

**Locating a Documentary Cinema of Accountability:
The Emergence of Activist Film Practices as a
Socio-Political Movement in Contemporary Pakistan**

by

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Abstract

Maintaining trends of resistance movements, activist agendas, and advocacy campaigns initiated in opposition to the Islamization period and the dictatorship of General Zia-ul-Haq (1977-1988), contemporary expressions of resistance in Pakistan have also begun to include 'activist documentary' film practices. As issues of religious fundamentalism and extremism, gendered violence, violation of human rights, impact of Islamization and rigid *Sharia* laws, particularly on women and minorities, besides the violent socio-cultural and tribal practices such as stove-burning, acid-attacks, honour-killing, honour-rape, and *swara* continue to haunt the civil society, a new generation of creative activists are using documentary film as their activist vehicle of communication, resistance and consciousness-raising. This thesis will focus on independent documentary filmmakers, productions, Non-governmental Organizations (NGOs), as well as a government body, that have contributed to the emergence of an activist documentary film movement in contemporary Pakistan since the Islamization period. It will discuss their contribution and significance to the growth and progress of this emerging film category in the country, and argue for an investigative filmic body of work that can be identified as a critical documentary 'cinema of accountability' from within a Muslim society that seeks to provoke debate on crucial issues, stress legislative reforms, and promote social change.

Keywords: Documentary film; Pakistan, Islam; human rights and activism; religious fundamentalism; terrorism; violence against women

To Imran, Momin, Bibi Jan, and Louis.
You complete my little world.

... 'We realized that the important thing was not the film itself but that
which the film provoked.'

Fernando Solanas¹

¹Solanas, Fernando. 'Cinema as a Gun.' *Cineaste*. Vol 3, No 2 (Fall, 1969) (pg-20).

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Glossary

<i>Ahmeddiyya</i>	a minority Muslim religious sect that was declared constitutionally non-Muslim in Pakistan by the Z.A. Bhutto government in 1974
<i>Al Qaida</i>	an international terrorist organization founded in the late 1980s by Osama bin Laden
<i>Amir-ul-Momineen</i>	leader of the faithful
<i>Awami National Party</i>	People's National Party
<i>Badal</i>	Pashtun term for revenge
<i>Badl-e-sulh</i>	compensation given to a victim's family in Pakistan's tribal societies to settle disputes
<i>Basant</i>	spring kite-flying festival held across the Punjab provinces in Pakistan and India
<i>Burqa</i>	garment worn by conservative South Asian and Afghan Muslim women that covers the face and body
<i>Darul Uloom</i>	house of knowledge
<i>Dastak</i>	Knock
<i>Deobandi</i>	followers of the radical <i>Deoband</i> Islamic Movement that includes the Taliban
<i>Dhimmi</i>	non-Muslims according to Islam that follow a sacred religious text, such as Jews, and Christians
<i>Diyat</i>	<i>Sharia</i> law pertaining to blood money
<i>Fatwa</i>	Islamic religious edict
<i>Fidaeen</i>	Arabic term for soldiers that sacrifice themselves for a cause. In modern Arabic terms, the word normally refers to guerilla soldiers. (singular: <i>fidai'i</i>)
<i>Fiqh</i>	Islamic jurisprudence
<i>Gujjar</i>	name of lower-caste tribe in Punjab in the Indian sub-continent
<i>Hadd</i>	literally means the 'limit.' The concept is used in Islamic jurisprudence to denote that punishment which has been prescribed in the <i>Quran</i> for a particular crime and is therefore deemed as the maximum punishment awardable. (plural: <i>hudood</i>)
<i>Hafiz</i>	title given to one who has memorized the entire <i>Quran</i> by heart
<i>Hijab</i>	headscarf worn by conservative Muslim women and girls

<i>Hilal-e-Imtiaz</i> (Crescent of Excellence)	the second most prestigious civilian award conferred by the Government of Pakistan in recognition of outstanding achievement and performance
<i>Ijtihad</i>	reinterpretation of Islamic doctrines by analogy as per the need for applying them to particular situations or problems
<i>Imam</i>	Muslim leader of mosque prayers
<i>Jamaat-e-Islami</i>	a right wing religious political party in Pakistan
<i>Jamaat-ud-Dawa</i>	a <i>Wahhabi</i> organization in Pakistan
<i>Jamia</i>	A Muslim place of religious learning, and worship such as the mosque
<i>Jamiat-e-Ulema Islam</i> (Assembly of Islamic Clergy)	A far-right, conservative religious Islamic political party in Pakistan
<i>Jatoi</i>	a county in southern Punjab in the Muzaffargarh district of Pakistan
<i>Jihad</i>	defined as a moral, or physical struggle and resistance encouraged and sanctioned by Islam when faced with a threat to one's life, faith, or rights. This struggle can be non-violent or assume the form of warfare
<i>Jirga</i>	Pashtun word in the tribal justice-system for juries comprising a gathering of all-male community representatives for decision-making
<i>Jizya</i>	an Islamic head or poll-tax to be paid by non-Muslims (considered as <i>dhimmi</i> s) as demanded by early Islamic rulers from their subjects
<i>Ka'aba</i>	holy shrine in Mecca toward which Muslims turn to pray
<i>Kalma Tayyabah</i>	first tenet of Islam
<i>Karo kari</i>	(blackened man and woman) honour-killing
<i>Lashkar-e-Jhangvi</i>	(Army of Jhangvi). An extremist <i>Sunni</i> Muslim, and anti- <i>Shia</i> , militant organization affiliated with the <i>Al-Qaida</i> and the Taliban
<i>Lashkar-i-Tayyeba</i> (Army of the Righteous)	a <i>Sunni</i> Islamic extremist organization in Pakistan
<i>Madrasa</i>	religious seminaries. (plural: <i>madaris</i>)
<i>Mastoi</i>	a high status Baloch tribe located in the Balochistan, Sindh, and Punjab provinces of Pakistan
<i>Maulana</i>	title given to an Islamic religious leader
<i>Melmastia</i>	Pashtun term for hospitality

<i>Mufti</i>	an expert on Islamic <i>Sharia</i> law who is empowered to give rulings on religious matters
<i>Mujahideen</i>	'Soldiers of God.' During the <i>Mujahideen</i> era in Afghanistan (1992-1996) the West came to refer to members of the Afghan resistance as 'freedom fighters,' but they called themselves <i>mujahideen</i> , a word derived from <i>jihad</i> for 'soldiers of God.' (singular: <i>mujahid</i>)
<i>Mullah</i>	Islamic cleric
Muttahida Majlis-e-Amal	(United Action Front). A coalition of six Islamic religious parties in Pakistan
<i>Nanawatay</i>	Pashtun term for granting refuge or sanctuary/resolving a dispute
<i>Nikah-bil-jabr</i>	forced marriage
<i>Nikah</i>	Islamic marriage contract
<i>Nizam-e-Adl</i>	Islamic System of Justice
<i>Panchayat</i>	village councils in South Asia that have the power to call a <i>jirga</i> (jury)
<i>Pukhtun/Pashtun</i>	members of the predominantly Pushto-speaking ethnic group of Afghanistan and the Khyber-Pakhtunkhwa Province of Pakistan. (Formerly, the North West Frontier Province of Pakistan (NWFP))
<i>Pukhtunwali/Pashtunwali</i>	the code of conduct of the <i>Pukhtuns/Pashtuns</i>
<i>Pushto/Darri</i>	languages spoken both in the Khyber-Pakhtunkhwa Province of Pakistan, and Afghanistan
<i>Tehsil</i>	County
<i>Qanun-e-Shahadat</i>	Law of Evidence
<i>Qari</i>	a status and title awarded to those who have learnt to read and recite the <i>Quran</i> with the proper rules of pronunciation and rhythm, known as <i>Tajwid</i>
<i>Qisas</i>	<i>Sharia</i> punishment equal to the offence. For example, execution of the murderer
<i>Quran</i>	holy text of Muslims
<i>Rajam</i>	Arabic word for stoning
<i>Riba</i>	Islamic financial concept of interest in banking
<i>Sardar</i>	tribal chief
<i>Sari</i>	traditional, popularly worn, and internationally recognized dress of Indian and South Asian women
<i>Shabab-e-Milli</i>	Youth Wing of the Jamaat-e-Islami

<i>Shahadat</i>	concept of martyrdom in Islam
<i>Shaheed</i>	Martyr
<i>Shalwar kameez</i>	traditional unisex dress comprising loose trousers and tunic worn in the Indian sub-continent
<i>Sharia</i>	Islamic socio-religious laws, based upon the <i>Quran</i> which dates back more than 1400 years and is believed by Muslims to be the divine word of God
<i>Shia</i>	members of the <i>Shiite</i> Muslim sect that regards Hazrat Ali as the legitimate successor to Prophet Mohammed
<i>Sipah-e-Sahaba</i>	a militant <i>Sunni Deobandi</i> Islamic organization in Pakistan affiliated with the <i>Al Qaida</i>
<i>Sunnah</i>	the Islamic Traditions based on Prophet Mohammad's life
<i>Sunni</i>	members of the <i>Sunni</i> Islamic sect that regards the first four caliphs as the rightful successors to Prophet Muhammad
<i>Swara, Khoon Baha, Chatti, Ivaz, or Vanni</i>	tribal customs and practices of giving away of minor girls in forced marriages to settle disputes or avenge murders
<i>Tajwid</i>	believed to be the codification of the sound of the revelation of the <i>Quranic</i> verses as it was revealed to Prophet Mohammad, and as he subsequently rehearsed it with the angel Gabriel. Thus the sound itself is believed to have a divine source and significance, and, according to Muslim tradition, is significant to the meaning of the <i>Quran</i> and its message
<i>Taliban</i>	a fundamentalist Islamic militia originating from Afghanistan
<i>Tehreek-e-Taliban Pakistan (Pakistani Taliban Movement.)</i>	An alliance of militant groups formed in 2007 in Pakistan to fight against the Pakistan army, and attack and expel Western coalition forces from the region
<i>Ulema</i>	religious scholars (singular title: <i>Alim</i>)
<i>Ummah</i>	Muslim brotherhood
<i>Ushr</i>	Islamic financial concept of agriculture tax
<i>Urdu</i>	national language of Pakistan
<i>Wadera</i>	landlord, or tribal chief
<i>Wahabbism</i>	a literal interpretation of Islam introduced by the Saudi cleric Muhammad ibn Abd al-Wahhab in the 18 th century
<i>Wali</i>	legal heir or guardian under <i>Sharia</i> law
<i>Zakat</i>	Islamic financial concept of wealth tax
<i>Zamindar</i>	Landlord
<i>Zina</i>	extra-marital sex that includes both adultery and fornication

Map of Pakistan



Source: <http://www.infoplease.com/atlas/country/pakistan.html>

Chapter 1.

Introduction

Pakistan came into existence as a homeland for Muslims after the partition of India in August 1947, which marked the end of British colonial rule in the Indian sub-continent. Since independence, Pakistan's complex 65-year history has been dotted with various political upheavals that have included long and oppressive periods of dictatorships, religious fundamentalism, and some periods of relevant democracies.¹

The subject of this thesis—activist documentary filmmaking practices in Pakistan—is situated in a crucial and decisive historical period in the country's development. The Islamization process initiated during General Zia-ul-Haq's dictatorship (1977-1988) is the most formative period in Pakistan's history as it transformed the country from a rather secular society to one governed by *Sharia* laws. This period witnessed a *Sharia*-led *Wahhabist*² Islamization process, spurred on by a brazen *politicization* of religion, which Zia declared he had been ordained by 'divine' powers to

¹Periods of dictatorial regimes in Pakistan: President, General Mohammad Ayub Khan (1958-1969); President, General Yahya Khan (1969-1971); President, General Zia-ul-Haq (1977-1988); and President, General Pervaiz Musharraf (1999-2007).

Periods of democratic rule in Pakistan: Prime Minister Zulfikar Ali Bhutto (1971-1977); Prime Minister Benazir Bhutto (1988-1990, 1993-1996); Prime Minister Nawaz Sharif (1990-1993, 1997-1999); Prime Minister Syed Yousaf Raza Gilani (2008-2012), Raja Pervaiz Ashraf (2012-continuing).

²*Wahhabism*, a Saudi Arabian variant of Islam that follows a literal interpretation of Islam, was introduced by the Saudi cleric Muhammad ibn Abd al-Wahhab in the 18th century who sought to remove the multifarious readings of the Quran that evolved in the centuries after Prophet Muhammad. Backed by the House of Saud, the Wahhabist views were adopted as Saudi national policy, under which 'infidels' were to be dealt with harshly, while local customs, laws, saints, or rituals- anything not found in a literal reading of the Quran-were to be abandoned as idolatry. Marquand, Robert. 'The Tenets of Terror.' *The Christian Science Monitor*. October 18, 2001. Accessed at: <http://www.csmonitor.com/2001/1018/p1s2-wogi.html> on August 6, 2011.

institute in Pakistan.³ In an interview to the foreign media Zia categorically announced: 'I have a mission, given by God, to bring Islamic order in Pakistan.'⁴ The main tool used by Zia to this end was the politicized Islamicizing of the Pakistani criminal justice system through the imposition of rigid *Sharia* laws.⁵

This period saw the rise of dramatic curbs on media and the arts, and a host of other regulatory and state directives that curtailed human rights, women's rights, and other freedoms on the pretext of an Islamic religious identity.⁶ As the Zia regime used politicization of Islam as its vehicle for control, suppression, and governance, Pakistan experienced a gradual descent into Islamic fundamentalism, and ultimately, the rise of a threat of *Talibanization* in the country. At the same time, there was also a significant

³Hence, I choose to use the term and connotation of 'politicization of Islam', as this was done through an organized, and systemic process during General Zia-ul-Haq's dictatorship to legitimize his rule and powers, and serve political motives and objectives. The Western construct of 'political Islam' tends to negate or/and undermine the spiritual aspects of the Islamic religion and faith, which in fact have been manipulated, and 'politicized' to serve vested interests by ruling regimes, and leaders in Pakistan. For further discussion see Ali, Mubarak. 'Politicization & Commercialization of Religion: The Case of Pakistan.' *Pakistan in Search of Identity*. Pakistan Study Centre, University of Karachi, Karachi, Pakistan, 2009. (pg-125).

⁴Interview given to the British Broadcasting Corporation (BBC) on April 15, 1978. Chamieh, Jebran. 'Contemporary Fundamentalist Regimes and Movements.' *Traditionalists, Militants and Liberals in Present Islam*. Research and Publishing House, Montreal, Canada. 1995. (pg-170).

⁵*Sharia* Laws: 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). The principles of *Sharia* laws that serve as the foundation for Islamic jurisprudence are based on the interpretation of rules of guidance as contained in the *Quran*, the holy text of the Muslims that is also considered the divine word as revealed by God through the angel Gabriel to Prophet Mohammed, and the *Sunnah*, considered to be based on the life of the Prophet himself. For detailed definition and functions of *Sharia* see Gibb, H.A.R. 'The Shari'a.' Accessed at: <http://www.answering-islam.org/Books/Gibb/sharia.htm> on August 6, 2011.

⁶In Pakistan, 1977 marked the suspension of civilian rule, and the constitution as General Zia's politicization of religion and self-proclaimed 'divine' mandate to steer the country towards a religious identity, ruled by Islamic laws as the supreme order, took hold. Zia's Islamization also extended to strict curbs on the Pakistani media, including, at the time, Pakistan's only television channel, the state-run Pakistan Television Corporation. For further details on curbs on Pakistani media under various regimes, see Nadeem, Shahid. 'Silencing the Nation: Censorship Acts Since 1947.' *Politics of Language*. (eds) Hussain, Neelum; Mumtaz, Samiya; and Choonara, Samina. *Simorgh Women's Resource and Publication Centre*, Lahore, Pakistan, 2005. (pg-159).

emergence of various resistance movements in the early 1980's with a focus on invigorating and activating the values and practices of civil society.

Led primarily by educated segments in urban cities, sectors of civil society began to mobilize against the various state-imposed fundamentalist laws, practices, and curbs on freedom of speech and expression. Consequently, these struggles produced a significant era of resistance, which consolidated in various forms including: the emergence of an organized women's resistance movement, non-governmental women's organizations, and legal aid cells that stood up against gender-discriminatory practices and laws; print media journalists and publications that sought to mobilize public opinion against Islamization; writers and poets who used literary media to voice their concerns and write and disseminate critiques of the government's repressive policies; theatre groups that took to street performances to create public awareness, not only in major cities, but also in remote villages; and more.

Rooted in the Islamization era, these various forms of resistance that have continued to spread, strengthen and oppose religious extremism, and advocate a return to the freedoms assured by a secular and moderate political system, were to eventually also include the emergence of activist documentary filmmaking practices in Pakistan. The prevailing repressive political conditions in Pakistan prompted numerous and varied alliances and collaborations over decades, and today these alliances and collaborations between various human-rights and women's-rights organizations, legal fraternities, broadcast media outlets, as well as independent filmmakers, individual activists, performing artists, writers, and journalists, play a significant role in supporting the production of contemporary activist documentary filmmaking in Pakistan.⁷

This emerging filmmaking practice has also grown to include awareness and advocacy projects, and campaigns around social and public issues such as legal literacy, women's empowerment, education, and health issues. Today the contribution of

⁷Note: Although today many NGOs, groups, and individuals are involved in social welfare and advocacy work in Pakistan, only those organizations, individuals, groups, and fraternities will be included in chapters on films whose alliances, and collaborative and/or independent productions have made a significant contribution to the emergence of an activist documentary film practice in contemporary Pakistan, and are relevant to the topic and intent of this thesis.

Pakistani documentarists stands as a significant body of activist filmic work that has served the cause of human rights, consciousness-raising, and promoting awareness and social change in Pakistan, particularly regarding gender rights. This thesis is inspired by the need to evaluate the merit and contribution of contemporary Pakistani documentarists and their work in the light of an emergent activist documentary film category of 'cinema of accountability.' This thesis regards the activist films under consideration as deeply embedded in the daunting project of human rights and social change in Pakistan, and the analysis offered in this work will "read" the content of the films precisely in terms of the social and political conditions against which these films were meant to intervene.

Thesis Research Focus

This thesis will research and identify the various representative filmmakers, organizations, collaborations, topics, and themes that can be seen to constitute a definitive activist documentary film movement in Pakistan today---one that seeks to investigate and expose crucial, yet neglected, socio-political and cultural issues and limitations that impact and violate human and citizen rights. Hence, in doing so, they promote awareness and consciousness-raising, and advocate social, legislative, and political change through what can be collectively defined as a documentary 'cinema of accountability.'

This thesis will locate, and examine the emergence and significance of activist documentary film and video practices in contemporary Pakistan, both from independent filmmakers, NGOs, and a governmental organization. For the scope of this thesis, I will focus on representative documentary films that share the activist aim of addressing, and exposing the effects of politicization of religion, religious fundamentalism, and suppression, and violation of human rights. These will include women's-rights, violence against women, and marginalization of minorities.

As its time frame, my thesis will focus on the period beginning with the Islamization process initiated in 1977 under President General Zia-ul-Haq's eleven-year martial law regime (1977-1988), to the transformations experienced by Pakistani civil

society under another military dictator, President General Pervaiz Musharraf (1999-2008).

Beginning with the period of General Zia-ul-Haq's Islamization process, this thesis will discuss a selection of representative documentary films that have critically addressed and documented the various key transformations, events, and developments that have shaped Pakistan's socio-political, socio-economic, and cultural history through the lingering intersections of politics, religion, and law. The focus of my thesis will be the emergence of an activist filmmaking practice in Pakistan that is today an influential factor in addressing the politics, and negative and oppressive effects of the Islamization era; discriminatory laws; violation of human and citizen rights; authoritarianism; internal strife; spread of religious fundamentalism and threat of Talibanization; and tribal customs and traditions. This thesis will seek to distinguish and identify their collective activist efforts as a documentary cinema of 'accountability', both in retrospect as a filmic revisionist-historiography, and one that can serve as a counter-history in contemporary terms.

A contextual-reading approach to examine the selection of issue-oriented documentary films will emphasize the connection between these productions, and the historical and political events, and crucial socio-cultural factors that inspired their production. As the focus of this thesis is to investigate the activist, and socio-political role of these films and filmmakers in the emergence of activist documentary filmmaking and video practices in Pakistan, this approach will highlight not only the history, environments, constraints, problems, and topics they discuss, but also the socio-political, and socio-cultural conditions under which they were made, and which the films aspire to expose. Film discussions will focus primarily on their content and issues, while a formal or stylistic analysis and issues of representation will be referred to as, and when, they become relevant to the politics or address of the films, and their topics.

Chapters two, three, and four on documentary films will group productions and filmmakers/organizations according to their common topics and interrelated themes, rather than a strictly chronological order of production.⁸ The choice and placement of

⁸Note: For the purpose and length of this thesis, I will discuss in detail a maximum of 6 representative films per chapter, although more may have been produced.

films will be dictated by their chapter-specific content to establish an historical, contextual, and narrative pattern in-keeping with the overall time-frame, topic, and intent of the thesis.

Research Objectives

It is the aim of this thesis to investigate the following:

1. How, do these audio-visual documentations of historical events, legislative reforms, human rights violations, socio-political injustices, violence against women, and effects of religious fundamentalism, contribute to creating an activist, and anti-religious fundamentalism documentary film category from within an Islamic state? In seeking accountability for a variety of issues and abuses, what role have these films and filmmakers played in their social and political resistance against powerful political institutions, religious extremism, and human rights abuses? These questions and aspects will ascertain the effectiveness of these films as advocacy and consciousness-raising tools towards an exposé of governmental excesses and neglect, as well as the cruelty meted out by tribal customs and traditions in the Pakistani society.
2. What is the significance of these films as tools for advocating change, and reform by recording and disseminating the socio-political and historical memory and remembrances of otherwise powerless, marginalized, and minority individuals and groups whose voices would otherwise be erased from political and social discourse, and consideration? As allies in doing so, how do these films benefit and contribute to the larger global cause for human rights and justice?
3. As they have revisited their history as insiders to record and report on critical issues that have influenced their nation, what are the implications of these films and their makers in documenting and preserving a filmic revisionist/counter-history of their country's troubled socio-political landscape themselves, and communicating their content cross-culturally to build broader alliances and solidarity for reform, and social change?

The thesis examines how films reflect societies, and how films can have an impact on garnering public support for social change. Further, what crucial role can exhibition opportunities and sites for documentary films in Pakistan play in promoting their activist role, and intent of spreading awareness, and consciousness-raising about crucial issues (e.g. through film clubs, film festivals, TV channels, and availability on the

Internet). How have these exhibition outlets supported and encouraged documentary filmmaking in a Third World country like Pakistan? What potential activist role can such filmmaking practices continue to play in the future for social change in Pakistan? (e.g. the emergence of film studies institutes in Pakistan, and a steady crop of trained filmmakers familiar with the socio-political and cultural history and problems of their region). As currently there is a dearth of academic research available on the emergence and practice of contemporary documentary cinema, activist or otherwise, from Pakistan, it is the intent of my thesis to fill this gap.⁹

Methodology

I will conduct a contextual-reading of a selection of issue-oriented documentary films that I have collected from Pakistan. These have been attained through field research in Pakistan in 2008, and personal requests to independent filmmakers, non-governmental, as well as a government, organizations and their archives, human rights organizations, and film media outlets since. The long, and detailed official process of acquiring these productions for educational purposes entailed arranging the mandatory 'No Objection Certificate' letters from each source.

My topic will have an inter-disciplinary focus (documentary film-studies, history, politics, post-colonialism, cultural studies, women's/feminist studies, and Islam/religion and *Sharia* laws) to situate it for a textual analysis and evaluation of the chosen documentary films. Since there is no prior academic study on Pakistani activist documentary film practices, theoretical perspectives from the afore-mentioned fields will help to combine and develop a strong critical base from which to examine these documentary films, and their activist intent in the Pakistani context. These approaches will assist in evaluating the filmic documentation of topics of religious fundamentalism

⁹So far, only one history of Pakistani cinema has been attempted, by the (late) Pakistani filmmaker Mushtaq Gazdar, whose volume covers the topic of Pakistani mainstream commercial cinema from 1947 up to 1997, and does not address documentary or activist film practice in Pakistan. For Mushtaq Gazdar's book, see: Gazdar, Mushtaq. *Pakistan Cinema 1947-1997*. Oxford University Press, Karachi, Pakistan, 1998.

and extremism, politicization of religion, *Sharia* laws, human rights and social justice, tribal traditions and customs, and violence against women.

I will use secondary sources (books, academic journals) to investigate the historical, cultural and religious factors that can contribute to my topic. These will also include field research findings, reports from non-governmental organizations, and reports and data from government ministries and archives, film studies institutes, news media outlets and archives, the Internet, cultural organizations, and film festival archives to support my research, and conclusions.¹⁰

To situate the chosen film productions historically, and politically, analyses will be supported by texts that provide a background to the topics addressed in the films. These will include literature on the regional socio-political developments pertaining to the Islamization period, and after. I will use historical perspectives to provide a background to Pakistan's Islamization period under General Zia-ul-Haq; studies on regional politics will contextualize, and situate Pakistan's descent into religious fundamentalism, tilt towards extremism and Talibanization, and the spread of a *madrassa* culture across the country; studies on Islam, *Sharia*, and Islamic jurisprudence will help to explain and discuss various Islamic laws promulgated during the Islamization period, and their particularly marginalizing effect on the status of women and religious minorities. Perspectives on tribal notions of 'honour' will aid in contextualizing the subjugation and victimization of women through 'honour-killings, and 'honour-rape.'

Chapter Outlines

The following is an outline of thesis chapters.

Chapter one (literature review), entitled 'Towards a Theory of 'Cinema of Accountability': A Review of Critical Perspectives on Activist Film Practices,' will discuss

¹⁰I will use reports, and data from relevant government ministries and departments (e.g. Ministry of Culture, Ministry for Women's Affairs, National Commission on the Status of Women, Censorship Board of Pakistan, Pakistan Electronic Media Regulatory Authority (PEMRA), Ministry of Law, Ministry of Religious Affairs); and Non-Governmental Organizations (NGOs) (Human Rights, Women's Rights, and Legal Aid organizations).

the relevant activist documentary film-studies themes and perspectives, including feminist documentary frameworks, which I can borrow from and use towards expounding my thesis topic. These perspectives include: 1) Perspectives on the Contextual and Historical Approach to Documentary Filmmaking; 2) Perspectives on the Activist and Political Intent of Documentary Film; 3) Feminist Perspectives on Documentary Film and Activism; 4) Parallels with Other Activist Film Currents (perspectives on Third Cinema, Cinema Novo, and a post-Third Worldist approach).

Additionally, the section entitled 'Spatial Boundaries and Pakistani Women Filmmakers' (3-a) will offer perspectives on the gender-specific 'spatial boundary' as a means of allocation of power and appearance in the public domain in Islamic societies, and will aid in evaluating the role of Pakistani women filmmakers as they investigate sensitive issues such as religious fundamentalism, *Sharia* laws, and gender-discrimination in conservative and orthodox regions, particularly in the Khyber-Pukhtunkhwa Province (KP), and the tribal belts bordering Afghanistan. As well, section 5, a brief synopsis entitled 'Regional Currents in Cinema: Iran and Pakistan' will discuss developments in Iranian and Pakistani film industries during the Islamic Revolution, and the Islamization period, respectively. This section will help to contextualize the regional film scene in both countries at the time, and to illustrate the roots of the emergence of activist documentary filmmaking practice in Pakistan as a consequence of religious fundamentalism. Supported by the chosen thematic and critical perspectives discussed in this chapter, I will proceed to conduct an interdisciplinary contextual reading and analyses of the chosen issue-specific films in the following chapters.

Chapter two, entitled 'Tracing the Legacy of Islamization: Injustices on Film: A Reading of Activist Documentaries Against Islamization' will discuss films that deal with the legislative reforms and socio-political transformations wreaked under the Islamization period. The Islamization period (1977-1988) stands out in Pakistan's history primarily because it was dominated by the promulgation of several rigid *Sharia* laws, and state directives introduced under the dictatorship of General Zia-ul-Haq on the pretext of establishing an Islamic order that would transform the country's identity into an 'Islamic

state.’¹¹ Beginning with President General Zia-ul-Haq’s dictatorial regime, this chapter will discuss activist documentary films that trace the legacy of the Islamization period, and are rooted in issues, and events that represent the intersection of politics, religion and law, and their transformative impact on the legislature and politics of Pakistan. It will focus on films, filmmakers, organizations, and collaborative productions that discuss and question the implications, and consequences of the imposition of *Sharia* laws such as the *Zina Hudoob* Ordinance, the Law of Evidence, and the Blasphemy Law on the Pakistani socio-political landscape, women’s legal status, religious minority groups, and the violation and curtailment of individual and human rights on the pretext of religion and establishment of an ‘Islamic identity.’

Chapter three, entitled ‘A Cinema on Terror: Talibanization and Pakistan: A Militant Mix of Politics, and Religion,’ will discuss films that address the growing threat and complex long term consequences of religious extremism, militancy, and spread of Talibanization and a radical *madrasa* (religious seminaries)¹² culture in Pakistan as a consequence of the post 9/11 Pak-US collaboration in the ‘war on terror.’

Whereas documentary films in the last chapter traced the legacy of Islamization in Pakistan, films in this chapter will constitute what I will argue stands as a distinct documentary category of ‘cinema on terror’—one that traces the roots and ideologies of religion-based militancy, and violence. This chapter will discuss documentary films made by Pakistani independent documentary filmmaker Sharmeen Obaid-Chinoy that address the militant mix of politics and religion that emerged as a worldwide threat in the form of growing religious extremism, and emergence of Talibanization in Pakistan and its tribal regions, gaining momentum during military dictator President General Pervez Musharraf’s rule (1999-2007), as he clung to power as a frontline US ally. Contextual readings and discussions of Obaid-Chinoy’s thematically related films that highlight the continuum of Pakistan’s involvement in the US ‘war on terror’ in the region, its growing

¹¹For a chronological list of important events during General Zia-ul-Haq’s eleven-year martial law reign, see *Pakistan Under the Military: Eleven Years of Zia-ul-Haq*. (eds) Burki, Shahid Javed, and Baxter, Craig. Westview Press, Boulder, San Francisco, USA, Oxford, UK, 1991. (pgs-155-182).

¹²The plural of *madrasa* is *madaris*. However, for the purpose of this thesis the commonly used plural term of ‘*madrasas*’ in English will be used.

internal political and ideological strife, and the spread of the *madrassa* culture that has been instrumental in fostering the Taliban influence, will form a connective link with the far reaching impact of General Zia's Islamization process discussed earlier in Chapter two. Forming a link with issues of politicization of religion, religious fundamentalism, and discriminatory judicial transformations that pushed Pakistan towards a continuing descent into religious extremism on the pretext of an Islamic identity in the previous chapter, a focus on Obaid-Chinoy's films in this chapter will illustrate the emergence of a 'cinema on terror' in response to an era of terrorism engulfing the world, that finds its hub in Pakistan. Discussion of Obaid-Chinoy's investigative and reflective films will contribute to understanding the growth and role of Pakistani activist documentary film practice and filmmakers in their intent of seeking accountability as insiders re-visiting their religious identity, history, and region. This is a region that is now mired in a threatening militant mix of politics and religion that has resulted in a serious, and growing, trend towards religious extremism and the Talibanization of a nuclear-armed Pakistan.

Chapter four, entitled 'Victims of a Vicious System: Women, Violence, and Human Rights' will focus on issues of extreme forms of victimization and violence against women in Pakistan, and violation of their rights. Whereas the last two chapters focused on specific legislative transformations through a recourse to Islamization, and politicization of religion under general Zia-ul-Haq's regime (Chapter two), and on the transformation of the Pakistani society because of the spread of religious intolerance and extremism/Talibanization (Chapter three), documentary films in this chapter will represent significant socio-cultural issues of extreme forms of violence against women, and gender rights violations that have been an ongoing factor in Pakistan. This chapter will include a contextual reading of representative documentary films that investigate and expose the effects of gender-specific oppressive socio-cultural, socio-economic, tribal practices and customs active in the victimization of girls and women, and the failure of the state to ensure them protection and justice. These issues will specifically include documentaries that address issues of stove-burning, acid-attacks, and so-called 'honour' related crimes such as honour-killing, and honour-rape, and gender-biased tribal

practices such as *Swara* that are instigated by patriarchal mindsets and inflicted on women to either subjugate them, or victimize them for vested interests.¹³

In addition to a discussion of individual films, this chapter will also provide an overview of Pakistani independent filmmaker Samar Minallah's various other collaborative productions made under the auspices of her non-governmental organization, Ethnomedia Communication for Development---an organization that has been at the forefront of producing documentaries and investigative and advocacy films for legislative and social change. This discussion will illustrate the emergence of an activist filmmaking organization that is focused on various women's issues and empowerment, and other social issues through consciousness-raising, and advocacy through the pedagogical utility of documentary cinema, and dissemination of music-videos, and specializes in community outreach initiatives and campaigns in some of the most conservative and backward regions of Pakistan such as the Khyber-Pukhtunkhwa Province (KP).

The conclusion, entitled 'Activist Documentary Filmmaking Practices in Contemporary Pakistan: An Critical Evaluation' will synthesize previous contextual discussions on the chosen documentary films, and their topics, and place the activist intent of these productions within the thematic documentary film perspectives and approaches used in their discussion.

The conclusion will assess the direction Pakistani activist documentary film practices have taken in establishing a contemporary documentary film category that particularly questions the effects of politicization of religion, fundamentalism, extremist ideologies, and issues of human rights. It will discuss the role and contribution of Pakistani films, and filmmakers, organizations and collaborations in drawing attention to critical phases, developments, and events in Pakistan's history, and socio-cultural life. In doing so, it will review their input towards documenting a committed, revisionist counter-history, and creating an activist Pakistani documentary film category that can be defined

¹³*Swara*: tribal custom and practice of giving away of minor girls in forced marriages to settle disputes or avenge murders.

as a 'cinema of accountability'--- one that has emerged and developed from within, and despite, the country's own context of religious, socio-political, and cultural constraints.

Further, the conclusion will address issues pertaining to the exhibition of Pakistani activist documentary films both locally, and where applicable, internationally, through film clubs, festivals and distribution outlets, to ascertain their activist significance in the public sphere. For example, in 2001, despite the religio-political constraints influencing Pakistan's cultural life and the arts, it became host to an international film festival, the *KaraFilm Festival*. Since its inception, this non-political and non-profit film festival, held annually in the country's port city of Karachi, had been exhibiting and promoting independent filmmakers and their films from within Pakistan and abroad.¹⁴ This, and other film exhibition outlets will also be discussed as per their relevance to the promotion and exhibition of Pakistani documentary films.

As well, based on the representative films discussed in the thesis, the conclusion will discuss the gaps, and limitations that still exist for the promotion of documentary cinema in terms of access to funding, exhibition, and production facilities within Pakistan, and hence the need, justification and utility of foreign collaborations, funding, and exhibition outlets to further their activist causes.

The conclusion will end with a discussion of the potential activist role documentary filmmaking practices can continue to play as an audio-visual media in the future for consciousness-raising, advocacy and social change in Pakistan, particularly given the dismally low literacy rate in the country.¹⁵ This discussion will address the emergent new trend of film studies institutes in Pakistan, and the potential investigative, and expository role new graduating filmmakers can play in taking the Pakistani documentary 'cinema of accountability' further to build pressure for legislative changes and socio-political reforms. This discussion will point towards the potential new directions documentary cinema can take as an audio-visual media for social and political

¹⁴For details of the *KaraFilm Festival*, visit: <http://www.karafilmfest.com/about.htm> Accessed on August 9, 2011.

¹⁵According to figures released by the British Foreign and Commonwealth Office (FCO) in April 2011, Pakistan's literacy rate in 2011 stands at: Male: 63%. Female: 35.2%. Total: 49.9%. Accessed at: <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/pakistan> on August 9, 2011.

reforms in contemporary Pakistan given the advantage new filmmakers can exercise in having the knowledge of the delicate balance needed to deal with particularly sensitive issues and nuances concerning religion, gender, and cultural traditions in complex, conservative, and volatile regions and societies such as theirs'.

Chapter 2.

Toward a Theory of “Cinema of Accountability”: A Review of Critical Perspectives on Activist Film Practices

Introduction

This chapter offers a comprehensive and detailed review and analysis of perspectives on documentary film approaches and practices. This review is organized by four themes central to the enquiry of this thesis: 1) Perspectives on the Contextual and Historical Approach to Documentary Filmmaking; 2) Perspectives on the Activist and Political Intent of Documentary Film; 3) Feminist Perspectives on Documentary Film and Activism; 4) Comparative Perspectives on Activist Film Currents. These themes and perspectives will aid in defining an emergent activist film category of a ‘cinema of accountability’ in a Muslim state in which the achievement of activist film faces daunting challenges. Additionally, a discussion on the concept of ‘spatial boundaries’ as allocation of gender power in Islamic societies will be included to evaluate the role of Pakistani women filmmakers operating in the public domain in conservative regions, dominated by orthodox norms and patriarchal mindsets, where women’s public presence is discouraged.

It is important to emphasize the dearth of critical academic work on activist documentary film practices in contemporary Pakistan. Accordingly, broader perspectives on documentary film will be considered and analyzed as an informing framework for a discussion of documentary film in Pakistan, and as a context for later analyses of particular films. As noted, there are four overarching themes by which this review is structured.

Perspectives on the Contextual and Historical Approach to Documentary Filmmaking

These perspectives will aid in addressing the position of Pakistani documentary filmmakers in their particular historical and political contexts. Secondly, these perspectives will assist in situating and understanding the chosen films as socio-cultural and socio-political productions, and the ideological currents that are the basis, and key determinants for their creation.

Perspectives on the Activist and Political Intent of Documentary Film

These perspectives will include issues of activism, human rights, awareness, advocacy, and the deliberative, persuasive, judicial and historical intent and role of documentary film in promoting social change. These approaches will assist in evaluating the significance of Pakistani documentary films as a filmic counter historical record that has served as a tool for challenging official versions by investigating, documenting, and exposing historical facts and events that would otherwise be obscured from public scrutiny, and memory.

Feminist Perspectives on Documentary Film and Activism

These perspectives will discuss feminist scholarship on documentary film, the political and activist intent of this scholarship, and the importance of this scholarship in consciousness-raising, and fostering women's empowerment and social change.¹⁶ Extending these perspectives to include a wider human rights stance as well, these

¹⁶Note: Although the word 'feminist' as per its Western connotation has been appropriated by Western-educated Pakistani women's rights activists and academics, I will use 'feminist' perspectives on documentary film in the broader terms of gender rights as human rights issues, rather than strictly women's rights alone. Subsequent discussions of films, and issues pertaining to women, will highlight the limitations of this term in the Pakistani context. I will maintain that women's rights in Pakistan will remain primarily a 'human rights' issue till such time that they are granted equal rights as individuals and citizens.

perspectives will aid in evaluating Pakistani documentaries on gender issues, with a focus on the marginalized status of women in an Islamic, and gender discriminatory environment, particularly in a country in which customs and traditions often brutally affect women's lives.¹⁷

Parallels with Other Activist Film Currents

These three perspectives will be addressed in terms of activist film currents where parallels can be drawn for a comparison with documentary filmmaking practices in contemporary Pakistan. These currents will include Third Cinema, Cinema Novo, and post-Third Worldist perspectives on the activist intent and function of documentary film. It will also include a brief comparison between the Iranian and Pakistani experience.

Perspectives on the Contextual and Historical Approach to Documentary Filmmaking

The beginnings of contemporary Pakistani activist documentary filmmaking practices analyzed in this thesis were inspired by, and rooted in the critical historical period of President General Zia-ul-Haq's eleven year dictatorship (1977-1988), and the socio-political and judicial transformations that began to take shape during this period of Islamization. It is important to situate the films in this historical period in order to understand the productions it motivated, and the continuing influence of this period on film production.

Pakistani documentarists have represented a history, memory, and environment of which they themselves have been participants. Therefore, their subjects, topics, and environments, and the historical time frames of their films, need to be considered in totality for a consequential and connective content analysis of their activist intent, and of their productions. Arab film historian and scholar Viola Shafik points out it is vital to make

¹⁷Note: Although listed separately here, I believe combinations of these three perspectives and frameworks will assist in all the chapters on films, given the overlaps that will occur in terms of their prevailing themes, subjects, and content. (For example, law and gender, politics and human rights, and gender and human rights).

connections between the prevailing socio-political conditions, and historical period and events that motivated such works for an in-depth analysis.¹⁸

It is important to take into account the position of Pakistani documentary filmmakers as themselves part of the culture, religion, and history they seek to depict in their films, and the issues they raise. Film scholar Chuck Kleinhans stresses the significance of a film/video work's context--the historical moment in which a work was produced, distributed, and exhibited, and the audience it reaches. Similarly, he emphasizes contextualizing the filmmaker's own position regarding his/her productions; that is, the relationship of the filmmaker to political, personal, historical, social, and institutional conditions.¹⁹ A consideration of these factors is important in evaluating the activist involvement, intent, and success of Pakistani documentarists in relation to the issue-oriented films to be discussed in this thesis. These issues include: the effects of politicization of religion; religious fundamentalism; discriminatory judicial reforms that effect religious minorities; human rights violations; gender rights; gender-specific tribal customs and practices; and issues of violence against women. As Kleinhans argues, documentary filmmakers must be deeply engaged in the political and social issues they represent in their work:

Makers have to think like political organizers---with both intensity and distance, attention to the immediate and the long range, to the tactical and the strategic, and to the individual and the group---in other words to the complexity and richness of the immediate historical moment and its potentials and possibilities.²⁰

However, despite their activist intent, Pakistani filmmaker's own situation also needs to be considered as this factor can affect their representations. For example, the socio-political and censorship constraints under which Pakistani documentarists may have to operate can be decisive and influential factors in their productions. In Pakistan's case, this examination can provide an insight into the limitations, constraints, and

¹⁸Shafik, Viola. 'Introduction.' *Arab Cinema: History and Cultural Identity*. (revised edition). The American University in Cairo Press, Cairo, Egypt, New York, UK, 2007. (pg-4).

¹⁹Kleinhans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). *"Show Us Life": Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

²⁰Ibid. (pg-318).

challenges documentarists may have to contend with in their investigation, and depictions. For example, the challenges and constraints Muslim Pakistani filmmakers, especially women filmmakers, may face in depicting and critiquing issues of religious fundamentalism, and discriminatory *Sharia* laws in hostile, conservative, and orthodox environments in Pakistan and its tribal belts. An assessment of these factors is important to contextualize the socio-political positioning of Pakistani filmmakers, particularly Muslim women filmmakers, and their attempt to appropriate their, and their subjects', right to deconstruct and question the impact of religious fundamentalism on their society.

Film scholars and filmmakers, Julio Garcia Espinosa (Cuba), and Trinh T. Minh-ha (Vietnamese-American), both suggest that filmmakers in developing countries are at odds with the dominant Western discourse and politics of domination through their media portrayal of the Third World. However, although Trinh and Espinosa seem to be criticizing similar kinds of oppressive power structures, their approach to rectifying the situation are vastly different, as discussed in detail below. Although both scholars specifically address their own cultures and histories in their writings, their arguments can be relevant to other developing countries and regions which are, or were, colonized, or remain under Western economic, political or cultural domination. In the case of Pakistan, Espinosa and Trinh's arguments can help to illustrate the contributions and struggles of Pakistani filmmakers as they represent their history from within.

In her post-colonial critique, Trinh calls for a reevaluation of representations of history with an emphasis on 'lived history' that would defy stereotypes, and counter dominant discourses and representations.²¹

In her discussion of the Vietnam War coverage by the US media, Trinh specifically addresses historical issues, and the need to oppose the colonization of histories by dominant representations.²² Her focus is on the necessity to deconstruct and reexamine history through the eyes and narratives of those who have been the victims of violent histories, as opposed to the frequent distortions of dominant and 'authoritative'

²¹Trinh, T. Minh-ha. 'An All-Owning Spectatorship.' *When the Moon Waxes Red: Representation, Gender, and Cultural Politics*. Routledge, New York, USA. 1991. (pg-81).

²²Ibid. (pgs-100-101).

media. She is particularly critical of filmmakers who pursue political correctness, and either doctor facts or reject truth and realities in their representation of history. As she notes:

It is by denouncing past colonialism that today's generalized colonialism presents itself as more humane...Whose Vietnam is the Vietnam depicted in Hollywood films, as well as in the daily news and television series that offer "fresh action from Vietnam into our living rooms each evening" (Time-Life Books brochure on Vietnam: A Television History) and claim to deliver "the entire story of what really happened in Vietnam" in a few hours for VCR owners? Whose Vietnam is the one presented in the Vietnam Experience book series, "the definitive work on the Vietnam conflict...the whole explosive story...the whole astonishing truth...more colorful than any novel, more comprehensive than any encyclopedia"? Whose conflict triumphantly features in the "The TV war"? Whose experience finally does Time-Life Books posters herald in its large, bold title-letters as being exclusively that of: "The Men, The Weapons, The Battles"?²³

Trinh's perspective on claiming the right to revisit one's own history can be applied to Pakistani documentarists who have returned to their past to seek answers for the present and the future, particularly regarding issues of religious fundamentalism.

In his *For an Imperfect Cinema*, Espinosa stresses the need and urgency to revolutionize the very concepts of art and cinema, and to understand art and cinema as progressive forces toward social change. Espinosa advocates a democratization of art and urges artistic accessibility by revolutionizing and overhauling the entire artistic exercise in his country, and argues for the need for what he calls an 'imperfect cinema' that would speak to all as a solution.²⁴ This 'imperfect cinema', he argues, would render art as an activity available to all in the service of social, political and cultural responsibilities, instead of art as an elitist practice in the hands of a few who can dictate its terms, directions, and significance. Espinosa stresses the urgency and need for science and art to merge, and the participation of sociologists, scientists and others from various disciplines to participate in artistic activities in order to break down the class and disciplinary barriers that hinder artistic progress, and could translate into a better and more just society. He is critical of art as an elitist activity, and suggests that art should be

²³ Ibid. (pgs-100-101).

²⁴ Garcia Espinosa, Julio. 'For An Imperfect Cinema.' (1970). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-28). The original essay was published in *Cine Cubano*, No. 66/67, in 1970.

everyone's domain against traditional views that separate artistic/cultural producers and consumers.

According to Espinosa, such a collective revolution can be facilitated by an 'imperfect cinema' that would be created by the 'masses' regardless of technological finesse. This 'imperfect cinema', which he likens to the process of impartial media reporting and coverage, would expose relations of dominance and power instead of merely criticizing them, and enable a more popular engagement with art and politics:

We should endeavor to see that our future students, and therefore our future filmmakers, will themselves be scientists, sociologists, physicians, economists, agricultural engineers, etc., without of course ceasing to be filmmakers...we cannot develop the taste of the masses as long as the division between the two cultures continues to exist, nor as long as the masses are not the real masters of the means of production...A new poetics of cinema will, above all, be a 'partisan' and 'committed' poetics, a 'committed' art, a consciously and resolutely 'committed' cinema---that is to say, an 'imperfect' cinema. An 'impartial' or 'uncommitted' one, as a complete aesthetic activity, will only be possible when it is the people who make art.²⁵

The emergence of Pakistani 'activist documentary' (as defined in this research) does not have its roots in filmmaking per se, but is rather embedded in ongoing resistance movements supported by a host of cross-disciplinary actors. This activist documentary then merges science and art to break down disciplinary barriers that can hinder 'committed' art, as stressed by Espinoza in his call for an 'imperfect cinema.' It would be important to assess the extent to which Pakistani documentarists have defined their own art of creating a socio-political version of an 'imperfect cinema'; that is, one that not only deviates from the country's mainstream commercial cinema industry that is regulated by government policies, and the state-owned media, but can also be seen as carving out its own niche as an 'activist documentary cinema of accountability' that challenges official versions of history, and engages with crucial social and political developments.²⁶

²⁵Ibid. (pg-31).

²⁶The Pakistani commercial cinema industry, also nick-named Lollywood, (after the Punjab provincial capital city, Lahore, where the industry is concentrated) can be seen as a smaller version of the Indian film industry, Bollywood, producing very similar romantic musicals and action films.

It can be argued that just as alliances and struggles in Pakistan gave birth to new channels of activism such as the women's organizations, legal aid cells, human and gender rights watch groups, and theatre-for-social-change groups, all with a shared agenda for resistance and consciousness-raising, they also led to the emergence of an 'activist documentary' filmmaking practice in the country. In the absence of professional filmmaking training and academies at the time, this development was facilitated by the arrival of cost-effective and accessible video technology in the 1980s. Since then, these practices have been supported by old and new collaborations and participations that have included a wide cross-section of professionals and civil actors: women's rights activists; human rights and legal fraternities; educationists; sociologists; psychologists; journalists; writers; academics; poets; performing artists such as singers and theatre artists; local and international non-government organizations; and later, even government organizations. Additionally, ordinary people and individuals have been involved in the exercise by offering first hand testimonies and accounts of their specific experiences and struggles. In this context Espinosa's concept of 'imperfect cinema' is most relevant to activist collaborations between Pakistani documentary filmmakers, and their subjects.

Both Trinh and Espinosa's perspectives can assist in evaluating Pakistani documentarists' role as agents of social change and political resistance who have challenged dominant official, patriarchal, and fundamentalist forces in Pakistan. It is important to analyze the contribution of Pakistani documentarists in terms of their view of religious fundamentalism and authoritarian suppression, and their insider knowledge of their culture, religion, politics, and cultural memories. In particular, Pakistani women filmmakers, and their female subjects (both of whom have broken the socio-cultural and religious spatial barriers that set limits on their very appearances in the public spaces) have seized the opportunity to present their personal experiences, and testimonies.

Film scholar Jose Rabasa however points to the complexities that exist in testimonial documentaries. He offers caution with regard to the intent and claim of the filmmaker and his/her subjects regarding testimonial truth and objectivity:

Testimonial documentaries, like all forms of collecting testimony, are by definition forms of engaged dissemination of truth. If testimony necessarily offers the account of particular individual, its inclusion in a documentary necessarily

involves recognition of its veracity. If one were to include a false testimony, one would mark it as such, as untrue. Given this definition, testimonial documentaries call for an engaged observer: that is, an observer who is willing to believe. Testimonial documentaries are thus political interventions in the context of disputed truth. In analyzing the work of testimonial documentaries, or, for that matter, any collection, any argument based on testimony must be suspected of manipulation when claiming no other motivation than providing objective truth. This thesis holds as much for reports by human rights organizations that respond to and document atrocities in the immediate aftermath of events as for documentaries and other studies produced after some time has lapsed.²⁷

Rabasa's perspectives on evaluating the authenticity of testimonial evidence by victims of human rights violations, supported by historical facts, and archival data and reports from non-governmental rights organizations, assist in comparing and contrasting conflicting official versions of events with individual accounts, as recorded by Pakistani documentarists.

Correspondingly, film scholar Bill Nichols calls attention to the situation of the filmmaker in the making of the film, and his/her position regarding issues of subjectivity/objectivity in their depictions, pointing out what can be termed as 'auto-ethnography'; that is, 'when the filmmaker and subject are of the same stock.'²⁸ In the case of Pakistanis who have been part of the history, culture, and transformations that they depict in their films, Nichols' view helps to reflect on the significance of Pakistani filmmakers' familiarity and identification with their own religious, socio-cultural, and socio-political issues and constraints. Further, this view assists in understanding how this knowledge better equips filmmakers to understand the cultural nuances, customs, limitations, and the sensitive balance within which issues of religious fundamentalism, extremism, marginalization, deprivation, and gender and human rights need to be addressed and represented. This view also sheds light on how well the filmmakers' cultural and gender-sensitive approaches to establish trust and confidentiality with those victimized by human rights violations, have contributed to the effectiveness of their activist intent, and productions.

²⁷Rabasa, Jose. 'On Documentary and Testimony: The revisionists' history, the politics of truth, and the remembrance of the massacre at acteal, ciapas.' *Documentary Testimonies: Global Archives of Suffering*. (eds) Sarkar, Bhaskar and Walker, Janet. Routledge, New York, USA, London, UK, 2010. (pg-177).

²⁸Nichols, Bill. 'Why Are Ethical Issues Central to Documentary Filmmaking?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-18).

Referring to the pedagogical relevance of documentary film, film scholar Paula Rabinowitz stresses that its main purpose is to record, document, and preserve events, truths, and realities to serve as 'instructional' tools for change in the future:

Filming an essentially ephemeral event, a vanishing custom, a disappearing species, a transitory occurrence is the motivation behind most documentary images. Documentary films provide a stability to an ever-changing reality, freezing the images within their frames for later instructional use.²⁹

However, Rabinowitz points to the problem of recording, representing, and interpreting truth and reality through documentaries, as these can be coloured, or altered by the subjectivity of the filmmaker/editor. She stresses the ethical issues that can complicate the responsibility of the filmmaker in presenting history:

Documentary films, like the criticism of them, speak about themselves as contradictory texts. Full of self-doubts about their status as organs of truth and reality, the films and their criticism unravel like so much celluloid on the cutting-room floor, revealing both productive and problematic sites for historical inquiry. Film's relationship to historical meaning and history's dependence upon, yet refusal of, film's form leave a space for active viewing. Both construct political subjects, whose self-consciousness about their positions lends itself to an analysis of the past and of the present. These subjects of agency have a responsibility to the future.³⁰

The individual/personal politics, the experiences, and the intent of the individual filmmaker can no doubt colour his/her perspectives and representations. The status of the insider/filmmaker, as in the case of Pakistani documentarists, creates an ethical onus to document and report their history and crucial events objectively as opposed to foreign filmmakers who might work on the same subjects. Rabinowitz's perspective helps to evaluate the involvement, levels of objectivity/subjectivity, pedagogical responsibility, and contribution of Pakistani filmmakers to the future of Pakistani activist documentary film practices.

