslim societies. In particular, Nawal El Saadawi has consistently made her personal experiences as a Muslim woman in all her writings a platform from which to present her argument, and has

\textsuperscript{178} For her autobiographical account see Ahmed, Leila. \textit{A Border Passage: From Cairo to America, A Woman's Journey}. Farrar Strauss and Giroux, New York, USA, 1999.


\textsuperscript{181} A holy war allowed and encouraged to be waged by Islam if one's rights, property or freedom are under threat.


gone as far as to specifically write *Open Windows*\(^{183}\) \(^{183}\), an autobiography in three volumes, which was later translated into English, besides her prison memoirs.\(^{184}\)

The various themes of domestic violence, emotional abuse, lust and extramarital sex, betrayal and infidelity, fear, feudal power and its obsession with women as symbols of honor and male status in Muslim societies, and the abuse of political power, etc, strike a chord between women's experiences across cultures because of their commonalties, as is evident from the success of accounts like Durrani's *My Feudal Lord*. In some ways this exercise has also been facilitated and simplified due to the common operating codes through cultural symbols, practices and Islamic laws that prevail over women's status in all Muslim societies, albeit by varying degrees. Additionally, through their refusal to be passive witnesses and autobiographical writings, Muslim women writers have also become the historians of their times and particular cultural and socio-political situations from a feminist standpoint.

Through the telling of personal tales and literary writings that entail autobiographical details, women's autobiographical writings have served as intimate witnesses to their respective histories of wars, oppressions and struggles as mothers, sisters, wives and daughters as opposed to merely factual or circumstantial accounts that are devoid of the human toll of shaping destinies of nations and individuals. For example, discussing the possibilities of recording wars by women, Miriam Cooke, author of *Women and the War Story*, notes that:

"..... there is no one history, .....about war, that has greater claim to truth but that history is made up of multiple stories, many of them herstories, which emanate from and then reconstruct events. Each story told by a person who experienced a war, or by someone who saw someone who experienced a war, \(^{183}\) Saadawi, Nawal El. *Open Windows*. First volume published by Dar Madbouli, Cairo, Egypt, 1993; second volume published by Dar Al Thakafa Al Guedida, Cairo, Egypt, 1996; third volume published by Dar Al Nahr, Cairo, Egypt, 1998. For further details visit: http://www.nawalsaadawi.net/ Accessed on November 21, 2004.

or by someone who read about someone who saw someone who experienced a war, becomes part of a mosaic the many colors and shapes of which make up the totality of that war. Yet however exhaustive my research and reach, I cannot encompass this totality: I can always only tell an individual story. ....the woman who has lived war not as a victim but as a survivor, who may not have borne arms but who has played all the other roles a war culture prescribes. Should she submit her experiences to others' labeling?.... It is the growing understanding of the ways in which patriarchy seizes and then articulates women's experiences so that they will be seem to be marginal and apolitical that now drives women as creative artists and as critics to re-member their pasts and then to write them. 185

By the same token, it is the individual accounts that have served simultaneously as commentaries and bridges that can collectively transcend cultural, political and class barriers because of shared sufferings, losses, standpoints and resistance.

Similarly, Durrani, because of her intimate closeness to her country's politics as Khar's wife, in her autobiography records insider facts, political maneuverings, intrigues, betrayals and socio-cultural observations from a woman's and spectator's perspective that would otherwise have been lost.

The victim/abuser theme resonates in the stories and accounts of various women writers, mentioned earlier, from the Muslim world who have also used writing as a tool for activism and reform in the religious and broader social and feudal context. It can also be argued that if the problems facing women in Muslim societies are similar, then the struggle for reform and solutions can also be strengthened by a collective expose of religious and gender discrimination through cross-cultural bonding by Muslim women's writings. As the "I" and "you" merge to produce a collective "we" as a result of stories of shared experiences, Muslim women's reconstruction and analysis of their past renders autobiography as an important feminist tool for creating cross-cultural awareness and networking, and

contributes towards a collective resistance against shared oppressions, fears, and subordination to male hierarchies in their respective societies.

VIII. Conclusion

In retrospect, we tend to divide our lives by major events as a way of keeping track of influences that may have contributed towards shaping us, as Oscar Wilde notes in his autobiographical letter, *De Profundis*:

I want to get to the point when I shall be able to say, quite simply and without affectation, that the two great turning points of my life were when my father sent me to Oxford, and when society sent me to prison.\(^{186}\)

Autobiography challenges the writer to examine and face their life experiences, with all their contradictions, to emerge with a picture that would otherwise have remained blurred even for the writer. Taking on such a challenge is in itself a measure of the writer's courage and motives as intimate personal details are revealed to strangers, as bell hooks candidly shares her apprehensions about writing an autobiographical account: "To talk about my life—that I could do. To write about it, to leave a trace—that was frightening".\(^{187}\) What stands out in the writings of Muslim women's autobiographies, however small and marginalized in numbers, is the conquering of their religious and socio-cultural fear of claiming the agency to reveal their lives, thereby leaving a permanent trace of writing, which in itself is a victory against the silence most Muslim women are subjected to. Muslim women's voices through

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Autobiographical accounts have also broken the Orientalist stereotype of eastern women as docile and subservient subjects of patriarchal cultures and religion. In recording and translating personal histories, they have successfully defied the individual and collective repression of their experiences, rendering the exercise as empowering and a valuable addition to feminist activism. By applying a Janus-faced strategy, they have highlighted both the obvious similarities of their diverse cultures, and how they affect them inwardly as individual women caught in the web of prescribed religious and social norms.

It can be argued that if autobiography is instrumental in accepting and giving meaning to past experiences, it also serves the purpose of putting them behind one and moving on, as Oscar Wilde notes:

To reject one’s own experiences is to arrest one’s own development. To deny one’s own experiences is to put a lie into the lips of one’s own life.\(^{189}\)

Autobiography serves as a purgatory and healing process as the writer, instead of denial, comes to terms with a bitter past, and instead of carrying the burden of their experiences in isolation, shares them as a means to a therapeutic renewal and transformation through narrative repair.

Durrani states that after their divorce, her ex-husband said to her: “Tehmina, you are nothing anymore. Once you were Begum Tehmina Mustafa Khar. Now you are just Tehmina Durrani. When you ring up people, you have to introduce yourself as my ex-

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\(^{188}\) God of gates and doorways in Roman mythology, depicted with two faces looking in opposite directions, one looking to the future and one to the past. For further details see: “Janus the two-faced god”. Accessed at http://www.thefreedictionary.com/Janus on February 12, 2005.

wife". She was to answer this later after the publication and international success of My Feudal Lord: "Well, Mustafa, now the world will soon know you only as Tehmina Durrani's ex-husband".

In Durrani's case, writing an autobiography not only purged her of her burden and catapulted her from an abused housewife to fame and recognition, but her catharsis also turned her into a feminist activist who came into her own through a realization that speaking out was not only an option, but also a must in a society that inflicts oppression and pain on women in the guise of cultural and religious mores and capitalizes on their silence. In challenging these mores, Durrani has questioned their validity for all Muslim women cross-culturally who are subjected to similar suffering and discrimination. Her experiences and expose find resonance in the accounts of other Muslim women writers discussed earlier, and collectively serve as a bonding for a unified struggle against religious and patriarchal gender-oppression.