Similarly, film scholar Erik Barnouw identifies the various roles a documentary filmmaker can play simultaneously. These, he argues, can include a complex

²⁹Rabinowitz, Paula. 'Wreckage Upon Wreckage: History, Documentary, and the Ruins of Memory.' *They Must Be Represented: The Politics of Documentary*. Verso, London, New York, 1994. (pg-17).

³⁰Ibid. (pg-23).

combination of the reporter, travel lecturer, chronicler, observer, guerilla, ethnographic filmmaker, war reporter, and prosecutor, among others. He stresses that:

None of these fields can be neatly separated. They never occur separately. The documentarist is always more than one of these. Yet different occasions, different moments in history, tend to bring different functions to the fore. This was true in the first decade of documentary, and it remained true in later decades.³¹

Barnouw's perspectives on a documentarist's multiple functions is useful in identifying the various roles played by Pakistani documentarists in their respective films, and how their stylistic, activist, and political intent complements each other in their filmic approaches, and representations.

In their discussion of the advent of video in the 1980's, a development that instigated, and positioned independent documentary filmmaking in Pakistan, film scholars Jack C. Ellis, and Betsy A. McLane point to the enormous impact of video, and how it gave rise to more independent filmmakers, new topics, and an expansion in wider audiences and exhibition opportunities.³² This emergence of video was followed by the arrival of cable and satellite technologies, and a mushrooming of new news channels and changes in global transmission technology. Both developments facilitated documentary film media further by addressing new subjects, and gaining an even wider audience.³³ For example, the authors point out that satellite technologies aided the linking of racial and ethnic communities, and gay and lesbian, and AIDS organizations and forums internationally through documentaries.³⁴ The authors sum up the globalization of documentary film practice as made possible by technological advancement:

Worldwide access to documentary is due in no small part to the same technological, economic and artistic changes that brought documentary making into the hands of women, minorities, and other disenfranchised groups in North America in the 1970's. Similar forces have been at work worldwide in the 1990's

³¹Barnouw, Erik. *Documentary: A History of the Non-Fiction Film*. Oxford University Press, UK, 1974. (pg-29).

³²Ellis, C. Jack and McLane, Betsy A. *A New History of Documentary*. Continuum, New York, London, 2005. (pgs-258-259).

³³Ibid. (pgs-260-264).

³⁴Ibid. (pgs-271-287).

and 2000's. Now images originate almost everywhere. There has always been a somewhat irregular triangle of elements operating on documentaries. The points of this triangle might be thought of as technology/invention, artistry/aesthetics, and money/economic systems... national and regional distinctions so remain, but media making (especially funding) and viewing now take place across national borders.³⁵

Given today's technological developments, and satellite, and cable networks, it would be important to evaluate how significant a role these factors have played in facilitating foreign collaborative Pakistani productions, and their dissemination across borders, without a dependency exclusively on film distribution outlets. Although it is not within the scope of this dissertation to discuss technological aspects, these perspectives will assist in briefly evaluating the prospects for the growth, development, and exhibition of Pakistani activist filmmaking practices, and hence their potential for cross-cultural communication for the future. For example, modern technologies such as home-editing systems, and YouTube-ready cameras and Smart Phones have also placed new capacities in the hands of novices, and amateurs across the globe. While the quality of YouTube productions is uneven at best, it affords non-professionals a site for dissemination outside of traditional media outlets.

A combination of historical contextualization, perspectives on representations as insiders, and 'auto-ethnography', and the creation of an 'imperfect cinema' in the Pakistani context all help to situate, and assess Pakistani documentary filmmakers and their productions as audio-visual agents for raising socio-political consciousness, and for promoting filmic activism. As well, this combination of factors assists in initiating the argument for an activist documentary film category of 'accountability'--- one that has emerged as Pakistanis begin to challenge dominant political, religious and social orders in their society.

Perspectives on the Activist and Political Intent of Documentary Film

Perspectives on documentary film in this section will focus on issues of activism, consciousness-raising, awareness, advocacy, and the deliberative, persuasive, judicial, and historical intent and role of documentary film. These perspectives will address the

³⁵Ibid. (pg-327).

articulation of human rights, and their violation, through documentary media. They will facilitate in assessing the activist, and persuasive role of Pakistani documentarists and their films in documenting, and disseminating the voices, oral histories, evidences, and testimonies of communities and individuals seeking accountability. In particular, how do their filmic efforts contribute to empowering marginalized segments to have their say? In discussion on films later in the thesis, I will seek to apply these perspectives as grounds for a filmic intervention to highlight the effects of politicization of religion, its consequences for the transformation of the Pakistani society, and the struggle to expose discriminatory and rigid state laws and directives imposed on the pretext of religion and a national, 'Islamic' identity. These perspectives will also assist in understanding the chosen films as socio-cultural, and socio-political productions, and the ideological currents that are the bases, and key determinants for their production, and their makers' political and activist intent.

Film scholar Michael Renov talks of the 'Four Fundamental Tendencies of Documentary' as: 1) to record, reveal, or preserve; 2) to persuade or promote; 3) to analyze or interrogate; and 4) to express---aims that that can be the very intent of the filmmakers' exercise in making a film.³⁶ As these 'fundamental tendencies' call attention to various social and political issues and problems within Pakistan, what potential do Pakistani activist documentary productions present in transcending geo-political, and cultural barriers to inform and muster cross-cultural support for social, and political change? Renov's perspectives are valuable in analyzing the utility of identifying, documenting, and highlighting issues of substantial socio-political concern, and human rights violations in particular.

Similarly, film scholar Thomas Waugh discusses his concept of the 'committed documentary,' one that consciously pursues the particular 'activist' stance of instigating socio-political change in the events and issues they cover. He elaborates on his definition of the 'committed documentary', and documentarists:

By "commitment" I mean, firstly, a specific ideological undertaking, a declaration of solidarity with the goal of radical socio-political transformation. Secondly, I

³⁶Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-21).

mean a specific socio-political positioning: activism, or intervention in the process of change itself.³⁷

This perspective will help to identify and evaluate the contribution of an emergent 'committed documentary' category in the Pakistani context, and its contribution to filmic pedagogical activism with a direct focus on social change.

Renov points to the significance of offering an alternative picture and voices, particularly regarding issues that pertain to women's experiences that challenge the patriarchal, official, and institutionalized standpoint. He discusses the representation of history from particular standpoints, making particular reference to the feminist critique that addresses the biases such representations can have when recorded through a patriarchal lens:

Historical discourse has, after all, come to be regarded as the representation of people, forces and events from a particular perspective. Feminists, for example have reminded us that the attention in standard history texts to military milestones rather than to the transmission of societal values merely replicates the patriarchal bias-- (his)tory over hers. If we can say that history belongs to those with the power to re-present it, little wonder that film and video practitioners have come to share the revisionist historian's suspicion for top-down institutional accounts.³⁸

In the context of Pakistani documentarists, this revisionist perspective can be stretched to include a broader human rights angle, and issues, as opposed to a merely feminist stance.

Renov further discusses the significance of depicting ethnography/history in documentary films to catch the fleeting moment, while the media also has the ability to offer different versions on the same event and occurrence. He points out that film can offer revisionist versions of both history and ethnographic accounts through interviews, etc, with the videomaker functioning as a historiographer recording oral histories. He

³⁷Waugh, Thomas. 'Why Documentary Filmmakers Keep Trying to Change the World, Or Why People Changing the World Keep Making Documentaries.' Waugh, Thomas. (ed) "*Show Us Life.*" *Towards a History and Aesthetics of the Committed Documentary.* The Scarecrow Press, Inc. Metuchen, N. J., and London, USA, UK, 1984. (pg- xiv).

³⁸Renov, Michael. 'The Subject in History: The New Autobiography in Film and Video.' *The Subject of Documentary.* University of Minnesota Press, Minneapolis, London, 2004. (pgs- 109-110).

points out that these oral histories are valuable vehicles for bringing the submerged accounts of people and social movements to public notice.³⁹

In terms of 'committed documentary,' how do Pakistani activist filmic productions serve as a body of historical testimony---one that situates its makers as revisionist counter-historians aligning themselves with their native subjects in the process of accountability? These questions will help in investigating the emergent and participatory role of the documentarist and their subjects in establishing an alternative record of human rights violations that counters official versions, and denials.

Bill Nichols points to the significant 'legislative or deliberative' role documentary film can play. This function, he argues, can address crucial topics from the past for conceptualization, and present the challenge of creating a convincing and persuasive voice for the filmmaker in order to create awareness and consensus on an issue for initiating change:

This is the domain of encouraging or discouraging, exhorting or dissuading others on a course of action. Political issues of social policy such as war, welfare, conservation, abortion, artificial reproduction, national identity, and international relations belong to this domain. Deliberations face toward the future and pose questions of what is to be done.⁴⁰

Nichols points out that documentary film and their makers can also play a 'judicial and historical' role by evaluating past actions to piece together a truthful picture of events ('What really happened') so that laws can be revised, and justice can be done.⁴¹

In their investigative depictions, and representations that call attention to various social and political topics, issue-oriented Pakistani documentary films can be evaluated to ascertain the 'legislative or deliberative' role that Nichols identifies. As well, Nichols' perspective can assist in reviewing the 'judicial or historical' role Pakistani documentarists and their productions have played by revisiting their history, and creating

³⁹Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-27).

⁴⁰Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

⁴¹Ibid. (pg-70).

the space for change and justice, and by calling for action and review of various situations. The filmic activism-oriented call for review can, in particular, be applied to the need for legal reforms regarding the repeal of discriminatory laws such as the *Zina Hudoood* Ordinance, and the Blasphemy Law, and the urgent need to curtail the dangerous indoctrination of fundamentalist ideologies and militancy being promoted through the *madrasas* across the country. (See Appendices 1 and 2 for an explanation of these laws). By the same token, documentary film can play an activist role in building persuasive pressure against violent, gender-specific practices such as honor-killings, stove-burning, acid-attacks, and tribal practices such as the custom of *Swara*, whereby females, even newborn girls, are exchanged or given away to settle disputes, or avenge murders in Pakistan.

Feminist Perspectives on Documentary Film and Activism

This section will discuss feminist perspectives on documentary film, and its utility as a tool for activism, and consciousness-raising. This review will extend the theoretical application of these feminist frameworks to be inclusive of other essentially non-feminist issues as well, such as the broader realm of human rights. Such perspectives will help to identify the development of Pakistani filmmakers' own distinct 'standpoints' in the production of their films; for example, the representation of their specific patriarchal, social, and religious contexts, and their depictions of marginalized, and victimized groups and individuals.

It is important to mention here that despite the gender-specific oppression and violence perpetrated through the Islamization process, women have long been, and continue to be, part of the Pakistani film, news media, and television industry as writers, journalists, producers, directors, actresses, and singers.⁴² However, their participation in documentary filmmaking is comparatively recent. At present, there are four prominent Pakistani women documentarists whose films have centered around the effects of religious fundamentalism, women's issues, human rights, and social issues, and who have also won acclaim and awards at international film festivals: Sabiha Sumar,

⁴²For further details on Pakistani women's participation in films in these areas visit: <http://mazhar.dk/film/history/> Accessed on: December 14, 2009.

Sharmeen Obaid-Chinoy, Maheen Zia, and Samar Minallah.⁴³ Their participation in documentary filmmaking has been spurred by gender discriminatory Islamic *Sharia* laws such as the *Zina Hudoood* Ordinance and the Law of Evidence promulgated during the Islamization period (Sabiha Sumar); religious fundamentalism; terrorism; Talibanization; and gender oppressions (Sharmeen Obaid-Chinoy); socio-cultural tribal traditions and customs such as *Swara*, and related gender oppressions (Samar Minallah), as well as socio-political issues such as the role of law enforcement agencies, political corruption, environmental, and development issues (Maheen Zia).

It is significant to note that women filmmakers and women's non-governmental organizations were amongst the first to choose documentary film as their activist medium to investigate and document the implications of Islamization, religious extremism, and other human rights issues despite the religious, social and cultural restrictions and limitations that could hinder their creative progress as Muslim women in an Islamic society. Their contribution through this medium emphasizes the need to investigate the significance and effectiveness of women's, and feminist documentary practice as an activist tool of resistance and consciousness-raising in a Muslim society.

According to feminist scholar Nancy Hartsock, feminism is 'a mode of analysis, a method of approaching life and politics, rather than a set of political conclusions about the oppression of women.'⁴⁴ She asserts that women, who develop a feminist standpoint because of their marginalized 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.⁴⁵ Correspondingly, it can be argued that the espousal of such a mode of analysis, and standpoint, by Pakistani women documentary filmmakers serves as a practical strategy for social change.

⁴³For further details on these filmmakers and their productions see: Imran, Rahat. 'Cinema: Films Made by Women Screen Writers, Directors, Producers: Women Documentary Filmmakers: Pakistan.' *Encyclopedia of Women & Islamic Cultures*. Brill, 2010. Brill Online. Access at: http://www.brillonline.nl/subscriber/entry?entry=ewic_COM-0674

⁴⁴Hartsock, Nancy C. M. 'Fundamental Feminism: Process and Perspective.' *The Feminist Standpoint Revisited and Other Essays*. Westview Press, Colorado, USA, 1998. (pg-35).

⁴⁵Ibid. 'The Nature of a Standpoint.' (pg-107).

In doing so, they lend credence to liberal feminist political philosopher Susan Moller Okin's focus on the logic and need for rethinking women's rights as essentially an issue of human rights, and hence equal rights. Okin stresses that activists and policy makers should endeavour to make international and national human rights agendas responsive to the predicaments of women.⁴⁶

In their broader application to Pakistani women documentarists, Hartsock and Okin's perspectives help to define the work of these documentarists as a documentary film category driven by a distinctly *Muslim* feminist standpoint with a focus on women's rights as *human* rights in a Muslim society threatened by religious fundamentalism and extremism. They are telling their stories themselves as opposed to being represented or stereotyped by foreign filmmakers, and media, or being restricted by human rights organizations and researchers as statistical case studies confined to annual reports, or journal articles. This can be seen as an encouraging development as they use documentary media as an activist tool to analyze their female subjects' specific problems as human rights issues.

In his discussion of the developments that have shaped documentary film production styles since the 1970's, Michael Renov notes the participation of documentary filmmakers from diverse cultural and historical backgrounds. Renov elaborates on the growth of documentary filmmaking as a personalized medium of representation:

By 1990, any chronicler of documentary history would note the growing prominence of work by women and men of diverse cultural backgrounds in which the representation of the historical world is inextricably bound up with self-inscription...In the domain of documentary film and video, the scattered frameworks through which the social field came to be organized were increasingly determined by the disparate cultural identities of the makers. The documentative stance that had previously been valorized as informed but objective was now being replaced by a more personalist perspective in which the maker's stake and commitment to the subject matter were foregrounded. What

⁴⁶Okin, Susan Moller. 'Feminism, Women's Rights, and Cultural Differences.' *Decentering the Centre: Philosophy for a Multicultural, Postcolonial, and Feminist World*. Narayan, Uma and Harding, Sandra. (eds). Indiana University Press, Bloomington and Indianapolis, USA, 2000. (pg-28).

had intervened in the years between 1970 and 1990 that might have contributed to this effusion of documentary subjectivity?⁴⁷

Answering his own query, Renov attributes the changes and evolution of the documentary film style to the Western feminist movement of the times, and its new and changing demands for fresh styles of communication to further its developing and diverse causes, and issues. Renov elaborates:

Instrumental to this sea change was the feminist movement, whose revaluation of the prior alternative political structures suggested that social inequities persisted, internal to the movement. Young men challenged the authority of their fathers to establish state policy but left intact gendered hierarchies...The women's movement changed all that and helped to usher in an era in which a range of "personal" issues –race, sexuality, and ethnicity-became consciously politicized.⁴⁸

Today, it can be said that Pakistani filmmakers, both women and men, have taken up a range of issues particular to their socio-political history and environments that have personal implications, such as the impact of *Sharia* laws, gender discriminatory tribal practices, and violation of human rights such as bonded labour, child labour, and religious minority issues, among others. In the past, many of these topics had been either neglected or ignored, or considered taboo for public discourse, particularly through filmic documentation. Correspondingly, it would be useful to examine Pakistani documentary productions in light of the following relevant political, activist, and Third World feminist documentary film perspectives to situate and evaluate their activist intent, and contribution from a wider human rights perspective.

Film scholar, Julia Lesage, points out the political dimensions of feminist documentary film, stating that its particular objective is politically motivated for consciousness-raising, and opposing and challenging patriarchal domination of women. Lesage elaborates:

[T]he women's very redefining of experience is intended to challenge all the previously accepted indices of "male superiority" and of women's supposedly "natural" roles. Women's personal explorations establish a structure for social

⁴⁷Renov, Michael. *The Subject of Documentary*. University of Minnesota Press, Minneapolis, London, 2004. (pg-176).

⁴⁸Ibid. (pg-177).

and psychological change and are filmed specifically to combat patriarchy. The filmmaker and her subjects' intent is political.⁴⁹

Lesage's assertion stresses the political scope and utility of feminist documentary through a collective voice—the subjects' as well as the filmmakers'.

On the other hand, Lesage also points out that the very strength of such documentaries that record women's *individual* experiences as representations of realism can also be their limitation politically, as they can exclude women's *collective* experiences that can be instrumental in building pressure for social change.⁵⁰ However, in the case of Pakistani women documentarists, it can also be argued that as members and victims of the same socio-political environments, oppressive gender-discriminatory laws, and marginalizing practices as their subjects, these filmmakers at once speak for a collective political intent aimed at social change, and reform.

In her discussion of feminist realism in documentary film, Lesage points to the suitability and usefulness of *cinéma vérité* as a tool and documentary style that favours the feminist agenda. She asserts that 'the major political tool of the contemporary women's movement has been the consciousness-raising group,' for which *cinéma vérité* has the potential to prove a most useful feminist tool.⁵¹ Lesage elaborates on the distinct characteristics that can distinguish feminist *cinéma vérité* documentaries as vehicles for change:

The feminist documentaries represent a use of, yet shift in, the aesthetics of *cinema verite* due to the filmmaker's close identification with their subjects, participation in the women's movement, and sense of the film's intended effect... If one looks closely at the relation of this politicized genre to the movement it is most intimately related to, we can see how both the exigencies and forms of organization of an ongoing political movement can affect the aesthetics of documentary film.⁵²

⁴⁹Lesage, Julia. 'The Political Aesthetics of the Feminist Documentary Film.' *Issues in Feminist Film Criticism*. (ed) Patricia Erens. Indiana University Press, Bloomington and Indianapolis, USA, 1990. (pg-224).

⁵⁰Ibid. (pg-224).

⁵¹Ibid. (pgs-229-230).

⁵²Ibid. (pgs-235-236).

Equally, defending the merits of 'the visual dullness of talking heads' as a narrative style in feminist documentary, Lesage points to its practical utility in encompassing a political, and activist intent. She argues that the use of 'talking heads' gives the subjects of the film a chance to speak for themselves, thereby giving voice to 'that which had in the past been spoken for women by patriarchy.'⁵³

Similarly, film scholar Barbara Halpern Martineau notes the implications of different documentary techniques used by feminist filmmakers to get their message across. Making a distinction between the use of talking heads to represent some official or authoritative position, and the use of 'talking heads' of people who are telling their own stories, Martineau stresses that women speaking directly to an audience communicate an instant speaker/viewer relationship, thereby creating a feminist bonding for change and resistance.⁵⁴ Correspondingly, the same can be extended to include others also who find a voice and platform in Pakistani documentary films, regardless of gender, or a purely feminist perspective.

Lesage and Martineau's perspectives will aid in evaluating the impact of using talking heads as a strategy to highlight human rights issues by Pakistani documentarists, and how such a strategy adds to their filmic activism by letting their subjects tell their own stories. These perspectives will facilitate in examining how Pakistani filmmakers have sought to foster their feminist, political, and activist agendas by merging theoretical and formal/methodological frameworks to provide their subjects a crucial space to speak for themselves, and be their own witnesses and advocates, for example, as in the case of those victimized by *Sharia* laws, or marginalized as religious minorities.

⁵³Ibid. (pgs-233-234).

⁵⁴Barbara Halpern Martineau stresses the use of talking heads as a style particularly effective for conveying a feminist message: 'It seems useful at this point to make a general distinction between the use of talking heads to represent some official or authoritative position, and the use of talking heads of people who are telling their own stories. Another, more formal three-part distinction can be made among: 1) Interviews where the subject addresses someone who is either off-screen or on; 2) candid or informal discussions filmed in close-up; and 3) direct address to the camera, where the subject appears to be talking to the audience.' Halpern Martineau, Barbara. 'Talking About Our Lives and Experiences: Some Thoughts About Feminism, Documentary and "Talking Heads."' Waugh, Thomas. (ed). "*Show Us Life: Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-259).

Feminist film scholars Diane Waldman and Janet Walker highlight the various problems, definitions, limitations, and grey areas that still beset feminist documentary, and how these can be addressed. Among the various issues discussed as a strategy towards dealing with these problems, they believe that since women's history runs as counter-history against patriarchy, they have been 'particularly attuned to the necessarily partial and subjective nature of history writing', and urge 'the potential use of feminist work on autobiography, identity and memory for a documentary theory charged to explain the operations of documentary film as historiography.'⁵⁵

Similarly, on the issue of representing reality and 'realism' in feminist documentary, they point to the formal complications this may entail in addressing a political intent:

Documentary studies seems to have reached a point of reckoning around the issues of documentary's relationship to the material world. Once the 70's critique of realism began to affect documentary as well as feminist film studies, writing on documentary began to challenge the truth claims of documentaries themselves and to stress the form's necessarily constructed or mediated nature and its dependence on narrative patterning...While often accused of falling into the realist illusion that documentary films present real women, feminist documentary practices and studies have in fact looked for ways to avoid the illusionist pitfall while at the same time acknowledging the political stakes in representing the images and voices of women who are not professional actors and whose documentary representation seeks to build consensus with actual women for audiences of these films.⁵⁶

The authors also take up aspects of the 'filmmaker/subject: self/other' in documentary film, and consider the various related issues of power/ethics/infringement of rights as in ethnographic research, and the control that can be exerted by the filmmaker in terms of *cinéma vérité* and direct cinema approaches. They point out that 'another strain of the argument in defense of feminist documentaries has emphasized that, while they seem the same as the American direct cinema and *cinéma vérité* documentaries, these feminist works are actually rather different, especially in the

⁵⁵Waldman, Diane, Walker, Janet. *Feminism and Documentary*. (eds) Waldman, Diane, and Walker, Janet. University of Minnesota Press, Minneapolis, USA, 1999. (pgs-1-2).

⁵⁶Ibid. (pgs-11-12).

relationship of the filmmaker(s) to the subject represented.⁵⁷ While they stress the need to question the power of the anthropologist and the ethnographic filmmaker, they also point out their value in empowering the filmmaker/subject by providing them the opportunity to speak out:

Documentaries initiated by people who take up a camera to film their own lives or by people and filmmakers coming together to tell common stories must be appreciated at least potentially radical, and these documentaries must be instated in the archives of documentary history. Many documentary films and videos spring from deep convictions held jointly by filmmakers and by subjects as filmmakers.⁵⁸

The above perspectives offer a context for the evaluation of Pakistani documentarists' contribution as archival documentation of a socio-cultural and political history and events that is shared between them and their subjects, empowering both to speak through issue-oriented activist investigation, and expose.

The authors discuss the value and relevance of autobiographical representations and the agency/power to tell others' stories in feminist documentary. In particular, they emphasize the need to fill the vacuum that surrounds women's own accounts in documentary film. The authors discuss the value and relevance of autobiographical representations and the 'historiographical agency' to tell others' stories in feminist theories of autobiography. Another characteristic of feminist theories of autobiography they point to is the emphasis on the lasting significance of the past not only for the present but also for the future. The authors emphasize the need to fill the vacuum that surrounds women's own accounts in documentary film, suggesting that 'feminist theory-informed' literature can guide the way for filmic depictions that call attention to the lives of 'everyday women.'⁵⁹

Waldman and Walker's perspectives on historiography and autobiography assist in evaluating the significance of Pakistani documentaries in terms of their potential to create an awareness that could impact future reforms and social change. Further, it would be significant to examine the various differing documentary stylistic approaches

⁵⁷Ibid. (pg-13).

⁵⁸Ibid. (pg-17).

⁵⁹ Ibid. (pgs-22-23).

and modes Pakistani documentarists have used as a method to depict their subjects and intent. For example, how have their combinations of participatory, observational, expository, reportorial, archival compilation, oral histories, voice-overs and off-screen commentaries, and interviews, contributed to their activist agenda? What documentary significance do these films achieve by contrasting voices of powerful elites, officialdom, and groups that hold power over decision-making, including religious scholars and extremist groups? How are the realities of subservient and marginalized groups (the poor, the illiterate, minorities, women, and children) represented? Waldman and Walker offer analytical direction in the answers to these questions.

Speaking from a 'post-Third World' perspective, film and cultural studies scholar Ella Shohat suggests that Third-World feminisms have very different and diverse problems, and areas in which to struggle and reclaim their rights. This is perhaps all the more true when seen in the light of religion and religious fundamentalisms, and socio-cultural taboos and constraints in a Muslim society like Pakistan. Shohat calls for a revision of feminist film theory, saying that 'in cinema studies, what has been called "feminist film theory" since the 1970s has often suppressed the historical, economic, and cultural contradictions among women.'⁶⁰ Shohat stresses the need to examine issues of nation, race, and gender regarding Third World women because they are negotiating and conducting their resistance against oppression on several, and very different, levels as compared to Western feminists. She argues for new models to view post-Third Worldist feminist work as opposed to using the old paradigms of Eurocentrism:

Examining recent Third-World feminist cultural practices only in relation to theories developed by what has been known as "feminist film theory" reproduces a Eurocentric logic whose narrative beginnings for feminism will inevitably always reside with "Western" cultural practices and theories seen as straightforwardly pure "feminism", unlike Third World feminism, seen as "burdened" by national and ethnic hyphenated identities.⁶¹

Shohat offers analytical direction for the analysis of how Pakistani women filmmakers and their female subjects are uniquely positioned in opposing and critiquing

⁶⁰Shohat, Ella. 'Post-Third-Worldist Culture: Gender, Nation and the Cinema.' *Rethinking Third Cinema*. (eds) Guneratne, Anthony R. and Dissanayake, Wimal. Routledge, New York and London, 2003. (pg-52).

⁶¹Ibid. (pg-53).

Sharia laws, and religious fundamentalism from within a Muslim society, without disowning their Muslim identity. At the same time, Shohat's analytical direction raises the question of how does this positioning in terms of their own religious and national identity, and gender, also complicate these women documentarists' and their female subjects' activist intent, and resistance in a patriarchal society? This question will assist in ascertaining the success of Pakistani women filmmakers in achieving their activist intent.

Shohat argues for a separate post-Third World feminist category that needs to be applied to identify and recognize such work as a diverse and distinct entity in order to appreciate and evaluate it. She stresses that any discussion of Third World must also address the question of the 'national.' Shohat elaborates:

Rather than merely "extending" a preexisting First-World feminism, as a certain Euro-"diffusionism" would have it, post-Third-Worldist cultural theories and practices create a more complex space for feminisms open to the specificity of community culture and history. To counter some of the patronizing attitudes toward (post-) Third-World feminist filmmakers--the dark women who now also do the "feminist" thing--it is necessary to contextualize feminist work in national/racial discourses locally and globally inscribed within multiple oppressions and resistances. Third-World feminist histories can be understood as feminist if seen in conjunction with the resistance work these women have performed within their communities and nations. Any serious discussion of feminist cinema must therefore engage the complex question of the "national."⁶²

This view on the 'national' question provides an important perspective on Pakistani documentarists' work (not just feminist) in relation to their constraints, limitations, and socio-cultural aspects, particularly the religious and spatial bind so very specific to Muslim women in conservative settings. Further, this view sheds light on efforts to expose the effects of Islamic fundamentalism, while operating from within the delicate balance of their, and their subjects' national, and religious identities. Shohat's perspective gives guidance to the various diversities---historical, cultural, ethnic, religious, socio-political differences, taboos, limitations, identities, obligations and loyalties---that Pakistani documentary filmmakers (not just women) have worked with, or around, to represent their cases and critiques.

⁶²ibid. (pg-54).

Stressing that documentary film can follow several different courses to depict and represent realities, and communicate them cross-culturally, film scholar Bill Nichols elaborates that 'documentary is not a reproduction of reality; rather, it is a *representation* of the world we already occupy. It stands for a particular view of the world, one we may never have encountered before even if the aspects of the world that is represented are familiar to us.'⁶³

In depicting their issues from their particular socio-political standpoint, and as participants, and part of the history and culture that they depict, Pakistani activist filmmakers and their productions present an opportunity to partake in a history that may be remote culturally and geographically, but invites cross-cultural activist attention and connection. For example, issues such as various forms of socio-political oppression that result from religious fundamentalism, and the global concern about the spread of extremist, militant, and divisive ideologies that extend their dangerous implications, like terrorism, worldwide. Nichol's perspective suggests a means of ascertaining the potential and scope of cross-cultural activist communication Pakistani documentary works present through international screenings, and circulation at film festivals, and media channels, respectively.

Spatial Boundaries and Pakistani Women Filmmakers

Moroccan Islamic scholar Fatima Mernissi points out the significance of spatial boundaries that have tended to restrict women's public participation in rigid and fundamentalist Islamic societies. Mernissi explains that this restriction is based on the norms of allocation of power in Muslim societies that is a determinant of the participation and visibility of women in the public sphere:

Muslim sexuality is territorial: its regulatory mechanisms consist primarily in a strict allocation of space to each sex and an elaborate ritual for resolving the contradictions arising from the inevitable intersections of spaces. Apart from the ritualized trespasses of women into public spaces (which are, by definition, male spaces), there are no accepted patterns for interactions between unrelated men and women. Such interactions violate the spatial rules that are the pillars of the Muslim sexual order. Only that which is licit is formally regulated. Since the

⁶³Nichols, Bill. 'How Do Documentaries Differ From Other Types of Film?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-20).

interaction of men and women is illicit, there are no rules governing it...Any transgression of the boundaries is a danger to the social order because it is an attack on the acknowledged allocation of power. The link between boundaries and power is particularly salient in a society's sexual patterns.⁶⁴

In particular, by investigating and documenting critical and controversial developments, events, and issues across the breadth of some of the most conservative, orthodox, and dangerous regions in Pakistan and tribal belts along Afghanistan, Pakistani women documentarists have also cut through the 'social order', 'spatial boundaries', and the religious and socio-cultural constraints detailed by Mernissi. In the process of crossing such specified boundaries, it can be argued that these filmmakers have also defiantly re-appropriated their own and their women subjects' share and visibility in the public sphere. And in doing so, they have challenged their marginalization and victimization as a human rights issue without disclaiming their Muslim identities or rejecting their faith and religious beliefs.

Ironically, for doing so, they have also selected the film media considered by religious extremists as an instrument of 'Western' culture that corrupts and secularizes.⁶⁵ Hence, it would be significant to examine how filmmaking intervenes in politics of space, both in its content and as a practice, particularly in the case of Pakistani women filmmakers documenting, and critiquing the effects of religious fundamentalism from within a Muslim society. Where relevant, these arguments and perspectives will facilitate an evaluation of their film contributions as per an emergent *Muslim* women's cinematic resistance film category that not only defies socio-religious taboos, but also exposes and critiques discriminating religious doctrines, laws, and gender-specific practices through

⁶⁴Mernissi, Fatima. 'The Meaning of Spatial Boundaries.' *Feminist Postcolonial Theory: A Reader*. (eds) Lewis, Reina and Mills, Sara. Routledge, New York, 2003. (pg-489).

⁶⁵Naficy, Hamid. 'Islamizing Film Culture in Iran.' Tapper, Richard (ed). *The New Iranian Cinema: Politics, Representation and Identity*. I. B. Tauris Publishers, London, New York, 2002. (pg-27).

the perspective and voices of Muslim women, both as documentarists, and their female subjects.⁶⁶

Parallels with Other Activist Film Currents

It would be apt to compare that the Pakistani documentary film experience to be discussed in this thesis has strong parallels with activist cinemas such as the Third Cinema and Cinema Nôvo manifestos, and movements of the 1960s and 1970s. To a large extent, as discussions on films will later depict, the political and theoretical contexts of these frameworks can be re-appropriated, translated, and applied in contemporary terms to Pakistani documentarists and their work.

Emphasizing the utility and impact of 'documentary' film as a means by which a 'cinema of subversion' can be advanced, and the status quo of the 'System' challenged, Third Cinema exponents, Fernando Solanas and Octavio Getino, elaborate:

⁶⁶Today, one can find a substantial body of literature, research, critiques and scholarly work on films made in the Muslim world, and by Muslims filmmakers, both men and women. This is a clear indication that the film tradition has also been successfully and defiantly used by Muslim women, both for artistic and consciousness-raising purposes, despite claims by orthodox Muslim scholars and clerics regarding women's participation in the public arena as 'un-Islamic'. Discussions and critiques of films and filmmakers from other Muslim countries that have seen their share of religious fundamentalism, unjust and discriminatory socio-cultural practices, and political/colonial upheavals range from volumes on Post-colonial, Maghrebian, North African, Iranian, Turkish and Arab cinema, and also exile and Diaspora cinemas pertaining to these regions. For example, see following volumes: Chaudhuri, Shohini. *Contemporary World Cinema: Europe, the Middle East, East Asia and South Asia*. Edinburgh University Press, 2005; Colin-Donmez. Gonul. *Women, Islam and Cinema*. Reaktion Books Ltd. UK, 2004; *African Cinema: Postcolonial and Feminist Readings*. (ed) Kenneth W. Harrow. Africa World Press, Inc, Asmara, Eritrea, 1999; Colin-Donmez. Gonul. *Cinemas of the Other: A Personal Journey with Filmmakers from the Middle East and Central Asia*. Intellect Books, Bristol, UK, Portland, Oregon, USA, 2006; *Companion Encyclopedia of Middle Eastern and North African Film*. (ed) Oliver Leaman. Routledge, London and New York, 2001; Armes, Roy. *Postcolonial Images: Studies in North African Film*. Indiana University Press, Bloomington and Indianapolis, 2005; Naficy, Hamid. *An Accented Cinema: Exilic and Diasporic Filmmaking*. Princeton University Press, Princeton, USA, 2001; Armes, Roy and Malkmus, Lizbeth. *Arab and African Film Making*. Zed Books Ltd, London and New Jersey, 1991; Tapper, Richard (ed). *The New Iranian Cinema: Politics, Representation and Identity*. I. B. Tauris Publishers, London, New York, 2002; Dabashi, Hamid. *Close Up: Iranian Cinema, Past Present and Future*. Verso Press, UK, USA, 2001; Hillauer, Rebecca. *Encyclopedia of Arab Women Filmmakers*. (Translated from German into English by Allison Brown, Deborah Cohen, and Nancy Joyce). The American University in Cairo Press, Cairo, New York, 2005.

The cinema known as documentary, with all the vastness that the concept has today, from educational films to the reconstruction of a fact or a historical event, is perhaps the main basis of revolutionary filmmaking. Every image that documents, bears witness to, refutes or deepens the truth of a situation is something more than a film image or purely artistic fact; it becomes something which the System finds indigestible... Pamphlet films, didactic films, report films, witness-bearing films--any militant form of expression is valid, and it would be absurd to lay down a set of aesthetic work norms.⁶⁷

In Pakistan's context, the 'system' can be stretched to be inclusive of officialdom, and state versions of particular events and transformations. The objective in the Pakistani context has not been to subvert the dominant film culture, but to introduce a new one--- in this case an activist documentary category--- and hence to inform and train a new audience. In Pakistan's case, this 'system' can be interchanged to stand as a reference to the political and official versions of history and events, and socio-cultural oppressions and dominance, instead of the dominant mainstream commercial cinema industry and its monopoly over filmmaking and distribution, such as Hollywood in the West.⁶⁸

Similarly, it can be argued that the contemporary Pakistani documentarists are not only providing an alternative counter-history, informed by investigation and supported by testimonies, but also a record that challenges the status quo, and demands accountability.

Ethiopian-American Third World film scholar Gabriel H. Teshome elaborates on the utility and significance of Third Cinema as a tool in the service of retaining and preserving popular memory as opposed to an official and political account of the past. He elaborates on the differences between popular memory and official history:

⁶⁷Solanas, Fernando and Getino, Octavio. *'Towards a Third Cinema.'* (1969). *Movies and Methods.* (ed) Bill Nichols. University of California Press, Berkley, USA, 1994. (pgs-55-56).

⁶⁸In their manifesto, entitled 'Towards a Third Cinema,' Fernando Solanas and Octavio Getino described First Cinema primarily as the Hollywood production model of big monopoly, capital finances, and big spectacle cinema, Second Cinema primarily as European authorial and art cinema, and Third Cinema as an alternative to dominant mainstream commercial cinemas. According to film theorist Paul Willemen: 'Solanas aligns First, Second and Third Cinemas with three social strata: the bourgeoisie, the petit bourgeoisie, and the people, the latter included industrial workers, small and landless peasants, the unemployed, the lumpenproletariat, and students, etc.' Willemen, Paul. 'The Third Cinema Question: Notes and Reflections.' *Questions of Third Cinema.* (eds) Pines, Jim, and Paul Willemen. 1989. London, BFI, 1989. (pg-9).

Official history tends to arrest the future by means of the past. Historians privilege the written word of the text-it serves as their rule of law. It claims a 'center' which continuously marginalizes others. In this way its ideology inhibits people from constructing their own history or histories.

Popular memory, on the other hand, considers the past as a political issue. It orders the past not only as a reference point but also as a theme of struggle. For popular memory, there are no longer any 'centers' or 'margins', since the very designations imply that something has been conveniently left out. Popular memory, then, is neither a retreat to some great tradition nor a flight to some imagined 'ivory tower', neither a self-indulgent escapism nor a desire for the actual 'experience' or 'content' of the past for its own sake. Rather, it is a 'look back to the future', necessarily dissident and partisan, wedded to constant change.⁶⁹

Citing examples of Third World writers such as Ngugi wa Thiong'O of Kenya, Gabriel Garcia Marquez of Colombia, and Ousmane Sembene of Senegal, Teshome compares film and literature from Third World writers and filmmakers as based on collective memories, and the power of these to counter official versions of history, and the creation of a 'Third Aesthetics' as 'activist aesthetics' that preserves these accounts as 'memories of the future.'⁷⁰ Teshome also draws attention to the relationship between 'Third Aesthetics' and 'critical spectatorship' that defines the 'activist aesthetics' of Third Cinema:

We are talking here of 'activist aesthetics', and 'critical spectatorship'. The relationship between the two has a distinctive form which accounts for the character of the aesthetics of Third Cinema. These aesthetics are, therefore, as much in the after-effect of the film as in the creative process itself. This is what makes the work memorable, by virtue of its everyday relevance. In other words, within the context of Third Cinema, aesthetics do not have an independent existence, nor do they simply rest in the work *per se*. Rather, they are a function of critical spectatorship. We consider, therefore, the aesthetic factor of Third Cinema to be, above everything else, extra-cinematic.⁷¹

Teshome stresses the significance of Third Cinema as a valuable ongoing vehicle for preserving and promoting shared memories and histories of 'the wretched of

⁶⁹Teshome, H. Gabriel. 'Third Cinema as Guardian of Popular Memory: Towards a Third Aesthetics.' *Questions of Third Cinema*. (eds) Pines, Jim, and Paul Willemen. 1989. London, BFI, UK, 1989. (pgs-53-54).

⁷⁰Ibid. (pg-60).

⁷¹Ibid. (pg-60).

the earth,' in addition to its application as a political tool to further Third World activisms and struggles:

Third Cinema, as guardian of popular memory, is an account and record of their visual poetics, their contemporary folklore and mythology, and above all their testimony of existence and struggle. Third Cinema, therefore, serves not only to rescue memories, but rather, and more significantly, to give history a push and popular memory a future.⁷²

Similarly, Brazilian film theorist Glauber Rocha's definition of Cinema Nôvo as a global non-commercial cinematic movement for liberation from oppression and exploitation finds a new resonance and application for the Pakistani experience decades later:

Wherever there is a film-maker prepared to film the truth and to oppose the hypocrisy and repression of intellectual censorship, there will be the living spirit of Cinema Novo...Wherever there is a film-maker of any age or background, ready to place his cinema in the service of the great cause of his time, there will be the living spirit of Cinema Novo.⁷³

In his discussion of Third Cinema,⁷⁴ as defined by Argentinian filmmaker Fernando Solanas, and Spanish filmmaker Octavio Getino, film scholar and documentary filmmaker Michael Chanan points to the enrichment and evolution this concept achieved across Latin American countries by various filmmakers as they adopted the essence of its non-commercial, activist, and political effectiveness in addressing their particular national socio-political issues. Chanan points to the shifting, and expanding geographies of Third Cinema aesthetics, and its political appeal which have been aided in no small measure by advancements in new cost-effective and accessible film production technologies.⁷⁵ As well, he points out, these influences were not limited to Latin America, but extended to other continents too. Third Cinema aesthetics began to serve a transnational function when it attracted international

⁷²Ibid. (pgs-63-64).

⁷³Rocha, Glauber. 'The Aesthetics of Hunger.' (1965). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-13).

⁷⁴Solanas, Fernando and Getino, Octavio. 'Towards a Third Cinema.' (1969). *Movies and Methods*. (ed) Bill Nichols. University of California Press, Berkley, USA, 1994.

⁷⁵Chanan, Michael. 'The Changing Geography of Third Cinema.' *Screen*. Volume: 38. Issue: 4. Winter, 1997. (pgs-372-388).

attention, and influenced filmmakers in regions as far as Egypt, and Morocco. Similarly, a General Assembly of Third-World filmmakers was held in Algeria to consider the role of film in the struggle against imperialism and neo-colonialism and the problems of international cooperation.⁷⁶

It can be argued that today the new geographical shifts in the activist essence and spirit of Third Cinema and Third Aesthetics have also extended to Pakistani documentary films. This spirit can be traced in the activist intent of Pakistani filmmakers who are working in another culture, and investigating its historical, and political realities. Today, this contemporary geographical shift, that includes foreign/Western-funded collaborative film productions in Pakistan, is focusing on documenting and critiquing militancy wrought on the pretext of religious identity through Islamic fundamentalism, violence, terrorism, and violation of human rights in another part of the world. Hence, the activist spirit and intent of Third Cinema and Third Aesthetics remains intact as discussed by many prominent Latin American filmmakers in Michael Chanan's documentary.⁷⁷ In fact, the cross-cultural communication of this activist intent is strengthened as technological developments such as cable networks, satellite transmissions, and growing number of TV channels expand global viewing platforms for circulation and exhibition of documentaries from all over the world, both those made in democracies, and under dictatorships.⁷⁸ These technological advancements are enhancing and fostering the production, and international reach of 'third cinema, third video, and even third television' that Chanan pointed out in his article in 1997, stressing the need to identify their expanding and changing geographies.⁷⁹ As I begin this thesis, more than a decade later, this new geography for Third Cinema can be seen to be inclusive of discussion on Pakistani activist documentaries as well.

⁷⁶Ibid. (pg-336).

⁷⁷*The Roots of Third Cinema: New Cinema of Latin America*. Michael Chanan, (28 min 40 secs). English sub-titles. Channel 4,UK, 1983. Accessed at: <http://vimeo.com/12888864> on September 10, 2010.

⁷⁸Chanan, Michael. 'The Changing Geography of Third Cinema.' *Screen*. Volume: 38. Issue: 4. Winter, 1997. (pg-381).

⁷⁹Ibid. (pgs-383-84).

In light of the criteria set out by the above scholars, it can be argued that the Third Cinema and Cinema Novo perspectives and manifestos have been re-appropriated (if unavowedly) by Pakistani documentarists to forge their own distinct 'activist documentary' category at another time, in other contexts, and on another continent.

Film scholar Ella Shohat draws attention to a post-Third Worldist view of Third Cinema perspectives to shed light on their broad contextual scope, both formal as well as political.⁸⁰ Pointing to an 'eclipse of the revolutionary paradigm,' Shohat asks: 'what, then, are some of the new modes of a multicultural feminist aesthetics of resistance? And in what ways do they simultaneously continue and rupture previous Third-Worldist film culture?' Shohat elaborates on the cinemas of resistance of the past, and how their interpretation and application can vary in different contexts:

But the resistant practices of the films advocated by Glauber Rocha, Julio Garcia Espinosa, Fernando Solanas and Octavio Getino are neither homogenous nor static; they vary over time, from region to region, and, in genre, from epic costume drama to personal small-budget documentary...As with Third-Worldist cinema and with First-World independent production, post-Third-Worldist feminist films and videos conduct a struggle on two fronts, at once aesthetic and political, synthesizing revisionist historiography with formal innovation.⁸¹

Shohat's perspectives on Third Cinema, and post-Third-Worldist feminist films can be extended to include the broader realm of activist documentary film practices in contemporary Pakistan. Just as these Latin American manifestos and film movements sought to challenge and subvert the status quo of official and state versions of history by advocating an independent, alternative, and counter-history approach, Pakistani documentarists have sought to do likewise.

⁸⁰Ella Shohat elaborates on 'post-Third Worldist' formulation: 'Whereas the term "postcolonial" implies a movement beyond anticolonial nationalist ideology and a movement beyond a specific point of colonial history, post-Third-Worldism conveys a movement "beyond" a specific ideology--Third-Worldist nationalism. A post-Third-Worldist perspective assumes the fundamental validity of the anticolonial movement, but also interrogates the divisions that rend the Third-World nation.' Shohat, Ella. 'Framing Post-Third-Worldist Culture: Gender and Nation in Middle Eastern/North African Film and Video.' Accessed at: <http://english.chass.ncsu.edu/jouvert/v1i1/SHOHAT.HTM> on November 10, 2011.

⁸¹Shohat, Ella. 'Post-Third-Worldist Culture: Gender, Nation and the Cinema.' *Rethinking Third Cinema*. (eds) Guneratne, Anthony R. and Dissanayake, Wimal. Routledge, New York and London, 2003. (pg-55).

However, although the above-mentioned frameworks can facilitate discussion and evaluation, a significant basic difference that needs to be remembered in the development and emergence of Pakistani activist documentary is that it was not primarily inspired by poverty, social and class discrimination, or purely political oppression alone. Rather, it is rooted in the oppressive effects of politicization of religion that included imposition of rigid Islamic *Sharia* laws, and their consequent impact on the violation of citizen and human rights. It can be argued then, that the spirit of 'Cinema Nôvo' in the Pakistani context has evolved into an activist documentary film category that can be defined as a 'documentary cinema of accountability.' Today, this emergent activist film category not only seeks to depict realities, social ills, and problems in contemporary Pakistani society, but in doing so has keenly begun to provoke debate, and demand answers and reforms (e.g. from Islamic scholars and legal experts, government and law enforcement bodies, and patriarchal and tribal institutions) for violations and excesses wrought on the pretext of religion (Islamic/Muslim national identity), honour, and culture.

As discussions on films will later illustrate, drawing parallels, and translating the above perspectives in contemporary political terms will explore their applicability to the activist documentary filmmaking practices in contemporary Pakistan.

Regional Currents in Cinema: Iran and Pakistan

Although it is not within the scope of this thesis and literature review to extensively cover the developments in Iranian and Pakistani film industry during the Islamic Revolution, and the Islamization period, respectively, a brief synopsis will help to contrast and contextualize the scene in both countries at the time, and to illustrate the roots of the emergence of activist documentary filmmaking practice in Pakistan.

The Iranian Experience

Similar to the experiences of politicization of religion, and the transformations it wreaked in Pakistan and Afghanistan in the late 70s, it is significant to note the developments in neighbouring Iran at the time, where Ayatollah Ruhollah Khomeini's

Islamic Revolution (1979) was taking root and rejecting the progressive and liberal policies of monarch Reza Shah Pahlavi as immoral and symbolic of Westernization.⁸² Whereas in Pakistan the Islamization period instigated the emergence of activist organizations and documentary filmmaking, political developments in Iran initiated a new Iranian post-Islamic Revolution cinema--the 'New Iranian Cinema'--that mostly concentrated on artistic expression and feature films as opposed to a focus on documentaries, and went on to make its mark in the international film arena.⁸³

In the wake of the Ayatollah's opposition to the Shah's monarchy, rigid religiously motivated Islamic censorship policies were introduced to regulate Iranian filmmaking practices, with a particular focus on women's representations and participation in cinema and filmmaking.⁸⁴ Nevertheless, the Iranian post-Revolution cinema, the New Iranian Cinema, comprising largely 'art' films, emerged as a distinct entity in Iran despite government crackdowns on films as an instrument and symbol of Western propaganda that undermined Islamic principles.⁸⁵ Faced with the dilemma cinema presented for the

⁸²Iranian film scholar Hamid Naficy puts the situation into perspective after the Rex Theatre was burnt down by anti-Shah elements in Abadan, Iran, in 1978, killing an audience of over 300 people: 'From then on, the destruction of cinemas became a key symbolic act against the government of the Shah, during whose time cinema was considered--especially by clerics and religious folk--to be filled with Western mores of sex and violence, and part of the imperialist strategy to 'spray poison' and corrupt people's thoughts and ethics... Anti-cinema feelings run deep in Iran... Since the introduction of films into Iran in 1900, religious attitudes, intensified by activist clerical leaders, have consistently condemned cinema as a morally offensive and ethically corrupting Western influence.' Naficy, Hamid. 'Islamizing Film Culture in Iran.' Tapper, Richard (ed). *The New Iranian Cinema: Politics, Representation and Identity*. I. B. Tauris Publishers, London, New York, 2002. (pg-27).

⁸³The notable Iranian documentarists who have addressed topics of socio-cultural significance (incidentally all women), include Persheng Vaziri, Yassamin Maleknasr, Ziba Mir-Hosseini, Mahnaz Afzali, and Nahid Persson.

⁸⁴By the time of the revolution some 180 cinemas had been burnt. Film production came to a halt; many film-makers were indicted, on charges such as 'corrupting the public', and purged; nearly 2,200 previously shown domestic and foreign films were re-inspected and just over 200 of them received screening permits. Some of these films had to be extensively cut before returning to screens. In an attempt to establish an 'Islamic anti-imperialist' cinema, a new set of highly restrictive censorship codes brought film production under the tight control of the government. Most of these codes were aimed at the representation of female characters. For further discussion see Mostyn, Trevor. 'The Averted Gaze: Love and Death in Iranian Cinema.' *Censorship in Islamic Societies*. Saqi Books, London, UK, 2002. (pg-168).

⁸⁵For a detailed discussion on the origins and development of the post-Revolution New Iranian Cinema which emerged in the 1980's, see Chaudhuri, Shohini. 'Iranian Cinema.' *Contemporary World Cinema*. Edinburgh University Press, UK, 2005. (pg-71).

Islamic regime, and the issue of its legitimacy against the religio-political backdrop of the Islamic Revolution, the Islamic regime sought to Islamize it.⁸⁶ Instead of forbidding it entirely, as the Taliban did 15 years later in Afghanistan, the Iranian regime decided to regulate cinema and filmmaking practices under strict control, and use it for political purposes.⁸⁷

However, the rigid censorship policies and artistic constraints (for example in the depiction of women on screen, and strict dress codes such as the mandatory wearing of the *hijab* (headscarf)) were to ironically give birth to a new breed of filmmakers as the New Iranian Cinema began to take shape.⁸⁸ It was against the background of, and as a response to, such artistic constraints and limits on freedom of expression that there emerged an inspired cadre of new Iranian filmmakers, both men and women, to produce films that critiqued the system through an artistic and fictional means by camouflaging their message. Iranian filmmakers, both men and women, began to make their presence felt in international film festivals around the world, winning prestigious film awards and recognition.⁸⁹

⁸⁶Criticizing Reza Shah Pahlavi's monarchy which he overthrew, Ayatollah Khomeini had categorically stated in his first speech upon his return from exile in 1979: 'We are not opposed to cinema, to radio, or to television... The cinema is a modern tool that ought to be used for the sake of educating people, but as you know it was used instead to corrupt our youth. It is the misuse of cinema that we are opposed to, a misuse caused by the treacherous policies of our rulers.' For further discussion, see Naficy, Hamid. 'Iranian Cinema Under the Islamic Republic.' *American Anthropologist*. Vol.97, No 3. September 1995. 548-558. (pg-548). Accessed at: <http://www.jstor.org/> on November 25, 2009.

⁸⁷Tapper, Richard (ed). *The New Iranian Cinema: Politics, Representation and Identity*. I. B. Tauris Publishers, London, New York, 2002. (pg-5).

⁸⁸Ibid. (pg-6).