The experience and truth of the conscious moment when she decided to write an autobiography may only be known to Durrani herself, but her journey from a housewife to a center stage women's rights activist also led her to write two more books, one a fictionalized biographical novel about the abused wife of a Pakistani feudal religious leader, entitled Blasphemy, which she claims is a thinly veiled true story that reveals the exploitation of power within Pakistan's religious circles, and the other a narrated biography of a social worker in

Pakistan entitled *A Mirror To the Blind*, both of which received wide acclaim and have been translated into several languages.\(^{192}\)

In 2000, Durrani's activism took another turn as she was confronted with yet another tragic incident when her former husband's son from another marriage poured acid over his young wife, Fakhra's, face as an act of revenge for an alleged affair. She turned up at Durrani's doorstep for help. As part of a defiant and continued struggle against feudal treatment of women, Durrani took up the cause despite threats from her ex-husband's family.\(^{193}\) She mobilized enough support within Pakistan and internationally to force the Pakistan government to have the girl sent to Italy for re-constructive surgery. Since then, Durrani has been instrumental in arranging a joint venture between an Italian charity organization, *Smile Again*, and *Depilx* beauty salons in Pakistan for establishing outlets across the country for immediate help, reconstructive plastic surgery and rehabilitation for the victims of acid and kerosene attacks. Her efforts in this direction are also a result of the threat she herself was faced with when during their marriage Khar threatened to throw acid on her face.\(^{194}\)

Although Durrani has been accused by her detractors, mostly consisting of her own elite class, of securing publicity for herself by exposing her personal life, her achievement lies

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\(^{192}\) *Blasphemy* in particular, which exposes the debauchery of religious clerics in Pakistan, and is symbolically presented as systemic to the Muslim clergy generally, shocked Pakistani's as a vivid account of a subject hitherto untouched in such detail, and that too by a woman. Consequently, Durrani had to hire armed bodyguards after she became a target of repeated threats from religious extremists whose vested interests she had highlighted and exposed in her novel. For interview with Tehmina Durrani on this issue see Lo Presti, Linda. “*Pakistani Author Hires Security-Fears Reprials from Muslim Fundamentalists*”. Australian Broadcasting Corporation, 1998. Accessed at: Australian Broadcasting Corporation.com on October 20, 2004.


in exposing a feudal and political system that, given the power they enjoy, few would dare to
critique within the country, leave alone a woman. If she paid the price of being disowned by
her family, who, because of their own social and political standing, accused her of exposing
too much, it can be said in her defense that she secured a victory of sorts for all those
women who have been silenced by their circumstances, and may be suffering a fate worse
than the writer's had been. Whether it was an act of vengeance that proved successful in
writing My Feudal Lord or whether it was an act of personal catharsis that was long awaited
and identified with by women in the Pakistani feudal setup that led to a pioneering effort on
the writer's part, its cross-cultural appeal and success confirm the rationale for writing it. If
language can contain experience, Durrani has used the personal to reveal not only her
individual story of struggle and survival, but in doing so has also used autobiography as a
vehicle for cross-cultural bonding and collective struggle for women's rights. Durrani's
situation resonates with those of many other Muslim women across cultures, as mentioned
earlier, who have discovered their feminist calling under similar circumstances and
experiences of abuse and gender oppression to become feminist activists.

Currently, Durrani is in the process of writing two more books, one a follow up to
her biography, A Mirror to the Blind, and the second about children of war in Afghanistan.

Besides her literary pursuits, Durrani once again made headlines in February this year
when it was reported, and later confirmed by the couple, that she married yet another former
Chief Minister of Punjab province and president of the Pakistan Muslim League (N) Party,
Mian Shahbaz Sharif\(^5\), now living in exile in London because of a military coup that

\(^5\) "Shahbaz Confirms Marriage to Tehmina". The Daily Times. Accessed at:
dislodged the government in 1999. It is interesting to note the similarities between her past and her present. Once again, Durrani is playing the 'crusading wife' and campaigning for her husband's return to Pakistan, although this time as a considerably experienced political figure in her own right and as an active member of Khar’s rival political party. Khar on the other hand has continued to marry and divorce a few more times after divorcing Durrani, and is a leading opponent of Durrani's political party.

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