⁸⁹For example, Iranian film directors like Abbas Kiarostami who accepted the strict censorship policies as part of the regimes' controlling tactics, instead of confronting the system, steered clear of touching topics that would entail a critique of it. Naficy, Hamid. 'Islamizing Film Culture in Iran.' Tapper, Richard (ed). *The New Iranian Cinema: Politics, Representation and Identity*. I. B. Tauris Publishers, London, New York, 2002. (pgs-49-54).

Other notable Iranian filmmakers that emerged during the post-Revolution era, and are associated with the New Iranian Cinema are: Mohsen Makhmalbaf; Jafar Panahi; Tehmineh Milani; Samira Makhmalbaf, among others. For further discussion, see: Chaudhuri, Shohini. 'New Iranian Cinema.' *Contemporary World Cinema*. Edinburgh University Press, UK, 2005. (pg-74).

The Pakistani Experience

During the late 80's in Pakistan, the activist intent began to shift to documentaries made by independent filmmakers and non-governmental organizations, since the advent of video technology, easy availability of pirated versions of Indian Bollywood feature films, and government neglect and strict censorship policies discouraged the production and exhibition of meaningful films that could focus on socio-political issues. During the regime of General Zia-ul-Haq's martial law, there was a tremendous decline in film production, while a culture of mediocre, violent films emerged in an environment of widespread human rights violations, corruption, and violence, as Pakistani film scholar Mushtaq Gazdar explains.⁹⁰ Most notable of these was *Maula Jat*⁹¹ (1979), a lengthy Punjabi feature film filled with intense violence and vengeance, which won unprecedented popularity with Pakistani audiences, and its portrayal of the soft-spoken but merciless villain---Nuri Nath, 'a man obsessed with vanquishing anyone who claims to be more powerful than him'---closely echoed Zia-ul-Haq's own soft-spoken but ruthless character.⁹² However, two months into its' running, the Zia government moved to have it banned. As Gazdar explains:

Later Zia's government decided to ban the film by cancelling its censor certificate for reasons other than the political insinuations in the movie. It was ridiculous that an administration which, at public floggings, fixed microphones near the mouths of the victims to amplify their agonized screams for the edification of the huge crowd, and which made elaborate arrangements to stage public hangings of condemned convicts of military courts, considered the film too violent for viewing by the general public.⁹³

⁹⁰Pakistani film scholar Mushtaq Gazdar explains the overall deterioration of the Pakistani society during General Zia-ul-Haq's martial law years: 'In consequence, the country went through a period of crimes, killings, and violation of human rights and this gave rise to a most appallingly unstable law and order situation. Likewise, the cinema culture was adversely affected by the happenings in the country. The coming years saw the development of a new genre of cinema, glamourizing violence, and advocating brutality as a normal form of vengeance.' Gazdar, Mushtaq. '1977-86: A Decade of Decadence.' *Pakistan Cinema 1947-1997*. Oxford University Press, Karachi, Pakistan, 1998. (pg-154).

⁹¹*Maula Jat*. Yunus Malik. 1979. (3 hours). Punjabi. Pakistan.

⁹²Gazdar, Mushtaq. '1977-86: A Decade of Decadence.' *Pakistan Cinema 1947-1997*. Oxford University Press, Karachi, Pakistan, 1998. (pg-164).

⁹³*Ibid.* (pg-166).

However, as the producer managed to obtain a stay order from the High Court against the Censor Board, the film continued to run continuously for two and a half years while the litigation proceeded. But on expiration of the stay order, it was forcibly taken down from cinema houses by the police.⁹⁴

Against such a political backdrop, it becomes obvious why Pakistani filmmakers and non-governmental organizations that intended to serve an activist purpose, began to turn to documentary film as their tool for resistance and consciousness-raising. Today, the Pakistani commercial film industry is at an all-time decline, as cinema houses are being demolished to make way for shopping malls and commercial plazas, while film production itself remains at a miserably low level due to lack of funding and modern equipment, low turnout of audiences, government neglect, and competition from Indian Bollywood films, (allowed exhibition in Pakistani theatres after a ban was lifted after nearly four decades in 2008), all taking precedence in the few good cinemas that remain in provincial capitals.⁹⁵

At present, the number of cinemas in Pakistan has declined from 750 in the 1970s, to 300 in 2008.⁹⁶ Additionally, rising cost of land, and the advent of cable networks have further reduced their numbers. In Lahore alone, the provincial capital of Punjab and hub of the Pakistani film industry after partition from India, only 23 cinemas remain of the 63 cinemas that existed in 1973.⁹⁷

⁹⁴Ibid. (pg-166).

⁹⁵Sajjad, Jam. 'Indian Movies Dominate Lahore Cinemas.' Daily Nation, August 3, 2009. Accessed at: <http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/Politics/03-Aug-2009/Indian-movies-dominate-Lahore-cinemas> on September 19, 2010.

⁹⁶Bokra, Aftab. 'Indian Films Breathe Life into Pakistani Cinemas.' April 25, 2008. Accessed at: <http://www.reuters.com/article/idUSISL17078720080425> on September 17, 2010.

⁹⁷According to a survey conducted by film experts in 1973, there were 63 cinemas in Lahore, 18 in Rawalpindi, 19 in Multan, 19 in Faisalabad, 11 in Gujranwala, 12 in Sialkot, 12 in Peshawar, 86 in Karachi, 20 in Hyderabad, six in Sukkur, and eight in Quetta. The number has reduced to 23 in Lahore, 12 in Rawalpindi, 14 in Multan, 13 in Faisalabad, 10 in Gujranwala, eight in Sialkot, 36 in Karachi, four in Hyderabad, one in Sukkur and five in Quetta. Ahmed, Shoaib. 'Advent of Cable Industry Brings Doom to Cinema.' The Daily Times, September 17, 2010. Accessed at: http://www.dailytimes.com.pk/default.asp?page=story_22-9-2005_pg7_18 on September 17, 2010.

Conclusion

In the absence of a theoretical framework from which contemporary Pakistani activist documentary filmmaking practices can be evaluated, it has been the intent of this chapter to survey, analyze and synthesize key works on activist documentary filmmaking from outside Pakistan as building blocks for a theory relevant to Pakistan. The themes considered in this chapter include:

1. Perspectives on the contextual and historical approach to documentary filmmaking and the role of the filmmaker (Viola Shafik; Chuck Kleinhans; Bill Nichols; Trinh T. Minh-ha; Julio Garcia Espinosa; Jose Rabasa; Paula Rabinowitz; Erik Barnouw; Jack C. Ellis and Betsy A. Lane).
2. Perspectives on the activist and political intent of documentary film (Michael Renov; Thomas Waugh; Bill Nichols).
3. Feminist perspectives on documentary film and activism (Nancy C.M. Hartsock; Susan Moller Okin; Michael Renov; Julia Lesage; Barbara Halpern Martineau; Diane Waldman and Janet Walker; Ella Shohat; Bill Nichols).
4. Parallels with other activist film currents such as the Third Cinema, Cinema Novo, and post-Third Worldist approaches (Fernando Solanas and Octavio Gettino; Gabriel H. Teshome; Glauber Rocha; Michael Chanan; Ella Shohat).

Additionally, perspectives on gender-specific 'spatial boundaries' (Fatima Mernissi) in the Islamic context in Muslim societies will help to discuss the role of Pakistani women documentarists in navigating their way as Muslim women in rigidly patriarchal, and orthodox regions in Pakistan, particularly the tribal belts bordering Afghanistan. Similarly, the brief synopsis of the developments in the Iranian and Pakistani film industries during the Islamic Revolution (Hamid Naficy; Trevor Mostyn; Richard Tapper), and the Islamization period (Mushtaq Gazdar), respectively, will aid in contextualizing the regional film scene in both countries at the time, thus illustrating the emergence of activist documentary filmmaking practice in Pakistan that is rooted in issues of religious fundamentalism.

The above mentioned themes and film perspectives will facilitate discussion of films that deal with the politicization of religion, women's issues, minority issues, human rights abuse, *Sharia* laws, politics, Islamic fundamentalism and extremism, terrorism,

and consciousness-raising about gender-specific tribal and cultural practices, including violence against women, that will be the subject of films in the following chapters. Together, the themes and perspectives discussed in this chapter will aid in an interdisciplinary contextual reading and analysis of the chosen issue-oriented films, and will establish a theoretical foundation towards the definition of the emergent activist film category from within the Muslim state of Pakistan---one that can be distinguished as a 'cinema of accountability.'

Chapter 3.

Tracing the Legacy of Islamization Injustices on Film: A Reading of Activist Documentaries Against Islamization

Introduction

In a period in which General Zia-ul-Haq sought to legitimize his dictatorial rule by Islamizing the country's criminal justice system through the imposition of the *Hudood Ordinances*, the Law of Evidence, and the Blasphemy Law, socio-legal issues came to dominate the emergence of activist documentary film practice in Pakistan. (See Appendices 1, 2 and 3 for explanation of these laws). Taking Zia's Islamization period that transformed the socio-political landscape of Pakistan as the starting point, this chapter will discuss the role of chosen representative documentary films, independent documentary filmmakers, organizations, and collaborations in depicting the oppressive effects of politicization of religion on the Pakistani civil society, particularly on women, and religious minorities.⁹⁸ In tracing the legacy of the Islamization era, these contextual readings of films will highlight the *politicization* of religion through the intersection of religion, politics, and law that played a critical role in the promulgation of rigid *Sharia* laws, mentioned above, that served in curtailing individual rights and freedoms, marginalization of women's rights and their legal status, and victimization of religious minorities, such as the Christian community. These filmic readings will shed light on the serious repercussions the Islamization period had on the transformation of the Pakistani

⁹⁸Note: Much as I would like to keep it entirely separate, I believe this chapter may overlap somewhat in terms of issues of women's subjugation in Chapter Four, entitled 'Victims of a Vicious System: Women, Violence, and Human Rights.' Therefore, I will discuss the more general films that deal with the effects of Islamization and judicial reforms on women in this chapter, and those that focus specifically on women and gender-related issues in Chapter Four.

society from a fairly secular and progressive one to that suffocated and held hostage by fear and punishment through Zia's cunning manipulation of religion to legitimize and entrench his dictatorship on the pretext of bringing an 'Islamic' order and identity to Pakistan. At the same time, the depictions and critiques offered by these documentaries and their makers will highlight the activist voices and filmic practices that have contributed to the roots and emergence of an investigative and oppositional Pakistani documentary category that this thesis defines as a 'cinema of accountability'---one that is committed to consciousness-raising, advocacy, social change, and a struggle for upholding human rights by questioning and rejecting the negative and suffocating impact of Islamic fundamentalism and extremism from within a Muslim state.

In conclusion, the chapter will evaluate the activist role and contribution of these representative films, filmmakers, organizations, and collaborations in documenting, highlighting and preserving a critical counter-history of Pakistan's descent into religious fundamentalism and its effect on society, and their significance in the service of an emergent filmic vehicle of resistance.

To facilitate a contextual discussion of filmmakers, and organizations that have specifically focused on the legacy of the Islamization period, the chapter will begin with a brief background to the organized women's resistance movement that emerged as a significant consequence of this era, and has continued to be an oppositional force in its struggle against religious fundamentalism, violation of human rights, and curtailment and marginalization of women's rights and equal status.⁹⁹

⁹⁹The following section on the women's resistance movement and organizations in Pakistan will serve as a background to the organizational, and contextual nature of the contemporary activist documentary scene in Pakistan in the chapters on films. Although today many NGOs, groups, and individuals are involved in social welfare and advocacy work in Pakistan, only those organizations, individuals, and fraternities will be included in this thesis whose alliances, and collaborative and/or independent productions have made significant contributions to the emergence of an activist documentary film practice in contemporary Pakistan, and whose films will be discussed in the chapters on films.

Background to the Women's Resistance Movement and Organizations in Pakistan

It is important to note that until the introduction of the *Zina Hudood* Ordinance in 1979, the women's organizations that existed in Pakistan were non-political entities, mainly involved with social welfare work for women, children, and the poor.¹⁰⁰ However, the beginning of the 1980s saw an unprecedented mass mobilization of politically inclined women in Pakistan to take on and challenge gender-discriminatory laws, thereby initiating an organized women's movement in the country that had a political as well as a 'feminist' and social agenda.¹⁰¹ Realizing that women were the first targets of Zia's politically motivated Islamization and *Sharia* laws, educated urban women were amongst those who began to form alliances to protest against the new laws. Among the various women's organizations that have come into existence over the years, the *Shirkat Gah* (Participation Forum), *Simorgh*, the *Aurat* (Woman) Foundation, Progressive Women's Association (PWA), and ASR (Impact--Applied Socio-economic Research Foundation and Resource Center) have emerged as major multidisciplinary resource centers that have fostered activism and research on women's issues. Similarly, the legal fraternity also sprang into action, and free legal aid cells came into existence such as the AGHS Legal Aid Cell, the Pakistan Women Lawyers Association (PAWLA), and Lawyers for Human Rights and Legal Aid (LHRLA). Catering mostly to poor women implicated in *Zina Hudood* Ordinance cases, they also arranged shelter. The majority of these NGOs are free of any direct political affiliation, and largely depend upon international donor agencies for funding.

¹⁰⁰The foremost of these was the All Pakistan Women's Association (APWA), formed in 1949 by the wife of Pakistan's first prime minister, Begum Raa'na Liaquat Ali Khan. APWA was formed to tackle the refugee crises that emerged as a result of partition between India and Pakistan. Begum Raa'na Liaquat announced the formation of a voluntary, non-partisan, non-political organization in recognition of the need for a national association to oversee, and coordinate women's activity for the social, and economic empowerment of women and children in Pakistan. For further details about APWA visit: <http://apwapakistan.com/> Accessed on: May 27, 2009.

¹⁰¹I use the word 'feminist' as per its Western connotation and appropriation by Western-educated Pakistani women's rights academics and activists. However, subsequent discussions of films, and issues pertaining to women, will highlight the limitations of this term in the Pakistani context. I will maintain that women's rights in Pakistan will remain primarily a 'human rights' issue till such time that they are granted equal rights as individuals and citizens.

These organizations and fraternities have also worked collaboratively on various activist and advocacy projects (including documentary films) to push for the amendment or repeal of existing laws, and formulation of new ones.¹⁰² Other significant areas of intervention have included domestic violence against women, education, development, discriminatory laws and customs, healthcare, and spreading family planning awareness and choices for women.¹⁰³

The women's organizations mentioned above have evolved into research and resource centers for human rights, women's rights, and child and minority rights scholars and activists. These organizations have introduced a new wave of women's activism and pedagogical experiments as part of their resistance. These include education and media awareness campaigns, international networking, writing and publishing, and participation in international women's conferences to forge cross-cultural alliances. They also regularly organize seminars and workshops to highlight women's rights issues in Pakistan, while conducting awareness programs in rural areas through their research teams.¹⁰⁴

It was also against the changing scenario brought on by Islamization that a vast number of urban Pakistani women started to travel to the West to study women's issues and gender development. They returned with the aim of generating an activism-oriented

¹⁰²I will discuss relevant organizations in greater detail as per their significance to the documentary films included in this thesis.

¹⁰³In the arena of performing arts during the Islamization period a new, defiant, and politically-conscious street and activist theatre of resistance also began to take shape in the country, largely in opposition to the *Sharia* laws, and curtailment of women's rights. Among the significant protest theatre groups that emerged were the *Tehrik-e-Niswan* (The Women's Movement) Theatre Group (1979), *Ajoka* Theatre for Social Change (1983), the Punjab *Lok Rehas* Theatre Group (1986), while the Rafi Peer Theatre Workshop (1974), the oldest performing arts company in Pakistan, began combining film, puppet theatre, music, and dance for social awareness and mobilizing resistance. Khan, Fawzia Afzal 'Street Theater in Pakistani Punjab: The Case of Ajoka, Lok Rehs, and the (So-Called) Woman Question.' Khan, Fawzia Afzal and Sheshadari-Crooks, Kalpana (eds) *The Pre-Occupation of Postcolonial Studies*. Duke University Press, Durham and London, 2000. (pg-171).

For further discussion see Iqbal, Shoaib. 'Parallel Theater: Socio-Political Perspective.' Accessed at: http://kunci.or.id/esai/en/iqbal_theater.htm on July 10, 2009.

¹⁰⁴Zia, Shahla and Bari, Farzana. 'Women in Non-Government Organizations.' *Baseline Report on Women's 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. (pgs-81-82).

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.¹⁰⁵ Today, these organizations are run and staffed by trained professionals that include educators, sociologists, artists, lawyers, and human rights activists, with a shared and collaborative focus on education, research, publishing, advocacy, and activism in the areas of human and gender rights.¹⁰⁶

The countrywide resistance by women's organizations and the legal fraternity, as well as the international community, placed substantial and sustained pressure on successive Pakistani governments to review Zia-ul-Haq's Islamization measures (and particularly the *Zina Hudoob Ordinance*) for amendments and repeal. Responding to this pressure, another military dictator, President Pervaiz Musharraf, established the National Commission on the Status of Women (NCSW) in July 2000 as a permanent, independent and autonomous statutory body that would make recommendations on laws and policies relating to women, without the influence of the government.¹⁰⁷ The twenty-member commission set up to review the *Zina Hudoob* laws was headed by a retired High Court Judge, Majida Rizvi, the first woman judge to have been appointed to a High Court in Pakistan.

Other significant organizations that, among a host of other issues, also focus on women's rights through collaborative campaigns, and documentary filmmaking are the Human Rights Commission of Pakistan (HRCP), and the Interactive Resource Centre (IRC), respectively.

¹⁰⁵Thousands of NGOs have emerged in Pakistan that have centered on women's rights and issues. According to the Ministry of Women's Development 2002 statistics, there were 13,013 NGOs operating in Pakistan registered under the Voluntary Social Welfare Agencies Ordinance, 1961. *Women Working for Women: Pakistan NGOs Directory, 2002*. Published by the Ministry of Women Development, Social Welfare and Special Education, Islamabad, Pakistan, 2002.

¹⁰⁶It is significant to note that most of these NGOs also offer internships in various disciplines and areas of research on human rights and women's issues as part of their advocacy and training programmes, thereby extending their activist agendas and base.

¹⁰⁷For further details on the National Commission on the Status of Women, visit: <http://www.ncsw.gov.pk/index.php> Accessed on June 10, 2009.

***Jaloos* (Procession) (Simorgh 1988)**

Following from the above discussion that elaborated on organized women's resistance to General Zia-ul-Haq's Islamization of the criminal justice system, *Jaloos* (Procession) (1988),¹⁰⁸ a documentary made by *Simorgh* Productions, is an appropriate film to begin this chapter.¹⁰⁹ Although the focus of this film is the women's movement and resistance, *Jaloos* symbolically sets the activist tone for the countrywide, and continuing, resistance and opposition to military dictatorships, politicization of religion, religious fundamentalism, and consequent curtailment of individual, minority, and women's rights and freedoms in Pakistan.

Made as a commemorative film, *Jaloos* documents the procession organized by women's rights organizations in the Punjab provincial capital, Lahore, on February 12, 1988, while Zia was still in power.¹¹⁰ This procession honoured the historic first demonstration on February 12, 1983 against the proposed legislation of the Law of Evidence prepared by the Council of Islamic ideology (CII) in April 1982.¹¹¹ Through continued resistance by women's groups and organizations, the actual promulgation of the draft was delayed again and again. Finally, it became law in October 1984, and has since been the subject and focus of continuing resistance and opposition.¹¹²

¹⁰⁸ *Jaloos* (Procession). 1988. (22-min-11 sec). *Simorgh* Productions. Pakistan. (Urdu).

¹⁰⁹ The *Simorgh* Women's Resource and Publication Centre and Collective, so named after the mythical Iranian bird reputed to have a nest in the Tree of Knowledge, started functioning in 1985 as a part-time initiative, and formalized as a full-time organization in 1995. It was founded by some of the most prominent names associated with the contemporary women's movement and women's rights in Pakistan, including educationist Ms. Neelum Hussain who has been serving as its chief coordinator, and senior editor for its bi-annual *BAYAN* (Expression) socio-legal journal that was launched in 2004 to serve as an academic forum on socio-legal issues. As a not-for-profit NGO staffed by educationists, sociologists, and artists, *Simorgh* as a feminist-activist organization has focused on working with students, teachers, media professionals, other national and international NGOs, and Community Based Organizations (CBO's). For further details on *Simorgh* research, projects, and publications, visit: <http://www.simorghpk.org/> Accessed on May 29, 2009.

¹¹⁰ General Zia-ul-Haq was killed in the same year (August 17, 1988) in a plane crash.

¹¹¹ Mumtaz, Khawar and Shaheed, Farida. 'Legally Reducing Women's Status.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pg-106).

¹¹² *Ibid.* (pg-108).

The commemorative focus in *Jaloos* is on the 1983 peaceful rally, led by the Women's Action Forum (WAF), which had launched a countrywide public protest against the new laws.¹¹³ February 12 now marks National Women's Day in Pakistan, observed each year.¹¹⁴ Through off-screen narration throughout the film, *Jaloos* uses a straightforward educational approach to list the judicial reforms imposed by Zia, including the *Zina Hudoob* Ordinance and the Law of Evidence, that eroded and seriously impacted women's legal rights and equal status as citizens. (See Appendices 1 and 2 for details on these laws).

Jaloos offers women's perspectives on the emergence of the Pakistani women's movement, and the film serves as a filmic historical record told through a symbolic representation that intertwines with the memory of an earlier, key, procession. The narrator, Mehnaz Rafi, a long time women's rights activist, and politician, traces the origins and inception of a united and organized anti-Islamization movement in Pakistan in which various women's organizations and other segments of civil society came together to oppose and reject these judicial measures. The film highlights the fact that it was the women's organizations under the umbrella of the Women's Action Forum (WAF) and the Punjab Women Lawyers Association who were the first to mobilize public participation and support, and take to the streets to oppose Zia's martial law regime and

¹¹³The first and most significant development in terms of Pakistani women's resistance materialized in response to Zia's gender-discriminatory *Zina Hudoob* Ordinance when the case of Fehmida and Allah Bux versus the State came to light in 1981. In this case a sessions judge sentenced a man and a woman to death by stoning, and 100 lashes respectively under the provision of the new ordinance. This judgment served as a catalyst for the swift formation of the Women's Action Forum (WAF) the same year, led by a women's organization, *Shirkat Gah* (Participation Forum), and endorsed initially by five other women's organizations based in Karachi, where it was formed. For details on the history and formation of the Women's Action Forum (WAF) see Mumtaz, Khawar and Shaheed, Farida. 'Zia and the Creation of WAF.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pgs-71-75).

For further detail on the impact of WAF's activities and activism in resistance to Islamization, see Ibid. 'WAF and its Growth and Impact.' (pg-123).

For further details on the *Shirkat Gah* and its activities and research areas, visit: <http://www.shirkatgah.org/index.htm> Accessed on May 29, 2009.

¹¹⁴The *Simorgh* Women's Resource and Publication Centre was designated for the co-ordination and preparation of the procession documented in *Jaloos*, while a number of other major NGOs also participated, including the Pakistan Women Lawyers Association (PAWLA), *ASR* (Impact), Human Rights Commission of Pakistan (HRCP), the *Aurat* Foundation, and *Simorgh* among others.

policies. The film reveals that since 1983, each year a similar procession had marked the anniversary of the first rally, taking the same route on the Mall Road, Lahore, and was invariably roughed up by the waiting combat police contingents during Zia's tenure.

Jaloos pays tribute to the new generation of educated urban women who were the first to mobilize public dissent against Zia's discriminatory laws. Over 300 women assembled on the Mall Road to take part in the protest march to the High Court, but the peaceful rally turned violent when around 500 policemen stopped the participants, and baton charged and tear-gassed the women's procession.¹¹⁵ The protesters braved the street fight with the police, and despite being beaten and arrested, several women managed to reach the High Court to join male lawyers who garlanded them as a token of mutual victory.¹¹⁶ This single incident of militancy and resolve served to unite and foster new male-female collective alliances in the country, and led to a committed activism against dictatorship, Islamization, and religious fundamentalism.¹¹⁷ Archival still photographs interspersed in the film stand as powerful testimony to the protest rally. Today, these stills of women being brutalized by police capture and preserve not only the dark episodes of state-sanctioned violence of the past, but equally underscore the spirit and defiance by members of Pakistan's civil society that subsequent dictatorial and authoritarian regimes and policies have failed to discourage and contain.

Footage from the 1988 commemorative rally shows women and men from all classes and walks of life congregating on Lahore's main thoroughfare, the Mall Road, in the presence of an ominous and heavily armed combat police presence, to participate in the procession. Through off-screen commentary we learn these marchers included civil

¹¹⁵For further details of this historic February 12, 1983 demonstration see Ibid. 'Legally Reducing Women's Status.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pg-107).

¹¹⁶For pictures of police brutalities on women protestors on February 12, 1983 see Jahangir, Asma and Jilani, Hina: *The Hudood Ordinances: A Divine Sanction?* Sang-e-Meel Publications, Lahore, Pakistan, 2003. (pgs-34-45).

¹¹⁷Pakistani women's resistance to the *Zina Hudood* Ordinance and the Law of Evidence never faltered, so much so, that February 12, 1984, when the Law of Evidence was implemented, has become the symbol of women's resistance movement and is commemorated countrywide each year as Pakistan Women's Day in memory of the peaceful women's demonstration that was attacked by the police. 'Pakistan Women's Day.' Women's Action Forum Press Release, (WAF), Islamabad, Pakistan. February 12, 2004. The *Daily News International*, February 12, Islamabad, Pakistan.

society activists, poor people from rural areas, labourers, lawyers, human rights activists, trade union activists, journalists, housewives, and social workers from all parts of Pakistan.

Jaloos does not exhibit high production values with grainy footage and shot with a handheld video camera operating cautiously, given the heavy police presence.¹¹⁸ Depicting people carrying placards and women delivering fiery speeches as the crowds cheer and chant slogans, and interspersed with gripping still photographs of the 1983 crackdown, the film captures the energy, and resolve of a unified public dissent against Zia's Islamization designs. In doing so, it also establishes a link with the sustained and unwavering opposition to authoritarianism, religious extremism, and gender and minority -discrimination on the pretext of Islam. Perhaps, the most striking feature that comes across is that the small urban demonstration of a few hundred in 1983 has become a major procession of thousands by 1988, with participants from all walks of life and regions of the country and with a significant male presence as well. Furthermore, the documentary presents an early account of those lawyers and activists who were to emerge as the influential voices for social change in Pakistan.¹¹⁹

Today, as many more processions, and public rallies by the Pakistani civil society strive to press for the review and repeal of laws introduced during the Islamization period, and continue to speak out against growing religious fundamentalism and oppressive government, this simple 22-minute documentary film has acquired its own

¹¹⁸The rare video print for *Jaloos* obtained from *Simorgh Women's Resource and Publication Centre* in Lahore, Pakistan, is of rather poor quality, and unfortunately was never preserved through multiple copies, or on DVD.

¹¹⁹Although these individuals are not identified separately in *Jaloos*, they are featured repeatedly through interviews in later films to be discussed in the thesis. For example, these include human rights lawyers Asma Jehangir, and Hina Gilani, who are also the founding members of AGHS, Pakistan's first free Legal Aid Cell set up in Lahore, in 1980, besides other prominent names from the legal profession, the Human Rights Commission of Pakistan (HRCP), and various women's rights organizations.

Asma Jehangir also became the first woman to be elected as the president of the Supreme Court Bar Association (SCBA) of Pakistan. For further details, see The Daily Dawn Online. October 27, 2010. 'Asma Wins to Become First Woman Head of SCBA.' Accessed at: <http://public.dawn.com/2010/10/27/polling-starts-in-scba-presidential-election.html> on October 28, 2010.

archival influence and significance.¹²⁰ The film serves as a valuable counter-history record that holds the past accountable for the present.¹²¹ As well, in drawing attention to transformations that were unfolding early in the Islamization period, *Jaloos* also conveys a symbolic beginning for subsequent Pakistani documentarists such as Sabiha Sumar, whose emergence as a filmmaker is rooted in the same period of oppression and resistance.

Who Will Cast the First Stone? (Sabiha Sumar 1988)

In a prevailing climate of oppressive laws described in the previous section, Sabiha Sumar launched her filmmaking career with her first documentary film, *Who Will Cast the First Stone?*¹²² Made in 1988, the year General Zia-ul-Haq dismissed a civilian government and dissolved the National Assembly on the grounds that the process of Islamization was not being conducted adequately, this film would be the first of a series of films made by Sumar that chart the course and effects of Islamization and dictatorships in Pakistan. Working as an independent filmmaker, Sumar has continued to

¹²⁰Beattie, Keith. 'Finding and Keeping: Compilation Documentary.' *Documentary Screens: Non-fiction Film and Television*. Houndsmills, Palgrave, 2004. (pgs-125-129).

¹²¹Renov, Michael. 'The Subject in History: The New Autobiography in Film and Video.' *The Subject of Documentary*. University of Minnesota Press, Minneapolis, London, 2004. (pgs-109-110).

¹²²*Who Will Cast the First Stone?* Sabiha Sumar (with Ahmed Alauddin Jamal). 1988. (52 min). Retake Film & Video Collective, UK. (Urdu/English/English sub-titles). For further production details visit: <http://ftvdb.bfi.org.uk/sift/title/424112?view=credit> Accessed on: December 21, 2009.

A separate version and discussion of Sabiha Sumar's three documentary films (*Who Will cast the First Stone?*, *Don't Ask Why*, and *For A Place Under the Heavens*) has also been published. See Imran, Rahat. 'Deconstructing Islamization in Pakistan: Sabiha Sumar Wages Feminist Cinematic Jihad through a Documentary Lens' in the *Journal of International Women's Studies (JIWS)*. Vol. 9, # 3, May 2008. (pgs-117-154). Accessed at: <http://www.bridgew.edu/SoAS/jiws/May08/index.htm>

take up issues of women's oppression, religious fundamentalism, patriarchal domination, and socio-political biases as topics for her documentaries.¹²³

Sumar undertook a study of women convicted under the *Zina Hudood* Ordinance and initiated a signature campaign with colleagues for the repeal of these laws. Taking her protest further, she embarked on the production of *Who Will Cast the First Stone?* on the topic of the *Zina Hudood* Ordinance and its impact on women.¹²⁴

The title of Sumar's documentary film *Who Will Cast the First Stone?* (1988) refers to the punishment of stoning to death prescribed for adultery and extra-marital sex in Islamic countries ruled by *Sharia* laws, newly imposed in Pakistan by the *Zina Hudood* Ordinance.¹²⁵ Sumar's research revealed that at the Karachi Central Jail, women had

¹²³Sabiha Sumar's films have been collaborative ventures with foreign media, and aired largely on foreign television channels such as ZDF/Arte, a German-French cultural channel, Channel 4 UK, and the Canadian Broadcasting Corporation (CBC). Sumar's films include: *Who Will Cast the First Stone?* (1988), *Don't Ask Why* (1999), and *For a Place Under the Heavens* (2003), *Silent Waters* (2003), *Dinner with the President: A Nation's Journey* (2007). Her first narrative feature film, *Silent Waters*, screened at the 2004 Sundance Film Festival, has won seven international awards at various film festivals, including South Africa, France, Argentina, Germany and Australia. At the 2003 Locarno International Film Festival, *Silent Waters* won the Golden Leopard Award for best film, a Leopard for best actress for Indian actress Kirron Kher, and three other awards. Accessed at: <http://www.sundancechannel.com/festival/juror/?ixContent=7460> on June 27, 2009.

¹²⁴Sumar did not obtain the mandatory No Objection Certificate (NOC) required from the government of Pakistan for exhibition rights in the country, subject to censorship clearance. Having shot the film without the NOC from the Pakistan Ministry of Culture would have automatically barred Sumar from exhibiting her film in Pakistan. Also, because of strict state censorship policies and media curbs, in all likelihood such a film topic at the time would not have been granted an NOC either.

A film unauthorized for exhibition by the Pakistan Censor Board can be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to one *lac* rupees (Rs 100,000), or with both. For further details see Central Board of Film Censors, Government of Pakistan: 'Penalties and Procedures.' Accessed at: <http://www.cbfc.gov.pk/mpo.html> on November 23, 2009.

¹²⁵For example, in March 2002, a Nigerian woman, Amina Lawal, was sentenced under the Islamic *Sharia* laws to be stoned to death in Bakori, northern Nigeria. According to reports, she had confessed to having had a child out of wedlock while divorced. Under the *Sharia* laws pregnancy outside of marriage constitutes sufficient evidence for a woman to be convicted of adultery or fornication. The man named as the father of her baby girl reportedly denied having sex with Amina, and his testimony as a man was considered enough for charges against him to be dropped. For full story see 'Amina Lawal: Sentenced to Death for Adultery.' Amnesty International, 19 August 2002. Accessed at: <http://web.amnesty.org/pages/nga-010902-background-eng> on October 9, 2009.

been jailed primarily for having had extra-marital sex or marrying somebody of their own choice, while many ended up in prison simply because they reported their rape cases to the police, which was then used against them as an admission of having had sex outside of marriage. They languished in jail until the complaint of rape was taken up. As Sumar noted, 'There were 69 women in jail at that time--this is the late '80s--and of these, 68 were booked for *Zina*.'¹²⁶ The film documents individual case studies of women and men who had been implicated, convicted or imprisoned under the *Zina Hudood Ordinance*. These are complemented by interviews with lawyers and judges, religious scholars and leaders, members of women's rights organizations and activists, as well as ordinary citizens such as factory workers.

Focusing on case studies, *Who Will Cast the First Stone?* records the ordeal of Roshan Jan, Ghulam Sakina, and Shahida Parveen, three of the many women imprisoned in the Karachi Central Jail who had been charged under the *Zina Hudood Ordinance*. The three imprisoned women detailed their experiences at the hands of a gender-biased and discriminatory socio-legal system, and gave their views on *Sharia* laws and religion. The stories that emerge shed light from women's perspectives, on the fundamentalist approach to religion, as each woman recounts how her own family or husband used the provisions in the *Zina Hudood Ordinance* to have them put away on concocted charges of adultery, fornication or extra-marital sex. The women were

However, following immense international outrage and pressure, an appeals court overturned Amina Lawal's conviction on the basis that her sentence was invalid because she was already pregnant when the *Shariah* law was implemented in her home province. For details of the verdict, see Koinange, Jeff. 'Woman Sentenced to Stoning Freed.' CNN, February 23, 2004. Accessed at: <http://edition.cnn.com/2003/WORLD/africa/09/25/nigeria.stoning/> on October 19, 2009.

¹²⁶Khan, Sairah Irshad. 'I've had no support from Pakistanis at home.' Interview with Sabiha Sumar. *Newsline Monthly Magazine*, September 2005. Accessed at: <http://www.newsline.com.pk/NewsSep2005/index.htm> on October 13, 2009.

deprived of their rights in property cases, child custody, or marrying out of choice, and they were abandoned for allegedly bringing shame and dishonor to their families.¹²⁷

Roshan Jan, a prisoner who had been awaiting trial for eighteen months at the time of the interview, recounts how her husband threw her out and remarried. When she filed for divorce, he falsely accused her of *Zina* (adultery), and had her jailed under the *Zina Hudood Ordinance*. As per law, only her husband or father could have had her bailed out, both of whom refused, the husband on the pretext that she is a morally corrupt woman and deserves her punishment and the father on grounds that she had brought dishonour to the family, and should either return to her husband or stay in prison rather than return to his house. Providing the background to her predicament, Roshan Jan reveals that both her husband and father had wanted to sell her into prostitution after she was married off to her husband at nine years of age, and when she resisted, her husband and father conspired to have her put away on adultery charges.

Shahida Parveen, the second prisoner interviewed, reveals she was implicated by her first husband for adultery and rape under the *Zina Hudood Ordinance* after she obtained a divorce from him and remarried out of choice. The Shahida Parveen case received immense attention in the national press in 1987 following a trial court's verdict that both she and her second husband, Mohammad Sarwar, be stoned to death. What led to this conviction was her first husband's failure to register their divorce.¹²⁸ Her first husband's brazen response in the film is that even if she was released, she would most likely become a victim of an honour-killing, a view that is passionately shared and

¹²⁷For a critical discussion on the loopholes and implications of the *Zina Hudood Ordinance* and the Law of Evidence for women, in particular through a discussion of two case studies, see Imran, Rahat. 'The *Zina Hudood Ordinance* and the Law of Evidence', and 'Legal Injustices' in 'Legal Injustices: *The Zina Hudood Ordinance of Pakistan and Its Implications for Women.*' (pgs-87-93). *Journal of International Women's Studies (JIWS)*. Vol. 7, #2, November 2005. Accessed at: <http://www.bridgew.edu/SoAS/jiws/>

¹²⁸Under Pakistan's family laws all Muslim divorces, once pronounced, have to be registered by the husband, and ninety days after registration, the divorce becomes effective. Shahida's divorce was not registered as required by law, thereby resulting in an offence. As there is no time bar on registration of the divorce deed, the prescribed offence is ineffective, but the trial court ruled that Shahida's second marriage was illegal, and hence the couple was convicted of committing rape on each other. Since the accused had admitted to living together, it was taken as a form of confession of guilt. Jahangir, Asma and Jilani, Hina: 'The Hudood Ordinances.' *The Hudood Ordinances: A Divine Sanction?* Sang-e-Meel Publications, Lahore, Pakistan, 2003. (pg-58).

endorsed by various men Sumar interviews on the street for their response to the case.¹²⁹

The third woman, Ghulam Sakina, notes that she was implicated and charged under the *Zina Hudoob* Ordinance in the abduction case of a girl, and for allegedly being an accomplice to adultery and rape. Explaining her case, Sakina recounts that on repeatedly asking back for some money she had lent a neighbour, who refused to return it, Sakina slapped her. As retaliation, the neighbour's policeman husband had her implicated as an accomplice in an abduction case that was reported in his jurisdiction. As a result of her conviction, she had to spend four years in prison, taking her one-and-a-half year old daughter with her, while her husband remarried in her absence, and refused to get her out on bail.

Against a backdrop of the above cases that illustrate the wide net and loopholes that strengthened the *Zina Hudoob* Ordinance against women, Sumar interviews various activists, lawyers, and judges who offer their opposing views on the subject. What emerges are the many tensions and contradictions that had taken root in the wake of religious fundamentalism. Approached by Sumar for his views on the *Zina Hudoob* Ordinance and its negative implications for women, a former judge of the Federal *Shariat* Court (FSC), Justice Zahoor-ul-Haq vehemently defends the *Sharia* laws as 'divine' and 'supreme', arguing that they cannot be meddled with or amended by human beings, as he emphasizes the Law of Evidence as necessary to promote a pious society. Turning around the issue of the Law of Evidence as unjust and discriminatory, Haq argues, 'If women could testify on their own behalf and accuse men as perpetrators in rape cases, it would become an impossible society for men to live in.' As a retort to the judge's assertions, through voice-over, Sumar includes the narration of the Safia Bibi case, in which a sixteen-year old blind rape victim was asked to identify her rapists.¹³⁰

¹²⁹However, following countrywide protests by human rights activists and women's organizations against the verdict, Shahida Parveen and Mohammad Sarwar's convictions were overturned on appeal, and the subsequent re-trial of their case. Ibid. (pg-58).

¹³⁰For a detailed discussion of the Safia Bibi case study, see Mumtaz, Khawar and Shaheed, Fareeda. 'Legally Reducing Women's Status.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pg-103).

The women activists Sumar speaks to criticize Islamization and *Sharia* laws as nothing more than patriarchal ploys to subjugate and terrorize women, particularly the already marginalized segments who are the most likely to be economically dependent on men, illiterate, and who are without recourse to legal aid, or even understanding of the laws under which they can be implicated or convicted. Nasreen Azhar, an activist and founding member of the Women's Action Forum (WAF), points out that the *Zina Hudood* Ordinance presents an easy option for men to use if they want to put a woman away. All they have to do is implicate her under this law if they want property or to get married again. Given the slow and gender-biased legal system, it would be years before an accused woman's case comes up for a hearing, while she languishes in jail. Azhar categorically states that our 'main fight is against the Mullah (Muslim clergy)', connecting inextricably gender-discrimination and biases in society and law directly to Islamist manipulation of religion. Similarly, human rights lawyer Asma Jahangir points out that even if a woman does manage to prove her innocence and is freed from jail, she will 'forever be stigmatized, and face an unsympathetic attitude from the police, society, and the system.'

Talking to Sumar in the film, former Acting Chief Justice of the Pakistan Supreme Court, (the late) Justice Dorab Patel, stresses the need for the reinterpretation of *Sharia* laws according to the times, and goes on the record with his own incisive criticism of the *Zina Hudood* Ordinance. He states that the new laws have created two types of citizens--Muslims on the one hand, and non-Muslims and women on the other. While Muslims cannot be convicted on the evidence of non-Muslims, non-Muslims can be convicted on the evidence of Muslims: 'For example, if there is a theft in my house, and I am the only witness, I cannot give evidence as I am a non-Muslim, although I may be the Chief Justice of the Supreme Court of Pakistan.'¹³¹

¹³¹ Justice Dorab Patel, belonging to the Zoroastrian faith, was a founding member of the Asian Human Rights Commission [AHRC] in 1987. In 1981 he refused to take a fresh oath under the Provisional Constitutional Order (PCO) promulgated by General Zia-ul-Haq, which deprived the superior judiciary of many of its powers--even though as the second senior-most judge of the Supreme Court, he was certain to be the next Chief Justice of Pakistan. Justice Patel died in 1998. Accessed at: http://www.southasianmedia.net/profile/pakistan/pk_leadingpersonalities_humanities.cfm#dp on November 13, 2009.

Sumar caps her documentary debate on religion and the *Zina Hudoood* Ordinance with an interview with (the late) Begum Raa'na Liaquat Ali, the wife of the first prime minister of Pakistan following the partition of India in 1947, and the founding member of the All Pakistan Women's Association.¹³² Ali categorically opposes any official interference in religion by the state: 'State has no business to meddle with religion. Jinnah, the founder of Pakistan, made it very clear in his speech after independence that this will be a country where religion will remain a personal and private matter for all majority and minority citizens alike.'¹³³

Juxtaposing conflicting debates and giving voice to an educated and progressive segment of the society, religious fundamentalists, women prisoners, and on-the-street observers, *Who Will Cast the First Stone?* documented for the first time on film the grim situation for Pakistani women affected by the *Zina Hudoood* Ordinance. Through their own narrations and testimonies, the film gives abundant evidence of police brutalities, the patriarchal and socio-cultural subjugation of their voices and rights, and the biases that oppose women's status in the male-dominated judicial system itself.¹³⁴ It is significant to note that the victimized women who speak out are mostly uneducated and

¹³²Founded by Begum Raa'na Liaquat Ali Khan in 1949, the All Pakistan Women's Organization (APWA) was Pakistan's first women's organization after partition and independence from India in 1947. She was also a leading figure in the struggle for Pakistan's independence. For further details visit: <http://www.jazbah.org/raanak.php> Accessed on November 13, 2009.

¹³³In his inaugural speech as first Governor General of Pakistan after partition from India in 1947, Mohammad Ali Jinnah, the founder of Pakistan, said: 'You will find that in the course of time, Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense because that is the personal faith of each individual, but in the political sense as citizens of the state.' For further details visit: <http://edition.cnn.com/WORLD/9708/India97/pakistan/nation.builder/index.htm> Accessed on December 16, 2009.

¹³⁴For detailed discussions on police brutalities and judicial gender-biases against women in prison charged under the *Zina Hudoood* Ordinance see sections on 'Rape', 'Role of the Police', 'Gender Bias in the Criminal Justice System', and 'Mistreatment of Victims' in *Crime or Custom? Violence Against Women in Pakistan*. Human Rights Watch Report, August 1999. Accessed at: <http://www.hrw.org/reports/1999/pakistan/> on November 27, 2009. In a 1991 report on Pakistan, Dorothy Q. Thomas of the Human Rights Watch (HRW) explains the status of women confronted with the law enforcement and judicial system: Eighty percent of all female prisoners in Pakistan are illiterate. 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.' Thomas, Dorothy Q. 'Double Jeopardy: Police Abuse of Women in Pakistan.' *Human Rights Watch Report*, 1991. Accessed at: <http://www.hrw.org/reports/1992/pakistan/> on December 10, 2009.

belong to the most economically marginalized sections of the society. Yet, in this film, these women demonstrate the courage in their opposition to Zia's dictatorial regime and to fundamentalist Islamic doctrines that inhibit the emergence of equality and justice in Islam. Speaking out in direct and forceful language, Ghulam Sakina challenges the system and the military dictator to prove the validity of these laws in Islam itself. In a pained and angry outburst, Sakina shares her fears and apprehensions at the time:

'Where is the dignity in this brand of Islam for women? Women living within the confines of four walls are prone to being dragged to jails due to these laws. What kind of Islam is this bastard trying to impose on us. He is the proverbial one-eyed monster of the 15th century. May God grant him death. All that remains is to strip women naked in public in the name of religion.'¹³⁵

Given the oppressive circumstances under which *Who Will Cast the First Stone?* was made, it is a significant historical and activist filmic document. Denied the right to testify on their own behalf in court, Sumar gives her subjects the rare cathartic opportunity to be their own witnesses and to testify without the constraints of the *Sharia* laws, particularly the Law of Evidence that would otherwise silence them.

What comes across forcefully in *Who Will Cast the First Stone?* is, on the one hand, the strong opposition to Zia's dictatorship, Islamization, and curbs on freedoms, regardless of the class barriers and education level of Sumar's subjects as they stress the need for a collective struggle for democracy, judicial reforms, gender equality, and equal citizenship rights. On the other, we see the rigid fundamentalist approach to Islam that had begun to seep in and entrench itself in Pakistan's socio-political fabric. In an

¹³⁵General Zia-ul-Haq had a disability in one of his eyes, and popularly became the target of public ridicule, and later newspaper cartoons and caricatures.

Ironically, Ghulam Sakina's words bore terrible truth seventeen years later in 2005 when, after a lifetime of fighting for women's and human rights under the greatest of odds and threats from the state and the clergy, the country's best known woman lawyer, Asma Jehangir, also interviewed in the documentary, was publicly roughed up and partially stripped of her shirt while protesting for women's right to participate in a mixed marathon race. The event was largely seen as a test for army dictator General Pervaiz Musharraf's claims of having brought 'enlightened moderation' to Pakistan in his quest to be the chief US ally at the forefront of the 'war on terror', and supporter against religious fundamentalism. Jehangir, along with numerous other civil society activists, were brutally beaten up in public, arrested and piled into police vans as a way of deterring any further protests. For details see 'Pakistan Police Arrest Runners in Mixed-Sex Road Race.' May 16, 2005. Accessed at: <http://www.cnsnews.com/ViewForeignBureaus.asp?Page=%5CForeignBureaus%5Carchive%5C2005> on November 18, 2009.

interview, Sumar remarked on her experience of filming her subjects in *Who Will Cast the First Stone?*

'It was about three women in prison, under Islamic law. My film argued for their freedom, or rather they argued in the film, for their freedom... It was sad that these women were asking for their basic rights: to be able to decide whom they shall marry or to have the right to fight for the custody of their children.'¹³⁶

In investigating and drawing international attention to a most oppressive period in Pakistan's political and legislative history, *Who Will Cast the First Stone?* performed its own legislative and deliberative role.¹³⁷ It also lay the foundation for Sumar's subsequent films that continued to focus on issues of religious fundamentalism, women's rights, and the struggle for democracy.¹³⁸

Don't Ask Why (Sabiha Sumar 1999)

Sumar continued her investigation into the lasting impact of the Islamization era reforms through her next television documentary, *Don't Ask Why*, made in 1999, eleven years after the release of *Who Will Cast the First Stone?*¹³⁹ Pursuing a biographical journey through the diary and reflections of Anousheh, a seventeen-year old girl belonging to a middle-class family in Karachi, this participatory and observational

¹³⁶For complete interview see Khan, Sairah Irshad. 'I've had no support from Pakistanis at home.' Interview with Sabiha Sumar. *Newsline Monthly Magazine*, October 13, 2009. Accessed at: <http://www.newsline.com.pk/NewsSep2005/index.htm> on October 13, 2009.

¹³⁷Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

¹³⁸*Who Will Cast the First Stone?* an observational and participatory documentary, aired on Channel 4 in Britain and went on to win the *Golden Gate Award* in San Francisco in 1998. However, within Pakistan, Sumar was unable to show her film despite the fact that by then a democratically elected and progressive woman Prime Minister, Benazir Bhutto, was in power after Zia's death. Despite such a reception in her own country, Sumar's proceeded to make several other documentaries and a feature film that have been shown on Channel 4, German and French television, and various international film festivals.

¹³⁹*Don't Ask Why*. Sabiha Sumar. 1999. (58 min) Pakistan. Trafik Film Production. (Urdu/English/English sub-titles). The film was produced and funded as part of the *Girls Around the World* documentary series first aired on Arte, a German-French cultural channel. For further details on this series and their directors, visit: *Women Make Movies*. Accessed at: <http://www.wmm.com/filmcatalog/pages/c518.shtml> on October 9, 2009.

film¹⁴⁰ probes the implications of religious fundamentalism on another generation of women who find themselves growing up and living under this drift towards rigid Islamic doctrines.¹⁴¹ Sumar uses her subject to represent the majority of young women faced with similar dilemmas---conflicting socio-political factors that get confused with religious debate. Anousheh, whose father had embraced ideals of Zia's Islamization, speaks of the confusions and disappointments she faces as a consequence of the socio-religious constraints placed on her freedoms. Through her interactions and discussions with her father, the film tracks the emerging tensions, conflicts, and ensuing questions about gender inequality in Islam for a generation of young women in Pakistan.¹⁴²

Don't Ask Why opens with a bubbly Anousheh painting a moustache and thick eyebrows on her face with an eyebrow pencil, dressing up in jeans and a casual loose shirt as a boy her age would do, with a cap on her head and an unlit cigarette dangling from her lips. While her father laughs at her attempt to be like her brothers, he also chides her and tells her to go and change her clothes as it is time for prayer. The incident not only sets the tone for the rest of the film, but also illustrates Anousheh's understanding of her constraints as a female. She confides to her diary the restrictions imposed on her, wishing she could settle abroad, have a career, and marry out of choice.¹⁴³ Early in the film, Anousheh tells Sumar that 'for the last 17 years my father has ruled my life, and after marriage my husband will rule for the next fifty years.' This

¹⁴⁰On observational film see Nichols, Bill. 'What Types of Documentary Are There?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pgs-99-138).

¹⁴¹Asked how much of *Don't Ask Why* is factual, Sumar asserted in her interview: 'It's not fiction. It is a documentary based on this young girl's real diary and she plays herself in the film and actually reads aloud from it.' Khan, Sairah Irshad. 'I've had no support from Pakistanis at home.' Interview with Sabiha Sumar. *Newsline Monthly Magazine*, September, 2005. Accessed at: <http://www.newsline.com.pk/NewsSep2005/index.htm> on December 3, 2009.

¹⁴²To emphasize her focus on her main character's predicament, and the thrust of the film to question the status quo from a teenager's point of view, Sumar confines her own interaction in the film to Anousheh while letting her interact and explore her own questions with the other characters in the film, and then confiding in her diary and the filmmaker.

¹⁴³Anousheh's own thoughts in the film on her twenty-seven year old (considered well past the marriageable age for a girl in all conservative Muslim societies) sister's upcoming marriage reveal her absolute distaste for arranged marriages, finding them 'scary', and the lack of choice given to girls to decide their future. On the other hand when asked by Sumar if she would marry someone like her father, Anousheh's instant and touchingly honest reply is in the affirmative, saying she adores her father.

realization, combined with a passive submission to what her fate might be, heightens the sadness that permeates her aspirations and dreams throughout the film, serving as a collective reflection on girls her age who, despite privilege and education, could find their freedom curtailed due to the conservative turn Pakistani society had begun to take. For example, in one scene, Anousheh argues with her mother over the length of a *sari* blouse she wants to wear at the upcoming wedding of her sister.¹⁴⁴ The mother's nervous statement that it is too short and revealing, and her apprehensions about the father's objections, point to how the impact of Islamization had seeped into the most trivial and personal of issues.¹⁴⁵

Through recordings from her diary, Anousheh shares her questions with the filmmaker and the audience as she struggles to understand and come to terms with the limitations placed on her despite her own strong belief in Islam. Although not an outright rebel in her approach or speech, the main thrust of Anousheh's questions to her father, a man she adores but with whom she privately does not agree, revolve around her critique of Islam and its gender discrimination. While accepting her religion as an integral part of her life, she questions why women have to stand behind men to pray, why Islam allows men to have four wives, why she cannot go out to a restaurant to celebrate the end of her high-school exams with her friends, why she cannot dress the way she wishes to, and why she cannot apply to university as some of her friends were doing. When Anousheh's questioning gets too intense and direct, her father, an educated man who has been shown answering all her questions till now, is quick to tell her to just accept the dictates of the *Quran* and Islam, and 'don't ask why'. He thereby categorically refuses to enter into an open debate on religion or to evaluate Islamic doctrines. Sumar uses the

¹⁴⁴Another significance that can be attached to this scene is that during Islamization, the *sari*, the most traditional, popularly worn, and internationally recognized dress of Indian and South Asian women, began to be discouraged and identified by the state and religious fundamentalists as a 'Hindu' dress. Extremist forces further translated the *sari* as an anti-Islamic symbol that represented Hindus and Indians as 'infidels.' Mumtaz, Khawar and Shaheed, Farida. 'The Veiling and Seclusion of Women.' *Women of Pakistan: Two Steps Forward, One Step Back?* Zed Books Ltd., London and New Jersey, 1987. (pg-78).

¹⁴⁵It is important to point out here that before 1979 and the introduction of Islamization, dress codes, marriage of choice, complaints and cases of adultery, etc, were treated as personal matters, and dictated by individual family traditions and the Family Law, respectively. For a discussion on the changes brought about in Pakistan's civil society and institutions following Zia-ul-Haq's Islamization in 1977, see *Ibid.* (pgs-77-98).

father's response to reflect upon the fundamentalist interpretations of the *Quran* and Islam.

In one scene, Anousheh articulates her belief that the *Quran* needs to be 'reinterpreted by women in order to claim their rights from within their religion.' In a surprisingly mature manner for her age, she is also quick to point out:

'Here men are like God. If you question them you can be killed...Everything is related to fear: fear of God, of the clergy and religious parties, fathers and so on, and piety because they don't want to go to hell.'

On the other hand, Anousheh's periodic attendance at a *madrassa* run by the women's wing of the Islamic political party, the *Jamaat-e-Islami*, in search for answers to her religious confusions only strengthens her resolve and understanding that Islam needs to be modernized. We see a respectful Anousheh, with her head covered by a scarf, sitting very attentive, but visibly confused and rather frightened, in a religious studies class run by young and enthusiastic *Jamaat-e-Islami* women clad in heavy veils and *burqas*, even in the company of women.¹⁴⁶ Preaching with an emotionally charged emphasis on an orthodox and fundamentalist interpretation of the *Quranic* text, the women of the *madrassa* claim Islam to be the only righteous path that can truly liberate women without exploiting them, in contrast to the West. Through this depiction, Sumar provides a disturbing insight into the organized infiltration of religious extremism through *madrassas* within the ranks of women---conditioned by a manipulative religio-political system to believe that in their lack of choices and subservience to a patriarchal order lays their path to piety, salvation, and liberation.

Through Anousheh's confusions depicted in the film, including her fear that if her father finds her diary, he will 'kill me as my whole life is recorded in it', Sumar contrasts the stark difference between her own growing up years before Islamization when religion was a private matter, and the post-Islamization generation of young women who are

¹⁴⁶The *burqa* is a head to toe covering garment with a mesh screen for eyes worn by very conservative Muslim women in the sub-continent. In Afghanistan, the Taliban government officially enforced the wearing of the *burqa* for all women as a symbol of their fundamentalist government, and policies.

being deprived of freedoms and choices. In voice-over, Sumar sums up her understanding of what has happened to her homeland:

'The only importance we accord our youth is when they become martyrs. You talk to a boy in a village in India, and he'll tell you that he wants to become Shah Rukh Khan. A girl will tell you she wants to become Rani Mukherjee [both are famous actors].¹⁴⁷ You talk to a boy in the city of Karachi (Pakistan), the little boy who comes to clean your car window, and he'll tell you 'I want to become a martyr because that way I'll become famous. I'll be a hero.' As for a little girl in Karachi, she doesn't even know how to dream.'¹⁴⁸

In exploring the conflicts in Anousheh's life as a case study in *Don't Ask Why*, Sumar highlights the vast and visible difference between her own growing up years in a secular society in which religion and state were separate entities, and how the lives of another generation of young women in the same socio-cultural environment is now being shaped by religion. Connecting Sumar's own secular past to Anousheh's oppressive present, we see the regression of Zia's politicization of religion as *Don't Ask Why* depicts the pervasive intersection of Islam and politics in the domestic, personal, and public spheres.

Like a cautionary tale, the film is an early reflection on the influence of religious fundamentalism that continued to influence Pakistani society well after the Zia regime had ended, and despite subsequent democratically elected governments, including that of Benazir Bhutto.¹⁴⁹ This influence becomes evident as Sumar moves from Anousheh's biographical account in *Don't Ask Why* to journey further into the socio-political

¹⁴⁷Denying allegations that she resorts to Pakistan-bashing in her film, Sumar said in an interview that she had always questioned the system. She claims that when she was in the age group of 17 to 25, she would have never joined a women's conservative organization to understand religion as her character in the film did: 'But things are changing. There was a debate going on in Pakistan about women's rights, and the need to interpret the Koran in a more liberal way.' Khan, Sairah Irshad. 'I've Had No Support from Pakistanis at Home.' Interview with Sabiha Sumar. *Newsline Monthly Magazine*, September 2005. Accessed at: <http://www.newsline.com.pk/NewsSep2005/index.htm> on December 13, 2009.

¹⁴⁸The reference is to Indian Bollywood film stars Shah Rukh Khan, and actress Rani Mukherjee. Both are hugely popular among Pakistani and other South Asian audiences, and the Middle East where dubbed, and subtitled Indian films are watched by Arab audiences.

¹⁴⁹1999 also marked a year that saw Pakistan return to another era of dictatorship under General Pervaiz Musharraf (1999-2007), following a military coup in October that deposed the then elected Prime Minister, Mian Nawaz Sharif.

transformations shaping Pakistan in her next documentary, *For A Place Under the Heavens*.

For a Place Under the Heavens (Sabiha Sumar 2003)

In her third documentary, *For a Place Under the Heavens* (2003), dedicated to her daughter Dhiya, Sabiha Sumar takes a reflective, autobiographical, and personal journey through her hometown of Karachi to document the history and effects of religious fundamentalism since 1977.¹⁵⁰ This time, when another military dictator, General Pervez Musharraf is in power, Sumar, accompanied by her little daughter, searches for answers through conversations with those among whom she herself grew up. The autobiographical journeys and encounters she records are complemented by interviews with religious and legal scholars and women from a cross-section of society, including religious activists. Sumar inserts discussions with her three friends, Nausheen, Saba, and Aliya, and other women speaking on either side of the fundamentalist debate to present a wider picture of the divisions and tensions within contemporary Pakistan. In particular, Sumar engages with collaborations between the state and clergy, the impacts of religious doctrines, and the constraints these doctrines inflict on women's freedom and rights in particular.¹⁵¹

The film opens with Sumar walking through her childhood home in Karachi, narrating her memories of growing up in a home filled with music, her father's recitations of Sufi poetry, and her parents' lively social life, which included entertaining friends with

¹⁵⁰*For a Place Under the Heavens*. Sabiha Sumar. 2003. (53 min). Pakistan. VIDHI Films/Unlimited Production in association with ZDF/ARTE. (Urdu/English/English sub-titles).

¹⁵¹Sumar introduces her friends on screen as Nausheen, a women's rights lawyer with whom Sumar had worked on a women's legal and political education project in prisons; Saba, who runs a women's development think-tank; and Aliya, who works for an independent TV network, and is a doctoral student pursuing a degree in Islamic Political Thought.

alcoholic drinks.¹⁵² In a scene from an old home movie of her own birthday party, Sumar points out her mother. She recounts her mother's story of moving from Bombay (now Mumbai), India, to Pakistan during the partition of the Indian sub-continent, a time when Muslim women in India wore the veil. In contrast, Sumar recalls that growing up in Karachi she never saw women veiling, including her mother, who chose not veil in her new Muslim homeland. Showing an old clip of a dance performance at a nightclub from her father's personal collection of films, Sumar reminisces about a very different middle-class life her parents knew, one which she barely got a chance to experience as it evaporated in her own youth under the rule of General Zia.¹⁵³

In her dialogue with Sumar, Nausheen talks of the new trend of veiling with a *hijab*, both among sections of upper and middle-class women. Nausheen further points out that their generation had never even heard of the word till recently as veiling was an import from the Arab world, and alien to the Indian sub-continent.¹⁵⁴ Going through newspaper clippings of significant events in Pakistan's history since its independence in 1947, Sumar and Nausheen begin to piece together a chronology of the socio-political developments that led to the present oppressive environment. Discussing the significant dates, laws, events, elections, military coups, and dictatorships as they emerge from the media clippings and reports, they arrange the pattern of political upheavals that transformed their society.

¹⁵²Although consumption of alcoholic drinks and all forms of intoxication are considered forbidden by Islam, they were not prohibited in Pakistan till in a bid to appease religious parties for political gains, Prime Minister Z.A Bhutto imposed a countrywide prohibition and ban on the sale and consumption of alcohol before he was removed from power in 1977. In addition, he had also imposed a symbolic ban on gambling and nightclubs, and announced Friday as the weekly Muslim holiday, replacing it with Sunday which was being identified by religious parties to be a Christian holiday, and placed copies of the *Quran* in high ranking hotels and government rest houses. Mumtaz, Khawar and Shaheed, Farida. 'The Evolution of Islam in Politics.' *Women of Pakistan: Two Steps Forward, One Step Back?* Zed Books Ltd., London and New Jersey, UK, USA, 1987. (pg-14).

¹⁵³Before General Zia-ul-Haq came to power, cabaret performances and dancing, casinos, nightclubs and bars were a popular and common nightlife feature among Pakistan's urban elites. After he took power, he banned all such activities, proclaiming them 'un-Islamic'.

¹⁵⁴In the Indian sub-continent, as well as Iran before the Islamic Revolution in 1979, and Afghanistan before the Taliban regime took control in 1996, conservative Muslim women who chose to veil wore either a *chador* (shawl worn loosely over the head and shoulders), or the *burqa* that also covered the body and face. The *hijab*, on the other hand is a mandatory head-covering garment worn by women and girls in Saudi Arabia and other orthodox Islamic countries, including Iran now following the Islamic Revolution in 1979.

Another new trend that Sumar records is the emergence of the women's-only religious sermons, led by female preachers, in the new 'piety driven' atmosphere of the country. As an example, a large group of heavily veiled women is shown attending a religious gathering, one which Sumar herself attends and describes as one of the many 'expensive affairs arranged with meticulous detail in five-star hotels all over the country.' Her comment highlights the highly effective role played by social class and money, and how these factors contribute to the organization of such an exclusive and 'pious environment'. In another instance, Sumar contrasts another women's gathering at a religious sermon, 'in a humble neighbourhood,' where a doll is being used in a demonstration by a group of veiled women to educate their congregation on the correct 'Islamic' way to bathe a woman's dead body, and how to drape it in the prescribed white coffin cloth. This eerie 'educational' clip, as well as the discussions at both gatherings about lifestyles that can lead to a place in 'either heaven or hell as there is no escape possible', sharply indicate the extent to which religious fundamentalism has penetrated across social, and economic divides. Following her attendance at both events, a somewhat shocked and dismayed Sumar ponders: 'Did I say I was born in a secular Pakistan? I guess I was wrong. I now realize that I was raised in a schizophrenic society suspended precariously between Islamic ideology and secularism.'

In a voice-over, Sumar wonders that given the economic problems in the country, and the curtailment of their rights in the name of religion, shouldn't working-class/poor women, despite their faith, be far more willing to reject religion? Linking class and piety, Sumar blames the political, secular and liberal parties in the country for having failed to harness such a force at the grassroots level that could oppose religious intolerance, and the growing tilt towards extremism and fundamentalism: 'Our ruling elites have always been the feudals, the army and the clergy who all have interests tied together. It would take a power struggle to change the balance, which these political parties and women's organizations have been avoiding so far.'

In another scene, Sumar speaks with Sorraiya, another veiled woman who proudly talks about her son's participation and subsequent 'martyrdom' in what she

terms '*jihad*' in Kashmir (India).¹⁵⁵ Asked if she regrets his decision to go on this '*jihad*', Sorraiya replies: 'I feel the loss as a mother, but when I think of the cause, I see his martyrdom as the greatest honour God could bestow on a person. He has been saved from hell and will go straight to heaven.' She thus parrots a justification for Islamic militancy, suicide killings, and bloodshed that have swept across the world, images of which continue to dominate coverage of Pakistan and Islam.¹⁵⁶

Addressing Sumar's concerns in the film about the deepening emphasis on fundamentalist Islam, Islamic scholar Mufti Nizamuddin, who spends his time teaching Islamic Studies in *madrasas*, defends the rise of orthodox Islam. He argues that these religious seminaries are useful as 'ideological centers' that are 'paving the way for an Islamic revolution that cannot be achieved through Western-style democracies and

¹⁵⁵At the time of independence from India in 1947, the state of Kashmir was also divided into two parts. Since then, Pakistan and India have been in conflict over Kashmir with Pakistan claiming sovereignty over the Indian half as a Muslim homeland for the Kashmiris, and thereby a part of Pakistan. The current stage in the Kashmir conflict can be dated to 1989, when the Jammu and Kashmir Liberation Front (JKLF) inaugurated an armed uprising against Indian rule. On the other hand, military and other forms of support from the Pakistani establishment, from private *jihadist* groups in Pakistan and elsewhere, in addition to a passionate zeal for what is seen as a 'holy' cause, account, in large measure, for the gradual take-over of the armed struggle in Kashmir by militant Islamist groups, mainly based in Pakistan and led, for the most part, by Pakistani nationals. For further details on the issue see Sikand, Yoginder. 'Islamist Militancy in Kashmir: The Case of the *Lashkar-i-Tayyeba*.' November 20, 2003. Accessed at: <http://www.sacw.net/DC/CommunalismCollection/ArticlesArchive/sikand20Nov2003.html> on October 3, 2009.

Since partition, Pakistan and India have fought two full-fledged wars over Kashmir, one in 1965, and the other in 1971 that also resulted in the separation of East Pakistan, and the birth of Bangladesh. For a background to the Pakistan-India conflicts since 1947, see Ganguly, Sumit. *The Origins of War in South Asia: Indo-Pakistani Conflicts Since 1947*. Westview Press, Boulder, and London, USA, UK, 1986.

¹⁵⁶The concept of martyrdom (*Shahadat*) in Islam is believed to be the ultimate religious offering Muslims can make by giving their life in the service of God. However, in recent times it is being distorted by religious fanatics, terrorist organizations, and suicide bombers to serve and justify their extremist religio-political agendas. The themes of *Jihad* and *Shahadat* did not occur in Pakistani textbooks before 1979, but under Zia's Islamization curricula and textbooks openly eulogized *Jihad* and *Shahadat* and urged students to become *mujahids* and martyrs. Nayyar, A.H. 'Insensitivity to the Religious Diversity of the Nation.' *The Subtle Subversion: The State of Curricula and Textbooks in Pakistan: Urdu, English, Social Studies and Civics*. (eds) Nayyar, A. H., and Salim, Ahmad. Sustainable Development Policy Institute, (SDPI), Islamabad, Pakistan, 2002. (pg-22). Accessed at: http://www.sdpi.org/archive/nayyar_report.htm on February 9, 2009.

parliamentary systems.¹⁵⁷ Why Pakistan needs an Islamic revolution is not an issue the cleric delves into. As for the status of women in Islam, Nizamuddin blames women for failing to achieve their share of power, saying: 'They have not demanded their rights. Islam does not stop women from moving forward. They can come forward and take charge.' When asked if men in Pakistan would be willing for that to happen, he responds with a sarcastic laugh: 'It would take a revolution. No one relinquishes power easily.'

In contrast, Sumar interviews Hina, an aspiring female model. Young, defiant, and confident, Hina dismisses any notions that the state, Islam, or society has the right to dictate her life. She says, 'You can't totally deny the system, but I do a lot of things and get away with them. You need brains to get past the cracks in the system. I have learned to do that and am enjoying my life immensely.' Next, we see her being made up by male make-up artists for the photo-shoot that follows, showing her posing in a red, revealing dress.¹⁵⁸ Such contradictions depict the tensions that have engulfed a society torn between modernity, progress, religion, and the extremist factions that promote intolerance for their own survival.

Adding a legal and theological perspective to the rise of fundamentalist Islam and gender discrimination in Pakistan, Shaheen Sardar Ali, a former Pakistani provincial minister and legal expert whom Sumar interviews at her home in Britain, explains:

It is interesting that out of the 6,666 verses of the *Quran*, only six create gender hierarchies. 6,660 call for gender equality. How come that in 1400 years of jurisprudential evolution, knowledge and analysis 6660 outweighed the 6? Because it was a male elite who were jurists, judges, scholars, legislators, and rulers and they picked just half a dozen verses to override the others. In terms of gender hierarchies, these half a dozen also came with a pre-condition that males provide for women. From a strictly legal perspective, even this precondition

¹⁵⁷Since 1979, these *madrasas* (religious seminaries) in Pakistan have also become the hub and training grounds for Islamic fundamentalist ideologies, and the promotion of violent '*jihad*' against non-Muslims. For a detailed discussion see Hussain, Zahid. 'Nursery for Jihad.' *Frontline Pakistan: The Struggle with Militant Islam*. Columbia University Press, New York, USA, 2007. (pg-76).

¹⁵⁸For a discussion on the many contradictions regarding Pakistani women and their role in contemporary society see Dawood, Shimaila Matri. 'Will the Real Pakistani Woman Please Standup?' *Newsline Monthly Magazine*. March 2007. Accessed at: <http://www.newsline.com.pk/NewsMar2005/cover1mar2005.htm> on October 25, 2009.

disappears if there are no males in a household, and the woman is the provider.¹⁵⁹

Sardar Ali rejects confrontational politics when it comes to religion, saying it can be counter-productive as this is a sensitive issue. Sumar, however, rejects this avoidance as taking refuge in the verses of the *Quran* and sidestepping the necessity of a power struggle if patriarchal control and fundamentalism are to be challenged. As Sumar observes, 'Listening to Shaheen I could not help wonder where Christian women would be today if they were still interpreting the Bible?'

The most chilling scene, one that underlines the urgent need to curtail fundamentalist Islam in Pakistan, as elsewhere, is one in which Sorraiya, whose son was martyred in Kashmir, reads from his letter talking about the joy he feels at going on *jihad*. This is followed by her young, widowed, heavily veiled daughter-in-law supporting the logic of *jihad* and martyrdom by preaching their blessings to her orphaned young son. Emphatically she asks the boy if he is ready for martyrdom, to which the child is shown clapping and saying a cheerful 'yes' that he has already been conditioned to affirm, despite his young age and ignorance of the implications.

Against a backdrop of her engaged in a discussion with her friends, Sumar ponders in voice-over:

'There is no end to our discussions. Why is there no support, neither financial nor ideological, for secular politics in Pakistan? Clearly people of Pakistan would be willing to buy into an ideology that is relevant to their daily concerns. Why is it that no leader, not even Benazir Bhutto, has been able to reverse the trend of Islamization and put the ghost of General Zi-ul-Haq to rest?'

These are questions that the majority of secular, and progressive Pakistanis of her generation continue to ask, both in Pakistan, as well as part of the Diaspora.

¹⁵⁹Shaheen Sardar Ali was formerly professor of law at the University of Peshawar, Pakistan, Minister for Health, Population Welfare and Women's Development in the Government of the North West Frontier Province (Pakistan), and Chair of the National Commission on the Status of Women (NCSW). Currently, she teaches Islamic Law at Warwick School of Law, University of Warwick, Coventry, UK. For further details on her work, visit: <http://www2.warwick.ac.uk/fac/soc/law/staff/academic/ali/> Accessed on January 5, 2009.

Sumar ends her film with another clip from her own birthday home-movie, which merges into a very similar clip of her daughter's birthday party. Concluding her personal journey through the transition from one generation to the next, she reminisces:

'It is the same house forty years later, and it is my daughter Dhiya's tenth birthday. I tell Dhiya when people stop asking questions it is a dangerous time. When she grows up I want her to ask, does half the nation benefit from being covered under layers of cloth or does the other half benefit? Or is it a small coterie of rulers that benefits at the expense of both?'

As Sumar's various subjects vie for a 'place under the heavens' on either side of the religious debate, no doubt women emerge as the most vulnerable victims, caught in a web of religious loyalties, and political manipulation, deprived of both equal status and freedom.

***Hudood Ordinance 1979: Divine Law, or Law of One Man?* (The National Commission on the Status of Women (NCSW) 2005)**

The countrywide resistance by women's organizations and the legal fraternity, as well as the international community, continued to place immense pressure on successive governments to review Zia-ul-Haq's Islamization and the *Zina Hudood Ordinance* for amendments and repeal. Hence, there was a call for the establishment of a permanent, independent, and autonomous statutory body that would make recommendations on laws and policies relating to women, without the influence of the government. This call resulted in the establishment of the National Commission on the Status of Women (NCSW) by, ironically, another military dictator, President Pervaiz Musharraf, in July 2000 as he sought to present a progressive image to the West.¹⁶⁰ The twenty-member commission set up to review the *Zina Hudood* laws was headed by a

¹⁶⁰For further details on the National Commission on the Status of Women, visit: <http://www.ncsw.gov.pk/index.php> Accessed on June 10, 2009.

retired High Court Judge, Majida Rizvi.¹⁶¹ However, given that the NCSW is a government body, whose chairperson and employees are recruited by the government of Pakistan, it is only understandable that it has to work within the constraints and parameters of state policies and religion, despite its 'autonomous' status, and relative freedoms. Over the past decade, the NCSW has also extended its projects to include radio shows, and documentaries for legal literacy, and consciousness-raising.

It is a significant addition that NCSW's very first documentary film, *Hudood Ordinance 1979: Divine Law, or Law of One Man?* (2005), revolves around the implications of the Ordinance for women---a law that still took centre stage even after a lapse of 25 years since its promulgation.¹⁶² For the first time we see the country's leading legal experts, policy-makers, lawmakers, rights activists, politicians, religious scholars, as well as women convicted under the *Zina* laws, debate the gender-discriminatory nature, and weaknesses of the *Hudood* Ordinance on film, from a government platform.

Tracing the promulgation of the *Hudood* laws during the Islamization period which replaced the century old penal code with *Sharia* laws, the film revolves around a single question asked by the off-screen narrator: 'What was the need for the imposition of the new law? And what were the political motives for this arbitrary action?' We hear

¹⁶¹Since its establishment in July 2000, the NCSW has been working alongside legal experts and national and international human rights and women's organizations, including the United Nations. Currently, headed by Ms. Anis Haroon, a former journalist and women's rights and political activist, the NCSW has been active in publishing annual reports, documenting of socio-legal developments in the country, and holding debates and seminars to review the impact of *Sharia* laws on women's status and rights concerning divorce, inheritance, family laws, child custody, and Islamic concepts of justice, such as *qisas* (equal punishment) and *diyat* (blood money), in criminal procedures. Besides these, the Commission has also participated in international conferences and seminars to include participation from a wider section of the society. Its chairperson, Ms. Anis Haroon, has also been associated with leading women's rights and human rights organizations such as the ASR (Applied Socio-economic Research) Foundation and Resource Center, the South Asia Partnership (SAP), and the *Aurat* Foundation. She is also a founder member of the Women's Action Forum (WAF), and the Human Rights Commission of Pakistan. Accessed at: <http://us.oneworld.net/node/139516> on June 10, 2009.

¹⁶²*Hudood Ordinance 1979: Divine Law, or Law of One Man?* 2005. (23.51-mins). Ajoka Productions for the National Commission on the Status of Women. (Urdu/English sub-titles). Pakistan.

responses and views from over a dozen prominent people, among them legal experts, rights activists, government officials, lawyers, and politicians.

Among those who critique and stress the need for judicial amendments, and repeals are Syed Afzal Haider, lawyer and Member Special Committee on *Hudood Ordinance* who states that the *Hudood Ordinance* was enforced by Zia alone, as no intellectuals, scholars, public, or those who had dissenting views were even consulted. He points out that the Ordinance is less about *Hudood* and more about 'penalties.' Sharing Haider's views, Justice (Retd) Shaiq Usmani, Member Special Committee on *Hudood Ordinance* states categorically that this 'Ordinance should not be called *Hudood Ordinance*. This is Zia's Ordinance.' Terming the Ordinance as 'unimplementable,' Hina Jillani, lawyer, rights activist, and Member Special Committee on *Hudood Ordinance* says the primary motive of the military regime was to legitimize itself, and that it just used the name of Islam. She notes that this law was not introduced to promote Islam as even the Islamic scholars are divided on its validity. Mehnaz Rafi, Member National Assembly, and a member of the Pakistan Muslim League (PML) political party points out the word *Hudood* has been used to give the impression that it is an 'Islamic' law, while Sherry Rehman, Member National Assembly, and member Pakistan People's Party Patriots (PPPP) political party points out that the *Hudood Ordinance* is against the constitution of Pakistan as article 25:1,2,3 of the constitution states that 'there shall be no discrimination on the basis of sex, gender, race, or class.' Anis Haroon, belonging to the *Aurat (Woman) Foundation* stresses that the *Hudood Ordinance* is full of loopholes, and is being used to simply victimize or trap the minorities and women.

In the film Islamic scholars offer their opinions on the *Hudood Ordinances*. Dr. Khalid Masood, Chairman, Council of Islamic Ideology (CCI) states that the *Hudood Ordinance* is based on the interpretations of *fiqhas* (Islamic jurisprudence) of Islamic sects according to the situations of that time, therefore it is neither completely un-Islamic, nor totally 'Islamic.' Legal scholar Tufail Hashmi explains that the *Hudood laws* begin with the statement that they are according to the *Quran* and the *Sunnah*. He points out that out of 100 sections, only 18 relate to *Hudood*, while the rest are penal laws. Some are procedural laws, and some are just definitions, and they do not relate to the *Quran* or the *Sunnah*. Majida Rizvi, Justice (Retd) of the Sindh High Court, states that

the *Hudood* Ordinance violates the constitutional guarantees regarding equality before law, and that it also violates the *Shariat* Act.

As footage reveals women languishing in prison, we learn from Zia Awan, lawyer, rights activist and president of the Lawyers for Human Rights and Legal Aid (LHRLA) organization that due to these laws 'there has been a 50% increase in the number of women prisoners.' This factor is elaborated by former Chief Justice Sindh High Court, Nasir Aslam Zahid (Retd): '122 women's cases are still under trial. Of these 58 women are accused under the *Zina* Ordinance.' Justice (Retd) Nasira Javed Iqbal of the Lahore High Court elaborates further:

'Since 1979, 90% of imprisoned women have been the victims of the *Zina Hudood* Ordinance. When I was a judge, 10 to 15 such cases came to my court daily in which brothers, uncles, even fathers registered cases against their sisters, nieces or daughters---accusing them and their husbands of adultery only because they married without family consent.'

Turning to the of the Law of Evidence, which seriously impacted recourse to justice, particularly for women, her husband, former Chief Justice Lahore High Court, Javed Iqbal narrates in the film a case of blatant manipulation, and victimization that came to him:

'A female student who had gone into a male professors' room for a meeting found herself locked in his room from the outside by male students belonging to a religious party, who then claimed that adultery was being committed inside. One of them brought an imam (leader of mosque prayers) from a nearby mosque to be a witness. When I asked the imam if he had seen the act of adultery, he said "no I did not see it, but when the door opened, both seemed very confused as they came out, and the boys said adultery had been committed."

Following the testimonial stories of three poor women, Zafran Bibi, Basri, and Zahida, who had been accused falsely under the *Zina Hudood* Ordinance, former Chief Justice of Sindh High Court, Justice (Retd) Nasir Aslam Zahid spells out the Islamic penalty for false accusation in the *Quran*. He explains that if an accuser is unable to bring four eyewitnesses against a woman accused of adultery, he would never be accepted as a witness for any case again, as according to *Surah Noor* of the *Quran*, Verse number 4, he would be deemed a 'wicked transgressor.'

Correspondingly, Nasira Javed Iqbal explains the issue from a legal, and woman's perspective saying that according to the *Quran*, two male witnesses are required for business matters, but if you cannot find two men, then you should get the witness of one man, and two women. So that if one forgets, the other would remind her. That is still one witness only. On the other hand, giving her own example as a woman, she elaborates on the limitations of the law:

'A judge and advocate myself, I can debate and adjudicate an agreement, but I can not sign it. When I want to verify a document, I can even ask my male servant to be the witness. Because as a lawyer I know that if I sign it, we will have tremendous problems in proving its authenticity. I will be asked why only one woman has signed it, and not two? It would be very difficult to prove the document. Does it make sense that the evidence of my male servant is more valuable than mine?'

Turning to the punishment of stoning to death as prescribed in the *Zina Hudood Ordinance*, Justice (Retd) Shaiq Usmani informs us in the film that in Islam the penalty for *Zina* is lashes, but for the *Hudood Ordinance* the *ulema* (religious scholars) have prescribed it as *rajam* (stoning to death) of which there is no mention in the *Quran*. Similarly, lawyer, Hina Jilani pinpoints to yet another lacunae in the law that discriminates against women. She explains that if a girl is 16, she is considered an adult, and that even a nine-year old girl, who has attained puberty, would be treated and punished as an adult. Hence, there is no difference between a minor and an adult female under the *Hudood Ordinance*.

The only voice to defend the *Hudood* laws is that of the heavily veiled Samiya Raheel Qazi, Member National Assembly, and Member of the *Muttahida Majlis-e-Amal* (MMA) (United Action Front) religious party who categorically defends these laws as 'divine', saying: 'This is a Western agenda to oppose the Islamic articles of our constitution.' Qazi's views are a troubling reminder that despite hers' being the only voice of defense in the film, it is the long and influential shadow of the Islamization period that has persistently hindered the repeal of the *Hudood* laws.

The film ends with another off-screen question from the narrator: 'Why, despite such flaws and weaknesses, have these laws not been repealed?' Anis Haroon answers that when political parties come to power they compromise, and the issues pertaining to

women are not given the priority they had promised. The film concludes with a list of 15 NCSW recommendations for repeal, and amendments scrolling down the screen.

Although the debates, and recommendations for the repeal of the *Hudood* laws remain inconclusive due to their sensitive religious nature and connotations, the film indicates significant progress on the part of a government body, and civil society resistance in Pakistan. Taking into its fold prominent legal experts and scholars, *Hudood Ordinance 1979: Divine Law, or Law of One Man?* serves as the government's own counter-history¹⁶³ document that addresses seminal judicial transformations in the country during the Islamization period, hence playing a judicial and historical role.¹⁶⁴ It is not so much the topic and discussion of *Sharia* laws, and subjugation of rights themselves that make the point here---issues already addressed in *Simorgh* and Sabiha Sumar's films--- but rather the fact that these critiques, and the stress on the repeal of the *Hudood* laws, are now being expressed from the platform of a government organization, formed specifically for the purpose of reviewing them.

The NCSWs' foray into documentary film production shows that this media is being used by a government institution as well for consciousness-raising, and to push for reforms. Hence, documentary film practice in Pakistan has strengthened new activist collaborations with civil society actors, as the long journey between *Jaloos* (1988), and the NCSW productions indicates.¹⁶⁵ From being beaten and arrested on the streets of Lahore in the '80s for resisting the *Hudood* Ordinances, legislators and activists are now pursuing those very issues collectively under the patronage of a federal government body, although any major results still remain to be achieved. Made in collaboration with

¹⁶³Renov, Michael. 'The Subject in History: The New Autobiography in Film and Video.' *The Subject of Documentary*. University of Minnesota Press, Minneapolis, London, 2004. (pgs-109-110).

¹⁶⁴Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

¹⁶⁵Other documentaries made by the National Commission on the Status of Women on women's issues include: *Prisoners of Circumstances*. 2006. (22.50-mins). Produced by National Commission on the Status of Women under UNDP-IS-NCSW Project, 2006. (Urdu/English sub-titles). Pakistan.

Mera Bhag, Tiyaag hi Tiyaag (The Promise). 2008. (11.19-mins). Produced by National Commission on the Status of Women with assistance from the United Nations Development Fund for Women (UNIFEM). Pakistan. (English/Urdu).

the *Ajoka* Theatre for Social Change, a theatre company founded by theatre activists Shahid Nadeem and his wife Madiha Gohar during Zia's regime, this NCSW documentary clearly indicates a new government-civil society collaboration and alliance with a shared agenda for reform. This is a significant achievement for Pakistani women's organizations and activists who have continued to sustain their struggle for reforms, and who have exerted pressure on all successive governments since Zia-ul-Haq to acknowledge, and redress their concerns.

***A Sun Sets In* (National Commission for Justice and Peace (NCJP) 2000)**

Despite the potential for injustices unleashed by the promulgation of the Blasphemy Law during the Zia regime, *A Sun Sets In* (2000) by Shahid Nadeem¹⁶⁶ is the only Pakistani documentary film that addresses this issue. It is a commemorative film following a tragic case of suicide by a Christian clergyman, Dr. Bishop John Joseph (1932-1998) who became an icon of struggle against such discriminatory laws that mandated capital punishment, and rendered minorities as social outcasts in their own country.¹⁶⁷ Although the Bishop's struggle indicates that there has always been mounting domestic and international pressure to repeal the Blasphemy Law, public

¹⁶⁶Shahid Nadeem, screenwriter, journalist, and human rights activist has been associated with Pakistan Television (PTV) since 1973 as producer, as well as playwright. A long time social and political activist, he has also worked with Amnesty International, and has been imprisoned thrice for his writing, and non-violent opposition to military rule. With a focus on human and gender rights, Nadeem is also a leading playwright for stage and has written over 40 plays, mostly for *Ajoka* Theatre for Social Change, a private theater company he runs with his wife, Madeeha Gohar, in Lahore, Pakistan. For further details of *Ajoka* productions and activities, visit: <http://www.ajoka.org.pk/ajoka/theatre.asp> Accessed on March 9, 2010.

¹⁶⁷*A Sun Sets In*. Shahid Nadeem. 2000. (45-min) National Commission for Justice and Peace (NCJP) Production. Pakistan. (Produced in both English and Urdu versions. Off-screen commentary in English version by Graham Horn and Rebecca Edge). The film has been shown as part of the 15 films chosen for the Traveling Film South Asia Documentary Film Festival in 2001, and has held 40 shows in different places. For details of the festival visit: <http://www.filmsouthasia.org/> Accessed on March 9, 2010.

discourse and filmic critique have remained limited and constrained due to religious sensitivities.¹⁶⁸

A Sun Sets In presents a life sketch of Bishop John Joseph, who committed suicide in 1998 to protest religious intolerance and the discriminatory treatment meted out to religious minorities as a result of the Blasphemy Law (For details of the Blasphemy Law, see Appendix 3).¹⁶⁹ In documenting the Bishop's life and work, the film also summarizes the politicization of both religion and law that Pakistan's politicians and religious leaders have continued to exploit to their advantage.¹⁷⁰ The film became a rallying point against religious intolerance, and led to an international outcry for the repeal of the Blasphemy Law.

Produced by the Lahore-based National Commission for Justice and Peace (NCJP), a Catholic organization, the film primarily focuses on the life of Bishop Joseph's contributions, paying tribute to his unwavering commitment to religious equality and his ongoing campaign against state-endorsed laws and directives that affected all religious

¹⁶⁸The Blasphemy laws of Pakistan are considered a relic of the 1860 British colonial criminal law. By 1986, they were "Islamized" by Zia-ul-Haq. In 1991, elected Prime Minister Nawaz Sharif made the death penalty mandatory. Abuse of these laws became rampant after Zia-ul-Haq's Islamization of the laws: while there had been only 7 cases between 1927 and 1986, the number of cases between 1986 and 2004 increased to more than 4000. *Rationalist International*. Bulletin # 135 (21 November 2004). Accessed at: <http://www.rationalistinternational.net> on February 18, 2009.

¹⁶⁹Pakistan is a multi-ethnic and multi-religious country. While 96 % comprise Muslim *Sunni* (majority), and *Shia* (minority) sects, 4 % of its population represents religious minorities, and includes Christians, Hindus, Sikhs, Buddhists, Parsis, Bahá'ís, Ahmadis, and Kalash. Accessed at: <http://www.franciscansinternational.org/node/3037> on March 8, 2010.

¹⁷⁰In 1980, the Zia regime began adding new sections into the Pakistan Penal Code's existing injunctions dealing with offences against Islam. Known generally as the Blasphemy Law, the new inclusions, 298-A and 298-C, proved to be cunning and water-tight legal provisions to rule through fear and punishment.¹⁷⁰ Inserted into the existing law in 1980, section 298-A made the use of derogatory remarks in respect of persons revered in Islam an offence, punishable with up to three years' imprisonment. In 1986, this was further narrowed down through the insertion of another inclusion, 295-C, that specifically made defiling the name of the Prophet Mohammed a criminal offence, punishable with death or life-imprisonment. AmnestyInternational Report on Pakistan. September 1996. (ASA 33/10/96). Accessed at: <http://www.amnesty.org/> on February 18, 2009.

minorities and their equal citizenship rights.¹⁷¹ Through interviews with his family members, friends, and colleagues that include members of the clergy, and supported by off-screen commentary, still photographs and archival film footage, Nadeem constructs the Bishop's life sketch: his early days as a student, his work among the poor and disadvantaged, his standing as the 'people's Bishop' and an 'activist Bishop' in his community, and the events that instigated his tragic suicide.

The film begins in Bishop Joseph's home village of Khushpur, the oldest and most prominent Christian settlement in the Punjab province near the industrial city of Faisalabad, which has also been the hub for Christian learning in the country. Interspersed with devotional songs, still photographs from his youth, and footage of his participation in Church activities and services, the film also introduces the Bishop as the first Punjabi priest to rise to the position after almost a 30-year gap. Coming from a prominent Christian family known for their commitment and service to the Catholic Church and to education, we learn that the Bishop had been a leading voice in his community, not only in his official capacity but also as a staunch advocate for minority rights, and interfaith harmony. As an accomplished intellect, he carried out his advocacy through literary and cultural activities, and international conferences, besides taking a keen interest in the translation of the Bible and psalms into local languages as a way to harmonize the church with local cultures. The documentary highlights his work and affiliation with centres for the blind, and those suffering from leprosy, as well as his community service regardless of religious or class distinctions, such as his support for Muslim widows, and his participation in the construction of a mosque in Khushpur.

Convinced that the Church could not remain a silent spectator to General Zia-ul-Haq's discriminatory laws that affected religious minorities, we learn that Bishop Joseph galvanized the entire Church community in Pakistan to form a movement to oppose them, founding the Muslim-Christian Relations Commission with the intention to study Islam. But it was particular cases under the 295 C of the Blasphemy Law that solidified

¹⁷¹The National Commission for Justice and Peace (NCJP) was formed by the Pakistan Catholic Bishop's Conference in 1985. As an advocacy, and human rights organization the Commission has been defending cases of blasphemy against Muslims, Christians and Hindus since 1990, in addition to campaigning for the abolition of the Blasphemy Laws. Accessed at: www.ncjppk.org on March 9, 2010.

the Bishop's resolve even further, as he vowed to lay down his life to protest the manipulative law if it was not repealed.¹⁷²

In one significant case, on 5 April 1994, as they left their lawyer's office in Lahore after a court hearing, three Christian defendants in a Blasphemy case were fired upon by people riding by on a motorbike. One of them, Manzur Masih, died on the spot, while the others were seriously injured. A Christian human rights activist escorting them, was also seriously injured. We learn from a longtime supporter and friend of the deceased, the Christian human rights activist, educator, and decorated Pakistan Air Force (PAF) pilot Group Captain (Late) Cecil Chaudhry, that during the funeral service at the Sacred Heart Cathedral, Lahore, 'the Bishop came down from the altar and kissed the feet of the dead man, vowing that he would lay down his life fighting against the Blasphemy laws.'¹⁷³

Following this commitment, it was the subsequent Ayub Masih case that proved to be the fatal stroke for the Bishop. Masih, a Christian man who had been arrested and charged in October 1996, was convicted and sentenced to death under the 295-C of the Blasphemy Law in April 1998 at the Sessions Court in the Sahiwal district of the Punjab province. A month later, on May 6, 1998, while Masih's appeal was still in court, Bishop Joseph drove from Faisalabad to the Sessions Court in Sahiwal, accompanied by his

¹⁷²A reading of the text of the Blasphemy Law as it stands in the Pakistan Penal Code clarifies not only the all-encompassing nature of this law, but also the looseness with which it can be, and has been, manipulated or applied, particularly against religious minorities such as Christians and the Ahmeddiyya communities, as a means for executing vicious personal vendettas, religious hatreds, and politically motivated agendas through false accusations. For full text of the Blasphemy Law see: 'Pakistan Penal Code: Blasphemy Laws.' Accessed at: United Nations Commission on Human Rights (UNHCHR). <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/9da54d3f22f184f1802567390039e0d6?OpenDocument> on May 18, 2010.

¹⁷³Manzur Masih, Rahmat Masih and Salamat Masih had been arrested in May 1993 accused of blasphemy, under Section 295-C of the Pakistan Penal Code (PPC). The Christians were said to have passed pieces of paper into a mosque in Punjab province. The slips of paper allegedly bore insulting comments about Prophet Mohammed. The three had been accused by a cleric, Maulvi Fazl-e-Haq, who was a leader of the militant group *Sipah-e-Sahaba*, which at that time was not banned. Fazl-e-Haq claimed the three had also scribbled graffiti on the mosque wall. At Lahore High Court, the three were acquitted, and set free, accompanied by another young man who had been falsely accused. Standing on the steps of the courthouse, the four were shot at by gunmen. Manzur Masih was killed. The Lahore High Court judge, Arif Iqbal Husain Bhatti, who had acquitted him was also later gunned down in his office in 1997 by extremists for freeing the Christians. Morgan, Adrian. 'Pakistan: Abuse of Christians and Other Religious Minorities.' Accessed at: <http://www.thepersecution.org/news/09/fsm1007.html> on March 15, 2010.

driver Patras Samuel, and another priest, Father Yaqub. While he asked the two men to wait in the car, the Bishop walked up to the court entrance and committed suicide with the pistol he had carried with him outside its gate to protest Ayub Masih's death sentence.¹⁷⁴ Perhaps the most glaring inconsistency in this case was that Ayub Masih had been accused of promoting British writer Salman Rushdie's novel, the *Satanic Verses*, a book that itself had earned the author a *fatwa* (religious edict) for a death sentence from no less than the Iranian religious leader Ayatollah Ruhollah Khomeini in 1989. Cultural anthropologist, and Islamic scholar Linda Walbridge, also interviewed in the film, points out that grounds for such an allegation could only be baseless, as Ayub Masih was the son of illiterate and poor parents who worked as sweepers, and would most likely have been illiterate and uneducated himself.¹⁷⁵

Accompanied by the still photograph of his dead body lying in a pool of blood outside the gate of the Sahiwal Sessions Court after he shot himself in the head, colleagues recount the Bishop's last day, and their interactions with him, which, in retrospect, they found indicative of his intent. For example we learn that he had cancelled a planned trip to Rome where he was to take part in a meeting of the

¹⁷⁴The Christian Ayub Masih, 30, in the Sahiwal district of the Punjab province was sentenced to death on 27 April 1998 on charges of blasphemy under section 295C PPC by a court in Sahiwal. On 14 October 1996, Ayub Masih had been arrested following allegations made by a Muslim that he felt offended when Ayub Masih told him that Christianity was 'right' and that he should read British author Salman Rushdie's 'Satanic Verses' and that they had scuffled after this alleged exchange.

The Catholic Bishop of Faisalabad, Bishop John Joseph, pointed out that the allegations appeared to be motivated by a dispute over property between Muslim and Christian inhabitants of the village. Several families were forcibly evicted and several Christians beaten by villagers following the filing of the complaint against Ayub Masih. Bishop John Joseph committed suicide in May 1998 in protest against the imposition of the death sentence on Ayub Masih; the death sentence was followed by non-violent countrywide protests of Christian communities. Amnesty International. 'Pakistan: Blasphemy Acquittal Welcome But Law Must be Amended.' August 2002. Accessed at: http://www.amnesty.org.uk/news_details.asp?NewsID=13726 on March 14, 2010.

After a six year ordeal behind bars Ayub was acquitted by the Supreme Court which ordered his immediate release from the high-security cell in the Multan Central Jail where he had been awaiting execution. Faced with ongoing death threats, Ayub quietly left Pakistan in 2002. Shea, Nina. 'Testimony of Nina Shea: Pakistan's Anti-Blasphemy Laws.' Hudson Institute's Center for Religious Freedom, New York, USA. October 8, 2009. Accessed at: http://www.hudson.org/index.cfm?fuseaction=publication_details&id=6528 on March 27, 2010.

¹⁷⁵Walbridge, Linda S. 'Blasphemy.' *The Christians of Pakistan: The Passion of Bishop John Joseph*. RoutledgeCurzon, London, UK, 2003. (pg-90).

association of missionary institutes, because he felt it necessary to remain in Pakistan given the threat to the Christian community from Islamic religious fundamentalists.

Commenting on Bishop Joseph's death, Bishop Bonaventure Paul, Chairperson of the NCJP, states in the film that the Christian community considered him a 'saviour'. He rejects that his suicide was an act of frustration, proudly calling it instead an 'act of conviction.' As street protests in support of Bishop Joseph's cause begin to spread countrywide, we see archival footage and photographs of peaceful mourners being beaten up, and taken into custody by the police.

Cecil Chaudhry talks about Bishop Joseph's suicide: 'There was not a shadow of doubt that this was a very planned and deliberate act on his part to offer himself as a sacrifice for the millions of other Pakistanis to be set free from discriminatory laws.' Asked by the off-screen interviewer what was the result of the Bishop's sacrifice Chaudhry elaborates: 'Three changes took place. All minorities united on the same platform---Hindus, Sikhs, all joined us. Secondly, a lot of Muslims who had been too scared to speak up before began to take up the issue in newspaper articles in the Urdu and English press. Thirdly, the government was shaken up.'¹⁷⁶

¹⁷⁶At the time of Bishop John Josephs' suicide, the Pakistan Muslim League (PML-N) was in office, led by Prime Minister Mian Nawaz Sharif (1997-1999). Sharif's earlier tenure as prime minister had been from 1990-1993. Benazir Bhutto, leader of the Pakistan People's Party (PPP), and the first woman elected as prime minister of a Muslim state, served twice as PM-- 1988-1990 and 1993-1996, after General Zia-ul-Haq's death in an air crash in 1988. Despite being elected twice each to office by popular vote, neither political parties, nor their leaders attempted to address the thorny issue of the revision or repeal of the Blasphemy Law.

Asked in an interview if the induction of Pakistani Christians in the Armed Forces, particularly the Air Force, had increased or decreased from 1947 till 2000, Cecil Chaudhry had replied that it had

definitely decreased because of gross discrimination against the minorities. He pointed out that Christian youth had become demoralized and generally did not attempt to join the Armed Forces as they saw highly professional officers being by-passed for higher promotions and eventually being superseded, thus forced into taking early retirement, especially during the Zia era. Amin, A.H. 'Group Captain Cecil Chaudhry.' Chowk Online, July 8, 2001. Accessed at: <http://www.chowk.com/articles/5080> on April 2, 2010.

The film concludes with shots of people paying homage to the Bishop's grave, as a popular Pakistani singer, Shazia Manzur's grieving song, entitled 'Sparrow,' plays to his memory in the background.¹⁷⁷

Filmmaker Shahid Nadeem, who himself has been an advocate of social justice, and spent his entire career opposing religious extremism and dictatorial regimes, lets his subjects do all the talking onscreen. His own on-screen absence throughout the film provides his minority subjects the rare opportunity to air their views on their marginalization.

A Sun Sets In is a sad and critical comment on Pakistan's climate of religious intolerance and discrimination against its own.¹⁷⁸ It is particularly poignant that it took Bishop Joseph's suicide to bring any meaningful attention to the issue. The film focuses on the unfortunate fact that whereas all religious minorities in Pakistan face low social status and discrimination, the Christian community has been particularly targeted as the lowest class of citizens. Giving her views in the film, human rights lawyer and activist Asma Jehangir points to the inequality meted out to all minorities by the state:

'All non-Muslims are disadvantaged by the simple act that they are not in the mainstream of electoral politics. If you look at the Christian community, most of them live below the poverty line—that by itself is discrimination. Is it not taken for granted that anyone who sweeps the floor has to be a Christian? As if they were

¹⁷⁷'Sparrow' is part of the two-volume collection of 18 songs entitled '*Aman Ke Geet*' (Songs of Peace) released by the NCJP in 2009. The collection includes songs related to themes of peace and harmony, and are sung by Pakistani singers in all provincial languages including Urdu, Punjabi, Balochi, Seraiki, Sindhi, and Pushto. The project was undertaken in the challenging political environment of 2008–2009, and besides Lahore, recordings were opted in Peshawar and Quetta to encourage the vocalists and instrumentalists working in these cities despite the dangers involved. Personal email correspondence with Peter Jacob, Executive Secretary NCJP, Lahore, Pakistan, on March 20, 2010.

¹⁷⁸For example, in another brutal attack on the Christian community in August 2009, seven people were burnt alive and 18 others injured in the town of Gojra after violence erupted over the alleged desecration of the *Quran*. More than 50 houses were set on fire and a place of worship belonging to the minority community was damaged by an angry Muslim mob. According to sources, most of the houses were burnt by a group of youth who, their faces covered, threw petrol bombs, and fired indiscriminately. Saeed, Tariq. 'Seven Burnt Alive in Gojra Violence.' Dawn Online Newspaper, August 2, 2009. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/the-newspaper/front-page/seven-burnt-alive-in-gojra-violence-289> on March 14, 2010.

born to take up this occupation. I think it is the most gruesome form of humiliation.¹⁷⁹

Perhaps, *A Sun Sets In* is the only film to be made in Pakistan by a local filmmaker that takes up the issue of the Blasphemy Law in relation to the Christian minority.¹⁸⁰ It is understandable that given the serious censorship constraints and religious biases, the filmmaker had to work within boundaries that did not afford him the space nor the opportunity to address and reject government policies, and the sensitive religious aspects that are a hindrance to the review and repeal of this law. These constraints are indicative of state censorship eventually leading to self-censorship, a lingering legacy that can be traced back to Zia's Islamization period.¹⁸¹ It is little surprise then, that a documentary on the injustices meted out to other religious minority

¹⁷⁹Historically, the Christian minorities have been associated with the most menial of jobs in the Indian sub-continent, those considered impure and polluting to Hindus and Muslims, and thus treated as the lowest strata of society, i.e. the 'untouchables'. They have been associated with jobs such as removing dead animals from the fields, skinning animals, removing the bodies of the unclaimed dead, executing condemned criminals, and cleaning latrines. They also ate carrion and leftovers. This lower status accorded to them has been a source of discrimination as equal citizens at every level. Walbridge, Linda S. *The Christians of Pakistan: The Passion of Bishop John Joseph*. RoutledgeCurzon, London, UK, 2003. (pg-16). Lower class Christians in Pakistan commonly identify themselves by using 'Masih' as a surname (a reference to Jesus Christ as Messiah) to distinguish themselves from the Muslims. Ibid. (pg-90).

Tracing the history of Christian communities in the pre and post-partition India, and the creation of the new Muslim state of Pakistan in 1947, Pieter Streefland notes: 'Already in advance of 1947 there were Christian Punjabis who had migrated to urban areas and taken up sweeping there. They were the forerunners of a predominantly urban grouping of Christian Punjabi Sweepers (CPS) which swelled enormously with the arrival of Christian Punjabi's from the villages of the Punjab during the years immediately following the creation of Pakistan. At the time of partition, *Mazhbi*-Sikhs also joined this grouping. They had either decided not to journey to the new India, or hadn't the means to do so. They resolved to convert to Christianity because they believed as Christians they might live more safely in the midst of Moslems.' Streefland, Pieter. 'The Christian Punjabi Sweepers.' *The Sweepers of Slaughterhouse: Conflict and Survival in a Karachi Neighbourhood*. Van Gorcum, Assen, The Netherlands, 1979. (pgs-10-11).

The Christian sweepers have also been known as *Chuhras*, a derogatory term that distinguishes them as a dark-skinned caste, (a visible factor that in itself is looked down upon, and stigmatized culturally), associated with impurity, and thus treated as 'Untouchables' by both Muslims and Hindus in the sub-continent. Ibid. (pgs-7-8).

¹⁸⁰This is the only film on the Blasphemy Law, made by a Pakistani filmmaker and/or Pakistan-based organization, that I have been able to find, and access during my doctoral research.

¹⁸¹Nadeem, Shahid. 'Silencing the Nation: Censorship Acts Since 1947.' *Politics of Language*. (eds) Hussain, Neelum; Mumtaz, Samiya; and Choonara, Samina. *Simorgh Women's Resource and Publication Centre*, Lahore, Pakistan, 2005. (pg-169).

communities under the Blasphemy Law, particularly the *Ahmeddiyya* community, has not even been attempted, despite the fact that they are the biggest targets to be victimized under this law.¹⁸²

In preserving the biographical sketch of Bishop John Joseph, and the events leading to his tragic, yet resolute, end, *A Sun Sets In* remains a topical and poignant historical testimonial to Pakistan's descent into religious intolerance against its own citizens, and the discrimination suffered by all religious minorities under the same law.¹⁸³

The sacrificial, resolute, albeit violent, end of a peaceful, compassionate clergyman remains a distressing reminder of the politicization of religion by Zia-ul-Haq through the Blasphemy Law, one that remains to be repealed or amended. Given the religious sentiments attached to the Blasphemy Law, it has been impossible for successive governments to amend or repeal it. In 2009, the Supreme Court of Pakistan rejected an appeal filed 18 years ago against the Federal *Shariat* Court (FSC)

¹⁸²For details of Blasphemy Law cases against the *Ahmeddiyya* community see Asian Human Rights Report: 'Pakistan: The Year 2009 was Worst for Ahmedis.' February 3, 2010. Accessed at: <http://www.thepersecution.org/news/10/ahrc1003.html> on March 14, 2010.

For details on the various biases, discriminatory practices, and attacks carried out against Christian communities and institutions in contemporary Pakistan, see Gabriel, Theodore. 'The Christian Dilemma: Problems Faced by the Christian Community of Pakistan.' *Christian Minorities in an Islamic State: The Pakistan Experience*. Ashgate Publishing Limited, 2008. (pgs- 41-57).

For details of particular past cases of Blasphemy Law in Pakistan see 'Pakistan: Use and Abuse of the Blasphemy Laws.' Amnesty International. AI Index: ASA 33/008/1994. 27 July 1994. Accessed at: <http://asiapacific.amnesty.org/library/Index/ENGASA330081994?open&of=ENG-390> on March 14, 2010.

For a timeline of various Blasphemy Law cases visit: <http://waltjr.wordpress.com/2009/10/09/pakistans-blasphemy-laws-a-timeline/> Accessed on March 14, 2010.

¹⁸³For details on the victimization and persecution of various religious minorities under the Blasphemy Law in Pakistan, see Shea, Nina. 'Testimony of Nina Shea: Pakistan's Anti-Blasphemy Laws.' Hudson Institute's Center for Religious Freedom, New York, USA. October 8, 2009. Accessed at: http://www.hudson.org/index.cfm?fuseaction=publication_details&id=6528 on March 27, 2010.

For a discussion on continuing violations of religious freedom in Pakistan see: The United States Commission on International Religious Freedom (USCIRF) Annual Report, 2010. 'Annual Report 2010 - Countries of Particular Concern: Pakistan.' April 29, 2009. Accessed at: <http://www.unhcr.org/refworld/category,COI,USCIRF,,PAK,4be2840c20,0.html> on October 12, 2010.

punishment for blasphemy. In doing so, it has ruled that the death penalty is the only punishment that Islamic law provides for blasphemy.¹⁸⁴ Regardless of the audience it may or may not have found, the very production of this documentary has played a potentially 'persuasive,'¹⁸⁵ and 'legislative role,'¹⁸⁶ as pointed out by film scholars Michael Renov and Bill Nichols, respectively, that remains influential in pushing for the repeal of the Blasphemy Law.

Here it is pertinent to cite a recent case in which a Christian woman, Asia Bibi, mother of five, was sentenced to death for blasphemy, the first such conviction of a woman, sparking protests from rights groups. Her case dates back to June 2009 when she was asked to fetch water while out working in the fields. However, a group of Muslim women labourers had objected, alleging that as a non-Muslim her touch had made the water 'unclean.' A few days later the women went to a local cleric and alleged that Asia Bibi had made derogatory remarks about Prophet Mohammad, upon which the cleric approached the police, who opened an investigation. Consequently, Asia Bibi was arrested in the Ittanwalai village, and prosecuted under Section 295-C of the Pakistan Penal Code (PPC), which carries the death penalty. On November 8, 2010, she was handed down the death sentence by a court in the Nankana district in central Punjab. The incident has generated significant protests by rights groups who continue to stress that the controversial legislation should be repealed as it is exploited for personal enmity, and encourages extremism. Although Pakistan has yet to execute anyone for blasphemy, it is the first time a woman has been sentenced to hang. It remains to be seen if Asia Bibi's conviction will be overturned on appeal.¹⁸⁷

¹⁸⁴Iqbal, Nasir. 'Death Only Punishment for Blasphemy.' *The Daily Dawn*, April 21, 2009. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/death+only+punishment+for+blasphemy--szh> on April 21, 2009.

¹⁸⁵Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-21).

¹⁸⁶Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

¹⁸⁷The Daily Dawn Online. 'Christian Woman Sentenced to Death in Blasphemy Case.' November 12, 2010. Accessed at: <http://www.dawn.com/2010/11/12/christian-woman-sentenced-to-death-in-blasphemy-case-2.html> on November 14, 2010.

However, despite the renewed widespread domestic and international pressure to repeal the Blasphemy Law, following the Asia Bibi conviction, Minister for Minorities, Shahbaz Bhatti stated categorically that that would not happen: 'Pakistan will not repeal its controversial Blasphemy Law, but may amend it to prevent abuse because scrapping the legislation could fuel militancy'¹⁸⁸ Bhatti's words were to prove prophetic.

A series of horrific events that unfolded subsequently point to the controversial nature of the Blasphemy Law, and the strong opposition to any sympathy or move for their review or repeal. In January 2010, Governor of Punjab, Salman Taseer, was shot dead in the capital city of Islamabad by one of his own bodyguards, Malik Mumtaz Hussain Qadri, who opened fire on him and pumped 27 bullets into his body. Qadri later proudly confessed that he had killed the governor because of Taseer's support to Asia Bibi, and his public criticism of the Blasphemy Law as a 'black law.'¹⁸⁹ The division between Pakistan's liberal and radical segments can be judged from the fact that while a large section of civil society and lawyers protested and condemned the murder of Salman Taseer, his murderer Qadri was hailed as a hero by right-wing lawyers who showered rose petals on him as he arrived for his court hearing. Radical religious parties and leaders also gave out a call that no one should attend Taseer's funeral, nor offer funeral prayers for him as he was an 'infidel.'¹⁹⁰ Similarly, in March 2011, Pakistan's Minister for Religious Minorities, Shahbaz Bhatti, who had been receiving death threats because he supported Salman Taseer and his sympathetic stand for Asia Bibi, and the review and amendment of the Blasphemy Law, was gunned down in Islamabad by those claiming to be the 'The *Qaeda* and the Taliban of Punjab.' Two assassins sprayed Bhatti

¹⁸⁸The Daily Dawn. 'Pakistan Will Not Repeal Blasphemy Law.' November 23, 2010. Accessed at: <http://www.dawn.com/2010/11/23/pakistan-will-not-repeal-blasphemy-law-minister.html> on November 23, 2010.

¹⁸⁹The News International. 'Governor Punjab Salman Taseer Assassinated by His Own Guard.' January 4, 2011. Accessed at: <http://www.thenews.com.pk/NewsDetail.aspx?ID=8689> on January 4, 2011.

¹⁹⁰Shah, Saeed. 'Mainstream Pakistan Religious Organizations Applaud Killing of Salmaan Taseer.' The Guardian. January 5, 2011. Accessed at: <http://www.guardian.co.uk/world/2011/jan/05/pakistan-religious-organisations-salman-taseer> on August 31, 2011.

with eight bullets, before scattering pamphlets that described him as a 'Christian infidel.'¹⁹¹

In the continuing saga of religious hatred, intolerance, and revenge, in August 2011, Salman Taseer's son, Shahbaz Taseer, was kidnapped on his way to work in the provincial capital of Lahore by four armed men. His whereabouts remain unknown.¹⁹²

Conclusion

This chapter discussed a selection of documentary films that have addressed the intersections of politics, religion, and law as they affected contemporary Pakistani society. Beginning with the period of General Zia-ul-Haq's Islamization process and legal reforms, *Jaloos* (1988) set the tone for the changes and oppositional forces that had begun to take shape during this time--whether it was to confront and oppose *Sharia* laws that jeopardized women's equal rights in the form of the *Zina Hudoood* Ordinance, and the Law of Evidence, or the Blasphemy Law that have continued to hound and victimize women, and religious minorities and sects, as these films examine. Today, these representative films, filmmakers, and organizational affiliations provide a historical testimony to the politicization of Islam under Zia's authoritarian regime, as well as the emergence of activist documentary filmmaking practices in Pakistan.

Between the two commemorative films, *Jaloos* (1988), and *A Sun Sets In* (2000), the above filmmakers and organizations can be seen acting as historiographers, stressing accountability for violation of human rights, marginalization of women and minorities, and judicial reforms in the guise of religion.¹⁹³ Correspondingly, their films

¹⁹¹Walsh, Declan. 'Pakistan Minister Shahbaz Bhatti Shot Dead in Islamabad.' *The Guardian*. March 2, 2011. Accessed at: <http://www.guardian.co.uk/world/2011/mar/02/pakistan-minister-shot-dead-islamabad> on August 31, 2011.

¹⁹²Chaudhry, Imran. 'Shahbaz Taseer Kidnapped.' *The Daily Times*. August 27, 2011. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2011\08\27\story_27-8-2011_pg1_1 on August 31, 2011.

¹⁹³Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-27).

gain their own 'judicial,' 'historical,'¹⁹⁴ and archival significance as they depict a critical and analytical 'revisionist-history' of the Islamization period through oral accounts and testimonies, and its implications in the present.¹⁹⁵ Making use of archival footage and stills (*Simorgh*), case studies, biographical and personal accounts, observational depictions, interviews (Sabiha Sumar), to interviews and talking heads (NCSW/*Ajoka* Theatre for Social Change), and a biographical life-sketch (NCJP/Shahid Nadeem), we see both individual as well as organizational contributions and collaborations taking on issues of mutual concern for debate, consciousness-raising, and social and judicial transformation.

Following from *Jaloos* which was made to be archived as a commemorative film for the women's organizations that participated in the 1988 procession, Sabiha Sumar's three documentaries *Who Will Cast the First Stone?* (1988), *Don't Ask Why* (1999), and *For A Place Under the Heavens* (2003), stand as the pioneering attempt by a Pakistani filmmaker to trace and analyze the roots of religious fundamentalism in Pakistan, addressing issues of politicization of religion, and promulgation of *Sharia* laws on film from within an Islamic state.¹⁹⁶ As they depict a broad cross-section of Pakistani society to give a wide picture of the tensions, conflicts, and contradictions that emerged in the struggle between secular, progressive voices, and the fundamentalist elements, we already see religiously connotative words such as *jihad*, *hijab*, *burqa*, and *madrassa* entering the Pakistani documentary film vocabulary---terms that were to become

¹⁹⁴Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

¹⁹⁵Renov, Michael. 'The Subject in History: The New Autobiography in Film and Video.' *The Subject of Documentary*. University of Minnesota Press, Minneapolis, London, 2004. (pgs-109-110).

¹⁹⁶In 1992, Sabiha Sumar founded her own film production company, Vidhi Films, and established the Centre for Social Science Research in Karachi, Pakistan. Currently, Vidhi Films and the Vidhi Film Fund projects include media research for social and political change, film production, outreach and political education, and technical training in filmmaking. As part of its outreach and political education programme, the organization has been arranging mobile film screenings in remote towns and villages, where people do not have access to cinema, to promote awareness and generate discussion and debate on socio-political issues. Similarly, the organization is imparting technical training in filmmaking, and through workshops, collaboration with international experts, and hands-on experience, claims to have trained over one hundred Pakistani actors and crewmembers. Sumar has also turned her hand to making feature films. For further details on Vidhi Films, and Sabiha Sumar's filmography and upcoming projects, visit: <http://www.vidhifilms.net/index.htm> Accessed on July 13, 2009.

subjects of more grave discussions, as will be apparent in Chapter Three. In particular, Sumar's films call attention to women's rights as human-rights, hence equal rights, rather than an issue reserved for feminist enquiry. It is to her credit that as a Pakistani Muslim woman she had dared to launch her filmmaking career with the topic of critiquing the *Zina Hudood Ordinance* during the Islamization period while Zia was still in power. In appropriating what film scholar Thomas Waugh identified as the 'committed documentary'¹⁹⁷ stance, Sumar not only put these sensitive issues on the cinematic radar internationally,¹⁹⁸ but also set a trend for other Pakistani filmmakers to use this media as an activist tool, as will become evident further in the following chapters.

As herself a Pakistani Muslim woman who has been part of the history she investigates in her films, Sumar's work underscores the importance of an historical and contextual analysis of all Pakistani filmmakers and their issue-oriented works.¹⁹⁹ This contextual analysis also helps to take into account the filmmakers' own political, personal, historical, social, cultural, and institutional positioning in the process.²⁰⁰

In the case of NCSWs' documentary film, *Hudood Ordinance 1979: Divine Law, or Law of One Man?* (2005), we see a government-civil collaboration in conducting a critical debate on specific laws, and their validity and implications. For the first time on

¹⁹⁷Waugh, Thomas. 'Why Documentary Filmmakers Keep Trying to Change the World, Or Why People Changing the World Keep Making Documentaries.' Waugh, Thomas. (ed) "*Show Us Life: Towards a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N. J., and London, USA, UK, 1984. (pg- xiv).

¹⁹⁸For example, an analysis of Sumar's distribution and exhibition records obtained from their US-based distributor *Women Make Movies* shows that two of her documentaries discussed in this chapter, *Don't Ask Why* and *For a Place Under the Heavens*, have largely been in circulation, both through video rentals and sales, in American universities, colleges, schools, women's organizations, human rights organizations such as the Amnesty International and Human Rights Watch, and various Asian and women's film festivals. These are complemented by several rentals/sales to various academia and similar organizations in Canada, Australia, Sweden, Japan, Taiwan, Lebanon, and Israel. Data on exhibition, sales and rental records obtained by permission of Sabiha Sumar from her distributor *Women Make Movies* in New York, USA, on July 2, 2007.

¹⁹⁹Shafik, Viola. 'Introduction.' *Arab Cinema: History and Cultural Identity*. (Revised edition). The American University in Cairo Press, Cairo, Egypt, New York, UK, 2007. (pg-4).

²⁰⁰Kleinhans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). "*Show Us Life: Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

film, serious critique of the lacunae in the *Hudood* Ordinance, and the Law of Evidence are documented through the patronage of a government body as legal experts, politicians, activists, and scholars from both sides join the debate. As the film plays a revisionist role by evaluating the past from a governmental position, it also performs an historical role in the context of an activist documentary movement in contemporary Pakistan.

The significance of NCJP's film, *A Sun Sets In* (2000), is significant in its contribution as it plays a judicial and historical role in documenting the life-sketch of Bishop John Joseph, and the events that led to his tragic sacrifice, adding a 'persuasive' stance that draws attention to the harshness of the Blasphemy Law, another horrific legislation that requires reform.²⁰¹

As post-colonial scholar Homi K. Bhabha pointed out, the process and outcome of delving into the past for answers and guidance for the present, becomes an act of *remembering*, one that 'is never a quiet act of introspection or retrospection, but is a painful re-*membering*, a putting together of the dismembered past to make sense of the trauma of the present.'²⁰² It can be argued that the filmmakers discussed in this chapter have revisited their country's painful and complex past to contextualize its threat from religious fundamentalism. The contextual enquiries of progressives (activists, scholars, lawyers, and others) into the roots of religious fundamentalism in Pakistan since 1977, its continuing grip on Pakistani society, and the equally significant resistance by rights activists and women's organizations, can all be defined as a collective activist exercise. This collective activist exercise can be seen as laying the foundation for an '*imperfect cinema*' in the Pakistani context-- an '*imperfect cinema*' that not only deviates from the mainstream cinema, but more importantly brings together activist players from a variety of backgrounds and institutional affiliations, including a government body, and seizes the

²⁰¹Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-21).

²⁰²Bhabha, Homi.K. 'Foreword.' Fanon, Frantz. *Black Skins, White Masks*. (translated from the French into English by Charles Lam Markmann) Grove Press, New York, USA, 1967. (pg-xxiii).

agency to address contemporary issues for social change.²⁰³ Today, these straightforward, critical films, and their makers occupy a key place in the emergence of an activist documentary cinema in Pakistan as they offer significant historical testimonials through first-hand accounts, views, and perspectives from those directly affected by the transformations in their society as Pakistan struggles to regain its secular origins. Together this body of work can be seen as bringing Islamic theological debates, religious conflicts and tensions contained in Islamic jurisprudence and *Sharia* laws, and the politics of vested interests to a documentary screen from within a Muslim culture and society that itself had begun to seek accountability from its rulers, and policy-makers.

The dominance of *Sharia* laws, the ensuing tilt towards religious fundamentalism, and intersections of religion and politics depicted in these films were to foment future religious extremism, intolerance, and violence not only within Pakistan, but also beyond its borders as the films in the next chapter will illustrate---tracking Pakistan's journey from Islamization to the threat of religious militancy, Talibanization, and terrorism.

²⁰³Garcia Espinosa, Julio. 'For An Imperfect Cinema.' (1970). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-31).

Chapter 4.

Cinema on Terror—Talibanization and Pakistan: A Militant Mix of Politics and Religion

Introduction

While issues of political and judicial transformations set in motion by General Zia-ul-Haq's Islamization process dominated documentaries in the previous chapter, this chapter will focus on the beginning of a new era characterized by a militant mix of politics and religion. This is the period of the dictatorship of President General Pervez Musharraf (1999-2008), and his alliance with the US in the 'war on terror.'

By the late 1990s and after, several major developments were beginning to affect and transform Pakistan's socio-political landscape: the Taliban influence in the region,²⁰⁴ the 9/11/2001 terrorist attacks in the US; the US-led 'war on terror,' and attack on Afghanistan in 2001; the cross-border (Afghanistan) militancy, and a mass exodus of Afghan refugees to Pakistan; and the emergence of dangerous religious divisions in the region. Another very significant development taking place in Pakistan was the mushrooming of *madrasas* (religious seminaries), facilitated and strengthened by *jihadist*

²⁰⁴Led by Mullah Mohammad Omar as their elected *Amir-ul-Momineen* (leader of the faithful), the Taliban had declared Afghanistan as a 'completely Islamic state' after the capture of Kabul in September 1996. As had happened in Pakistan during General Zia-ul-Haq's Islamization process, the first victims of the new puritanical Islamic order in Afghanistan were women, who found their freedoms completely curtailed in the name of a new national religious identity. The very first religious edict issued on *Radio Kabul*, renamed '*Voice of Sharia*', announced a strict Islamic dress code for women, while forbidding them to go out to work, or even to go out alone without a male chaperone. The edict brought to a standstill not only the livelihood of the majority of the female workforce, but also had a crippling effect on the country's educational and healthcare system as women students, teachers, and other employees suddenly found themselves either out of a job, or the right to pursue their profession. Griffin, Michael. *Reaping the Whirlwind: The Taliban Movement in Afghanistan*. Pluto Press, London, UK, 2001. (pg-5-8).

organizations.²⁰⁵ Espousing an ambitious, and deadly, anti-US and anti-West Taliban and *Al Qaida* agenda for terrorism and destruction, these organizations were beginning to defiantly recruit and train militants, and suicide bombers through a call for *jihad*.²⁰⁶ (For a background on the radicalization of *madrasas* in Pakistan see Appendix 4). Such ideological strife proved to be factors that would alter Pakistan's socio-political fabric for the worse.

The trend towards Talibanization and terrorism also saw the emergence of documentary filmmakers who turned to investigating its roots and implications, seeking accountability from policy makers, religious and political leaders, and others in key positions. One name that dominates the filmic narrative sequence of what I will argue constitutes a documentary body of work that tracks the roots of terrorism in Pakistan and constitutes what can be defined as a 'cinema on terror' is that of Sharmeen Obaid-Chinoy. As Musharraf clung to power, and served as a frontline US ally in the 'war on terror,' her thematically related films discussed in this chapter depicted issues of Pakistan's involvement in the conflict in the region: its descent into growing religious extremism; domestic political, and ideological rifts; the spread of *madrasas* as centers for recruiting and training militants; and the threat of Talibanization, and terrorism breeding on its own soil.²⁰⁷ Filmic depictions of the consequent internal armed conflict, displacements, unrest, and destruction in this chapter will form a connective narrative link between the religious fundamentalism, and politicization of religion fostered during the Islamization period. Hence, Obaid-Chinoy's six films discussed in this chapter not only complete a picture of Pakistan's further plunge into religious extremism, but also

²⁰⁵Note: *Madrasas* and organizations that espouse an extremist, pro-Taliban, and militant education and ideologies, such as recruiting and preparing children for suicide-attacks, will be referred to as '*jihadist*.'

²⁰⁶For a background to the Taliban ideology, and the reforms they introduced in Afghanistan, see Marsden, Peter. 'The Warriors of God', and 'The Taliban Creed.' *The Taliban: War, Religion and the New Order in Afghanistan*. Oxford University Press, Zed Books, Ltd, London, New York, UK, USA, 1998. (pgs-43-66).

²⁰⁷For the purpose and length of this thesis, I will focus on Sharmeen Obaid-Chinoy's six representative films that address and complement the topic of this chapter despite certain overlaps in historical and socio-political details. Other Pakistani filmmakers and organizations that have addressed similar issues of growing religious fundamentalism, socio-political unrest, and regional conflict include Maheen Zia, Munizae Jehangir, Samar Minallah, Sabiha Sumar, and the Interactive Resource Centre (IRC).

highlight the new, and expanding trend of a divisive, and militant politicization of Islam with an international *jihadist* agenda.

From Zia to Musharraf, as fresh developments unfolded in the wake of 9/11, there was a new set of terms entering the Pakistani documentary film vocabulary: Taliban; Al Qaida; 'war on terror;' terrorism; suicide attacks; names of various jihadist, and terrorist organizations, and their involvement in radical *madrassa* education; internally-displaced populations (IDPs); and refugee camps.

In conclusion, this chapter will assess the role Obaid-Chinoy's documentaries have played in defining a body of work by a Pakistani filmmaker that can be seen to comprise a topical, as well as historical, documentary cinema that focuses on tracking and documenting the roots and patterns of terrorism---one that informs, and warns of Pakistan's impending dangers if extremist forces are not contained, and political leaders and policies held accountable.

Sharmeen Obaid-Chinoy

Sharmeen Obaid-Chinoy took up documentary filmmaking as a career after completing her undergraduate studies in Economics and Government at Smith College, Massachusetts, USA, and two master's degrees from Stanford University in International Policy Studies, and Communication. Working as a documentarist and journalist between her native Pakistan, and adopted homeland, Canada, her work has spanned a variety of subjects, with a particular focus on Muslim societies, issues of religious fundamentalism,

gender discrimination, and social justice.²⁰⁸ She began her filmmaking career with the New York Times Television (NYTT) in 2002 where she produced her first documentary film, *Terror's Children* (2003). The film won her several awards that included the Overseas Press Club Award (2004), the American Women in Radio and Television Award (2004), and the South Asian Journalist Association Award (2006). In February 2012, Obaid-Chinoy also became the first Pakistani documentary filmmaker to win an Oscar for her film entitled *Saving Face* (2011) that addresses the topic of victimization of women by acid-attacks in Pakistan.²⁰⁹

A number of Obaid-Chinoy's subsequent films also focus on the socio-political consequences of *jihadist* militancy, drift towards terrorism, and indoctrination of extremist ideologies through *madrastas* that have allegedly taken on the role of 'incubators for

²⁰⁸Picking on themes of conflict, struggle, gender, and injustices, Sharmeen Obaid-Chinoy's films have also addressed the impact of the US-led invasion and war in Afghanistan on Afghan women (*Lifting the Veil/ Afghanistan Unveiled* (2007); the US-led invasion and sectarian violence on Iraqi children (*The Lost Generation* (2008); women's lives, struggles, and an emerging women's movement for equal citizenship rights in the ultra orthodox and conservative Saudi Arabian society (*Women Of The Holy Kingdom* (2005); issues of religious identity, and socio-cultural integration of Muslim immigrants living in Sweden (*Assimilation-No, Integration-Yes* (2006); the Aboriginal, and First Nations young women who have gone missing in the province of British Columbia, Canada, and the alleged discriminatory treatment and apathy of police by their relatives (*Highway of Tears* (2006); poverty, illegal abortions, and the tussle between women's and pro-life Catholic Church groups in the Philippines (*City Of Guilt* (2006); the discriminatory treatment of illegal Zimbabwean migrants who have fled the political and economic turmoil in their home country to seek refuge in South Africa (*The New Apartheid* (2006); the plight of the transgender community in Pakistan (*Transgender: Pakistan's Open Secret* (2011), and the victimization of women by acid-attacks in Pakistan (*Saving Face* (2011). Working between her home country of Pakistan, and adopted homeland of Canada, Obaid-Chinoy's films are mostly collaborative ventures with foreign media channels such as Channel 4 UK, PBS, CBC, *Al-Jazeera*, CNN, HBO, and the Discovery Times Channel. For details on Obaid-Chinoy's various films, awards, and projects visit: <http://sharmeenobaidfilms.com/> Accessed on April 1, 2012.

²⁰⁹*Saving Face*. Sharmeen-Obaid Chinoy. (With Daniel Junge). 2011. (52-min). Naked Edge Films. (English/English sub-titles/Urdu).

Following her Oscar win, Sharmeen Obaid-Chinoy has also been included in the Time Magazine's list of '100 Most Influential People' in 2012. The Daily Times. 'Sharmeen Obaid-Chinoy in Time Magazine's List of 100 Most Influential People.' April 19, 2012. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2012\04\19\story_19-4-2012_pg9_13 on April 19, 2012.

Sharmeen Obaid Films. Accessed at: <http://sharmeenobaidfilms.com/> on April 1, 2012.

militants' in Pakistan.²¹⁰ Her work can be seen as a 'cinema on terror' that explores the wave of Talibanization sweeping Pakistan in the wake of the US-led 'war on terror.'²¹¹

Employing a combination of reportorial, and an investigative-journalistic approach in all her films, Obaid-Chinoy's own appearance, active involvement with her subjects, and on-screen communication with the viewer brings an engaging immediacy to her topics.²¹² As she observes and interviews her subjects on critical and sensitive issues, and participates in the lives and events she covers, the filmmaker takes the viewers along some of the most dangerous terrains, and conflict zones in the world today. These include the tribal belts in the Khyber–Pukhtunkhwa Province (formerly the North West Frontier Province (NWFP)) of Pakistan, and the adjoining Afghanistan borderland that have become a hub for *jihadist* organizations and their operations. This region has become increasingly hostile and inaccessible because of the ongoing 'war on terror,' particularly for women, and especially for a Muslim woman filmmaker.²¹³ While she identifies herself as a Muslim in various on-screen appearances, Obaid-Chinoy crosses various restrictive boundaries to enter dangerous territories dominated by hardened religious militants, and orthodox, patriarchal mindsets. Her investigative journeys into the roots of terror display an undoubtedly courageous stance in reporting conditions, and developments that continue to have a global impact.

²¹⁰Fair, C. Christine. 'Introduction.' *The Madrassah Challenge: Militancy and Religious Education in Pakistan*. United States Institute of Peace Press, Washington, DC, USA, 2008. (pg-1).

²¹¹Following the 9/11/2001 *Al Qaida* attacks in the US, the US-led 'war on terror' was initiated in October 2001 to target the *Al Qaida* leadership, and oust the Taliban regime in Afghanistan. For details on the emergence of the Taliban movement see Rashid, Ahmed. 'Kandahar 1994: The Origins of the Taliban.' *Taliban: Islam, Oil and the New Great Game in Central Asia*. I.B.Tauris, London, New York, UK, USA, 2008. (pg-17).

²¹²Barnouw, Erik. *Documentary: A History of the Non-Fiction Film*. Oxford University Press, UK, 1974. (pg-51).

²¹³Note: Since the provinces' change of name to Khyber-Pukhtunkhwa is a relatively new development (April 2010), within this thesis, I will use the name North West Frontier Province (NWFP), as has been used by the filmmakers in their films.

Terror's Children (2003)

Obaid Chinoy's first film, *Terror's Children* (2003), probes the effect of the Taliban influence on children in Pakistan, and neighbouring Afghanistan, and the repercussions this could have for the region in the years to come.²¹⁴ The film addresses the plight of displaced Afghan refugee children who were forced to flee their war-ravaged homeland during the Taliban rule as the US launched its 'war on terror.' We learn that as hundreds of thousands of Afghan refugees, nearly half of them children, began to enter Karachi after the Taliban regime fell in 2001, the city turned into a volatile hub for terrorist activities. These activities included the 2002 kidnapping, and brutal murder of American journalist, and South Asia correspondent for *The Wall Street Journal*, Daniel Pearl by Al Qaida operatives,²¹⁵ and the attack on the US consulate that killed 10 people, and injured dozens.²¹⁶

Terror's Children revolves around the vast Jadeed Refugee Camp in Obaid-Chinoy's coastal home city of Karachi that according to her was already brimming with a population of 12 million. For ten weeks in the summer of 2002, she followed the lives of eight Afghan children in the camp to investigate the changes in their status and livelihood as a consequence of their displacement. The film tracks the activities of these children, mostly boys, as they are caught in a web of hunger, deprivation, suspicion, and alienation in a foreign country. We see some scavenging through garbage dumps near their refugee camp and illegal encroachments to collect bottles and other items they can sell for a meal. Some turn to *Madrasas* to secure free sustenance and shelter in return for their allegiance to the 'cause of Islam.' A few work 12-hour shifts in carpet-weaving factories, earning eighty cents a day to support an entire family. Obaid-Chinoy observes and records these children's disturbing transformation, views, and aspirations that range from hatred and vengeance against both the US, and the Taliban, to the belief that a

²¹⁴Terror's Children. Sharmeen Obaid-Chinoy (With Jay Keuper, and Mohammad Naqvi). 2003. (45-min) Discovery Times Channel. (Urdu, Dari, English/English sub-titles).

²¹⁵Committee to Protect Journalists (CPJ). 'Daniel Pearl.' Accessed at: <http://cpj.org/killed/2002/daniel-pearl.php> on September 22, 2011.

²¹⁶Sabir, Arman, and Hassan, S. Raza. '10 Die in Karachi Car-bomb Blast: Terrorist Act Outside US Consulate.' Dawn Internet Edition, June 15, 2002. Accessed at: <http://archives.dawn.com/2002/06/15/top1.htm> on September 22, 2011.

global conversion to Islam would end the conflict. Some simply show a keen desire to return home to a peaceful Afghanistan. Obaid-Chinoy engages with her subjects' daily routines to draw attention to the poverty, confusions, and conflicts that are shaping their vulnerable lives and thinking, rendering them easy prey for militant organizations and fanatical *Madrasas* to recruit, and indoctrinate. The depiction of their impressionable mindsets is at turns alarming, sobering, at times even comical, but invariably sad.

Terror's Children opens with ten-year-old Khal Mohammad, who is studying in a pro-Taliban madrasa for poor children, and learning to recite and memorize the *Quran* by rote without understanding a word of Arabic, saying his prayers. He has no hesitation in sharing his coaching at the madrasa:

If God gives us strength, anything can be done. God willing, we will strike. We would strike so that America would repent for Afghanistan. Real Muslim hearts would be glad. America's veins would be cut.'

His innocent face belying the venom he has been fed, Khal is already critical of Obaid-Chinoy's attire because she does not cover her face completely as Muslim women do in his native Afghanistan.²¹⁷ Deeply indoctrinated by a Taliban ideology at a tender age, he states that '*jihad* is our duty', announcing categorically: 'Everyone who believes in God should not use a TV set, VCR or cable at home. Instead you should give to charity, pray, and fast.'²¹⁸

In contrast, to get a broader view of the madrasa system, Obaid-Chinoy visits the *Jamia Islamia madrasa* in the upscale Clifton neighbourhood of Karachi, where a more liberal and enlightened view of Islam and religious teaching is being practiced. Taught by

²¹⁷In an article in January 2009, South Asia scholar, Pervez Hoodbhoy estimates that as opposed to the official government figures that put the number of *madrasas* at 13,000 where 1.5 million students are acquiring education, the commonly quoted figures range between 18,000 and 22,000 *madrasas*, where the number of students could be correspondingly larger. Hoodbhoy, Pervez. 'The Saudi-isation of Pakistan.' *Newsline Monthly Magazine*, Karachi, Pakistan, January 2009. Accessed at: <http://www.newsline magazine.com/author/pervez-hoodbhoy/> on September 22, 2011.

²¹⁸The Taliban regime had banned music and TV during their reign. However, in the post-Taliban scenario, television stations have made a booming comeback as around twenty TV stations are operating out of Kabul. Daily Dawn Online. 'Afghanistan: Lacking Literacy, Security, But Lots of TV.' Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/art-culture/04-afghan-tv-qs-03> on December 2, 2011.

educated religious scholars and professors, the children of the well-to-do are shown learning and playing in comfortable surroundings, where food and other amenities are plentiful, and trips to a games arcade and the beach also figure in their weekly activities. The juxtaposition between the *Jadeed* Refugee Camp, housing more than 15 thousand refugees who live and work there, and the *Jamia Islamia madrasa* shows that liberal and extremist religious ideologies are shaped not simply by an adherence or rejection of orthodoxy, but also by economic factors---quite simply the role money, food, and shelter can play in forming ideological agendas and beliefs. Factors that jihadist organizations continue to exploit to their advantage.

Back to the *Jadeed* Refugee Camp, where garbage dumps abound, and lack of basic facilities such as clean drinking water, and sanitation prevail, we meet more 'Terror's Children': nine-year old Noor works several jobs to help support his family; 11-year old Bareed picks garbage and sells what he can; Leila, 9, and Anissa 11, the only two girls shown, are confined to working at home, and in their spare time apply the little cheap makeup they have as they playact a doll's wedding ceremony among friends. This is a sad reminder, Obaid-Chinoy notes, of the fact that girls as young as them, or even younger, are commonly sold into marriage in Afghanistan. On the other hand, as we see shots of Afghan children flying kites, an activity that was banned by the Taliban in Afghanistan, it is reflective of the relative freedom they can enjoy as refugees even in the most meager of circumstances in Pakistan.

Scenes of scores of Afghan children roaming the narrow crisscrossing lanes of the *Jadeed* Refugee Camp, and the streets of Karachi, picking through garbage, working at re-cycling centers, surrounded by squalor and filth, convey the despair, humiliation, and miserable predicament of the entire refugee community. It is understandable how the uncertain future these children face in a foreign country, where suspicion and hostility combine to house them, makes recruitment by jihadist organizations and *Madrasas* an attractive option in return for a basic meal, and religious education.

The Karachiites Obaid-Chinoy interviews on the street are unanimous in their mistrust and contempt for the Afghan refugees in their city, branding them as 'terrorists,' 'drug pushers,' and 'arms dealers.'

Terror's Children concludes with a quarter of the *Jadeed* Refugee Camp emptying, and mud shacks being torn down as their residents prepare to leave for Afghanistan through a UNHCR repatriation center.²¹⁹ In the last meetings with some of her subjects, Anissa's father tells Obaid-Chinoy that his daughter will 'begin to wear the burqa at 12, and get married at 15 or 16.' Bareed says he might get killed on his return to Afghanistan, but if he survives, he will become a fighter. Khal, who will be returning as a hafiz, having successfully memorized the whole *Quran*, is confident that this will secure him a 'place in heaven.'²²⁰ As a parting gesture, Obaid-Chinoy takes him to an open-air public park where men and women are taking a dip together in the pool. Though the women are fully clothed in 'Pakistani conservative swimwear,' as Obaid-Chinoy points out, Khal's shock and horror at the sight of such open mingling are echoed in his stunned response: 'Everyone here is going to hell. I will go to hell now that I have seen such a sight'. He also gives his own verdict: 'Let's have everyone in America follow Islamic law. The whole world should be Muslim, even the US.' Ending her filmic journey with her subjects, Obaid-Chinoy confides that every one of them had asked her if their participation in the film would in some way make their life better? A desperate question the filmmaker leaves her viewers to ponder on.

Terror's Children set the tone for a series of Obaid-Chinoy's films that would investigate the spread of militancy, and terrorism being promoted by the fast growing madrasa culture now within Pakistan. We see a 'cinema on terror' unfold as Taliban influence grew in the country, supplying *jihadist* organizations with a steady flow of potential recruits that would eventually lead to Pakistan's very own 'Taliban generation' in the last film in this chapter.

²¹⁹UNHCR, the UN Refugee Agency, assisted some 1.9 million Afghans to return home from Pakistan in 2002 and 2003. The 1.5 million who repatriated in 2002 were the largest number of returning refugees anywhere in the world since 1972. However, about 1.1 million Afghans were still believed to be living in refugee camps in Pakistan after two years of assisted repatriation. For more than two decades Pakistan hosted the largest single refugee population in the world. In addition, an unknown but substantial number of Afghans were known to live in Pakistan's urban areas. 'UNHCR Pakistan: Solving the Afghan Refugee Problem.' Accessed at: <http://un.org.pk/unhcr/about.htm> on October 28, 2011.

²²⁰*Hafiz*: Arabic for 'guardian.' In Islamic cultures, *hafiz* is a title awarded to one who has memorized the entire *Quran*. Normally, this learning practice is facilitated at *madrasas*.

Reinventing the Taliban? (2003)

Obaid-Chinoy's second film, *Re-inventing the Taliban? (2003)*, focuses on the impact of radical Talibanization in Afghanistan now spilling into Pakistan during General Pervaiz Musharraf's alliance with the US.²²¹ The film made her the first non-American journalist to be awarded the prestigious Livingston Award (2005), and the youngest recipient of the One World Media Broadcast Journalist of the Year Award (2007) in the United Kingdom.²²² The film also won the Special Jury Award at the Banff Television Festival, Canada, in 2004.²²³

Reinventing the Taliban? begins with Obaid-Chinoy reflecting on her own urban, middle-class upbringing in a secular and progressive Pakistani environment where she was free to dress as she pleased, enjoy Western music, and go abroad for higher education without being seen to compromise her Muslim identity. Hers' is a reflective stance that is reminiscent of Sabiha Sumars' nostalgia in *For a Place Under the Heavens* (2003) as she traced the socio-political and judicial transformations taking root in Pakistan during General Zia-ul-Haq's Islamization phase.

Reinventing the Taliban? investigates the growing anti-US aggression fostered by the US-led 'war on terror,' and the consequent dangerous tilt towards a radical Taliban-like rule which was officially promoted by religious parties in Pakistan at the time of the film.²²⁴ Obaid-Chinoy's film takes her to the provincial capital of Peshawar where she sets out to track the Taliban influence now spilling into the North West Frontier Province of Pakistan (NWFP) from neighbouring Afghanistan, dominated by the same *Pakhtun* ethnic group and culture. In Peshawar, she finds 'frightening changes,'

²²¹*Reinventing The Taliban?* Sharmeen Obaid-Chinoy. (With Ed Robbins). 2003. (54 min) Discovery Times Channel. (Urdu, English/English sub-titles).

²²²Sharmeen Obaid Films. Accessed at: <http://sharmeenobaidfilms.com/> Accessed on November 29, 2011.

²²³The Internet Movie Database (IMDb). Accessed at: <http://www.imdb.com/title/tt1078921/awards> on July 22, 2011.

²²⁴For a list of 'Taliban laws' imposed in Afghanistan, which included even a ban on white socks, perceived as an insult to the white Taliban banner, and were inclusive enough to place a ban on caged birds, see Wahab, Shaista. 'The Taliban Era: 1996-2001.' *A Brief History of Afghanistan*. University of Nebraska at Omaha, Arthur Paul Afghanistan Collection, and Barry Youngerman. Facts on File, Infobase Publishing, USA, 2007. (pg-218).

reflective of the broad, and significant leaning towards religious fundamentalism, and abhorrence towards the US. This shift is supported by the growing control of the clergy through the election of the fundamentalist *Muttahida Majlis-e-Amal* (MMA) (United Action Front) political party. It is significant to note that the MMA had played on anti-secular, anti-US sentiments to win an unprecedented popularity, and landslide victory in the 2001 elections to form a government in two provinces of the country.²²⁵ We see footage of bearded men, and *mullahs* (Islamic clerics) attending MMA rallies to urge support for the passage of their *Sharia* Bill. Bearing anti-US and anti-Musharraf placards reading 'Osama is our hero,' and chanting 'Whoever supports America is a traitor,' and 'Musharraf is a dog,' on the streets of Peshawar convey the alarming radical political developments that had begun to challenge the dictator's pro-US stance, and threaten Pakistan's socio-political fabric.

Walking through bazaars in Peshawar, Obaid-Chinoy is visibly horrified at the conflicting scenes and transformations she takes in. We see posters of Osama Bin-Laden and other *Al Qaida* leaders, and religious posters of the *Ka'aba* selling alongside revealing posters of a popular Indian film actress, Kareena Kapoor.²²⁶ Images of Pakistani female models on billboards and advertisements with their faces blackened and defaced serve as a sharp reminder of the extent to which the Taliban ideology was being officially promoted by the *Sharia*-led MMA government. Other practices included the banning of music as 'un-Islamic,' and a crackdown on musicians. As he walks her down the *Akbari* Market in the old part of the city, singer and musician Gulzar Alam tells Obaid-Chinoy that he had his business shut down, and was jailed for singing at a wedding party. We learn that for generations musicians had lined the streets of this

²²⁵The *Muttahida Majlis-e-Amal* (MMA) (United Action Front) religious alliance won an absolute majority in October 2001 regional elections, after which it ruled the North West Frontier Province and Baluchistan. On 25 November 2002, the *Muttahida Majlis-e-Amal* formed the government in the North-West Frontier Province (NWFP), after the alliance's huge success in the province, at both the provincial and national level. In June 2002 the parliament in NWFP approved legislation to make *Sharia*, or Islamic teachings, the governing law in the region. Since taking control of the province, the ruling Islamic alliance banned music on public transport, medical examinations of women by male doctors, male coaches for women athletes, and male journalists from covering women's sports. Accessed at: <http://www.globalsecurity.org/military/world/pakistan/mma.htm> on November 5, 2011.

²²⁶The *Ka'aba* is the symbolic house of God for Islam and Muslims, and site of the holiest Muslim pilgrimage in Mecca, Saudi Arabia.

market making musical instruments, and teaching music. Very few of them remain now. Archival footage shows the police torching thousands of music CDs and video film cassettes on the streets on the orders of the MMA government. Similar crackdowns affected the livelihoods of artists who had for generations painted murals and hoardings for films and cinema houses. Ismail, a mural painter, tells Obaid-Chinoy that his profession had been acceptable when he was hired to make posters and paint hoardings for the MMA leadership during their election campaign. But now, he was banned on the pretext of religion, and was confined to only painting words.²²⁷

The emerging socio-political environment depicted in *Re-inventing the Taliban?* presents a startling comparison with the changes wrought in Afghanistan by the puritan Taliban regime, and their emulation and 'reinvention' in the Pakistani system. As Obaid-Chinoy is followed by the disapproving gazes of bearded men on the streets of Peshawar, they taunt her for roaming around without her face covered, reminding her that 'the clerics and the Taliban are coming.' Unfortunately, this was not an idle threat, as at the time Obaid-Chinoy made her documentary, Pakistan began to be seriously mired in the spread of radical Taliban-style extremism being promoted through *madrasas*.

The tensions and confusions between a secular environment, and the new constraints imposed on the arts, women's rights, and women's participation in public life were reflective of where the new MMA government was headed in social and political terms. This new environment of intolerance is laid bare in Obaid-Chinoy's meeting with the founding member of the MMA, *Maulana Sami-ul-Haq*, Chief of the *Jamiat-e-Ulema Islam* (S), and also the patron of the most radical *madrasa* in the country where the

²²⁷It is important to mention here that the art of human representation in fundamentalist Islam, whether through figural art or painting, has historically been considered a means that undermines the authority and unity of God as the sole creator of the universe, and thus the sole entity with the power to give life. As Islamic scholar Muhammad Marmaduke Pickthall elaborates, 'painting and sculpture were restricted by universal consent to conventional designs, because of the association of the forms of living creatures with idolatrous worship.' On the subject and place of painting, music and drama in Islam, Pickthall goes on to point out that although 'There is no direct command that I can discover in the Quran or in our Prophet's recorded sayings, only he refused the request of a Persian painter to be allowed to paint his portrait and take it back to the Persian people, for fear lest it might be idolized.' Marmaduke Pickthall, Mohammad. 'Science, Arts, and Letters.' *The Cultural Side of Islam*. Ashraf Press, Lahore, Pakistan, 1961. (pgs-76-77).

majority of Taliban leaders have reportedly studied. Haq defends the Taliban and their radical ideology, and argues that the US is bent on 'anti-Islam propaganda,' and that 'Talibanization' and 'terrorism' are the words it has adopted to malign Islam.²²⁸ He categorically denounces Western/US liberalism as wholly corrupt, immoral, and unacceptable for a Muslim state where he believes state and religion should work in unison: 'We will not tolerate secularism. We will not tolerate the supremacy of the United States. They want to make our women shameless and immoral. This will not be allowed.' He contends that only his party, and its ideology can serve as a viable antidote to the country's problems, including poverty, illiteracy, and corruption. Haq continues to exert tremendous influence among Pakistan's religious parties.

Eight months after the election of the MMA government, Obaid-Chinoy investigated the effects of the MMA's ideological stance by seeking responses at roadside tea stalls and eateries from ordinary citizens who had voted for the MMA. She draws mixed reactions as to the validity, or rejection of women's oppression, ban on the arts, and the state-imposed religiosity that forces men to grow their beards, and women to veil. Many seem to have lost confidence in the ruling party, and its forced policies and tactics of governance, although no one denies their religious allegiances.

Depictions of this emerging trend to 're-invent' a Taliban structure of governance in Pakistan warn of the deleterious consequences for Pakistan, and the broader global context. Obaid-Chinoy points out that MMA is backed by thousands of hardened militants, radicalized religious fundamentalists, and extremists who have easy access to

²²⁸ *Maulana* Sami-ul-Haq, known as the father of the Taliban, is the director and chancellor of Pakistan's famous *madrasa*, *Darul Uloom Haqqania*, a core regional institution for religious ideology located right on the Grand Trunk Road in the city of Akora Khattak, near Peshawar. He has served in this post since the death of his father, *Maulana* Abdul Haq, the founder of the *madrasa*, in 1988. *Darul Uloom Haqqania* is where many of the top Taliban leaders, including its fugitive chief, *Mullah* Omar, attended. It is widely believed that the *madrasa* was the launching pad for the Taliban movement in the early 1990s, which is why Sami-ul-Haq is also called the "Father of the Taliban." Besides running his *madrasa*, Maulana Sami has a long political history as a religious politician. He was among the founders of Pakistan's *Muttahida Muttahida Majlis-e-Amal* (MMA) (United Action Front), a coalition of six Islamic religious parties. Ali, Imtiaz. 'The Father of the Taliban: An Interview with Maulana Sami-ul-Haq.' *Global Terrorism Analysis. Spotlight on Terror* Volume: 4 Issue: 2. May 23, 2007. The Jamestown Foundation Accessed at: [http://www.jamestown.org/programs/gta/single/?tx_ttnews\[tt_news\]=4180&tx_ttnews\[backPid\]=26&chash=2feb32fe98](http://www.jamestown.org/programs/gta/single/?tx_ttnews[tt_news]=4180&tx_ttnews[backPid]=26&chash=2feb32fe98) on August 17, 2011.

weapons. As Obaid-Chinoy takes a journey into Darra Adam Khel, a tribal area that hosts the largest unregulated arms market in the world and the thriving arms market catering to the entire NWFP (and which had been the main weapons pipeline for the Taliban during their rule in Afghanistan), we see handguns and automatic rifles being manufactured, and sold at \$20 and \$50 respectively.²²⁹ Scenes from the vibrant, busy, arms bazaar are perhaps the chilling highlight of the film: billboards displaying shop names and their phone numbers; busy arms craftsmen, and production units in operation; a ready merchandise of shining, new small sub-machine guns, machine guns, and Kalashnikov rifles; arms neatly displayed in shining glass show cases; people test-firing their prospective purchases in the air. A shopkeeper proudly tells Obaid-Chinoy that they can 'reproduce anything they can get their hands on.' A reference to any foreign arms that may be captured in the region and that can be copied in manufacturing. As the filmmaker point out, what is perhaps the most significant and alarming fact is that these arms in the unregulated market are available for sale to anyone, including 'hard-core extremists.'

During her visit to the Peshawar Degree College that houses the MMA *Shabab-e-Milli* (Youth Wing), Obaid-Chinoy listens to its leaders, both students and professors, as they defend their Taliban-like support for the oppression, and segregation of women in the name of religion. They declare that it is necessary to blacken out women's faces on billboards, asserting that women cannot even buy anything from male shopkeepers. They believe that women should not be allowed to 'laugh outside their homes,' advocating the 'blackening and boarding of windows' wherever women reside. All these measures, they claim, are in compliance with 'Islamic' values and laws. We see a shocking resemblance with transformations during the Taliban era in Afghanistan now being politically endorsed and promoted as an 'ideal model' by the MMA. Obaid-Chinoy visits a heavily veiled MMA member of the National Assembly named Razia Aziz who agrees with, and endorses the MMA view on women. As Obaid-Chinoy leaves Aziz, she wonders what it would be like to have to wear a *burqa*. Trying one on in a shop, the

²²⁹Darra Adam Khel is reputed to be the largest illegal arms market in Asia. For further historical details visit Pakistan Hunting and Sporting Arms Development Company (PHSADC at: <http://www.phsadc.org/index.php?parentid=17&parentname=Sporting%20Arms%20Industry&page=mainbody&childid=47&childname=History%20of%20Darra%20Adam%20Khel> Accessed on September 24, 2011.

filmmaker exclaims 'My God! Can't even breathe in here!' This outlook is shared by Bushra Gohar, a social worker and member of the *Awami* National Party (ANP) (People's National Party) and the National Assembly, who tells Obaid-Chinoy she has never veiled, nor will. She deems the practice of veiling 'un-Islamic', regardless of the MMA directives, and prevalent atmosphere of religious fundamentalism in the province. The two opposing points of view between members of the MMA and the ANP political parties exemplify the tensions and frictions between the liberal old norms, even in the historically conservative NWFP capital, and the imposition of a new, alien orthodox order imposed by religious parties.

Re-inventing the Taliban? takes a welcome, and encouraging, turn as musician Gulzar invites Obaid-Chinoy to a music concert arranged by the opposition party, ANP. Party president Asfandyar Wali, and Afrasiab Khattak, provincial party president and also member of the Human Rights Commission of Pakistan (HRCP) tell Obaid-Chinoy they arranged the concert to show their opposition to the MMA ideology, and to promote the *pakhtun* culture. Although the concert is attended by an all-male audience only, the very fact that it is taking place in the MMA stronghold, and provincial capital is a significant symbol of the oppositional forces that have continued to defy and challenge religious fundamentalists in Pakistan.

After concentrating on the hub of the Taliban ideology, Peshawar and the NWFP, Obaid-Chinoy sets out to investigate if such extremist ideologies could only prosper in the impoverished zones of the NWFP, or could they spread to mainstream Pakistani society as well. Traveling back to Lahore, the cultural capital of Pakistan, and provincial capital of the Punjab province, she realizes the glaring differences between the two worlds. The film now shows footage of unveiled women freely shopping in the markets; female models preparing for fashion shoots and walking down the ramps at fashion shows; and actress Ayesha Alam narrating her lines for a performance of Eve Ansler's 'Vagina Monologues' to be staged in the federal capital city of Islamabad. Defending her right to carry on with her artistic pursuits, Alam tells Obaid-Chinoy that she is also well-aware of grim realities such as acid-burning of women's faces, and threats to families of

artists from extremist factions.²³⁰ Though fundamentalist pockets may consider Alam's artistic stance as nothing more than a corrupting influence of Western cultures on Pakistan's urban life, her defiance is also indicative of an openness in Pakistan to broader cultural and artistic currents.

Jugnoo Mohsin, a woman journalist, activist, and managing editor and publisher of the English weekly magazine, the *Friday Times*, tells Obaid-Chnoy that Pakistani womens' are hard-won freedoms, and they will not give them up regardless of political and religious pressures.²³¹ On the other hand, Mohsin draws attention to the devastating prospects of religious fundamentalist politics and its influence in a 'geo-strategically located nuclear-armed Pakistan.' What emerges is a sobering picture of a country torn between its desire for secularism and modernity, and extremist elements and politics bent on opposing any such progress. Obaid-Chnoy's depictions of the dangerous influence of the MMA ideology are a warning to secular elements in Pakistan, and the world, to resist a zealous minority that wants to 'reinvent the Taliban' in its midst, and threaten the world with its fundamentalist dogma.

Obaid-Chnoy ends her film with a visit to the Wagah border near Lahore, which divides India and Pakistan, two nuclear rivals that have fought two full-fledged wars in the past, and remain antagonistic towards each other despite deep-rooted cultural, and historical ties. Watching the change-of-guard ceremony, she weighs the possibility of Pakistan's nuclear arms getting into the hands of radicalized extremists, and what this would mean for the world---a threat that has grown increasingly worrying for the international community over the years. Religious, political, cultural, and gender tensions interweave as *Reinventing the Taliban?* ends with a warning from Gulzar, the musician from Peshawar: 'We need to work hard, because if our culture is taken away from us, then the coming generations will stone our graves.'

²³⁰For reasons of security, the performance was confined to invitees only. For details of Eve Ansler's 'Vagina Monologues' performance in Pakistan, visit: <http://www.vday.org/node/1200> Accessed on July 24, 2011.

²³¹The *Friday Times* weekly magazine has been known for its liberal and progressive stance, and opposition to martial law and dictatorial regimes since its first publication in 1989.

Reinventing the Taliban? draws attention to the frightening progression of radical, and politicized religious ideologies that were taking root at the socio-political levels in Pakistan in 2003. Adding another thematically related sequence to the 'cinema on terror,' it pinpoints the alarming trends that were shaping the country's future, and would threaten the world: a strong tilt towards Talibanization; the fundamentalist, militant, and oppressive ideologies being endorsed by religious political parties; the un-checked mass production of arms in Darra Adam Khel; and the vibrant and progressive urban life and cultural activities threatened by Talibanization. As a historical record of a past that continues to shape the present, Obaid-Chinoy's investigative documentation in *Reinventing the Taliban?* signals, and warns of the trend towards religious militancy and extremism that would gain momentum within Pakistan, while espousing an ambitious global agenda for terrorism in the name of 'jihad.'

Pakistan: On A Razor's Edge (2004)

The pattern of terror and Talibanization unfolding in *Reinventing the Taliban?* is further compounded as Pakistan struggled to fight on several fronts, including its persistent uneasy relationship with nuclear-armed neighbour and arch rival India. In *Pakistan: On A Razor's Edge (2004)*, Obaid-Chinoy explores the web of internal strife and conflicts that surrounded President Musharraf's multiple political entanglements: commitment to the West in fighting the 'war on terror;' making peace with India; the ongoing Kashmir dispute; Pakistan's alleged role in nuclear proliferation abroad; the opposition posed by religious leaders; and the growing religious extremism at home.²³² The aforementioned factors continued to strengthen anti-US and anti-India sentiments in the country, while religious segments pushed for an 'Islamic' state identity. The

²³²*Pakistan: On A Razor's Edge*. Sharmeen Obaid-Chinoy. (With Ed Robbins). 2004. (24-min). Public Broadcasting Corporation. (PBS). (Urdu/English/English sub-titles). This film was made while Obaid-Chinoy was a graduate student at Stanford University, USA, as well as a reporter for New York Times Television (NYTT).

In a lecture at the University of Oxford in 1907, Lord Curzon, the Viceroy of India, which then included Pakistan, had described India's border as 'the razor's edge on which hang suspended the modern issues of war and peace, of life and death to nations. Mazhar, Muhammad Saleem., Goraya, Naheed S. 'Border Issue between Pakistan & Afghanistan.' *Journal of South Asian Studies*. Vol. 24, No. 2, July-December 2009, pp.204-220. (pg-204).

documentary, accompanied by the filmmaker's commentary and reflections, remains significant in its expository intent,²³³ and its account of the complex mix of religion and politics in Pakistan.

Pakistan: On A Razor's Edge begins with Obaid-Chinoy boarding a 'peace train' from India to Lahore, a goodwill service that was initiated between both countries to thaw enmities, and foster trust and interaction between its people.²³⁴ Her interviews with travelers depict their joy, and also caution, regarding the new initiative as the train pulls into the Punjab provincial capital of Lahore. Scenes of eagerly awaited reconciliation with long separated families at the Lahore railway station point to what is described as a result of the 'historic handshake' between President Musharraf and Indian Prime Minister, Atal Behari Vajpayee, as they agreed to begin peace initiatives in January 2004.²³⁵

²³³Nichols, Bill. 'What Types of Documentary Are There?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-105).

²³⁴The *Samjhauta* (compromise/accord) Express train service was restored between Pakistan and India on January 15, 2004. The two countries broke off most ties in 2001 after India blamed Pakistan for involvement in an armed attack on the federal parliament in Delhi. 'India, Pakistan Resume Train Link.' British Broadcasting Corporation (BBC), January 15, 2004. Accessed at: http://news.bbc.co.uk/2/hi/south_asia/3395901.stm on October 17, 2011.

The twice-weekly *Samjhauta* Express was seen as a symbol of the family ties that bind India and Pakistan, notwithstanding the 1947 communal partition of South Asia into a Muslim Pakistan and a Hindu India. Poor Pakistanis and Indians used this inexpensive mode of transport to meet relatives and friends who were forced to migrate as a result of the bloodletting that accompanied partition, or those who remained in their places of origin. The train service was launched on July 22, 1976 following the Shimla Agreement, and ran between Amritsar and Lahore, a distance of about 42 kilometers. Following disturbances in Punjab in the late eighties, Indian Railways decided to terminate the service at Attari, where customs and immigration clearances take place. The train's first break of service took place when it was discontinued on January 1, 2002 in the wake of a terrorist attack on the Indian Parliament on December 13, 2001, for which India accused Pakistan. After resumption of service in 2004, the train service traveling from New Delhi to Lahore was made a terrorist target in India on February 18, 2007, leaving 68 people dead, and dozens injured. Kumara, Sarath. 'Train Atrocity in India Targets "Peace Process."' World Socialist Web Site (WSWS). February 24, 2007. Accessed at: <http://www.wsws.org/articles/2007/feb2007/indi-f24.shtml> on June 17, 2011.

²³⁵At the 2004 South Asian Association for Regional Cooperation (SAARC) summit in Islamabad, Pakistan, President Pervaiz Musharraf and the Indian Prime Minister, Atal Bihari Vajpayee, had held talks, and shook hands on promoting peace between the two nuclear rivals. Randeep, Ramesh. 'Musharraf and Vajpayee Pledge Peaceful Links.' *The Guardian*. January 6, 2004. Accessed at: <http://www.guardian.co.uk/world/2004/jan/06/pakistan.india> on June 3, 2011.

Symbolic of the new beginning between Pakistan and India, we see scenes of the annual festival of *Basant* (Spring) in Lahore that celebrates the arrival of spring. Featuring kite-flying contests as a main sport, footage depicts a picture of merrymaking, dancing, and joviality very different from the glum realities that otherwise beset Pakistan. Walking through brightly lit streets at night, Obaid-Chinoy asks ordinary citizens if they are hopeful about the new possibility of peace with India. While some show enthusiasm, one old street vendor cautions her: 'Ask me another time. If this interview is aired, we will both be jailed. This is Pakistan!'

Pakistan: On a Razor's Edge, made during one of the most tense, and dangerous periods in President Musharraf's tenure, gives a varied picture of the many mindsets, and clashing loyalties that were brewing among segments of civil society, the government, and military factions. In particular, there were prevailing anti-US, anti-Israel, and anti-India sentiments of those who blamed Musharraf for selling out to the West, and going against his own people. As she observes the variety of local and Western billboards that advertise fast-food restaurants and banks, Obaid-Chinoy describes her homeland as 'a country of secrets and paradoxes, still emerging from its recent past, before 9/11, when it was the Taliban's main supporter.' We realize that Pakistan is perched precariously at a crossroads, 'determined to be part of the modern world,' as she says, but equally infested by dangerous, oppositional elements at influential, and key decision-making positions. These decision-makers strongly opposed the US, and equated modernity and progress with Western 'anti-Islam' designs.

Obaid-Chinoy's interviews with government and military officials develop a critical picture of the balancing act Pakistan is striving to achieve, both in the international arena, as well as domestically—a most vulnerable situation for both extremists, and anti-Musharraf elements to exploit. Interviewees include the former Chief of the Army Staff General Aslam Beg; Lieutenant General Hamid Gul, the head of the country's notorious Inter Services Intelligence Agency (ISI) before 9/11, when Pakistan was openly supporting the Taliban; Maulana Sami-ul-Haq, a senator and founding member of Pakistan's powerful fundamentalist political movement who zealously voices his mistrust, and opposition to the US, and solidarity with the Muslim world. Others include Jugnu Mohsin, journalist and publisher of the weekly Friday Times, and Ahmed Rashid, a well-known authority on Islamic fundamentalism, the Taliban movement, and the geo-politics

of the region.²³⁶ In Lahore, Jugnu Mohsin tells Obaid-Chinoy that 9/11 has benefitted Pakistan:

'I may be being very unconventional here, but I'll say to you that 9/11 has been very good for Pakistan. Suddenly, overnight, we had to choose which way to go. The state decided to dump the Taliban---not a moment too soon, I can tell you as a woman.'

Mohsin notes that the economy has improved, and that there is growing popular support for peace with India: 'We don't want to fight a thousand-year war with India. Not least because both countries are armed with nuclear weapons.'

Nuclear monuments such as the one erected in front of the Lahore railway station that replicates the Chagai Hills in the Balochistan province where Pakistan detonated nuclear devices, take on a critical significance in the film. During Obaid-Chinoy's 2004 trip, Pakistan's nuclear program becomes an international scandal as Dr. Abdul Qadeer Khan, head of the Kahuta Research Laboratories, and architect of Pakistan's nuclear programme, is accused of nuclear proliferation to Iran, Libya, and North Korea.²³⁷ The film documents how, as the controversy heats up, Dr. Khan, who was considered a national hero for matching India's nuclear capability, is forced to deliver a televised confession of proliferation, and apologize to the nation and seek

²³⁶Among Ahmed Rashid's various writings on the rise of Islamic fundamentalism, and the Taliban, are Rashid, Ahmed. *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*. Yale University Press, New Haven, USA, 2000.

Rashid, Ahmed. *Jihad: the Rise of Militant Islam in Central Asia*. Yale University Press, New Haven, USA, 2002.

Rashid, Ahmed. *Descent into Chaos: How the War Against Islamic Extremism is Being Lost in Pakistan, Afghanistan and Central Asia*. Allen Lane Press, London, UK, New York, USA, 2008.

²³⁷On May 28, 1998, Pakistan exploded five underground nuclear devices in response to India's nuclear tests two weeks earlier. The move provoked worldwide condemnation and fears of a nuclear conflict in one of the world's most volatile regions. Pakistani officials said the devices were detonated underground in the Chagai Hills in the Baluchistan province near the border with Afghanistan. '1998: World Fury at Pakistan's Nuclear Tests.' British Broadcasting Corporation (BBC). Accessed at:

http://news.bbc.co.uk/onthisday/hi/dates/stories/may/28/newsid_2495000/2495045.stm on July 18, 2011.

For further details on Pakistan's nuclear programme see Koch, Andrew. 'Fact Sheet.' May 28, 1998. Centre for Defense Information (CDI). Accessed at: <http://www.cdi.org/issues/testing/pak1.html> on August 18, 2011.

forgiveness. Following the public apology, we see President Musharraf, dressed in military uniform, accusing Dr. Khan of having acted unilaterally for personal financial gains, but also extending a pardon for Dr. Khan in a television speech. Musharraf categorically denies any involvement of the army or the government in the matter. Dr. Khan's televised confession and apology in English on Pakistan state-run television on February 4 (after which he was placed under house arrest) prompts Obaid-Chinoy to remark that it was 'meant for audiences far beyond Pakistan'; that is, to appease the international community, particularly the US, and the West. However, journalist Ahmed Rashid rejects Musharraf's accusations and claims:

'It is impossible that one man could have carried out such acts of proliferation over 27 years involving weapons, technology and missiles. It is impossible that Dr. Khan acted alone. The military had to be involved. It was the Pakistani army that needed the missiles they got in a nuclear barter deal with the North Koreans. I am sure, as army chief, General Beg was involved.'

Retired General Mirza Aslam Beg, who was Pakistan's Chief of the Army Staff in the midst of Dr. Khan's proliferation activities in the late 80s, categorically denies any involvement on his part. At his Rawalpindi residence Obaid-Chinoy asks him why he has not been arrested despite allegations that he was in the know, the general replies: 'Just to disappoint you, and my American friends and their stooges here in Pakistan, they still want me behind bars for sins which I have not committed.' He goes on to state that the whole matter of nuclear proliferation is an American 'conspiracy to destabilize Pakistan,' expressing the anti-US stance at the very core of the military leadership.

This view is seconded strongly by the former Chief of Inter Services Intelligence (ISI) Lieutenant General Hameed Gul, who was known as one of the most powerful men, and 'spymaster' in Pakistan when the development of the nuclear programme was at its height. He rejects allegations of proliferation outright, and terms them as mere 'fibbing' and 'speculation,' and blames America and Israel for trying to subvert Pakistan's nuclear capability. He proclaims that 'Islam is the target, Islam is the new enemy. Islam is the challenge.' He believes that the US wants to dismantle Pakistan's nuclear arsenal: 'If at present the US needs Musharraf it does not mean that they will abdicate their objective of de-nuclearizing Pakistan.'

Obaid-Chinoy's discovery of such deep-rooted beliefs, and reactions at the most important and powerful levels of the Pakistani army and governance, highlight the dangerous scenario that was unfolding. She comments:

'Gul's strong anti-Americanism, and his paranoia are widespread in Pakistan. More and more the nuclear scandal feels like a Pandora's box. Who knows what would happen to Pakistan if it were opened?'

The nuclear proliferation controversy had deeply divided the Pakistani nation. The majority accused President Musharraf and the army of humiliating a national hero, Dr. Khan, and using him as a scapegoat to cover up the army's own involvement.²³⁸

Maulana Sami-ul-Haq, an old friend of Osama Bin Laden's (though he is careful to state on camera that he has not met Bin Laden lately) whom Obaid-Chinoy goes to meet in the North West Frontier Province (NWFP), defends the sharing of nuclear technology as a 'duty' towards other Muslim countries:

If we gave it to Iran, what's the crime? If we gave it to Libya, what's the crime? If Europe shares this technology, it's the duty of all Muslims to share their knowledge. America has surreptitiously forged an elaborate scheme to strip Pakistan of its nuclear technology.

Haq blames Musharraf for cutting a deal with the US by allowing the Pakistani army to hunt down Osama Bin Laden and the *Al Qaida* in the tribal areas along the Afghan-Pakistan border in what was known as the 'Spring Operation':

'They will leave our border in shambles. They want Muslims to be tied up like goats and sheep, so they can slaughter us at their will. Why doesn't Musharraf understand that all this is part of their plot?'

²³⁸ On February 6, 2009 the Islamabad High Court (IHC) declared the detained nuclear scientist Dr Abdul Qadeer Khan a 'free citizen' but kept secret the terms regulating his 'freedom' agreed to by the government and the petitioner. But within hours of the court's ruling it also became clear that Dr. Khan would only be exercising limited freedom. The rules governing his liberty may never be known since the high court imposed a ban on the publication of the secret agreement. Following his relative freedom, Dr. Khan changed his position, claiming that he was forced by General Pervaiz Musharraf into making the statement. The military government, however, continued to maintain that he had spearheaded the gang that had supplied centrifuges, equipment and other information to countries like Iran, Libya, and even North Korea. For details, see: 'Nuclear Scientist A.Q. Khan Declared 'Free Citizen.' February 6, 2009. Dawn.com Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/ihc-declares-drkhan-free-citizen--qs> on August 17, 2011.

His views and beliefs echo those of General Hameed Gul, and serve as clear evidence of the anti-US and anti-Musharraf convictions shared by the high command of the Pakistan army, and radical religious factions.

We see footage of sites in Rawalpindi where President Musharraf had narrowly escaped two assassination attempts in December 2003. These attacks had been carried out as a result of opposition to his hypocritical policies to appease both radical Islamists in Pakistan, and Western allies in the 'war on terror.' In the first instance, explosives ripped a bridge seconds after his presidential convoy had passed over it. The second attack took place only two weeks later on Christmas day as two cars filled with explosives, signaled by someone in the presidential convoy, rammed into the motorcade, leaving seventeen people dead, and more than 40 wounded.²³⁹ Reportedly, investigators found one suicide bomber's cell phone with the memory chip still intact. It had phone numbers linking the assassin to a Pakistani hardline extremist group with links to *Al Qaeda*, involved in the fighting in Kashmir. On her visit to the site of the second assassination attempt, Obaid-Chinoy finds a strong mix of reactions to the incident as eyewitnesses recount the details, some condemning the incident, while others favour Kashmiri *jihadists* as 'freedom fighters.' She comments:

'Their arguments reflected the heart of the struggle going on within Pakistan—the struggle between the progressive majority and a fundamentalist minority whose influence reaches far beyond their numbers.'

Following Musharraf's peace moves with India, he proclaimed the thousands of Kashmiri *jihadists* fighting in the Indian Held Kashmir as 'terrorists fighting a proxy war,' thereby forcing them to go underground, and opening up yet another dangerous front for confrontation. As Obaid-Chinoy watches an angry group of Pakistani nationalists burning an effigy of India's prime minister, Atal Behari Vajpayee, in Rawalpindi she is reminded: 'Kashmir is not just the cause of extremists, it's a deeply felt issue, embedded in Pakistan's identity. There's even a national holiday, Kashmir Day.'²⁴⁰

²³⁹President Musharraf has recounted the assassination attempts on his life in his memoir entitled: Musharraf, Pervez. *In the Line of Fire: A Memoir*. Free Press, New York, USA, 2006.

²⁴⁰Since 1991, Pakistanis from around the world have observed the 5th of February as a day to express solidarity with the people of Kashmir, and their struggle for independence from India.

On conditions that his name, and that of his organization, not be disclosed, a militant from a banned *jihadi* outfit who has been fighting in Kashmir agrees to speak to Obaid-Chinoy. At a secret location, lit only by candlelight, the man, obscuring his face, categorically rejects that his comrades are terrorists. Instead, he blames India for committing atrocities in Kashmir, and defends himself and his organization as fighting for the liberation of Kashmir:

'In Kashmir, I witnessed the cruelty, and torture. Hindu religious extremists can come into Kashmir. They commit mass-murder, they loot, rape Muslim women, set our homes on fire. Are these not acts of terrorism? In Indian eyes they are not. Every drop of our blood is dedicated to the Kashmir struggle.'

Denying that Kashmiri *jihadists* are responsible for the attacks on President Musharraf's life, he instead blames them on India's intelligence agency, RAW, and Israel's Mossad. Hearing such resolve, and allegations only leave the filmmaker with a gloomy and disturbing conclusion that chances for peace are more fragile than she thought: 'What chance do peace agreements have in the face of such conviction when *jihadists* are prepared to die to make Kashmir a part of Pakistan?' As the Kashmir dispute has lingered over the decades, the most dangerous factor to emerge is that both India and Pakistan are now also armed with a nuclear arsenal. This fact of nuclear capability that may be a source for pride for both countries, but remains a volatile concern for the rest of the world should religious extremists gain power in Pakistan.²⁴¹

Amid the ongoing *Basant* festival, Obaid-Chinoy's last journey in the film once again takes her to the Pakistan-India border at Wagah where each day an elaborate change-of-guard ceremony is watched by crowds from both sides. As she watches Pakistani soldiers in dark green uniforms and their Indian counterparts in khaki brown engage in 'a ritualized shadow play,' strutting and outdoing each other, she observes: 'But on this day I saw something different. For the first time, in a gesture of friendship,

²⁴¹Citing US non-government analysts, a recent report in the Washington Post stated that Pakistan has doubled its nuclear weapons stockpile over the past several years. As opposed to 30-60 weapons only four years ago, it had increased its arsenal to 110 deployed weapons, edging ahead of India who has 60-100 weapons. 'Pakistan's Nuclear Arsenal Tops 100.' Daily Dawn Online. January 31, 2011. Accessed at <http://www.dawn.com/2011/01/31/pakistan%E2%80%99s-nuclear-arsenal-tops-100.html> on June 31, 2011.

they shook hands. And the crowd broke out in cheers. On both sides.' An unfulfilled dream of friendship that still lingers for the people of both countries, despite the many political and diplomatic attempts made to normalize relations for over six decades.

Pakistan: On a Razor's Edge adds a crucial link in tracking and situating the myriad problems, tensions, dangers, and patterns of militancy and terrorism that Pakistan not only faced within its own borders, but also poses for the rest of the world if fundamentalist factions are not contained. By the end of the film, it is evident that the impact and fallout of the US-led 'war on terror,' tensions with India, and domestic rifts and instability had ignited many frightening ideological, and political fronts across Pakistan. In retrospect, we get a contextual picture of the compelling, and deteriorating circumstances that had been set in motion despite Musharraf's removal from office in 2008, and the current democratically elected government of President Asif Ali Zardari that succeeded him, and continues to serve as a US ally in the region.

Pakistan's Double Game (2005)

In a country already beset with internal strife, conflicts, and oppositional religious forces, as depicted above, *Pakistan's Double Game* (2005) focuses on President Musharraf's commitment to the international community regarding the 'war on terror,' and curtailment of religious fundamentalism at home.²⁴² Sharmeen Obaid-Chinoy travels the breadth of Pakistan to investigate the growing trend of suicide attacks, militancy, and ideological rifts brewing within Pakistan's cities. As American suspicions grew that Osama Bin Laden was in hiding somewhere in Pakistan, her thrust in the film is to investigate Musharraf's 'double game' policies as he played an ally of the US to hunt down militants, while trying to conciliate Islamist opinions among his own people. Obaid-Chinoy notes at the very outset: 'The government has targeted foreign militants but not home-grown ones. Dig a little deeper and you find Pakistan's war against terror has been a limited one.'

²⁴²*Pakistan's Double Game*. Sharmeen Obaid-Chinoy (with Claudio Von Planta). 2005. (24 min) Channel 4, UK. (English/Urdu).

Beginning her journey in the high-security Karachi Central Jail that houses some of the most notorious militants, Obaid-Chinoy's comment sets the tone for the rest of the film: 'In Pakistan, nothing is as it seems.' She tells us that cameras are not normally allowed inside the high-security prison, but because the government is eager for the world to see what it is up against, it has permitted filming and interviews. We learn that since 9/11, many high-ranking *Al Qaida* members fled to Pakistan after their bases in Afghanistan were destroyed. The Karachi Central Jail superintendent, Amanullah Niazi, tells Obaid-Chinoy that the resolve and strength of captured terrorists cannot be undermined as they are highly trained and capable militants. Even within captivity they strive to 'make bombs with sulphur, sugar, and fertilizers' to break out of jail. While talking of the serious and numerous threats he receives through letters and phone calls, Niazi shows his arm that was scarred by inmates who threw boiling water mixed with chemicals at him. He emphasizes that imprisonment does nothing to diminish the eagerness of captured militants to rejoin terrorist activities if they get out.

In Lahore, Obaid-Chinoy speaks to members of the *Lashkar-e-Jhangvi* at their office, a militant group fighting for the liberation of Kashmir from India that is operating despite a government ban.²⁴³ A member brazenly states that the government dare not shut them down as they have many friends and sympathizers in Pakistan's intelligence services and the army, who support their efforts as 'freedom fighters,' and not 'terrorists.' He points out that they are the same people who were propped up by the US as *Mujahideen* in the 80s to fight against the Soviets in Afghanistan, but now simply the 'definitions' have changed because they no longer serve American interests. As they reject being labeled 'terrorists', they vow to keep fighting their war of liberation, one they claim has already taken 80,000 lives. They assert that discontent with President

²⁴³The *Lashkar-e-Jhangvi* (LeJ) Army of Jhangvi) is an extremist Sunni Muslim, and anti-Shia, militant organization affiliated with the *Al-Qaida* and the Taliban. It was banned by the government of Pakistan in 2001, and the US in 2003 as a Foreign Terrorist Organization under US law. Formed during the mid-1990s, the *Lashkar-e-Jhangvi* (LeJ), is said to be an offshoot of the Islamic extremist group known as the *Sipah-e-Sahaba* (SSP). The parent group of LeJ, *Sipah-e-Sahaba*, was co-founded by Maulana Haq Nawaz Jhangvi, in whose honour the new organization was named. LeJ has also been held responsible for the January 2002 kidnapping and killing of U.S. Wall Street Journal journalist Daniel Pearl. For further history and details of the *Lashkar-e-Jhangvi* organization, see South Asian Terrorism Portal: '*Lashkar-e-Jhangvi*.' Accessed at: <http://www.satp.org/satporgtp/countries/pakistan/terroristoutfits/LeJ.htm> on July 31, 2011.

Musharraf's pro-US policies has resulted in Pakistan army now being perceived as 'traitors', rather than heroes, by a growing segment of Pakistanis, particularly given that over 700 Muslim militants were captured and handed over to the US since 9/11. This serious ideological divide is reflective of the dangerous divisions now taking root in the Pakistan army itself. Support for religious militancy, and *jihadi* organizations from within the army ranks reflects the widening gulf between the people and the rulers.

Obaid-Chinoy arranges to meet with Hafiz Ahsan, a former Guantanamo Bay detainee who has returned home in Lahore, and is now treated as a 'folk hero' among his community because of his tales of torture at the hands of US officials. Ahsan contends:

'America is at war with Islam, and the world wants to break up Pakistan because it is a Muslim stronghold of Islam—a nuclear state with trained *ihadis*, and religious schools that preach the will to die for Islam.'

The conciseness of Ahsan's analysis reflects his unwavering beliefs that have only been strengthened despite his horrific experiences in captivity in Guantanamo Bay. But, most alarmingly, now his 'folk hero' status also carries its own power to influence and incite many others towards anti-US hatred, and religious extremism. Although kept under surveillance by Pakistani intelligence in the hope that he will lead authorities to the capture of other *Al Qaida* members, Ahsan's outlook speaks of the same unrelenting resolve, and mindset of militants in the Karachi Central Jail.

Returning to Karachi, Obaid-Chinoy finds her home city has turned into a hotbed of sectarian clashes, shootings, and car-bomb attacks aimed at destabilizing Musharraf's government. She notes that this growing trend of suicide-bomb blasts that had also begun to target *Shia* mosques is evocative of developments in Iraq, another country afflicted by US presence. Obaid-Chinoy speaks to police superintendent Imtiaz Khoso who is in charge of investigating terrorist attacks in Karachi. He tells her that the sectarian violence is a result of the growing strong belief among *Sunni* extremists that targeting the *Shia* minority, and killing a *Shia* is preferable over killing a 'foreign infidel,' and more are joining their ranks every day.²⁴⁴ Asked to explain the escalating violence

²⁴⁴ *Sunni* extremists consider *Shias* as 'non-Muslim,' hence 'infidels.'

that is engulfing the city, Khoso blames Musharraf's post 9/11 pro-US policies, rather than foreign militants or extremists—a view that is supported by the five attempts on the president's life, in one of which his own security personnel were implicated. We learn from Khoso that during investigations, jailed militants vowed to carry on with their terrorist and extremist agenda if, and when, they get out of jail—a population of unrepentant, and committed militants simply biding their time in prison.

Obaid-Chinoy's investigation invariably leads her back to the NWFP. Here, in the Khyber Agency bordering the Afghan border, she meets with tribal elders in the sparse village of Wazirhand as a special guest. She learns of further divisions and opposition in a belt that had remained an autonomous area, where the Pakistan army had never ventured to enter. But now, because of US pressure, Pakistani forces were targeting the region. Her hosts, a large group of bearded men, take turns to tell her that they do not take orders from outsiders, even if they belong to *Al Qaida*. Instead, they follow their own tribal codes of *Pashtunwali* that dictates a duty to protect 'guests.'²⁴⁵ This defiance reflects their rejection of the Musharraf government's 70,000-strong troop deployment to weed out *Al Qaida* and Taliban militants in the area. None believes that the fight is to capture Osama Bin Laden, but rather it is an excuse to establish control of the area, and install pro-government leaders. Similarly, they believe that 'Osama is a 'trump card' that the US is holding till it seizes control of Pakistan, Afghanistan, Syria, Iraq, and Iran.' This conviction and resistance are also resonant with the much wider, and growing, fundamentalist opposition to the US, and its perceived designs to invade and rule the Muslim world. Images of the muddy, and unimpressive small tribal village belie the power, influence, and militancy its inhabitants command in their region. Posing a threat to trained armies equipped with the most modern weaponry, they make it clear that it is their will that prevails in the tribal belt.

²⁴⁵*Pashtunwali* (also referred to as *Pakhtunwali*) is the tribal code of honour and revenge among the Pashtuns. Serving as much as a tribal law as a code of honour, it includes norms governing revenge (*badal*), hospitality (*melmastia*), and sanctuary (*nanawati*). Hussain, Rizwan. 'The Pakistan-Afghanistan Relationship in a Historical Perspective.' *Pakistan and the Emergence of Islamic Militancy in Afghanistan*. Ashgate Publishing Limited, Hampshire, UK, 2005. (pg-34).

Returning to Peshawar, Obaid-Chinoy's mission is to seek out banned film footage of foreign fighters, and tribesmen killing Pakistani troops. She points out that it was 'here in the 1980s that the CIA had armed and funded the *Mujahideen* to fight against the Soviet troops occupying Afghanistan. One of those they worked with was Osama Bin Laden.' We are led inside a narrow market selling DVD films depicting wars involving Muslims around the world--- extremists' very own cinema of heroism, and terror being marketed in an obscure bazaar in Peshawar. Taking films of footage censored and banned by the Musharraf government, Obaid-Chinoy visits a local *madrassa*, the *Darul Uloom Nomania*, where according to her militants often find new recruits. She shows clips of Pakistan army convoys and trucks set ablaze by militants in the tribal belt to a group of *madrassa* students for their reaction to the sight of 'Pakistanis killing Pakistanis.' Visibly angered and upset at a battle they see being fought 'on behalf of US and European interests,' students blame their own army and government for launching an offensive in Wana, the capital of the South Waziristan Agency, reportedly a hub of high ranking Taliban militants and *Al Qaida* operatives.

Returning to Islamabad, Obaid-Chinoy tries to negotiate government access to the tribal areas where the 'war on terror' was fiercest. She learns that no journalists are being allowed to travel there because of bad weather, and cancellation of all helicopter flights. Instead, she is offered a chance to interview the Pakistan Army Inter-Services Public Relations (ISPR) spokesperson Major General Shaukat Sultan. Angered at her question as to 'whether the army's operations in the tribal areas were anything more than 'window-dressing' for the Americans?' Sultan vehemently defends the Pakistan army's position, and commitment to rout out terrorist outfits.²⁴⁶ He stresses that the Pakistan government is having to walk a very tight rope, as it tries to balance domestic

²⁴⁶There have been grave concerns in the US administration regarding the mismanagement of \$11 billion US aid given to the Musharraf regime since 9/11 for its role and alliance in the 'war on terror.' It is alleged that Pakistan has used the money to purchase helicopters, F-16s, aircraft-mounted armaments, and anti-ship and antimissile defense systems—weapons that Indian officials and others have deemed of questionable relevance to the counterterrorism mission. A June 2008 report from the U.S. Government Accountability Office found widespread accounting irregularities with Pentagon spending. For further details see Bruno, Greg., and Bajoria, Jayshree. 'US-Pakistan Military Cooperation.' Council on Foreign Relations (CFR), June 26, 2008. Accessed at: http://www.cfr.org/publication/16644/uspakistan_military_cooperation.html on August 11, 2011.

sentiments, and international obligations as a frontline state. He tells Obaid-Chinoy that in the last year alone, the Pakistan army lost 250 soldiers, while more than 500 have been injured—‘a heavy loss for any army.’ To prove what the army is up against, Sultan shows her footage on his computer of the underground cells and bunkers belonging to militants that could not be destroyed even after the Pakistan army bombed them. These, he states, had served as underground communication bases from which the militants could jam communications, even on helicopters. He shows footage of the elaborate range of equipment, including computers, night vision devices, and sophisticated cameras, that were captured by the Pakistan army. These images clearly establish a deadly enemy that is well-equipped, and prepared to fight back, belying their image of primitive, bearded barbarians hiding in caves, with little or no modern knowledge.

Winding up *Pakistan's Double Game*, Obaid-Chinoy attends an emotionally charged rally led by a member of Pakistan's biggest religious party, the *Jamaat-e-Islami*. We see enraged bearded men, and even young children, chanting anti-Musharraf slogans, branding him and his supporters as ‘traitors.’ The rally leader demands that it is time for Musharraf to end his alliance with America--- a constant refrain that continued to impact Pakistan's internal politics and security, and had been the cause of growing extremism across the breadth of the country. Talking to Obaid-Chinoy, he warns that the religious parties will unite to launch a campaign against Musharraf's pro-US policies if they are not abandoned. Having shown both the government, and extremist points of view on the ‘war on terror,’ and Musharraf's ‘double game’ that has resulted in only dividing the nation, and endangering the country's stability, Obaid-Chinoy concludes:

‘For four years President Musharraf has played his double game---seeking to do America's bidding, while placating his own people. The contradictions in that approach are becoming even more apparent. He is in danger of infuriating both sides. In the war on terror nothing is ever quite as it seems. At the moment, the last thing President Musharraf needs is to inflame Islamic opinions by capturing Osama Bin Laden in Pakistan.’

Pakistan's Double Game exposes the frightening ideological differences that were spurred by growing mistrust of the Musharraf regime, and its pro-US policies. As another addition to the ‘cinema on terror,’ the film forges a link with developments in *Re-inventing the Taliban?* (2003), and *Pakistan: On A Razor's Edge* (2004) that were pushing Pakistan closer to a danger of Talibanization.

Cold Comfort (2006)

In her next documentary, *Cold Comfort* (2006), Obaid-Chinoy shifts her focus to give us an insight into the ideological exploitation by a terrorist organization even in the midst of a humanitarian crisis.²⁴⁷ Here, the filmmaker explores the aftermath of a massive earthquake, registered at 7.5 on the Richter scale, that hit Pakistan's northern areas in October 2005 and killed an estimated 87,000 people, while rendering another 3 million homeless. The film provides a valuable insight into how a militant organization has taken advantage of this natural calamity to promote itself, and win over public loyalty.

Traveling in a Pakistani military helicopter to Balakot, the epicenter of the earthquake in the North West Frontier Province (NWFP), Obaid-Chinoy finds that flattened cities have now turned into refugee camps. Once a vibrant 3,200 feet high tourist destination that served as a homebase for mountaineers and trekkers headed for the Himalayas, Balakot now presents scenes of horrific destruction, rubble, poverty, and distress. We see long lines of refugees standing in freezing weather for handouts from relief organizations, while the fast approaching winter is bringing snow to an already miserable situation. The film captures scenes of unhygienic conditions where up to nine people are cramped into a single small tent, as stench of garbage and human waste engulfs the air. Nasreen Bibi, whose husband and two daughters were buried alive, tells the filmmaker that it is the worst for women. Bibi shares that she has been propositioned many times by men in return for food and a job.

As government relief supplies begin to arrive, and the projected rebuilding period is estimated in years, we see that it is the religious factions that seize the opportunity to play the religion card by targeting a poor, and homeless population that has little or no choice. Obaid-Chinoy's film shows how the highly organized and well-equipped *Jamaat-ud-Dawa* militant religious group, outlawed and banned by the US as a terrorist organization, has stepped in to take advantage of the miserable conditions, and deprivation as a result of the earthquake. The organization is at the forefront of not only

²⁴⁷*Cold Comfort*. Sharmeen Obaid-Chinoy. (With Michael Fuller) 2006. (21-min). PBS. (Urdu/English/English sub-titles).

providing basic necessities, but even computers for children, and secure, segregated camps for women.²⁴⁸

We learn that as an Islamic militant group whose fighters were engaged in *jihad* on the Indian side of Kashmir, their young, radical cadres were the first to reach the badly affected mountainous areas, the massive earthquake changing their roles overnight from militants to relief-workers. Told not to film any of the volunteers in the camp, Obaid-Chinoy points out that the men there have all been involved in some kind of militant activity or struggle, and would not want to reveal their identities on camera.

Invited to visit the *Jamaat-ud-Dawa* camp, Obaid-Chinoy is met with scenes of sharp contrast with the rest of the camps. The *Jamaat-ud-Dawa* camp entrance boasts of a 'handicraft school for women,' 'Sharia-based veiling environment,' and 'provision of basic food.' We see that neat computer rooms, sanitary conditions, and provision of meat in the midst of colossal destruction have replaced poverty and despair as a banned

²⁴⁸ *Jamaat-ud-Dawa* (JuD) is a *Wahhabi* organization, which was founded in Lahore, Pakistan in 1985. At the time of its inception, the organization was called *Markaz Daw'a wal Irshad*. It changed its name after the US declared *Lashkar-e-Tayyaba* (LeT) a terrorist organization, and the consequent ban imposed by the Pakistani government. Although the *Jamaat-ud-Dawa* has long been known to be a front for the LeT, it publicly retracts itself from any association with the *Lashkar-e-Tayyaba*. In April 2006, the US State Department announced the inclusion of *Jamaat-ud-Dawa* to the Specially Designated Global Terrorist Designation (SDGT). New Delhi Television (NDTV). Accessed at: <http://www.ndtv.com/convergence/ndtv/mumbaierrorstrike/Story.aspx?ID=NEWEN20080076123&type=News> on August 3, 2011.

LeT is a Sunni Islamic extremist organization based in Pakistan, and was formed circa 1989 as the military wing of the Pakistan-based Islamic fundamentalist movement Markaz al-Dawa wal Irshad (MDI – Centre for Religious Learning and Propagation; also known as the Jamaat-al-Dawa). The LeT subscribes to an extreme Salafist interpretation of Islam that is closely related to the Wahhabi form of Islam associated with al-Qaida and the Taliban. Originally formed to wage militant jihad against the Soviet occupation of Afghanistan, the LeT shifted its focus to the insurgency in Indian-administered Kashmir (IAK) in the 1990s, after Soviet troops withdrew from Afghanistan. In 2002, LeT was banned by the Pakistani government but the group continues to operate in Pakistan under the alias Jamaat ud-Dawa (JuD). Ostensibly created as a charitable organization by LeT founder Hafiz Muhammad Saeed immediately prior to LeT being banned, JuD functions as a front organization for LeT in order to mask its activities and to continue to solicit funds. LeT is listed in the United Nations 1267 Committee's consolidated list, and as a proscribed terrorist organization by the governments of Canada, the United Kingdom, the United States, Pakistan, and India. 'Commonwealth Numbered Regulations-Explanatory Statements.' Australasian Legal Information Institute. Accessed at: http://www.austlii.edu.au/au/legis/cth/num_reg_es/ccar200915n214o2009414.html on October 13, 2011.

terrorist organization makes its mark in the guise of social work. The administrative leader in the camp, Abu Zargam, who at first refuses, then relents, to be filmed sitting next to Obaid-Chinoy, tells her that the earthquake is a 'punishment from God.' He claims that people are realizing that they have been punished for the un-Islamic, and immoral conditions prevalent in Pakistan such as cinema houses, and billboards showing female models in revealing clothes. He tells her that people are thanking the *Jamaat-ud-Dawa* as 'angels' for correcting their ways.²⁴⁹ Zargam states that the *Jamaat-ud-Dawa* is here to stay, and theirs is a 'long-term commitment' to the victims of the earthquake and the region, and that they are already in the process of re-building facilities in Balakot ahead of the refugees' return. He emphatically conveys the sincerity of his organization to the earthquake victims as opposed to the government's inadequate efforts and intentions. Talking about the *Jamaat-ud-Dawa* camps, Zargam proudly says that they are built for privacy along Islamic lines---providing segregation for women, with attached bathrooms, and boundary walls around each tent. This efficiency, and ability, of a militant group to capitalize on human deprivation, loss, and destruction is reminiscent of the pattern of recruitment by *jihadist* organizations as seen in earlier films.

With the harsh winter season approaching, those put up in makeshift camps have little choice than to applaud the *Jamaat-ud-Dawa's* efforts, terming them 'angels' sent by God to guide them, and rectify their ways. It becomes evident that the *Jamaat-ud-Dawa's* calculated capitalization on people's desperation is succeeding in encouraging them to convert to their brand of Islamic ideology. Whether through *madrasas* and free food, or implications of a 'sinful' life that can only be redeemed through a militant recourse to oppose Western-style secular ideologies, it is clear that terrorist organizations in Pakistan have worked strategically to win support and loyalty.

²⁴⁹In an interview Obaid-Chinoy recounted her experience of the religious indoctrination that was taking place in the refugee camps during her visit: 'I was living in a tent by the side of the road, and around 5 a.m., you would hear the mosque playing the local morning prayers. Every morning for about 20 minutes there would be a sermon by the local cleric talking about how the people in this earthquake zone were suffering because they had not been in touch with God and because they were not following Islam properly.' Bennion, Jackie. 'Rough Cut: Pakistan: Cold Comfort. Interview With Sharmeen Obaid-Chinoy.' Public Broadcasting Service (PBS). Accessed at: http://www.pbs.org/frontlineworld/rough/2006/02/pakistan_cold_cint.html on October 3, 2011.

We are shown a large number of international humanitarian and relief agencies also at work in the camps, including a team of 1700 Cuban doctors, and their 13 mobile units that are treating up to 350 patients per day. Talking to people in Balakot on the last day of her visit, Obaid-Chinoy hears many claiming that the *Jamaat-ud-Dawa* were the first to arrive with relief goods, food, and ambulances. Others tell her that the *Jamaat-ud-Dawa* only helps those who join their organization, and support their ideology. As she winds up her visit, Obaid-Chinoy sums up this remote corner of Pakistan that was once the exclusive stronghold of the Islamic militant groups, but where the international relief organizations are also making their mark:

'To me it seemed as if a battle was waging in the midst of the relief operations, between the Islamic groups and the international relief organizations. I wonder who will win the minds and hearts of these people as they struggle to survive the first winter after a shattering earthquake.'

In addition to the role of *madrasas* as hubs of recruitment, as depicted in Obaid-Chinoy's earlier films, *Cold Comfort* plays a significant expository role as it depicts the unrelenting resolve and resourcefulness of banned terrorist organizations to compete with the government, and promote themselves through social work as well. It is worth mentioning the grave effect the promotion and success of *jihadist* agendas has had in the region, given that the area had always been the hub of tourism and tourism-based economy, and its inhabitants had always held moderate views. The penetration of *jihadist* organizations and their unchecked operations and oversight by the government speaks volumes for their influence, and support from within the Pakistani establishment to help them pursue their agendas and operations with impunity, despite the fact that rescue teams from the government as well as from friendly countries were operating in the region.

Pakistan's Taliban Generation (2009)

Pakistan's Taliban Generation (2009), a multi-award winning film, including an Emmy in 2010, makes an alarming connection with the developments covered in Obaid-Chinoy's earlier documentaries as it focuses on Pakistan's unabated drift towards

Talibanization, despite the army's resolve to counter it.²⁵⁰ From the days when Afghans were forced to flee to Karachi for refuge in *Terror's Children* (2003), to a generation of Pakistani children now being prepared for suicide attacks in this film, we see the emergence of Pakistan's very own Taliban generation.²⁵¹ We are introduced to horrific, and escalating developments despite Pakistan's return to democratic rule, continuing American and Western alliances to fight religious extremism, and its own citizens' aspirations for a secular, and progressive state.²⁵²

²⁵⁰*Pakistan's Taliban Generation*. (Also entitled *Pakistan: Children of the Taliban*). Sharmeen Obaid-Chinoy. (With Dan Edge) 2009. (47 min) October Films for Channel 4 UK. (Urdu/Pushto/English/English sub-titles). The film won the 2009 Association for International Broadcasting (AIB) Award for Media Excellence in the Best Current Affairs Documentary category. Accessed at: <http://www.broadbandtvnews.com/2009/11/04/aib-hands-out-2009-awards/> on November 22, 2009. Recently, the film, which has been aired on Channel 4/PBS/CBC/Arte/SBS, was also awarded the 2010 duPont-Columbia Award in New York, USA. Accessed at: <http://www.journalism.columbia.edu/cs/ContentServer/jrn/1212612076307/page/1212612076272/JRNSimplePage2.htm>) on January 19, 2010.

On September 27, 2010, *Pakistan's Taliban Generation* won Sharmeen Obaid-Chinoy and Dan Edge the International Emmy in the Current Affairs category at the Lincoln Center in New York, USA. Dawn Online. "'Pakistan's Taliban Generation' wins Emmy.' September 28, 2010. Accessed at: <http://news.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/culture/17-pakistans+taliban+generation+win+international+emmys-ek-01> on January 4, 2011.

²⁵¹Since the 9/11/2001 terrorists attacks on the USA particularly, it has become a common practice for Muslim extremist and fundamentalist forces to train young children along the lines of their *jihadist* ideologies in religious seminaries in Pakistan and Afghanistan. For example, an Associated Press (AP) story in April 2007 reports the circulation of a video of a 12 year-old Pakistani Muslim boy beheading another Muslim man accused of being an American spy in the name of *jihad*. For details see 'Jihadist Video Shows Boy Beheading Man.' Asharq alawsat, 21/04/2007. Accessed at: <http://www.aawsat.com/english/news.asp?section=1&id=8710> on November 21, 2011.

²⁵²Recent high profile terrorist attacks within Pakistani cities have included an attack by masked gunmen, armed with grenades and rocket launchers, on the visiting Sri Lankan cricket team in broad daylight in the bustling city of Lahore in March 2009. BBC News Online. 'Hunt for Lahore Cricket Attackers.' Accessed at: http://news.bbc.co.uk/2/hi/south_asia/7921430.stm on October 21, 2011.

Pakistan's Taliban Generation opens with footage from a Taliban recruitment propaganda video glorifying child-suicide bombers. It shows a class of young boys wearing white bandanas inscribed with the first tenet of Islam, the *Kalma Tayyabah*, saying their prayers in a madrasa.²⁵³ Their teacher, dressed in brown military fatigues, with his face covered, is shown instructing them on the justification and merits of suicide-bombings.

Intended to attract young children to join their *jihadist* movement which will prepare them to fight 'in the name of God,' the video plays a shocking song in a young boy's voice: 'If you try to find me/After I have died/ You will never find my whole body/ You will find me in little pieces.' This is followed by archival footage of three teenaged boys, shown smiling, who served and died as suicide bombers---Zainullah who killed six people; Sadiq who killed 22; and Masud, who killed 28. Together, these images set the tone for *Pakistan's Taliban Generation*, a documentary that focuses on Taliban-run *madrasas* that are preparing a generation of suicide bombers among Pakistan's impoverished areas, and populations.

Traveling across Pakistan to map the spread of religious extremism, Obaid-Chinoy visits a paraplegic and rehabilitation centre in Peshawar. Since 2004, the city has become a refugee hub for those caught in the crossfire between the Taliban, and the US-backed Pakistan army offensive in the North-West Frontier Province (NWFP), and the adjoining tribal areas along the Afghan border. At the centre, we see the horrific toll of this conflict that has left countless crippled, maimed, or paralyzed for life by roadside bombs, and rocket attacks, creating a disabled population with no future, and nothing to

Other attacks that have included public places, markets, 5-star hotels where foreigners stay, and offices of law enforcements agencies, including those among the country's most important and guarded areas such as the Pakistan Army General Head Quarters (GHQ) in October 2009 in the city of Rawalpindi, are significant indicators of how committed, organized, and powerful radical extremists have become. The attack on the GHQ was claimed by the *Tehreek-e-Taliban* Pakistan (TTP) in response to the Pakistan military's offensive to flush out their hideouts in the tribal areas. Thaindian News. 'TTP Group Claims Responsibility for Rawalpindi GHQ Attack.' Accessed at: http://www.thaindian.com/newsportal/south-asia/ttp-group-claims-responsibility-for-rawalpindi-ghq-attack_100258753.html on September 20, 2011.

²⁵³The first tenet of Islam, *Kalma Tayyabah* (The word of Purity) states: '(There is) none worthy of worship except Allah. Muhammad is Messenger of Allah.' Accessed at: <http://www.khwajagharibnawaz.net/Kalma.htm> on June 16, 2011.

return to. Accompanied by footage of those confined to wheelchairs, families and children recount atrocities and tales of bombs destroying their homes, and watching limbs being blown away in the deadly crossfire between the Taliban and the Pakistan army. Similarly, a visit to the Swat Valley, a holiday resort that had been a tourist destination not too long ago, and was dubbed the 'Switzerland of the East', reveals the havoc wrought since the spread of the Taliban influence. As Talibanization arrived on Pakistan's doorstep, and the Pakistan army offensive took off, Obaid-Chinoy informs us that 400,000 people were forced to flee from their homes, the largest internal displacement Pakistan had ever seen till then. This displacement also included most government officials, as the Taliban beheaded 50 of their colleagues.²⁵⁴

Over 200 girls' schools were blown up by bombs as the Taliban banned girls' education. Women were forced to veil, and forbidden to leave home alone---something that had been hitherto alien to the Swati women.²⁵⁵ Veiling her own face through most of the film, Obaid-Chinoy, talks to two nine-year old girls, Zarlisht and Rukhsar who, expressing their anger and dismay, take her to see the remains of their destroyed school building where 400 girls had studied. Images of the school's rubble are testimony of the indiscriminate use of power, and intolerance espoused by the Taliban ideology against women. Narrating their experiences under the Taliban in turns, one girl tells of a particularly horrifying scene:

²⁵⁴Following their infiltration into the Swat Valley in late 2008, less than 100 kilometers from the capital, Islamabad, the Taliban declared the establishment of Islamic rule through rigid *Sharia* laws. These included public amputations, floggings, and stoning, besides forcing religious minority groups to pay the Islamic poll-tax, *jizya*, or flee. In mid-May 2009, the Pakistan military embarked upon an operation that declared the expulsion of the Taliban from Swat as its immediate objective, and their extermination as the ultimate goal. In a few weeks, the Taliban were dislodged from the main towns of the Swat Valley. The Pakistani military pursued them into their strongholds of South Waziristan. On 5 August 2009, their commander, Baitullah Mehsud, was slain in a United States drone attack, which had been possible through intelligence-sharing between the United States and the Pakistani military. Ahmed, Ishtiaq. 'Talibanisation of Pakistan: Threat Abated!' *South Asia*. Issue No 14, October 2009. South Asian Studies Publication, National University of Singapore, (NUS).

²⁵⁵It may be mentioned here that in Afghanistan the Taliban had gone as far as throwing acid on the faces of young schoolgirls to deter them from attending school. BBC Online News. 'Acid Attack on Afghan Schoolgirls.' November 12, 2008. Accessed at: http://news.bbc.co.uk/2/hi/south_asia/7724505.stm on November 28, 2011.

'We saw the dead body of a policeman tied to a pole. His head had been cut off, and was hanging between his legs. There was a note saying that if anyone moved the dead body, they would share the same fate.'

We learn from Obaid-Chinoy that barbershops, music shops, and cinemas have been forced to close as Taliban radio broadcasts warn of severe repercussions, including beheading, for those defying their *Sharia* laws. A Taliban broadcast plays in the background, a man's emotionally charged and defiant voice proclaiming:

'*Sharia* law is our right, and we will exercise this right whatever happens. I swear to God we will shed our own blood to achieve this. We will make our sons suicide-bombers! We will make ourselves suicide bombers! I swear to God if our leader orders me I will sacrifice myself, and blow myself up in the middle of our enemies.'

As Obaid-Chinoy hurries through the streets of Swat's main town, Mingora, fresh Taliban attacks on a Pakistani army convoy can be heard in the background, and news spreads that the Taliban are surrounding the area. On her way, she points out the main square that has been renamed the '*Khooni Chowk*' (Bloody Square) by the local population because of the public beheadings carried out there by the Taliban.

It is significant to note, as Obaid-Chinoy points out in the film, that although Swat lies outside the tribal belt, as a measure of political compromise in the face of the Taliban insurgency, the Pakistan government had also made a deal, the *Nizam-e-Adl* (System of Justice), with them in April 2009. Under the deal, President Asif Ali Zardari signed an ordinance imposing *Sharia* law in the Swat valley, claiming that it was the 'demand of the people.' The ordinance only served to further empower the Taliban and other groups there, and in the surrounding areas of the Provincially Administered Tribal Areas (PATA). This move, potentially providing the Taliban with a new safe haven to operate from, also led to increased incidents of human rights violations, particularly against women.²⁵⁶

²⁵⁶For example, in April 2009 a secretly filmed two-minute cell phone video clip released on the Internet showed the public flogging of a woman by the Taliban in Swat. The veiled woman, face down on the ground, screamed as two men held her arms and feet and a third man whipped her repeatedly. The clip created a public outrage, both within the Pakistani civil society, and internationally. *Swat Girl Punished by Taliban*. Access YouTube clip at: http://www.youtube.com/watch?v=x_TfHPUm-eg

In May 2009, the *Nizam-e-Adl* peace deal fell through as the Pakistan army launched a massive offensive to oust the Taliban from the Swat Valley.²⁵⁷

Focusing on Pakistani children being trained in the country's *madrasas* as the next generation of Pakistani Taliban, specifically as suicide bombers, Obaid-Chinoy interviews several potential recruits and recruiters. Hazrat Ali, a boy from a poor farming family in Swat who was recruited by a *madrasa* at thirteen, has recently returned from fighting alongside the Taliban. He proudly tells Obaid-Chinoy that he is trained to use rocket launchers, grenades, guns, and bombs, and to carry out a suicide attack against 'infidels,' and the Pakistan army that the Taliban view as an enemy because of its pro-US stance. Displaying great pride in the Taliban's strength and numbers at fourteen years of age, Ali is confident of their ability to defeat the Pakistani army. Asked if he would carry out a suicide attack, he relies simply: 'If God gives me the strength.'

Next, Obaid-Chinoy takes a trip with Pakistan army officials to Bajaur, the border area ten miles from Afghanistan where hundreds of Taliban and *Al Qaida* militants arrived after they were driven out of Afghanistan, and where the London transport bombers were also allegedly trained.²⁵⁸ Driven very fast in an army van to avoid a

President Asif Ali Zardari had signed the '*Nizam-e-Adl* (System of Justice) Ordinance after Pakistan's parliament unanimously passed a resolution recommending the measure. The ordinance followed the peace deal signed by the government of Pakistan's North West Frontier Province (NWFP) with the Taliban to end hostilities in the area between Pakistan and the *Tehreek-e-Taliban* Pakistan (TTP), the Pakistani Taliban, which had been ongoing since the summer of 2007. Human Rights Watch. 'Pakistan: Swat Deal Grave Threat to Rights.' Accessed at: <http://www.hrw.org/en/news/2009/04/15/pakistan-swat-deal-grave-threat-rights> on October 28, 2011.

For further discussion on the *Nizam-e-Adl* deal, see Khan, A. Mukhtar. 'The Return of Shari'a Law to Pakistan's Swat Region.' *Terrorism Monitor* Volume: 7 Issue: 4. March 3, 2009.

Accessed at:

[http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=34576&tx_ttnews\[backPid\]=7&cHash=081b812552](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=34576&tx_ttnews[backPid]=7&cHash=081b812552) on October 20, 2011.

²⁵⁷ Constable, Pamela. 'Pakistan Announces Army Offensive Against Taliban: Move Solidifies Collapse of Peace Accord.' *The Washington Post Foreign Service*. Accessed at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/07/AR2009050703130.html> on November 15, 2010.

²⁵⁸ The London (UK) transport system was hit by a series of coordinated terrorist suicide attacks on July 7, 2005 that killed dozens of people, and injured hundreds. BBC Special Report. 'London Attacks.' Accessed at: http://news.bbc.co.uk/2/hi/in_depth/uk/2005/london_explosions/default.stm on October 29, 2011.

Taliban ambush, Obaid-Chinoy is shown vast areas of the strategic town of Loizam that was once the trading centre of the Bajaur Valley, with a population of 7000. It now lies bombed and flattened by the Pakistan army. Army officials tell Obaid-Chinoy that the army employed this demolition strategy as the most effective means of getting rid of Taliban militants. Footage of ruin, decaying heaps of rusting iron, and rubble are testimony to the repercussions of the indiscriminate army strategy that also affected civilian populations caught in the midst of these cleansing operations. Unfortunately, such operations also resulted in thousands of internally displaced citizens fleeing not only the Taliban, but also their own army.

We see the repercussions of the above conflict starkly echoed at the *Kachegori* Refugee Camp in the NWFP where the Pakistan government was struggling to look after its own internally displaced people (IDPs), estimated at almost one million. Reminiscent of the displaced Afghan population in the *Jadeed* Refugee Camp in *Terror's Children* (2003), and itself once home to those fleeing the war in Afghanistan, the *Kachegori* camp site is shown to be brimming with more than 30,000 IDPs, half of whom are children, while more families arrive daily. As Obaid-Chinoy points out that one of the first things that hit her was the sheer number of children running around barefoot, and we see vast numbers roaming around the camp aimlessly, their impoverished faces marked by despair. Here, Obaid-Chinoy meets two young boys, who are also best friends. Both fled their homes in a Taliban-controlled village in Bajaur Agency when Pakistan army offensives destroyed their *madrassa*. Despite their common present predicament, and strong friendship, they are sharply divided in their outlook and plans. Waseefullah recounts a US missile strike in 2006 that killed 80 people, among them his cousin whose dead body he saw being eaten by dogs the day after, and whose only remains, his legs, they brought to the village to bury. Archival footage from October 2006 shows the *madrassa* destruction site become a recruitment rally where Taliban militants are delivering fiery anti-US speeches. Waseefullah remembers being in the crowd that day, where he made up his mind to join the Taliban when he is older. On the other hand, his friend Abdur Rehman who blames the *Al Qaida* as the root cause of the conflict, and the main reason behind all the destruction, expresses his resolve to join the Pakistan army one day. Asked if they would fight each other if their chosen paths were to materialize, both boys show an immediate resolve to kill each other for their beliefs on the battlefield.

Their conflicting outlooks reflect the misplaced enmities sweeping an entire generation of youngsters as the army continued its deadliest offensive against the Taliban in South Waziristan (backed by 30,000 troops, gunship helicopters, and fighter jets), the hub of the Pakistan Taliban leadership. The offensive resulted in the Taliban waging a counter war through suicide attacks in the country's major cities, targeting army bases, educational institutions, law enforcement agencies and their offices, markets and civilian populations, and even highway interchanges.²⁵⁹ Noticed by Taliban informers in the camp, Obaid-Chinoy is warned to leave---an indication of their infiltration, influence, and control even in a Pakistani government-run refugee camp.

Obaid-Chinoy meets with Major General Tariq Khan of the Frontier Corps, in-charge of the army's offensive against the Taliban in the tribal belt. He defends the army operations as 'justified,' despite heavy casualties of their own population. Talking of the human cost, Khan informs that over 5000 civilians have lost their lives since the Taliban began their insurgency, while the army has suffered the 'death of 1,500 soldiers, and thousands wounded, a number ten times greater than British soldiers killed fighting the Taliban in Afghanistan.'²⁶⁰ Asked if the army will succeed in eliminating the Taliban threat, Khan is quick to respond: 'We will win it hands down.'

In sharp contrast, hospitalized soldiers visited by Obaid-Chinoy in an army hospital in Peshawar give her a very different picture. Speaking in the presence of five military officers deputed to monitor their interviews, and what they have to say about their injuries, they point to the Taliban's hatred for the Pakistan army as a consequence

²⁵⁹The *Tehreek-e-Taliban* Pakistan (TTP) (The Pakistani Taliban Movement) has also been highly active in conducting and claiming responsibility for suicide attacks on Pakistani law enforcement agencies, including army bases, police academies, and intelligence headquarters such as the Inter Services Intelligence (ISI), and the Military Intelligence (MI) in retaliation for the Pakistan army's US-backed offensive against their hideouts in the Northern and tribal areas of the country. 'TTP Claims Responsibility.' Daily Times Online Edition. November 15, 2009. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2009\11\15\story_15-11-2009_pg1_2 on November 15, 2011.

²⁶⁰The Pakistan Institute of Peace Studies (PIPS), a terrorism monitoring organization, reports that in 2009 alone 12,632 lives were lost in Pakistan to suicide attacks, terrorist bombings, predator drone attacks and military operations against militants—only a few hundred less than the lives lost in Afghanistan. Khator, Neha. 'Pakistan: On the Razor's Edge.' The Deccan Herald. December 30, 2010. Accessed at: <http://www.deccanherald.com/content/49033/pakistan-razors-edge.html> on October 30, 2011.

of its pro-US policies. Severely physically debilitated for life, having lost limbs, or eyesight, some share their fear of losing the war, saying it is becoming all the more difficult to combat an enemy that melts back into the population.

This fear of failure finds credence as the deputy leader of the *Tehreek-e-Taliban* Pakistan (TTP), Hakimullah Mehsud, filmed for the first time, is shown arriving in a US armoured vehicle, captured in an attack on a NATO convoy headed for Afghanistan, at a girl's school building they have closed down and turned into an operations base.²⁶¹ Warned that as a woman she would be killed if she visits the area where the Taliban are openly inviting journalists to show their strength, Obaid-Chinoy employs a local cameraman to film for her in a village in the tribal belt of Orakzai. Footage shows a long-haired Mehsud, flanked by bearded, armed Taliban combatants, some with their faces covered, holding a press conference. Iterating the Taliban's resolve to fight back, Mehsud calmly declares that US strikes in their areas are only reinforcing their beliefs, and warns that they will take over Peshawar as well as other cities, and will topple the government if the Pakistan army continues to side with the US. Not an empty threat, Obaid-Chinoy comments, as news reports of suicide attacks continued to be on the rise across Pakistani cities, killing 800 people in 2008 alone.

Returning to Karachi, her coastal home city at the other end of the country, Obaid-Chinoy finds an alarming Taliban presence in the city's slum areas. Deputy Superintendent of the anti-terrorist squad responsible for eliminating the Taliban in the slums, Raja Omar Khattab, tells her that the Taliban are using criminal networks to extort money through kidnappings and ransoms to raise funds for their war. Police officials escort her to see the site of a house where a three-hour shootout between the police

²⁶¹Hakimullah Mehsud succeeded Baitullah Mehsud, as the *Tehreek-e-Taliban* (TTP) leader after the former was killed in a US CIA-missile strike in August 2009 in his stronghold of South Waziristan. The Baitullah Mehsud-led TTP has also been suspected of ordering the assassination of Pakistan's former Prime Minister Benazir Bhutto in December 2007. Walsh, Declan. 'Air Strike Kills Taliban Leader Baitullah Mehsud.' Accessed at: <http://www.guardian.co.uk/world/2009/aug/07/baitullah-mehsud-dead-taliban-pakistan> on September 29, 2011.

On February 5, 2010, Hakimullah Mehsud was also killed in a US Drone attack. 'US Confirms Hakimullah's Death.' Dawn Online newspaper. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/the-newspaper/national/12-us-confirms-hakimullahs-death-520--bi-10> on October 24, 2011.

and the Taliban took place. We learn that rather than surrendering, the militant gang eventually blew themselves up in their hideout. Footage shows slum neighbourhoods that have turned into Taliban training and recruitment grounds. Here the Taliban are indoctrinating impoverished children and youth, some from even as far away as the tribal areas, in unregulated *Madrasas*. Obaid-Chinoy meets Shaheed, a student in one of the *Madrasas* she visits. Memorizing the Quran in Arabic, a language he cannot understand, he shares his views on the place of women in Islam, claiming that only the Taliban know how to treat women: 'They should be confined to home as per the dictates of the *Sharia*, and just as the government has banned the use of plastic bags, it should do the same to them,' implying that they be banned from being seen in public. Inspired by child suicide bombers' propaganda videos that students regularly watch at his madrasa, Shaheed expresses his own heartfelt desire to fight alongside the Taliban when he completes his education. He is keen to carry out suicide attacks abroad some day 'where most infidels are, so I can answer God one day that I carried out His will by eradicating evil for Islam, and thus be redeemed to go to heaven.' His teacher, who rejects all accusations of teaching an extremist ideology, tells the camera in calm, calculated tones that only 'love, peace and harmony' are taught at his madrasa. But, as the camera moves away, he is heard stating that 'martyrdom is the greatest achievement for a Muslim.'

Obaid-Chinoy's search for Taliban child recruiters leads her to a Taliban commander, *Qari* Abdullah, who she comments does not even bother to hide his face despite the ongoing government crackdowns in Pakistani cities. Taking pride in his mission and work, the *Qari*, a diminutive man who rocks back and forth as *madrasa* children are taught to do while reciting the *Quran*, shares that he himself went to train as a child in a *madrasa* in Afghanistan.²⁶² He defends recruiting and using children to carry out suicide attacks, and execute spies, saying calmly: 'If you are fighting, God provides you with the means. Children are tools to achieve God's will. And whatever comes your

²⁶²*Qari* is a status awarded to those who have learnt to read and recite the Quran with the proper rules of pronunciation and rhythm, known as *Tajwid*. *Tajwid* is believed to be the codification of the sound of the revelation as it was revealed to the Prophet Muhammad, and as he subsequently rehearsed it with the Angel Gabriel. Thus the sound itself has a divine source and significance, and, according to Muslim tradition, is significant to the meaning. For detailed definitions, and further discussion see Nelson, Kristina. '*Tajwid*.' *The Art of Reciting the Qur'an*. The American University in Cairo Press. Cairo, Egypt, 2002. (pg-14).

way you sacrifice it. So its okay.’ Talking of their recruitment and training methods, he casually explains how the Taliban convince small children to join them: ‘The kids want to join us because they like our weapons. They don’t use weapons to begin with. They just carry them for us, and off we go.’ On seeing clips from the children’s propaganda video that Obaid-Chinoy shows him on her cell phone, the *Qari* looks intently, and then proudly observes that they are much older than the lot he is preparing, who, he proudly claims, range from ‘5, 6, and 7 years in age.’²⁶³

Obaid–Chinoy ends her documentation of *Pakistan’s Taliban Generation* with a grave realization and comment:

‘The Taliban are confident of winning the support of the next generation... There are 80 million children in Pakistan. More than a quarter live below the poverty line. If the militants continue to recruit freely then soon Pakistan will belong to them.’

The issues detailed and analyzed in *Pakistan’s Taliban Generation* are ongoing: growing Taliban influence, and recruitment; indoctrination of *jihadist*, and extremist ideologies in *madrasas*; anti-US sentiments; suicide-attacks; terrorist organizations, and their operations. Obaid-Chinoy’s film not only informs of Pakistan’s ongoing political, social, and economical upheavals and security challenges but also performs the multiple role of investigating and communicating the consequential present and future threats to Pakistan, and also for the world. The analysis of *Pakistan’s Taliban Generation* thus completes this discussion on the sequence of her six films that can be described as a thematically related ‘cinema on terror’ that tracks the roots and patterns of terrorism in Pakistan.

²⁶³There remain grave concerns about displaced Taliban fighters and militants who have begun to move into the main cities of the Punjab province and Karachi to form smaller cells as a result of the Pak-US attacks on their hideouts in the NWFP, and the tribal belt. Griff Witte and Joby Warrick. ‘Insurgents Forced Out of Pakistan’s Tribal Havens Form Smaller Cells in Heart of Nation.’ Washington Post Foreign Service. Accessed at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/12/18/AR2009121804334.html> on December 20, 2010.

Conclusion

This chapter discussed Sharmeen Obaid-Chinoy's six representative films that depict and contextualize Pakistan's continuing experience with a militant mix of religion and politics, and the looming threat of Talibanization being promoted by extremist organizations and leaderships. Now a hub of terrorist activities, *jihadist* organizations, militant ideologies, and pro-Taliban *madrasas*, we see Pakistan embroiled in combating terror and destruction unfolding within its own borders, and cities. What emerges is a 'cinema on terror,' inspired by the continuum of the political and ideological divisions and conflicts instigated by the 'war on terror.'

Obaid-Chinoy's films illustrate the consequences of the transforming nature of the US alliance with Pakistan, as the country journeyed from one US-backed military dictator, President General Zia-ul-Haq (1977-1988), to another, President General Pervez Musharraf (1999-2008). This contrast between the Pak-US pro-*jihad* and pro-*mujahideen* stance during the Soviet invasion of Afghanistan in the late 1970's, and their current anti-*jihad* and anti-fundamentalism alliance after the *Al Qaida* terrorist attacks on the US in 2001, highlight the internal transformations and challenges that have been shaping Pakistan's own political and socio-economic landscape, and geo-political standing in the world. Together, these six topical documentaries form a historical and contextual narrative of developments, and trends towards religious militancy that continue to effect and mold domestic, and international politics, and policies.

From *Terror's Children* (2003) where we see victims and refugees of the US-led war in Afghanistan arrive in Karachi, to *Reinventing the Taliban* (2003) that depicts the emerging trend of Talibanization on Pakistani soil, to Obaid-Chinoy's multi-award winning film, *Pakistan's Taliban Generation* (2009), portraying the widespread *madrasa* culture, escalating violence, extremist Taliban ideologies, and recruitment and training of young children to become suicide bombers, we see Pakistan's descent into Talibanization coming full circle. These young and vulnerable 'armies of God' now being mass-produced in Pakistani *madrasas*, ready for export to carry out deadly missions within, and abroad, sound a grim warning for the country's own stability, and security worldwide.

Similarly, in *Pakistan: On a Razor's Edge* (2004), we are given a picture of the complex, and intense internal political and ideological strife that was beginning to take root in a nuclear-armed Pakistan during President Musharraf's alliance with the US and the West in the 'war on terror, and the ongoing complex relationship with neighbouring India. On the other hand, *Pakistan's Double Game* (2005) investigates and exposes the expanding pattern of destruction, unrest, mistrust, and militancy as a result of the failure of Musharraf's policies as he sought to cling to power, and appease both the West as well as extremist segments at home. *Cold Comfort* (2006) presents a vivid example of the successful manipulation and exploitation by a terrorist organization in winning over public opinion and support even in the worst of natural disasters, such as a deadly earthquake.

In all her films, Obaid-chinoy stresses the growing number of *madrasas*, and their dangerous reach and influence in the country that continue to spread a culture of intolerance, militancy, and extremism. As they defiantly train large numbers of potential *jihadists*, the threat these pro-Taliban seminaries pose to not only Pakistan's own stability and peace, but to the entire world is a factor that engages the international community in its support for the 'war on terror.' It is evident that Zia's Islamization strategies of merging the state and religion set a negative and dangerous precedent for Pakistan's future, one that continues to hinder the country's return to a secular and democratic identity, even after a lapse of more than three decades.

Using a reportorial, and journalistic style and focus in all her films, complemented by interviews, and her own on-screen active participation and interaction with her subjects, the filmmaker has journeyed through some of the most dangerous territories and environments in Pakistan, and borderland with Afghanistan to present an expository narrative. The activist intent of her journalistic documentaries resonates in her repeated attempts to investigate and expose the many factors, and conflicts that have been shaping not only her country's destiny and future, but would also threaten global security---a post/9/11 cinema on terrorism that investigates the roots of Pakistan's growing tilt towards Talibanization, and those supporting it. In Obaid-Chinoy's films we see members of militant organizations, and terrorist networks defending their operations; clerics who take pride in promoting terror and hatred in the guise of '*jihad*' through *madrasa* teachings, and indoctrination of extremist ideologies; Taliban recruiters and

commanders justifying their recruitment of young children as 'tools to carry out God's will;' anti-US religious scholars that even justify Pakistan's nuclear proliferation to other countries; interviews with key government officials and decision makers with conflicting views and beliefs. Similarly, interviews with liberal and progressive voices that shun religious extremism, and support a return to moderation complete the picture of a Pakistani nation torn between regressive elements, and its desire for advancement. Together, these depictions give a rounded picture of the divisive environment that threatens Pakistan's stability today.

The personal, political, and historical positioning of the filmmaker that film scholar Chuck Kleinhans stresses, is of great importance to contextualize, and analyze Obaid-Chinoy's filmmaking.²⁶⁴ As events related to religious extremism unfold and develop at such rapid speed, not only in Pakistan, but also worldwide, she has sought to investigate and report firsthand from the very midst of the people, policy-makers, events, and militant groups and mindsets that were shaping Pakistan's socio-political landscape.²⁶⁵ In documenting the roots and penetration of militant ideologies over a decade, and the consequent impending disaster and undercurrents that threaten the world, she has given us a documentary 'cinema on terror' that captures the history of the escalating trend towards terrorism. In contrast to foreign filmmakers, news anchors, or the many 'experts on terror' doing the rounds on foreign news networks, Obaid-Chinoy's work provides a view from a native filmmaker who is positioned as an 'insider,' both as a Pakistani citizen and a Muslim. Well aware of the nuances, languages, and constraints, she is part of her

²⁶⁴ Kleinhans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). *"Show Us Life": Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

²⁶⁵ Asked in an interview how she was able to acquire the trust of the people she filmed, Sharmeen Obaid-Chinoy explained her approach: 'The only way you can get strangers to open up to you is by spending enough time with them. I camped in Afghanistan, Balakot, and in the Philippines while filming. You have to become part and parcel of their world because there are no re-enactments in documentaries—you have to be there to capture the action at all times.' Asghar, Ali. Interview with Sharmeen Obaid-Chinoy. *Herald Monthly Magazine*, Karachi, Pakistan. October, 2008. (pg-118).

country's political, social, and cultural landscape, and its lived history, and the events that unravel in real life in the country she explores and documents.²⁶⁶

Obaid-Chinoy's close mapping of developments that illustrate growing religious extremism in Pakistan take on the characteristics of a 'developing story,' one that stresses the significance of the fleeting moments and comments caught on film as precursors of the larger picture that keeps evolving, and re-defining itself through new developments in terms of events, international politics, and policy shifts to address these issues. A 'developing story' of hatred and terror that has, unfortunately, become a 'running story' since the 9/11 terrorist attacks in the USA.²⁶⁷ Seen in retrospect, this body of work stands as a testimony to the problems, and dangers that have been

²⁶⁶Trinh, T. Minh-ha. 'An All-Owning Spectatorship.' *When the Moon Waxes Red: Representation, Gender, and Cultural Politics*. Routledge, New York, USA. 1991. (pg-81).

²⁶⁷Even as I researched and wrote this chapter, in one incident law enforcement officials in New York's Times Square averted a car-bomb terrorist attack, links to which have been traced back to the TTP in Pakistan. Faisal Shahzad, a naturalized Pakistani-American, arrested as the man behind the failed New York car-bomb incident, admitted to Taliban links in Pakistan. An Internet video purportedly from Pakistani Taliban group, *Tehreek-e-Taliban* (TTP), claimed responsibility for the failed car bomb attempt, the US monitoring service SITE (Search for International Terrorist Entities) reported. 'Pakistan Taliban Group Claims NY Bomb Attempt.' Dawn Online Newspaper. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/world/06-pakistan-taliban-group-claims-ny-bomb-attempt-rs-07> on May 3, 2010.

In another development, Pakistani *Tehreek-e-Taliban* leader Hakimullah Mehsud (interviewed by Obaid-Chinoy in her film *Pakistan's Taliban Generation* (2009), who was believed killed in January 2010 during a US Drone attack in his stronghold of South Waziristan, resurfaced in April 2010. He vowed attacks on the United States in a new video dated early April, SITE reported. In the Internet video alleged to have been made on April 4, Mehsud claimed: 'The time is very near when our *fidaeen* (soldiers) will attack the American states in the major cities.' 'Hakimullah Threatens US in New Video.' The News International, May 3, 2010. Accessed at: <http://www.thenews.com.pk/updates.asp?id=104064> on May 3, 2010.

On the other hand, the unrecognized, and often ignored, psychological toll on Pakistan's own population remains an alarming factor. For example, as religious extremism, suicide bombings, and militancy have become a common occurrence, particularly in public places in the conflict-ridden North West Frontier Province, cases of mental health due to anxiety attacks, paranoia, and post-traumatic stress disorder (PTSD) have been on the rise. One report points out that as many as ten to fifteen new patients suffering from violence, and related trauma are admitted daily in hospitals in the city of Peshawar. Out of them, it is estimated that at least 10 new patients suffering mentally from violence-related incidents arrive daily at Peshawar's Sarhad Psychiatric Hospital alone. For details see 'Pakistani Psychologists Issue Conflict Health Warning.' Dawn Online Newspaper, May 13, 2010. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/04-pak-psychs-warn-conflict-health-qs-12> on May 13, 2010.

developing consistently in Pakistan over a long period of time, and today infiltrate and manifest themselves globally through terrorism, and Islamic militant's call for jihad.

As a Muslim woman filmmaker working her way through the most conservative of societies, and dangerous of terrains, such as the tribal belts and the NWFP, and meeting with hardened militants, pro-Taliban commanders and clerics, we see a young Muslim woman defying spatial boundaries that otherwise limit her appearance in the public sphere, and access to the people and circumstances she has documented.²⁶⁸

Taking religious fundamentalism, militancy, and terrorism as her focus of investigation and expose, Obaid-Chinoy's contribution can be seen as an addition to the political and activist intent that Third Cinema²⁶⁹ and Cinema Novo²⁷⁰ manifestos advocated, albeit at a different time and context in history, on a different continent, but this time with global consequences. It is important to note that Third Cinema and Cinema Novo activist perspectives of the 1960s are relevant in the contemporary documentation of the effects and dangers of Islamic religious extremism and militancy.

In Obaid-Chinoy's documentaries we have a Pakistani narrative sequence of a 'cinema on terror' that informs, and warns of domestic and international consequences of *jihadist* agendas and influence, as much as it stresses accountability from decision-makers. It would be apt to argue that, today, as the world is confronted by an era defined by a legacy of terrorism long after the *Al Qaida* leader Osama bin Ladin's capture and death by US forces in Abbottabad, Pakistan, in May, 2011, a 'cinema on terror' documentary film category too has emerged to reflect and depict it.²⁷¹

²⁶⁸Mernissi, Fatima. 'The Meaning of Spatial Boundaries.' *Feminist Postcolonial Theory: A Reader*. (eds) Lewis, Reina and Mills, Sara. Routledge, New York, 2003. (pg-489).

²⁶⁹Solanas, Fernando and Getino, Octavio. *Towards a Third Cinema.* (1969). *Movies and Methods*. (ed) Bill Nichols. University of California Press, Berkley, USA, 1994. (pgs-55-56).

²⁷⁰Rocha, Glauber. 'The Aesthetics of Hunger.' (1965). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-13).

²⁷¹Canadian Broadcasting Corporation (CBC). 'Bin Ladin Death Ends 10-Year Manhunt.' May 1, 2011. Accessed at: <http://www.cbc.ca/news/world/story/2011/05/01/us-obama.html> on April 12, 2012.

Chapter 5.

Victims of a Vicious System: Women, Violence, and Human Rights

Introduction

While there is tremendous diversity among Muslim women, there is a common thread throughout as they also share gender-based and patriarchy-driven oppressions and violence across cultures. As Iranian human rights activist and scholar Mahnaz Afkhami points out, over half a billion Muslim women live in vastly different socio-cultural and socio-political environments, and yet, their oppressions are similar due to their gender-specific abuse and marginalization meted out in the name of culture:

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 better demonstrated than in the Muslim societies, where over half a billion women live in vastly different lands, climates, cultures, societies, economies, and politics.²⁷²

This cross-cultural predicament of Muslim women is exemplified by the prevalence of extreme forms of gender-specific violence found in Muslim societies such as a recourse to, and justification of, honour-killing, honour-rape, trading, and burning of women to resolve disputes, settle scores, and avenge and redeem so-called 'honour.'

As General Zia-ul-Haq's Islamization process supported state-sponsored gender-discrimination in Pakistan through its fundamentalist approach to religion and legal transformations, the subsequent periods of democracy also saw a surge in violence

²⁷²Afkhami, Mahnaz. 'Gender Apartheid, Cultural Relativism, and Women's Human Rights in Muslim Societies.' *Women, Gender, and Human Rights: A Global Perspective*. Agosin, Marjorie. (ed). Rutgers University Press, USA, 2001. (pg-234).

against women, encouraged by what Pakistani journalist Abbas Jalbani attributes to the culture of 'brutalization', a culture initiated by the Zia-ul-Haq regime that included public executions and lashings, and a system of summary punishments for alleged moral deviations.²⁷³

Today, human rights violations and gender-specific violence against women continue to be widespread in Pakistan. 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 for the protection of women...'²⁷⁴ and Pakistan's ratification of the CEDAW convention (the UN Convention on the Elimination of all Forms of Discrimination Against Women) in 1996,²⁷⁵ violence and discrimination against women is commonplace.²⁷⁶ It is believed that the majority of the incidents go unreported altogether due to a lack of faith in the police and justice system, or because of socio-cultural restraints, such as in the case of reporting marital/domestic violence and rape to law-enforcement agencies.²⁷⁷

²⁷³Jalbani, Abbas. 'A Return to Tribalism?' Dawn Weekly Review. September 12-18, 2002.

Accessed at:

<http://archives.dawn.com/dawnftp/72.249.57.55/dawnftp/weekly/review/archive/020912/review1.htm> on June 21, 2011. (pg-7).

²⁷⁴Cowasjee, Ardeshir. 'Injustice to Women.' The Daily Dawn, Pakistan, February 5, 2004.

Accessed at: www.dawn.com on February 5, 2011.

²⁷⁵For details see Zia, Shahla and Bari, Farzana. 'Women in Non-Government Organizations.' *Baseline Report on Women's 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. (pg-11).

²⁷⁶The 2008 Human Rights Commission of Pakistan (HRCP) Report states: 'At least 1,210 women were killed for various reasons in Pakistan, including at least 612 killed for honour; there were 808 sexual harassment cases of which 350 were rape cases, 445 gang-rape cases and 13 cases of stripping. At least 221 victims were minors.' State of Human Rights in 2008. *Human Rights Commission of Pakistan Annual Report 2008*. Accessed at: <http://www.hrcp.cjb.net/> on September 1, 2010.

Similarly, a monitoring exercise conducted by the Lahore-based law firm AGHS Legal Aid Cell shows that from April to June in 2009, 122 cases of women being burnt were reported in the city of Lahore alone. Of them, 21 women had acid burns while the rest were injured by direct exposure to flames. Of these, forty victims died. The Daily Dawn. Accessed at: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/13+domestic+violence-za-02> On April 3, 2011.

²⁷⁷*Human Rights Watch World Report*. 'Crime or Custom? Violence Against Women in Pakistan.' USA, August 1999. Accessed at: www.hrw.org/reports/1999/pakistan/ on January 12, 2011.

In the tribal areas of Pakistan, patriarchal tribal customs, traditions, and honour codes continue to dictate an oppressive parallel legal system, known as the *jirga* and *panchayat* (tribal juries and councils), headed by tribal chiefs and supported by feudal landlords. Under the guise of custom and tradition, these tribal councils have been at the forefront of supporting and carrying out horrific human-rights violations and gender-specific punishments such as *karo kari* (honour-killings), *Swara* (giving away of minor girls as compensation to settle disputes or avenge murders), and honour-rape to settle scores.²⁷⁸ According to data released by Pakistan's Interior Ministry, since 2009 over 11,789 cases of violence against women have been registered.²⁷⁹ But despite the establishment of women's police stations, countless cases also go unreported due to lack of faith in the country's law enforcement machinery, and fear of police corruption.²⁸⁰

It is important to note that various non-governmental organizations, legal-aid cells, lawyers, activists and women's rights groups in Pakistan have continued to focus on issues of various forms of violence against women, and have brought to bear pressure on successive governments and policy makers to amend or promulgate laws that would specifically address these rights issues.²⁸¹

²⁷⁸The Human Rights Commission of Pakistan (HRCP) report released on April 14, 2011 states that at least 1,790 women were murdered in 2010 as a result of honour-killings and other forms of violence. Of these, 791 women were killed in incidents of so-called honour killing or *Karo Kari*, and the killers were often related to the victim. According to statistics provided by the police departments in the four provinces, cases of rape of 2,903 women, nearly eight women a day, were reported to the police. These included at least 51 cases of gang-rape. These figures were believed to be only a fraction of the actual problem as cases are often not reported or are hushed up. *State of Human Rights in 2010. 'Violence Against Women.'* Human Rights Commission of Pakistan. Maktaba Jadeed Press, Lahore, Pakistan, 2010. (pgs-206-207). Accessed at: <http://www.hrcp-web.org/default.asp> on June 21, 2011.

²⁷⁹The Daily Dawn Online. 'Over 11,000 Cases of Violence Against Women Registered since 2009.' February 21, 2011. Accessed at: <http://www.dawn.com/2011/02/21/over-11000-cases-of-violence-against-women-registered-since-2009.html> on July 18, 2011.

²⁸⁰Given the alarming rise in violence-related cases, up to nine women's police stations, staffed by women police officers, have also been established in the cities of Karachi, Larkana, Hyderabad, Peshawar, Abbottabad, Islamabad, Lahore, Rawalpindi and Faisalabad. Ibid. Accessed at: <http://www.dawn.com/2011/02/21/over-11000-cases-of-violence-against-women-registered-since-2009.html> on July 18, 2011.

²⁸¹For a discussion of Pakistani family laws that address and effect women's rights see: Albarr Trust: 'Family Laws.' Accessed at: <http://www.albarrtrust.com/DesktopDefault.aspx?tabid=77> on July 31, 2011.

This chapter will extend the 'cinema of accountability' category to focus on documentary films that address particular gender-specific issues affecting Pakistani women. It will examine the violation of human rights and personal security as a result of various forms of violence, physical abuse, exploitation, marginalization, and denial of women's equal rights through a contextual reading of a selection of documentaries.²⁸² Numerous Pakistani activist organizations and independent filmmakers have drawn attention to the widespread forms of violence and discrimination detailed here, with a particular focus on 'honour' and revenge through extreme acts of violence such as 'stove-burning,' 'acid-attacks,' 'karo kari' (honour-killing), 'honour-rape,' and *Swara*. It is pertinent to evaluate the activist intent and contribution of the following films in raising awareness, and seeking accountability for the inhumane treatment meted out to women, and the failure of the state, laws, and the law-enforcement machinery to provide them security and justice. To facilitate the contextual reading of the honour-related issues depicted in these films, the section entitled 'Perspectives on Notions of 'Honour' and 'Shame'' in this chapter will give an introductory socio-cultural background to tribal notions of honour and the parallel tribal justice system in Pakistan, and the role they play in the violent victimization of women in particular on the pretext of delivering justice.

Stove Burning: Neither Coal Nor Ashes (Simorgh 1993)

Made by the *Simorgh* Women's Resource and Publication Centre and Collectives' *Simorgh* Productions, *Stove Burning: Neither Coal Nor Ashes* focuses on the issue of gendered domestic violence against women whereby wives are burnt by husbands or in-laws and the incident is made to look like an accident as a result of a

For the AGHS Legal Aid Cell 2000-2011, and a breakdown of the 2009-2010 statistical figures, respectively, of violence against women in Pakistan, see Patrick, Huma. 'Cases of Violence Against Women in Pakistan: November 2009-October 2010.' AGHS Legal Aid Cell, Lahore, Pakistan. 2011.

²⁸²Kleinmans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). "*Show Us Life: Toward a History and Aesthetics of Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

kerosene oil or gas cooking-stove burst.²⁸³ Supported by testimonies, interviews, and off-screen commentary, *Stove Burning* investigates and contextualizes the socio-cultural aspects involved in the issue of burning women by simulated stove-bursts in Pakistan. Produced in 1993, in the early stages of Pakistani activist documentary cinema, the film demonstrates that over the intervening years, incidents of violence against women have been on the rise throughout Pakistan, and continue to be the result of greed, demand for dowry or money by in-laws, desire of the husband to re-marry, salvaging so-called honour or ego, domestic rifts or the desire to get rid of a woman who may be a wife, daughter-in-law, sister-in-law, and even daughter.²⁸⁴ The usual pattern of these crimes involves women being attacked by their husbands and in-laws who pour oil on them in the kitchen and set them on fire due to domestic quarrels, and then, if the women survive, blackmail them to take the blame for the 'accident' or else risk losing the custody of their children. Besides this method, a leaking gas-stove is also used to start a simulated explosion and fire by unsuspecting women who light them.²⁸⁵

With a focus on the Punjab province, *Stove Burning* opens with disturbing images of defaced and disfigured women who have been burn victims as the voice-over informs us that each year up to 1200 such burn cases by kerosene oil stove-bursts are reported in the Punjab provincial capital of Lahore alone, and on average five cases are brought to hospitals on a daily basis. Whether the reasons for burn-related deaths of these victims are accidental, suicide, or murder, the sheer figures of the widespread practice in Pakistan are devastating. Hospital staff reveals that most women patients who come in say that the stove burst accidentally while they were cooking, although most of the incidents are instigated by domestic violence. We learn that despite the knowledge of rising figures of such violence, the Punjab province, with a population of 70 million at the time, and growing, has only one burn unit located at the government Mayo Hospital in Lahore, and that too with inadequate facilities.

²⁸³ *Stove Burning: Neither Coal Nor Ashes*. 1993. (28-mins). Simorgh Productions, Pakistan. (Urdu/Punjabi).

²⁸⁴ Nichols, Bill. 'What Types of Documentary Are There?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-105).

²⁸⁵ A.A. Hayat. *Women: Victims of Social Evil*. Pakistan Institute of Security Management. Press Corporation of Pakistan, 2002. (pgs-32-33).

Interviews with doctors at the Mayo Hospital reveal a horrific picture of gender violence and victimization. Stressing the need for public awareness about the dangers and risks of using faulty oil and gas stoves, and the danger of wearing synthetic clothing near them that easily catch fire, Dr. Zafar Aziz argues that if the burns in such cases are accidental only the front part of the body and face is likely to be burnt, not the back or the entire frame as happens in pre-meditated incidents. He points to the need for checks on the manufacturers of these cooking units to ensure safety standards. On the other hand, Dr. Abdul Babar contends that with adequate facilities even 60% burn victims can also be saved leading to an 80% survival rate, but with inadequate facilities the mortality rate in such cases stands at 95%. Speaking out on the dearth of medical facilities to deal with burn cases, he points out that as opposed to the mushrooming of costly, private, specialized cardiac centers catering to the rich elite, these stove-burning incidents occur among the poor sections of society, and the setting up of burn units holds little or no importance even for the government as the singular burn unit at the Mayo Hospital exemplifies.²⁸⁶ Dr. Babar reveals that contrary to what might appear in the press, most stove-burn incidents are cases of ‘homicide’ carried out by husbands and in-laws and made to look like ‘accidents,’ a view that is seconded by various nurses and other hospital staff who explain that it is easy to recognize homicide cases because the whole body is burnt, including the back, and not just the front as would be the likely case in an ‘accident.’

As voice-over highlights the judgment passed by the Lahore High Court in 1991 regarding the mandatory 24-step safety testing of oil and gas stoves, and accountability of manufacturers, we are told that despite this court directive sub-standard stoves continue to be sold in the market due to a serious lack of stringent law enforcement mechanisms to check their manufacturing.

Hina Jillani, an advocate of the Supreme Court of Pakistan, interviewed in the film highlights the social, cultural, and legal limitations and pressures that women burn

²⁸⁶Since *Stove Burning* was made in 1993, currently in 2011, there is only one other burn unit under installation in Jinnah Hospital in Lahore, but the progress is slow because of lack of funds and the amount of expenditure involved in the establishment of such units. Personal communication with Ms. Huma Patrick, Coordinator AGHS Legal Aid Cell Burn Unit and Monitoring Cell, Lahore, Pakistan. June 28, 2011.

victims face in speaking out. Jillani points out that in many cases such victims cannot give testimony or details of the incident because they die. Other victims, who by the time they make it to the hospital, have no idea whether they will even survive, and if they do, they fear to speak the truth because to begin with they have no witnesses to prove their case since such incidents normally take place at the in-laws' or the husbands' house, nor do they have any idea what their future will be. As well, these women are pressured by their in-laws not to turn them in or else they will lose custody of their children. Given the rising rate of stove-blast incidents, Jillani emphasizes that legislation be passed in which it should be made mandatory for the police to investigate these cases along specific procedures, and ensure that no lacunae are left for perpetrators to get away. She points out that the more such cases make it to court, they will serve as a deterrent and basis for accountability.

In voice-over we learn that in 1991 on the directions of presiding Justice Munir A. Sheikh, the Lahore High Court legislated that investigating officers in stove-blast cases should not be below the rank of Deputy Superintendent Police (DSP). These DSPs were directed to take the stoves into custody, and record the testimony of the dead woman's parents, and, in the case of a married woman, also take testimony from her in-laws. The directive also stated that the faulty stove-maker would be required to take responsibility under the Pakistan Penal Code (PPC). Additionally, in such cases it would be the duty of the hospital superintendent to immediately record the statement of the doctor on duty. Although such directives at the state level seem promising, we learn in voice-over that only two victims of stove-burn cases could be traced, Sakina and Martha Parveen, for fear of being killed by in-laws/husbands, or losing their children if they spoke out publically. Of these two women, contact could only be established with the latter. By documenting such a situation, *Stove Burning* exposes the lack of faith in Pakistan's law-enforcement machinery by the victims, and the fears and insecurity these women continue to live with.

Adding a testimonial value to the bleakness of *Stove Burning*, Martha, a burn case victim from 1986 who still carries visible burn scars and facial disfigurement, narrates how she was beaten by her in-laws while cooking in the kitchen, and while being threatened and abused she had kerosene oil poured over her and was set alight. She recalls that as she screamed and tried to run out, her in-laws closed all the doors,

while only her brother-in-law came to her rescue. After she got burnt, her in-laws informed her parents of the incident as an 'accident.' Her mother-in-law told Martha to treat the whole incident as an 'accident,' and threatened her that if she spoke out against her husband, they would retaliate against her maternal family. Martha shares her consequent fears, and details of her severe and lasting injuries following the incident. Recalling her treatment as that of a 'slave' at her in-laws' house, Martha points to the socio-cultural pressure and aspects of women's subordination and suppression in the Pakistani society: 'When parents marry off their daughters, they tell her that now only her corpse can return to her parental home.' Having initially told her parents that she had been burnt accidentally while putting oil in the stove, Martha encourages all burn victims to come forward and speak out against their perpetrators. However, Martha's remains a lone voice in the film as *Stove Burning* shows images of more burnt women howling in pain on hospital beds, and the reality of their helplessness, and despair. The film makes a critical point by showing the fact that only one survivor from the hundreds of women victimized each year in Punjab could be found to speak out publically. Clearly, the victims of these vicious and violent acts are paralyzed by fear, a fact exacerbated by government indifference to women's security and rights.

The film provides insights from the Mayo Hospital staff in terms of the contradictory statements of female burn victims and their families. In particular, comments focus on, and detail, how police are bribed by perpetrators to produce contradictory evidences that help culprits get away with even murder. The filmmakers were unsuccessful in their attempts to have police officials speak on camera.

Doctors, hospital staff, and a victim in the film try to explain the complex social factors, lack of justice, and the plight of women in Pakistani society as the main cause of such heinous domestic violence. Lawyer Jillani points to the fact that although many cases are reported, very few make it to court because of a variety of socio-cultural factors as well as the failure of the police to conduct an unbiased enquiry. Giving a broad overview of the situation, Jillani states that a woman's death is not a 'big deal' in Pakistani society because her economic dependence renders her 'dispensable, and replaceable.'

Stove Burning ends with a list of women's names scrolling down the screen who were subjected to stove-burns from January to July in 1993 (the year the documentary was filmed) and admitted to one hospital in Lahore alone. Their average age is listed as 23 years, including those as young as 10, 11, 13, and 14 years of age. In conclusion, the lamenting ironic Punjabi couplet that is recited off-screen evokes the human cost of the barbaric intent and result of 'burning' women alive as a convenient and cost-effective method of eliminating them: 'Burnt wood becomes coal, coal becomes ash/Though I am burnt, I become neither coal nor ash.'

In exposing and drawing attention to the criminal intent of perpetrators of stove-blast incidents, compounded only by the apathy of the Pakistani state and police corruption, *Stove Burning: Neither Coal Nor Ashes* remains a significant filmic documentation of the realities of women's victimization through horrific cases of domestic abuse and violence.

***Burnt Victims: Scars on the Society* (AGHS Legal Aid Cell 2002)**

While stove-burning remains a catastrophic form of violence against an increasing number of women in Pakistan, another means of violence and revenge that has been rapidly on the rise is throwing acid on women's faces and bodies. *Burnt Victims: Scars on the Society*, made by the AGHS Legal Aid Cell as a consciousness-raising and educational film for the purpose of training its staff to deal with cases of violence against women, also stresses the alarming situation of violence against women in the form of stove-burning and acid-attacks.²⁸⁷ Whereas this expository film stresses much of the same socio-cultural factors and implications for women regarding stove-burning as in the previous film (*Stove Burning: Neither Coal Nor Ashes* 1993), it additionally addresses the practice of 'acid-burning' or 'acid throwing' as the practice has come to be known---the act of throwing acid on a woman's face and body to disfigure

²⁸⁷*Burnt Victims: Scars on the Society*. Ahmer Rehman. 2002. (20-mins 38-secs) AGHS Legal Aid Cell in collaboration with Katholische Frauea Deutchland. Pakistan. (Urdu/Punjabi/English/English sub-titles).

her as violent revenge for a number of perceived transgressions including insufficient dowry, infertility or inability to produce a son, bringing dishonour, suspicion of illicit romantic or sexual relations, rejected marriage proposals, or a husband's desire for a second marriage.²⁸⁸

The film begins with off-screen commentary on the lack of essential facilities such as air-conditioning even at the Mayo Hospital Burn Unit, the only one in Punjab. It is pointed out that in January 2002 alone the hospital received 40 burn victims of which 37% were young women. The film is interspersed with disturbing images of charred bodies of women, and testimonies of badly disfigured and traumatized female burn victims, suffering extreme pain in meager hospital facilities, who recall their experiences of being burnt by stove-blasts or having acid poured over them by family members.²⁸⁹ Whereas stove-bursts are normally blamed on faulty stoves, the film points out that acid-burns are never an accident. Once again, the overwhelming majority in such cases are

²⁸⁸ According to a report by the UN Women, while acid attacks are most prevalent in Bangladesh, Cambodia, India and Pakistan, they have also been reported in Afghanistan and in parts of Africa and Europe. In 2002, Bangladesh became the first and only country that instituted a law to address acid production business. In 2002 the Bangladesh government passed the Acid Crime Prevention Act 2002, and Acid Control Act 2002 that regulate the import and sale of acid in open markets, and treat acid-attacks as a serious punishable crime. UN Women: United Nations Entity for Gender Equality and the Empowerment of Women. 'Acid Attacks.' Accessed at: <http://www.endvawnow.org/en/articles/607-acid-attacks.html> on July 17, 2011.

It is encouraging that, due to the unwavering struggle and pressure by women's rights activists, and women parliamentarians, an Acid Control and Acid Crime Prevention Bill, 2010 was presented in the National Assembly of Pakistan on May 10, 2011. The Bill sought to deter incidents of acid-attacks on women, and to compensate and rehabilitate victims. The Bill recommended the punishment of either life-imprisonment or imprisonment for a minimum of 14 years, besides a minimum fine of Rs 1 million. The Daily Times. 'NA Passes Bill to Prevent Acid Attacks Against Women.' May 11, 2011. Accessed at: http://dailytimes.com.pk/default.asp?page=2011\05\11\story_11-5-2011_pg1_5 on November 27, 2011.

²⁸⁹ The Pakistani Women's Human Rights Organization (PWHRO) describes the life-altering physical and psychological effects of acid attacks on survivors: 'Acid burns through eyes, skin tissue, and bone. Usually, the victims are left blind and with permanent scar tissue. Their bones are often fused together - jawbones sealed tight, chins locked to chests, hands left permanently contorted in the position they held as they tried to deflect the splash. The psychological scars are even worse. Depression, anxiety and shame would be part of the emotional aftermath of any scarring injury. Victims of acid attacks are also often ostracized by their communities and even held responsible for incurring the attack they suffered.' For case studies of acid attacks see: Pakistani Women's Human Rights Organization (PWHRO). 'Recent Victims of Inhuman Attacks with Acid.' Accessed at: http://pakistanwomen.org/acid_pwhro.html on July 17, 2011.

women. Off-screen commentary points out that according to data an acid-burn victim is brought to the Mayo Hospital every week, while four out of the six victims being treated in the third week of July 2002 alone were acid-burn victims. Dr. Intesar-ur-Rashid, a surgeon at the Mayo Hospital, points out that those with 40% or less burns have a good chance of survival if treated. However, because of the high cost of the treatment, 20% of the patients leave the hospital despite doctor's orders to stay. Given the economic reasons, he point out that 50% of those who leave early succumb to their wounds.

On the one hand, the film highlights the April 1991 directives of the Lahore High Court that specifically addressed the issue of burn-accidents and state assistance to victims such as expenses to be paid by the state for the burial of a victim, or free medical care. On the other hand, through testimonies of actual victims and their families who refute having received any such assistance, the film draws attention to state apathy in the actual execution and effectiveness of these directives. As well, the lack of actual implementation of the directives also explains why many burn patients who do make it to hospital, either leave dead or without proper treatment due to economic constraints.

Most importantly, *Burnt Victims* addresses the issue of the unchecked, and easy availability of acid to anyone for purchase. Although one acid-seller speaks of the procedure to get approval for a government license to sell acid that includes the inspection of a proposed shop site by a magistrate and the police, footage of rows and rows of huge, unmarked and unnumbered drums of acid lying in unsecured open lots and premises of sellers belies his claims. Off-screen commentary points out that 'there is no procedure to register the sellers of acid, leave alone a listing of buyers, and that whoever wants acid, for whatever purposes can simply go to one of the stores and have their fill.'²⁹⁰ The film ends with founding member of AGHS Legal Aid Cell, lawyer and human rights activist Asma Jehangir stressing the need for the application of stringent

²⁹⁰According to a survey conducted by a Pakistani English newspaper, the Daily Times, there were around 1,000 chemical and acid dealers running their business without any checks on sale and purchase of acid. A bottle of acid could be bought for domestic use by anyone as the district administration failed to enforce any checks on the sale of the item. Usman, Nadia. 'Acid Accessibility Behind Increase in Burn Cases.' The Daily Times. April 6, 2008. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2008/04/06/story_6-4-2008_pg7_22 on July 17, 2011.

regulations and laws, and accountability measures that would serve as protection for women, and deterrents in both the sale and misuse of acid.

Although both *Stove Burning: Neither Coal Nor Ashes* and *Burnt Victims: Scars on the Society* are most disturbing and difficult films to watch, they are nevertheless invaluable as documentary testimonies that exhort a legislative and deliberative response to horrific crimes of violence that more often than not go unpunished, even unreported.²⁹¹ It may be mentioned here that on continued pressure from women's and rights organizations, both within Pakistan and abroad, a Domestic Violence (Prevention and Protection) Act 2009 had been passed by the National Assembly on August 4, 2009. However, due to the objections raised by the Council of Islamic Ideology, the Senate failed to do the same within three months as required by the Constitution, opting to let the bill lapse.²⁹² Another bill entitled the 'Acid Control and Burn Crime Prevention Act 2010' drafted by the Acid Survivors Foundation (ASF) of Pakistan, on the directives of Chief Justice Iftikhar Muhammad Chaudhry, was presented to the Ministry of Women Development (MoWD). The detailed bill that covers all aspects of burn related crimes and punishments, and sale, purchase, and manufacture of acid, also awaited approval and passage by the National Assembly.²⁹³

However, it was once again the private sector and civil organizations that have filled in for governmental neglect. Given the rising incidents of extreme domestic

²⁹¹Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

²⁹²For further details see: Human Rights Watch. 'Pakistan: Expedite Domestic Violence Legislation.' Accessed at: <http://www.hrw.org/en/news/2010/01/11/pakistan-expedite-domestic-violence-legislation> on April 4, 2011.

²⁹³For details of the 'Acid Control and Burn Crime Prevention Act 2010' see: Imran, Myra. 'First Major Step Towards Legislation Against Burn Crimes: Bill Titled 'Acid Control and Burn Crime Prevention Act 2010' Presented to the Ministry.' *The News International*. August 12, 2010. Accessed at: <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=256110&Cat=6&dt=8/12/2010> on July 17, 2011.

Similarly, an Anti-Women Practices (Criminal Law Amendment) Bill was passed by the National Assembly of Pakistan was on November 15, 2011, and awaited passage in the Senate to become law. Dawn.com 'NA Passes Pro-women Bill Unanimously.' November 16, 2011. Accessed at: <http://www.dawn.com/2011/11/16/na-passes-pro-women-bill-unanimously.html> on November 17, 2011.

violence directed at women, clinical psychologist Shahnaz Bokhari founded the Progressive Women's Association (PWA) in 1990. Since its inception, her organization has been involved with providing shelter, securing medical care, and arranging legal assistance to female victims and survivors of domestic abuse and violence such as acid-attacks and stove-burning, honour related rape, and other physical attacks.²⁹⁴ Since 1994, the PWA has held various workshops on domestic violence against women at provincial levels, and sought to include participation from government and law enforcement officials, NGOs, and the legal fraternity to foster alliances and channels of legal accountability against these issues. Shahnaz Bokhari and the PWAs' has been a most valuable and significant struggle against these most violent and horrific of acts directed at women, considering that despite personal threats and harassment by victim's families, and a corrupt law enforcement system, the PWA has remained resolute in opposing, and highlighting governmental and societal biases against protecting women through state legislation.²⁹⁵ The PWA also runs a shelter for victims by the name of AASRA (Support), founded in 1999 as a home for destitute female victims of domestic violence. AASRA accommodates 30 residents at a time, and has supported up to 150 women annually since it started in spite of police interference and raids, as victims are hounded and continue to face threats from relatives and the police for escaping their abusers.²⁹⁶

²⁹⁴According to the Pakistani Women's Human Rights Organization (PWHRO), Shahnaz Bokhari, chief coordinator and clinical psychologist at the Progressive Women's Association in Rawalpindi, says her organization has counted 8,000 victims burned by acid as well as kerosene and stoves since 1994 just from Rawalpindi, Islamabad and a 200-mile radius, not Pakistan as a whole. The *Aurat* Foundation has documented 53 cases of acid-attacks in 2009 in Pakistan (42 in Punjab; 9 in Sindh; 1 in NWFP; 0 in Balochistan; 1 in Islamabad). The organization also points out that the scenario in 2010 seemed to be no better, while women's activists believe that only 30% of acid-attack cases are reported. Pakistani Women's Human Rights Organization (PWHRO). 'Recent Victims of Inhuman Attacks with Acid.' Accessed at: http://pakistanwomen.org/acid_pwhro.html on July 17, 2011.

²⁹⁵Over the last decade, the PWA has uncovered over 5,675 stove-death victims as part of the 16,000 cases they have documented of violence against women. For further details on the Progressive Women's Association (PWA), its projects, case studies and photographs of victims, visit: <http://www.pwaisbd.org/index.htm> Accessed on January 11, 2010.

For current PWA website visit: http://www.facebook.com/pages/Progressive-Womens-Association/11131525588748?sk=app_2309869772#!/pages/Progressive-Womens-Association/11131525588748 Accessed on April 4, 2011.

²⁹⁶Ibid. Accessed on July 1, 2009.

There are other organizations as well that focus on the treatment, support, and advocacy for burn victims, such as the Acid Survivor's Foundation of Pakistan (ASF), founded in 2006, with the support of the UK-based Acid Survivors Trust International (ASTI).²⁹⁷ Similarly, in the face of unabated domestic violence against women, the non-governmental AGHS Legal Aid Cell established a separate violence and burn victims project in 2007, the AGHS Burn Unit and Monitoring Cell, to document and research case studies of burn victims.²⁹⁸ It was reported that as many as 122 women were burnt in Lahore from April to June in 2009, according to the second three-month monitoring and follow-up by AGHS. Of the 122 women, 21 were attacked by acid and 101 were set on fire. From this alarming number, 82 burnt women survived and 40 died. This figure of burnt women, including those burnt by acid attacks, had doubled since the first three-month monitoring. According to the AGHS Monitoring Cell, the above statistics pertain to Lahore alone, but it is suspected that the situation is the same countrywide.

***Saving Face* (Sharmeen Obaid-Chinoy 2011)**

At the 84th Academy Awards ceremony in Los Angeles, USA on February 26, 2012, Sharmeen Obaid-Chinoy also became the first Pakistani documentary filmmaker to win an Oscar for her film entitled *Saving Face* (2011).²⁹⁹ Recipient of the coveted award in the Best Documentary (Short Subject) category, Obaid-Chinoy's observational

²⁹⁷The Acid Survivors Foundation (ASF) in Pakistan is a branch of the Acid Survivors Trust International (ASTI), a UK-based charity that supports a network of partners who provide surgical treatment and rehabilitation to around 1000 survivors every year. For details on the Acid Survivor's Foundation of Pakistan and its services visit: <http://acidsurvivorspakistan.org/about> Accessed on July 19, 2011.

²⁹⁸Data available from the AGHS Legal Aid Cell reveals that 68 women were burnt in the city of Lahore in the first three months of 2009. A statement issued by the cell said eight women were burnt in acid attacks, while 60 were set ablaze. It said the figures were probably a tip of the iceberg, as 49 cases in Lahore alone were reported in the local press, while most went unreported for various reasons. The Daily Times. '68 Women Burnt in City in 3 Months.' The Daily Times. April 15, 2009. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2009%5C04%5C15%5Cstory_15-4-2009_pg13_7 on April 4, 2011.

²⁹⁹*Saving Face*. Sharmeen-Obaid Chinoy. (With Daniel Junge). 2011. (52-min). Naked Edge Films. (English/English sub-titles/Urdu). To watch a trailer of '*Saving Face*' visit: <http://savingfacefilm.com/> Accessed on April 21, 2012.

film addresses the widespread practice of acid-attacks on women across Pakistan, including the Seraiki belt in Southern Punjab, a major cotton growing area where acid is readily available as it is used for cleaning cotton.³⁰⁰ Winning the Oscar for the film, Obaid-Chinoy's documentary has brought this form of violence to centre stage prominence, both globally, and within Pakistan.

Although not the first film on the topic of acid-attacks to be made in Pakistan, as this chapter illustrates, the award-winning prominence *Saving Face* has achieved, and its international premiere on HBO, are factors that together have contributed immensely to establishing the utility of documentary cinema as an activist tool for resistance, cross-cultural communication, and social change in Pakistan. Supported by the Acid Survivors Foundation (ASF) in Pakistan, *Saving Face* revolves around the stories of two Pakistani women, Rukhsana and Zakia, who have been victims of acid-attacks, and their struggle in the process of rehabilitation, seeking justice, and undergoing reconstructive surgery by a Pakistani London-based plastic surgeon, Dr. Mohammad Jawad, who returns to his homeland to help them.³⁰¹

It is to Obaid-Chinoy's credit that she has been able to encourage her two main female subjects to come forward and speak of their experiences on film. We learn that when 39-year-old Zakia attempted to divorce her husband he retaliated by dousing her with acid, while Rukhsana, 25, was burned with acid and set on fire by her husband and his family. However, Rukhsana's ordeal did not end with this attack. She had no choice other than to continue living with her husband as she became pregnant after the acid-attack.

The encouraging note in the film is that for the first time we actually see acid-attack victims not only receiving reconstructive surgery, but also justice as Zakia's husband is convicted of assault and sentenced to two life sentences under the new Acid

³⁰⁰ Amir, Intikhab. 'Sharmeen Obaid-Chinoy Wins Oscar for Saving Face.' Central Asia Online. February 27, 2012. Accessed at: http://centralasiaonline.com/en_GB/articles/caii/features/pakistan/main/2012/02/27/feature-02 on April 4, 2012.

³⁰¹ Acid Survivors Trust International (ASTI). Accessed at: <http://www.acidviolence.org/index.php/news/Saving-Face-trailer-and-the-Press-Release/> on April 22, 2012.

Control and Acid Crime Prevention Bill 2010, and The Prevention of Anti-Women Practices (Criminal Law Amendment) Bill 2008, that legislates severe punishment for physically harming women with corrosive substances.³⁰²

Obaid-Chinoy's film covers most of the same factors and trauma related to acid-attacks on women as the previous two films discussed in this chapter, *Stove Burning: Neither Coal Nor Ashes* (1993), and *Burnt Victims: Scars on the Society* (2002), but the international acclaim the film has garnered has renewed the urgent need for accountability through the new laws and the prosecution of offenders. It is particularly encouraging that given the enthusiasm with which Obaid-Chinoy's achievement has been received within Pakistan, there are plans afoot to dub *Saving Face* in regional languages for screening as an educational tool on local TV channels, as well as in educational institutions, and other venues in villages and towns across Pakistan for consciousness-raising, and encouraging social activism against acid-attacks.³⁰³ Obaid-Chinoy has also used the success of her film as a platform to launch an Anti-Acid Campaign that would reach out to victims across the country and help them come forward to seek justice.³⁰⁴ It is also a welcome prospect that for the first time the government of Pakistan decided to confer the second most prestigious civilian award, the *Hilal-e-Imtiaz* (Crescent of Excellence) on a documentary filmmaker. In recognition of her work, the president of Pakistan, Asif Ali Zardari, awarded Sharmeen Obaid-Chinoy the *Hilal-e-Imtiaz* on Pakistan Day.³⁰⁵

³⁰²The Bill legislates a punishment of 14 years to life imprisonment for crimes involving the disfiguring of human organ/body by a corrosive substance. The News International. 'President Gives Assent to Bills on Crimes Against Women.' December 22, 2011. Accessed at: <http://www.thenews.com.pk/NewsDetail.aspx?ID=29159&title=President-signs-two-bills-into-law> on December 22, 2011.

³⁰³Agha, Saira. 'Pakistani Women are Brave and Fearless.' The Daily Times, March, 18, 2012. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2012%5C03%5C18%5Cstory_18-3-2012_pg9_15 on April 4, 2012.

³⁰⁴Business Recorder. 'Sharmeen Chinoy Launches Anti-Acid Campaign.' February 28, 2012. Accessed at :<http://www.brecorder.com/top-news/1-front-top-news/47514-sharmeen-chinoy-launches-anti-acid-campaign.html> on April 22, 2012.

³⁰⁵Dawn.com. 'President Confers Civil Awards on 67: Top National Award for Nusrat Bhutto, Salman Taseer.' March 24, 2012. Accessed at: <http://dawn.com/2012/03/24/president-confers-civil-awards-on-67-top-national-award-for-nusrat-bhutto-salman-taseer/> on April 22, 2012.

Perspectives on Notions of ‘Honour’ and ‘Shame’

In order to understand how tribal and cultural notions of ‘honour’ and ‘shame’ play out in Pakistani society, it is pertinent to contextualize their historical and tribal symbolism in tribal, and feudal societies. The following discussion will facilitate in the reading and understanding of the honour-related violence, crimes, and discrimination against women as represented in the following films.³⁰⁶

The notion of ‘honour’ in tribal societies has very specific meaning and implications, and is closely tied to the notion of ‘shame’ that may be endured by a family, tribe, or community due to a person’s behaviour or acts. Primarily, both shame and honour are associated with the conduct of women that may or may not be deemed honourable, thus becoming a source of honour or shame for the entire tribe. The higher the status of the tribe, the greater its stakes in preserving its honour, and the powers of

Pakistan Day is commemorated each year on March 23.

³⁰⁶In the Pakistani context, honour and shame assume the terms of *ghairat* (honour/pride) and *izzat* (respect/honour), and *sharm* (shame). However, the tribal concepts of punishment for related violations of perceived honour remain similar in all tribal and feudal societies. Hayat A. A. elaborates on the gender-specificity of these terms: ‘Ghairat is masculine. A man must be able to hold up his head with pride and stand tall in public. If his pride is compromised in any way realistically or imagined, it dishonours him. To revive his honour and live with pride in his society he must kill or avenge the insult. Shame is feminine. If a woman is shamed it makes her bow her head and hide her face due to which her public reputation and social position is compromised, and therefore she must be killed.’ In the case of women, who are treated as material wealth in such societies and whose worth depends on their ‘chastity,’ Hayat points out that ‘Rape or murder committed is not considered to be the actual crime, it is the loss of chastity which is considered to be central to the issue. This code of tribal honour transcends the laws of the land and its influence proves even stronger than that of religion.’ A.A. Hayat. ‘Honour-Killings.’ *Women: Victims of Social Evil*. Pakistan Institute of Security Management. Press Corporation of Pakistan, 2002. (pg-88).

its members sitting in a *jirga* or *panchayat* (tribal juries or councils).³⁰⁷ Treatment of women as objects that can be traded or victimized to avenge shame or regain honour also translates into the tribal patterns and means of retaining honour. Although honour-killings have come to be associated with Islamic societies as an Arab-Islamic practice, these murders have been occurring in all regions of the world, including the West.³⁰⁸ While motives behind extreme acts of violence against women such as stove-burning and acid-attacks are instigated by hatred, revenge and greed, honour-related crimes such as honour-killing and honour-rape are supported by a moralistic stance. These acts

³⁰⁷ Pakistan has a long tradition of the *jirga* (Pashtun word for the tribal justice-system based on a gathering of all-male community representatives for decision-making) and *panchayat* system (village councils in South Asia that have the power to call a *jirga* (jury) in which crimes or affronts to dignity and perceived 'honour' are punished outside the framework of Pakistani law. The word *jirga* has its roots in the Turkish word meaning 'circle.' In many tribal societies even now, these tribal councils sit in a circle to decide matters. It is pertinent to mention here that despite their status and importance in the tribal setup, these tribal councils have no official legal standing in Pakistan, and yet the government authorities have failed to take adequate measures to contain this parallel legal system and prevent such bodies from taking the law into their own hands, and hand down judgments. The *panchayat* comprises elders from the higher tribe and caste in a tribal community, and has the power to call a *jirga* (jury), which again comprises other male members from the higher tribe and caste as well. The tribal council is approached by members of the lower tribes/castes to give judgment in their feuds, and resolve conflicts and problems. The tribal council meets in public and the final judgments are passed down by all members collectively, and are treated as final. Although this system is used to settle all kinds of scores, from murder cases to property disputes to minor disagreements between members of different or the same tribes and castes, its most horrific effects are felt by women because in any case they are subservient to the patriarchal order and codes of conduct in a tribal setup. Any judgment passed by these tribal councils and juries becomes an uncontested order in the tribal society. Yusufzai, Rahimullah. 'Circled in Controversy.' *Newline Monthly Magazine*. Karachi, Pakistan. August, 2002.

For detailed discussion on the workings of the *jirga* system see Yusufzai, Hassan M., and Gohar, Ali. 'The Way Ahead.' *Towards Understanding Pukhtoon Jirga*. Just Peace International Publishers, Peshawar, Pakistan, 2005; and Wardak, Ali. *Jirga-A Traditional Mechanism of Conflict Resolution in Afghanistan*. University of Glamorgan, UK, 2003.

³⁰⁸ Reports submitted to the United Nations Commission on Human Rights show that honour-killings are also committed in Bangladesh, Great Britain, Brazil, Ecuador, Egypt, India, Israel, Italy, Jordan, Pakistan, Morocco, Sweden, Turkey, and Uganda. Even though Iraq, Iran, and Afghanistan have not submitted reports to the UN in the past, the practice of honour-killings has been reported in all three countries. 'Marital Law & Customary Practices: 'Honour-Killings.'" *Bayan Bi-Annual Socio-Legal Journal*. Volume 1V, September 2005. *Simorgh Women's Resource and Publication Centre*, Lahore, Pakistan. (pg-92).

For details on cases of honour-killings in various countries visit: Stop Honour Killings! at: <http://www.stophonourkillings.com/?q=fr/node> Accessed on June 11, 2011.

For examples of first-hand accounts of honour-killings in UK, and the reasons behind them as narrated by men who committed them, see Ayese Onal. *Honour Killing: Stories of Men Who Killed*. Saqi Books, London, UK, San Francisco, USA, Beirut, Lebanon, 2008.

are justified and carried out on the pretext of the patriarchal perception of protecting family and tribal honour, and the victimization of women whose bodies are seen to be the repository of this honour.³⁰⁹

However, although honour-killings in Pakistan are largely associated with tribal and feudal areas where 'honour' is a driving force in relationships and social standing, these killings occur across the country. As opposed to victims of stove-burning and acid-attacks who are seen as blameless and innocent, women victimized by honour-killing are seen to have brought on the violence upon themselves due to their own allegedly inappropriate 'dishonourable' conduct and deeds such as an alleged affair, extra-marital sexual relations, elopement or a marriage of choice against family consent, or desire for divorce, even employment, hence incurring the justification for their killing and death.³¹⁰ In all cases, this 'dishonourable' conduct is judged either as a woman's actual or perceived involvement with a man who is not her husband or is not acceptable to her family as her husband, or defiance of tribal codes of behaviour and subservience, thereby giving all male members of a woman's immediate, extended and marital family

³⁰⁹A.A. Hayat., 'Honour-Killings.' *Women: Victims of Social Evil*. Pakistan Institute of Security Management. Press Corporation of Pakistan, 2002. (pg-91).

³¹⁰In 2008, a brutally shocking incident of a tribal group-murder of women came to light in Pakistan's Balochistan province. The Human Rights Commission of Pakistan (HRCP) reports: 'Perhaps the most extreme example of violence in the name of tradition was witnessed in Balochistan, in August, when five women were shot and killed for wanting to marry of their own choice. The women, three of whom were teenagers, belonged to the Baba Kot village in the remote district of Jafferabad. The three young girls, aged between 16 and 18, had dared to defy tribal norms in wanting to marry of their own choice and reject the tribal elders' marriage commands. They were kidnapped and arrangements made to kill them. Two elder female relatives tried to intervene and they too were shot along with the younger 'offenders'. All five of them were then thrown in a ditch and covered with mud. Some NGOs claimed that at least some of the women were alive when they were buried. The decision to murder the women was made and its enforcement overseen by village elders, the head of whom was said to be the brother of a provincial minister. When Senator Yasmin Shah raised the issue in parliament a month after the incident, saying that no action had been taken against the perpetrators, it was followed by an outrageous reaction from two senators from the Balochistan province. Senator Israrullah Zehri defended the gruesome deed adding that it was part of "our tribal custom" and that "these are centuries-old traditions and I will continue to defend them." Human Rights Commission of Pakistan. 'Violence Against Women: The Hold of Tradition.' *State of Human Rights 2008*. Maktaba Jadeed Press, Lahore, Pakistan. (pg-120).

For further details on the above case of tribal group-murder see: Akbar Khalil, Noor. 'Honor Killing in Pakistan: The Case of 5 Women Buried Alive.' *Human Dignity and Humiliation Studies*. University of Gothenburg Sweden, 2010. Accessed at: <http://www.humiliationstudies.org/whoware/coreteamlong.php#akbar> on July 23, 2011.

in a tribal and feudal setup the justification to take her life to redeem family and tribal honour.³¹¹ In many cases, even a mere rumour about a woman's infidelity or extra-marital sexual conduct or relations is enough to serve as the basis for honour-related crimes.

Additionally, whereas stove burning and acid-attacks are usually not carried out by a woman's own family but rather husbands, in-laws, and rejected lovers or suitors, honour-killings are carried out by her own male relatives such as father, brothers, and cousins to redeem and uphold family and tribal honour. The fact that a woman's own family members carry out such killings further legitimizes the act as her relatives are seen to have an integral bond with her that can only be severed due to extreme circumstances. Although the concept of such killings predates Islam, and is neither sanctioned by religion nor restricted to Islamic or tribal societies or rural and uneducated regions and segments of society, these acts are commonly justified in the name of religion because they are seen to enforce morality and uphold patriarchal family power structures.³¹² Because of deeply ingrained notions of males as the guardians of a woman's chastity and moral conduct, honour-killings occur in all the provinces of Pakistan and are accepted as an act of redemption that is also sanctioned by tribal councils and tribal chiefs in tribal areas. For example, known as '*karo kari*' in the tribal belts of the Sindh province, tribal custom prescribes death for both a '*kari*' woman (blackened woman) who is suspected of immoral activity and illicit sexual relations, and her male partner '*karo*' (blackened man).³¹³ Blackness in this case symbolizes shamefulness and immorality, particularly regarding the extramarital sexual conduct of

³¹¹Hassan, Yasmeen. *The Haven Becomes Hell: A Study of Domestic Violence in Pakistan*. Special Bulletin August 1995. Published by *Shirkat Gah*, WLUML Coordination Office Asia, Lahore, Pakistan. (pg-22).

³¹²*Ibid.* (pg-22).

³¹³A.A., Hayat. 'Honour-Killings.' *Women: Victims of Social Evil*. Pakistan Institute of Security Management. 2002. (pg-90).

For a tribal perspective on the concept of 'blackened face' that corresponds to the concept of loss of honour, and 'shame,' see Patai, Raphael. 'The Bedouin Ethos and Modern Arab Society.' *The Arab Mind*. Charles Scribner's Sons. New York, USA, 1983. (pg-101).

women.³¹⁴ As well, there are many instances where even fake honour-killings have taken place to serve vested interests. Amnesty International notes that 'reports abound about men who have killed other men in murders not connected with honour issues who then kill a woman of their own family as an alleged *kari* to camouflage the initial murder as an honour killing.'³¹⁵

Given the above situation, Pakistani state legislation as well as the *jirga* and *panchayat* system operating in Pakistan empowers tribal society in such a manner that women's status and security remain subservient to the male order of morality and social values, and permeates all classes in these communities regardless of economic or tribal status. It is in the backdrop of this mentality that men, mostly in Pakistan's tribal setup, see the subjugation of women not only as lesser beings in terms of gender, but more importantly as a means of preserving their own status within their communities. As a means to this end, raping, killing, trading, and humiliating a rival's women is also considered a legitimate means of vengeance and preserving one's own and the tribe's honour. The contextual reading of the following representative documentary films illustrates how notions of 'shame' and 'honour' are used as pretexts for committing violence and crimes against women with impunity.

***Shame: A Tale of Karo kari* (Dastak Society for Communication 2005)**

Shame: A Tale of Karo kari (2005) focuses on the practice of *karo kari* (honour-killing) as it is practiced and justified in the feudal and tribal society in the rural areas of

³¹⁴In the Sindh province of Pakistan the practice of honour-killing is known as *karo kari*; in the Balochistan province as *siya-kari*; in Punjab by the name of *kala-kali*; in the Khyber-Pukhtunkhwa (former North West Frontier Province (NWFP)) as *tora-tora*. All the terms denote 'black' as indicative of the dark and dishonourable nature of the crime for which the offenders are punished. Patel, Rashida. 'The Menace of Honour Killing.' *Gender Equality and Women's Empowerment in Pakistan*. Oxford University Press, Karachi, Pakistan, 2010. (pgs-73-74).

³¹⁵Amnesty International. 'Document-Pakistan: Honour Killings of Women and Girls: Fake Honour Killings.' Accessed at: <http://www.amnesty.org/en/library/asset/ASA33/018/1999/en/952457dd-e0f1-11dd-be39-2d4003be4450/asa330181999en.html%29>: on May 2, 2011.

the Sindh province and southern Punjab where the practice is most rampant in Pakistan.³¹⁶ Accompanied by off-screen commentary, interviews with government officials, lawyers, journalists, human-rights activists, clerics, and rural men who actually condone the custom as a just means of regaining family honour by killing women suspected of illicit relations with men, the filmmakers, Sharjil Baloch and Dr. Iftikhar Ahmed, provide insight into the practice and motives that instigate it. Views, perspectives, analyses and stories of the custom of *karo kari* and related incidents from a cross-section of society reveal the socio-cultural complexities, customs, traditions, deep-rooted gender biases, and patriarchal and feudal power that support, protect, and preserve the practice.

Funded by the Global Opportunity Fund of the Foreign and Commonwealth Office of the British Government through the British Council of Pakistan, *Shame: A Tale of Karo kari* is an investigative and expository film produced by the *Dastak* Society for Communications as part of an awareness-raising campaign in rural Sindh and southern Punjab.³¹⁷ The film opens with footage of a '*karion jo qabristan*' (graveyard of *karo* (male) and *kari* (female)), an unmarked graveyard located near the bustling cosmopolitan city of Karachi. As the camera pans the sad vast, dusty, graveyard dotted with a series of raised patches where the buried lie, we learn from voice-over that victims of *karo kari* are buried here without a 'bath, a shroud, a prayer' in unmarked graves where no one, even relatives, visit to offer a prayer. This treatment is reserved for *karo karis* to mark their humiliation and ostracization from their society, as they are denied the rites and rituals of traditional or religious funeral services otherwise accorded to honour

³¹⁶ *Shame: A Tale of Karo Kari*. Sharjil Baloch and Iftikhar Ahmed. 2005. (33-mins). 2005. *Dastak* Society for Communications. (Urdu/Seraiki/English/English sub-titles).

Sharjil Baloch has been making films as a free-lance director since 2011, and also works as an actor, and writer. He is associated with the *Dastak* Society for Communication as a film director. Dr. Iftikhar Ahmad is a social scientist. *Shame: A Tale of Karo Kari*, his first film venture with Sharjil Baloch, was screened at the 6th International Karafilm Festival in Karachi, Pakistan, in 2006. 6th International Kara Film Festival, 2006. Accessed at: http://www.karafilmfest.com/KaraFilm2006/films_documentaries_02.htm on June 15, 2011.

Given the rising figures of *karo kari* in the Sindh province, the Sindh Police have now set up anti-*karo kari* cells and helplines in four districts of the province: Sukkur, Ghotki, Khairpur and Naushero Feroz. Accessed at: <http://www.hrcp-web.org/default.asp> on June 26, 2010.

³¹⁷ The Daily Times. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2006\06\10\story_10-6-2006_pg12_9 on April 27, 2011.

the dead. Kalpana Devi, an advocate of the Sindh High Court recounts an incident when a man who had stopped by a fresh grave of a *kari* to say a prayer was perceived by the community as her *karo*, and hence killed. We learn that the unknown number of dead buried in the graveyard, mostly women, were 'axed, shot, or beaten to death in public by their own fathers, brothers, or sons on the pretext of 'honour.' These opening scenes set the tone for the films' contextual investigation into the socio-cultural causes, and justifications for honour-killing.

Shame: A Tale of Karo kari raises questions about the prevalence, and origins, of the practice of honour-killing, and the socio-economic, political, and cultural roots that support it. Shown talking to a congregation of his tribesmen, Sardar Ashiq Khan Buzdar, a tribal chief and politician from Rajanpur, Punjab, reflects on the history and origins of 'honour-killing.' He points out that the practice of honour-killing was unknown in matriarchal societies, but came into existence in patriarchal and class-based feudal societies which reduced women's status to that of 'chattel' that was no more than a commodity like land, and gold that is to be protected, but is stripped of all human qualities such as love, tenderness, and feelings: 'Instead, a woman came to be valued as no more than a 'good cow' in the courtyard.' Spoken by a tribal chief to his followers, this clip is a rare and highly effective footage of the awareness-raising and consciousness-raising effort that the film seeks to fulfill.

On the other hand, a Sindhi journalist, Ikhlak Jokhio, points out that it is misleading to claim or give the impression that *karo kari* is a Sindhi custom alone: 'The fact is that historically this custom did not exist here, even before the advent of Islam. It does not belong to this land.' But taking an opposing view, activist and lawyer Zia Awan, advocate of the Sindh High Court and president of the Lawyers for Human Rights and Legal Aid (LHRLA), points out that when a community condones a practice, it is highly difficult to curb it. Shedding light on the socio-cultural aspect of honour-killing, Awan stresses that it is a 'community-sanctioned' violence whereby the perpetrator is appreciated as a man of honour who can walk tall among his community. Views from ordinary rural men and villagers who defend the practice of *karo kari* as an 'honourable and good Sindhi tradition' illustrate Awan's concerns. One man puts it like this:

'We cannot throw a woman out of the house, but we can kill her. In Sindh we still have honour enough to kill if we witness *karo kari*.'

Asked if a woman also has the right to kill a *karo* or husband if she suspects him of infidelity, most say she has no such right as she is a woman. One man who argues that if a *kari* is not killed, other women will be enabled to follow her example, goes as far as to state 'A woman is like a fly. She will sit on food, and just as happily on dung.' Asked what is a man, he responds: 'A man is fine. He is a human being.' In documenting such chilling arguments and gender biases at the very roots of tribal society, *Shame: A Tale of Karo kari* highlights in broad terms the socio-cultural complexities and contradictions that plague Pakistan while the county aspires to a modern and progressive future and place in the international community.

Shame: A Tale of Karo kari takes a turn from socio-cultural aspects of honour and honour-killing to the more worldly socio-economic factors that also serve as a premise for such violence. Journalist Nisar Khokhar illustrates the economic gains to be made from honour-related issues when he narrates the story of a merchant who accused another man of his brother having illicit relations with the merchant's wife. However, the merchant agreed to drop the case if a compensation of Rupees 300,000 was paid him under the *Diyat* law provisions. Highlighting the utility and financial gain tied to the application of the *Diyat* law (compensation by blood-money), Khokhar raises the question of redeeming and cashing the notion of 'honour' at a price. What emerges is the material motive, and validity of avenging 'honour' as no more than a threat to extract money. (For an explanation of the *Diyat* law see Appendix 5).

Next, the film turns to the religious factors that are also alluded to as a justification for committing honour-killings. Those interviewed on the Islamic aspect of honour-killing include ordinary rural men, political leaders, and clerics. Spinning a religious twist, one man defends the upholding of honour as a supreme task for Muslims, citing Prophet Mohammad as saying that a man without honour is not a member of the Muslim *ummah* (Muslim brotherhood), and that He (the Prophet) would not look at the face of such a dishonourable man. Another says that genuine *karo kari* is recognized in Islam as punishment is prescribed for it. This is a claim that advocate Kalpana Devi refutes in the film, asking for any mention, and hence validity, of such claims for murder in the *Quran* itself. She blames people for hiding behind religion to whitewash their

deeds and motives. A view that is shared by Asad Ullah Bhutto, a *Jamaat-e-Islami* leader and a member of the Sindh National Assembly, who categorically states in the film that the *Quran* and *Sunnah* do not give anyone the right to murder a woman. Although coming from a lawyer and a religious leader and politician, these clarifications do little to appease the rampant beliefs among the tribal and feudal mindsets, and the failure of the state to address the issue effectively by ensuring the rule of law and justice. Also interviewed in the film, academic and activist Amar Sindhu of the Department of Philosophy at the University of Sindh rejects the premise of 'cultural custom' as justification for honour-killings. Instead, she stresses that the majority of *karo kari* cases that she has studied point to economic reasons. She cites the failure of the state for abandoning social institutions, and using them only for self-aggrandizement and as a political tool. Additionally, Sindhu holds the tribal *jirgas* (tribal juries) responsible for playing a fundamental and institutional role in promoting such violence. Off-screen commentary points out that in most cases honour-killing has little to do with honour. Instead, financial needs, property disputes, tribal enmities, and family feuds are often the reason behind such killings and violence against women that serves as a convenient cloak for monetary and personal gain. This is a view that is also shared by member of Sindh parliament, Sassi Palejo, who agrees on-screen that the state has completely failed to enforce the writ of law, and that more than 'honour,' honour-killings are an outcome of revenge, and property claims and disputes.³¹⁸

As the film turns to legal complexities and limitations in Pakistan's law enforcement machinery, Zia Awan categorically points out that in Sindh, where most of such honour-killing incidents occur, the feudal and tribal clique is so strong that the police, courts, lawyers, and municipal authorities, etc, are rendered helpless even if they wish to investigate. Awan blames this on the entrenched power the tribal and feudal elites enjoy in these areas:

³¹⁸For a high profile case of *karo kari* in which an accused woman and her family have been seeking government help to provide them protection and justice, and the state's apathy to address their problem, see Bashir, Mahtab. 'Karo Kari Victim Announces Hunger Strike Unto Death.' The Daily Times, June 3, 2011. Accessed at: http://dailytimes.com.pk/default.asp?page=2011%5C06%5C03%5Cstory_3-6-2011_pg11_8 on June 3, 2011.

'The law enforcement and court systems all fail if a *wadera* (landlord, or tribal chief) calls a meeting in his constituency and forbids them from becoming witnesses or a complainant. If no one goes as a complainant, what will you do? How will the police prove its case when there are no witnesses or complainants? So, the whole official machinery will fail when the *wadera* and the parallel *jirga* system is there.'

An ordinary rural man (in the film) confirms Awan's analysis: '*karo kari* is an honour issue that can only be resolved through a *jirga*.' On her part, Amar Sindhu believes that the institution of the *jirga* system not only justifies honour-killings but has been sustaining it: 'As one of our *sardars* (tribal chief) said about the *jirga* system on the record "these are our income-generating units."

Refuting any claims for the justification of the *jirga* system, Asad Ullah Bhutto points out in the film that there is no such concept in Islam, as instead Islam has a judicial system. He asserts that the *jirga* system enjoys government protection and support, therefore no one can stop their functioning. Bhutto informs of an incident where no less than the Chief Minister of Sindh himself participated in a *jirga* meeting to settle a dispute.

The former Chief Justice of the Sindh High Court, Nasir Aslam Zahid, clarifies for the audience that the *jirga* system is a tribal social custom established over the centuries that the Pakistan government does not recognize. However, he points out that despite two judgments by the Sindh High Court in 2004 that termed *jirgas* as unconstitutional even in the tribal areas, a study conducted by the Human Rights Commission of Pakistan (HRCP) reported that up to 40 *jirgas* had been held even after this decision.³¹⁹ Zahid also confirms that these *jirgas* have been presided over by ministers, bureaucrats, members of national and provincial assemblies, and others. The most significant legal point that he turns the viewer's attention to is that women have no audience in *jirgas*: 'A woman cannot appear before a *jirga*. How can you decide a case relating to *karo kari* or any other immoral conduct against a woman unless you hear that woman?'

³¹⁹For details on the Sindh High Court ruling see IRIN. 'Pakistan: Focus on Court Decision Banning Jirga Trials.' Accessed at: <http://news.irinnews.org/Report.aspx?ReportID=24213> on June 15, 2011.

Sarfraz Khan Jatoy, an advocate of the Sindh High Court, also agrees in the film that the government is supporting the *jirga* system because it has weakened other law-enforcement and legal institutions so much that people have no other avenue than to turn to *jirgas* for speedy decisions: 'Even government functionaries have lost faith in their institutions.' This view is shared by politician Jani Mohammad who also asserts that he has received letters from local level magistrates admitting their inability to settle disputes: 'Courts are unable to settle a dispute even after 15 years. Those decisions have been taken by us.' This reveals an insight into the limitations of the Pakistani judicial system yet again, and its process of litigation that is too lengthy, ineffective, and expensive.

Journalist Nisar Khokhar sheds light on yet another aspect of *karo kari* and its implications for women, one that belies all claims of justice and 'honour' on the part of the *jirga* system, and those claiming to mete out justice on the pretext of upholding morality. Khokhar points out that *sardars* have courts in various areas of Sindh right next to their houses, and it is here that *kari* women are kept in the servant quarters where they remain as long as she is with the *sardar*. 'If the *sardar's* son fancies the *kari*, he will not marry her, but will maintain illicit relations with her forcefully.' This expose of hypocrisy, moral corruption, and exploitation of women already tainted by a tribal system that condemns them to death in any case, is reflective of the doubly neglected rights and marginalized status of Pakistani women by both the state judicial system, as well as tribal customs and legal system. This state of affairs is vehemently denied by *Sardar* Himat Kumharo, chief of the Abro tribe, who claims that it is only particular 'dissatisfied groups' in society that want to malign *sardars* and families of good standing for no reason.

Explaining a tribal *sardar's* psyche regarding the *jirga* system, Dr. Saeed Buzdar, a provincial union council representative, explains that the *sardar*, well aware of the fact that disputing parties and infighting will only strengthen his position as the peacemaker, will never banish any practice that will increase the power of others at the expense of his own. Danish Zuberi, advocate of the Sindh High Court, argues that although President Pervaiz Musharraf's government has termed *karo kari* as murder under the Criminal Law

Amendment Act 2004,³²⁰ the 'waiver' is still there which complicates and weakens the application of the law. She stresses that giving the *wali* (legal heir or guardian) the right to go free in an honour-crime, despite accepting it as a murder, by waiver laws and provisions renders the amendment ineffective, because after all, it is the family members that commit the murder in such cases and can resort to the waiver provision.

Seconding Zuberi's critique of the Amendment Act 2004, Asad Ullah Bhutto expresses his rejection of the concept of the state as '*wali*' as a provision in the Act as it is liable to lead to injustice. He points out that if someone of high standing commits a murder, the prime minister can simply issue a brief directive stating that 'in the name of public interest,' a particular case of *karo kari* crime is withdrawn, and the killers go free just because they were well-connected people.

Turning to the clergy, Saeed Buzdar raises a most important point when he stresses that religious clerics can play a significant and positive role in educating people by condemning the practice of *karo kari* as a 'non-Islamic' act. Similarly, he points to the local government representatives such as district councilors that have access to the grassroots level to check the practice of honour-killings in their respective areas: 'If it wants, the state can play a positive role.' A view shared by an ordinary rural man: 'If the government provides no law, unjust laws will prevail. If it wants, the government can stop injustice.' Commenting on the vast number of committees otherwise formed by the government such as 'peace committees,' Narjees Batool, coordinator for the Sangtani Women Rural Development Organization in Rajanpur, Punjab, points to the need for formulating committees at all levels of the law enforcement machinery such as the lower and upper levels of the police department. These, she argues, would act as deterrents by investigating, recording, and following up on cases of *karo kari* to track down culprits and mete out punishment. But, perhaps it is Zia Awan who lays out the practical roadmap to eliminating the practice of *karo kari* and honour-killings by stressing the need to eliminate the feudal, patriarchal *jirga* system that is the root cause of promoting and supporting such practices. Expressing confidence that powerful laws can eliminate this

³²⁰For details of the Criminal Law Amendment Act 2004 see Ministry of Women Development, Government of Pakistan. 'Legislation/Acts.' Accessed at: <http://www.mowd.gov.pk/1acts.html> on May 17, 2011.

problem, Awan stresses that political and religious parties have to realize the gravity of the problem, and 'use their respective platforms and mosques to preach that elimination of such practices as honour-killings is the real *jihad*, and not those fought at the behest of international donors.'

Shame: A Tale of Karo kari ends with footage of a women's procession carrying placards, demanding justice and legal reforms as a poem by revolutionary Urdu poet, journalist, and human rights activist, the late Faiz Ahmad Faiz, sung by classical singer Iqbal Bano, plays in the background: '*Lazim hai ke hum bhi dekhen ge...* (For certain, we too shall see the day...).' ³²¹

In *Shame: A Tale of Karo kari*, for the first time on film the filmmakers do not simply explain the socio-cultural custom of *karo kari*, but through interviews and talking-heads pinpoint the host of factors responsible for its unabated continuation including the feudal-government complicity through the *jirga* system; neglect and failure of the state to address the issue; lacunae in the *Diyat* law and the concept of the state as *wali*; and socio-economic reasons and excuses. All these factors explain the prevalent exploitation and victimization of women in particular by both the tribal and feudal systems through socio-cultural customs, and state apathy to check or penalize them.

However, what is significantly missing from the film are any views on the topic of honour-killing from rural Sindhi women, or the female relatives of those implicated in *karo kari* cases. This omission in itself is indicative of the feudal and tribal power in the region, and its hold on the population they rule over as chiefs---a hold on power that can only be countered through a strict execution of state legislation, and promulgation of stringent laws and punishments as many point out in the film. As we hear views from various levels of Pakistani society who are united in their criticism of the state's failure to implement adequate legislation and machinery to check and discourage honour-killings, it becomes apparent that this neglect is responsible for the increasing number of such

³²¹This poem by the late Faiz Ahmed Faiz became a rallying point for rights and political activists since it was first sung by Iqbal Bano to a packed and emotionally charged auditorium at the Alhamra Hall in Lahore in 1988 while General Zia-ul-Haq was still in power. His death in a plane crash the same year rendered this poem a symbol of struggle and victory against oppressive regimes, laws, and practices, and is sung widely at crucial junctures and events in Pakistan.

cases across the country. As pointed out by advocate Danish Zuberi in the film, NGOs and the civil society cannot take on the responsibilities of the state as it is too huge a task. For example, as the film points out, there is still no shelter home for women implicated in such cases in Sindh, where most cases of *karo kari* occur.

As 'honour' becomes a relative issue, Pakistan continues to see a surge in 'honour killings' carried out with impunity despite the act being considered murder under state-laws. It is alarming that according to a UN report on Violence Against Women, 4,000 women and men were killed in Pakistan in the name of honour between 1998 and 2003 alone. Of these, the number of women being more than double that of men.³²² Although the media, NGOs, and civil society activists have begun to play a significant role in bringing the issue of *karo kari* and honour-killings in general to public notice, as a documentary film *Shame: A Tale of Karo kari* plays a legislative and deliberative role in drawing attention to the dismal state of affairs that still prevail.³²³

Shame (Mohammad Ali Naqvi 2006)

Mohammad Naqvi's³²⁴ multi award-winning feature length documentary *Shame*,³²⁵ a biographical film supported by interviews, talking-heads, intertitles, and off-

³²²For further details see: UN Entity for Gender Equality and the Empowerment of Women. 'Facts and Figures on Violence Against Women: Honour Killings.' Accessed at: http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=4 on June 15, 2011. (pg-4).

³²³Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

³²⁴Writer, director producer, Mohammad Naqvi is an independent Pakistani/Canadian filmmaker, writer, producer, and director. Among the many awards and honours he has received are: Television Academy Honor, Academy of Television Arts and Sciences (Special Emmy group) 2008; Development In Literacy Honoree 2007, 2009; San Diego International Film Festival, Best Documentary 2008. For further details on Naqvi's productions and work visit: <http://www.linkedin.com/pub/mohammed-naqvi/6/773/b98> Accessed on June 4, 2011.

³²⁵*Shame*. 2006. Mohammad Ali Naqvi. (96-mins). Pakistan/USA. Showtime in Association with Mü Nân Pictures. Showtime Networks, Inc. (Seraiki/Urdu/English subtitles).

screen commentary, documents the shocking ordeal, and defiant and courageous ongoing struggle of Mukhtar Mai over a period of five years (2002-2006) in detail. Over the years, Mai, an uneducated tribal woman who was subjected to 'honour-rape'---in this case gang-rape--- on the orders of a *panchayat* (village council) in June 2002 in the Punjab village of Meerwala, has emerged as an internationally acclaimed champion of women's rights, and pioneer of education in her remote village. Details of Mai's gang-rape first broke in the local media, and soon made international headlines.³²⁶ Although not an isolated case of rape or tribal oppression of women, it was Mai's decision to seek justice through the Pakistani judicial system and the accompanying media attention that highlighted the complexities of the intersection of gender, culture, class and caste/tribe in its most horrendous form.³²⁷

The 'Meerwala gang-rape' story, as it became known in the media worldwide, gained unprecedented attention in Pakistan and abroad, not only because a gang-rape of this nature had taken place, but because this time instead of self-victimization by committing suicide, as is the normal expectation from female rape victims in tribal societies such as Mai's, an uneducated, poor, peasant woman from a lower caste who

Shame has won several international documentary film awards such as the Humanitarian Award-Chicago International Documentary Film Festival; Women in Leadership Award-Full Frame Documentary Festival; American Film Institute (AFI) Project 20-20 Participant. *Shame* has been shown at various international film festivals. These include: Toronto International Film Festival 2006, World Premier; American Film Institute Film Festival 2006; International Documentary Film Festival of Amsterdam 2006 (IDFA); Dubai International Film Festival 2006; Tribeca Film Festival 2007; and many others around the world. Accessed at Mohammad Naqvi: <http://www.myspace.com/shamefilm> on June 4, 2011.

³²⁶In the Meerwala case, a local journalist first reported the incident after which the international media picked it up. Widespread international publicity of the case, as well as pressure from Pakistani rights organizations and activists was instrumental in forcing the Pakistan government to take up Mai's case, and seek a fair trial and judgment.

³²⁷It is pertinent to mention here that within South Asian societies, even the non-tribal ones, there is a strong prevalence of the caste system quite independent of religion, culture, and economic class. Sociologist Chris Smaje points out that the *jati* (caste system) is a dominant force, not only in the tribal communities, but generally also, and it is around this social structure and caste differences that marriages and socialization are based and class distinctions made. He elaborates that people who marry and procreate among themselves pass on their particular *jati* identification to their offspring, so that the *jati* can be regarded as a closed, ascriptive social group. Smaje's analysis of the caste system is also pertinent to present South Asian societies, and reflects on the inequalities inherent in the interaction between castes underlying the Meerwala gang-rape case. Smaje, Chris. 'Race, Caste and Hierarchy.' *Natural Hierarchies: The Historical Sociology of Race and Caste*. Blackwell Publishers, Oxford, UK. 2000. (pg-12).

taught the *Quran* decided to fight back and take her case to court. In doing so, she also challenged the government, the state law-enforcement machinery, and the judicial system to deliver justice. As *Shame* gives Mai and her family the opportunity to record their own version of events and testimonies as opposed to the various differing, and sensationalizing, stories that appeared in the media at the time of the event, we see a biographical and chronological sequence of events and developments emerge.

Shame begins with Mai's earliest recorded interview in June 2002 in which, her face partially covered, with only her eyes conveying her misery, she narrates her ordeal in soft, collected but poignant tones. Between her account and her father Ghulam Fareed's narration we learn how Mai, a woman of the lower caste *Gujjar* tribe, was mercilessly gang-raped on June 22, 2002 in Meerwala by four men, including one of the jurists, on the orders of the local tribal council.³²⁸ The gang-rape was a punishment meted out by a *panchayat* to avenge the alleged illicit relationship between Mai's 12-year old brother, Shaqoor, with a woman of the higher-ranking *Mastoi* tribe. As punishment and to avenge their 'honour', Mai's father was ordered by the *Mastoi* tribal council to bring a daughter from his house to beg for forgiveness as per tradition. As Mai was the eldest at 28 years of age, her father and uncle chose to take her to beg for forgiveness in front of the tribal council. Her voice breaking down, Mai narrates that in response to her pleas for forgiveness, Khaliq, one of her rapists told her 'God is forgiving you' as he dragged her away to a nearby farmhouse where two men were already present. Here, Mai was raped repeatedly as scores of *Mastoi* men stood outside laughing and applauding at what they perceived as justice in the form of 'honour rape,' hence justifying their concept of 'honour for honour.' During her ordeal witnessed by as many as 200 witnesses, Mai recalls crying out 'Will any brother save my honour?' to which no one responded or intervened. As a mark of her final humiliation and the *Mastoi's*

³²⁸Pakistani journalist Abbas Jalbani describes the tribal parallel justice system like this: 'This parallel system of justice is governed by the tribal/feudal lords and is an integral part of these societies, which dominate the rural areas of the country where the majority of the population lives. In most of the decisions of these traditional courts women have to pay for the sins committed (or even not committed, as was the case with the Meerwala victim) by men.' Jalbani, Abbas. 'A Return to Tribalism?' Dawn Weekly Review. September 12-18, 2002. Accessed at: <http://archives.dawn.com/dawnftp/72.249.57.55/dawnftp/weekly/review/archive/020912/review1.htm> on June 18, 2011. (pg-1).

revenge and victory, Mai was made to walk home barely clothed with her father and uncle as the villagers looked on.

Footage of the dusty, narrow road shows the route to Meerwala, lined by a few roadside village vendors, small shops, and fields and huts---a quiet, remote village described as undeveloped and lacking in basic facilities such as a school, roads, telephone connection, and a police station, the nearest one being 18 kilometers away. Off-screen comments describe the village, with a population of 5 to 6 thousand, as cut off from the rest of Pakistan where only 'jungle law' prevails, and all that matters is 'family honour.' We see Mai's house that was to become the focus of such tremendous national and international attention as a simple, sparse rustic structure with a cow and a few goat tied outside. Located only a hundred yards away from hers', the residence of Mai's rapists, the *Mastoi*s, shows their large estate surrounded by lush fields, indicative of their relative wealth, power, and higher status in the community.

In addition to the fate suffered by his daughter, Mai's father narrates the background that started it all when his son, Shaqoor, was taken away by the *Mastoi* tribesmen and sodomized and tortured. He recalls that when registering his son's case with the police, the *Mastoi*s had threatened to kill him, and he had known little that seeking justice would instead lead to the gang-rape of his daughter. Mai had later told an inquiry team on July 4, 2002 that the accusation against her brother was concocted by the *Mastoi* tribe after he had threatened to tell his parents that three *Mastoi* men had sodomized him.³²⁹ Denying any relationship with a woman of their tribe, we see Shaqoor speak of the horrific physical abuse at the hands of the *Mastoi*'s. What is apparent is that two crimes had taken place---one against Shaqoor (sodomy), the other the revenge exacted from his sister (rape). Mai's mother and father speak of their daughter's suffering, revealing how they were pressed by visitors from the village to repeat the gory details of the incident, and continued to receive death threats from the *Mastoi*'s. As the camera slowly pans the Meerwala village, we hear Mai talk of her frame of mind, despair, and humiliation after the rape as village women told her to keep quiet because she was not 'special' and other women had also suffered the same fate---a course of

³²⁹Sheikh, Saleem. 'Shame in the Name of Justice.' The Daily News Weekly Magazine, Lahore, Pakistan. July 16, 2002.

action that she eventually rejected. She talks of the initial days when she contemplated suicide knowing that no one would come forward to confront the *Mastois*. But realizing that the worst had already happened gave her strength and a sense of purpose to seek justice. At this juncture, Mai remembers the point of realization that something in her changed, a change that was to be the beginning of her long, arduous journey through the apathetic Pakistani judicial system.

We see Mai's journey begin with the local cleric, Abdul Razzaq, who offered to help her by speaking on her behalf during his Friday afternoon sermon, and later escorted her personally to the nearest police station to file a complaint while her own family members refused to press charges or testify. After spending hours at the *Tehsil Jatoi* police station and giving statements to three different officers, we see Mai returning home at 11 pm after failing to register her case with the police---a revelation that is reflective of the wider tribal influence and power of the *Mastoi's* as a higher tribe. Even though the gang-rape took place on June 22, 2002, the police registered the case as late as June 30 because of pressure from the socially powerful *Mastoi* tribesmen. Thus another crime was committed by the law enforcement agencies as in a rape case valuable medical evidence was lost by a delay in the medical examination of the victim. It was only when the incident made international headlines that it was dealt with in an appropriate manner and action was taken by the police. As the story drew intense media attention, and rights organizations built pressure for justice, we learn the police arrested 14 people, including members of the tribal council who had issued the verdict.

Clips from Mai's first interview by Mureed Abbas, a local journalist who was the first to report the story in the media, shows her as a frail, broken woman who introduces herself as 30 years old, and a teacher of the *Quran*, which she has memorized by heart. When asked what punishment her rapists should get, she replies without hesitation: 'death.' As for what would be the single most effective tool of defense against such

violations and abuse of women, her reply is 'education.'³³⁰ In the years that were to follow, it was these two objectives that were to transform Mai's life from a docile, broken woman to a vocal, defiant rights activist and educationist who would be acclaimed and honoured internationally for her courage and struggle, becoming a symbol for women's rights and education.

In her memoir entitled *In the Name of Honour*, written in collaboration with Marie-Thérèse Cuny, first published in French and subsequently translated into 23 languages, Mai recounts her transformation from a frightened, docile rape victim to a strong-willed survivor:

Nothing will be "as usual" from now on...I have suffered for days, contemplated suicide, cried my heart out. I am changing, behaving differently, which I would never have thought possible...When I begin this journey into the legal system, a path from which there is no turning back, I am hampered by my illiteracy and my status as a woman. Aside from my family, I have only one strength to call upon: my outrage...Before, I had lived in absolute submission; now my rebellion will be equally relentless.³³¹

Her 'outrage' led to her unfailing pursuit of her quest for justice, which was to eventually lead to the arrest of her rapists. Footage shows Mai making a second trip to

³³⁰Mukhtaran Mai not only survived her ordeal, but also courageously spoke to the media (a rarity itself in Pakistan considering the nature of her ordeal and the stigma attached to a raped woman in an orthodox society) on how she thinks the lot of Pakistani women can be improved. In her first interview to the Pakistani media after her trial she said: 'Education is the key to awareness... This is the most that parents in rural areas can offer their daughters, I still feel deprived of education. The Meerwala incident only strengthened my convictions on the significance of education. For it was educated urban women who supported my decision to take a firm stand in bringing the perpetrators to justice, while I was vilified by the illiterate village women who saw my decision as nothing more than the washing of dirty linen in public... Women should start their struggle against injustice from their homes by resisting domestic violence. Their silence and tolerance encourages men to further suppress them. They should muster courage to resist the hand raised against them.' Saeed, Nadeem. 'Life After the Verdict.' The Dawn Daily, Lahore, Pakistan. December 9, 2002.

³³¹Mai, Mukhtar. *In the Name of Honor: A Memoir*. With Marie-Therese Cuny. Translated by Linda Coverdale. Atria Books, New York, USA, London, UK, Toronto, Canada, Sydney, Australia. 2006. (pg-31).

Mai's book was first published in French language and translation rights were sold to Brazil, Czech Republic, Germany, Greece, India, Holland, Hungary, Indonesia, Israel, Italy, Egypt, Japan, Korea, Latin America, Portugal, Spain, Sweden, Taiwan, the US, Canada, and the UK. For details see: 'After Musharraf, it's Mukhtaran Mai's Book.' Rediff India Abroad. October 12, 2006. Accessed at: <http://www.rediff.com/news/2006/oct/12mai.htm> on June 18, 2011.

the police station, and this time managing to register her case. After the story broke in the international media as well, we see foreign media units, journalists, photographers, and representatives of various NGO's descending on Meerwala, turning the once unknown village into a hub of intense curiosity and activity and focus of interest because of one woman's courageous decision to speak out and be heard. In the midst of such publicity, as the Pakistan government is forced to launch an investigation, we see the Punjab provincial Minister for Women's Development and Social Welfare at the time, Shaheen Attiq-ur-Rehman, visit Meerwala and extend help such as the deployment of guards to protect Mai and her family. Whereas earlier no one had come forward to testify to the horrific crime against Mai, what we now see is a breakdown of barriers of stigma as villagers begin to add their voices of concern, and question the police neglect in not registering the gang-rape case in the first instance.

Footage shows Mai's rapists, now under arrest, being brought to court in shackles as six weeks after the incident the trial begins amidst heavy Pakistani and international media presence such as CNN, Reuters, and the BBC. Indicative of the line of intimate questioning in a rape case, Mai comments off-screen of her unease and fear and at being questioned by the defense lawyers: 'The lawyers asked horrible things, and then I understood why women are afraid of going to court.' Journalist Nadeem Saeed pays tribute to Mai in the film for not backing away from pursuing her case: 'For three days Mai stood in court answering all kinds of questions. Even men would sweat at doing this.' Eventually, six of Mai's rapists were sentenced to death.

Although the *Mastoi's* never registered a police case against Mai's brother for allegedly raping their daughter, Naqvi shows us their clan giving their version of events. They accuse Mai of concocting the entire episode of the gang-rape, terming it the 'biggest lie in the history of Pakistan.' However, ten weeks after Mai's rape, we see Yaqoob Khan, defense attorney for the *Mastoi's*, informing the media persons that the judge has reached a verdict: of the fourteen arrested, six men are given the death penalty--- four for rape and 2 for abetting the crime---besides a fine of Rupees 40,000 each. Eight men have been set free. Nevertheless, the attorney expresses hope for a better verdict on appeal by the *Mastoi's*.

As *Shame* moves into 2003, Naqvi gives us footage of the changes and developments that have taken place a year later. Though still her frail self, Mai is picking up her life but her anger has subsided little as she voices that the only punishment that would satisfy her is the death of her rapists which she will believe only when the verdict is carried out: 'I keep thinking their spirits are going to return from the gallows to haunt me.' This was to prove an ominous thought that, in retrospect, would materialize some years later. Mai informs us that after her trial, other women in the area have begun to come forward and report cases of abuse against them to the police. Footage shows the construction of a girl's school in progress, a police check-post with four officers on duty, and a 24-hour police security outside Mai's house---provided by the government due to continuing death threats from the *Mastoi*s. Speaking of her trip to Spain, where she was invited to the International Women's Rights Forum as a delegate in February 2003, Mai regrets that her lack of education proved to be a hurdle in participating and interacting with others, stressing once again her belief that education is the strongest tool against oppression. Of the Rs 500,000 cheque that the government of Pakistan gave her to honour her bravery she says: 'I could have left Meerwala, but the people would have stayed the same forever. So I started a school.' Clips show the lively environment of the Government Mukhtar Mai Girls School in session, where up to a hundred girls are now receiving free education. Further, journalist Nadeem Saeed informs us that the village has been renamed after Mai's father, a dual carriageway is under construction, electricity has been provided, and plans are afoot for the construction of a boy's school as well. Intertitles confirm that the government built the Ghulam Fareed Government Primary School for Boys in 2003.

Against these transformations, and in the return to comparative normalcy, for the first time we also hear the *Mastoi*'s version of events. Despite the fact that the *Mastoi*s never filed formal charges against Shaqoor, Salma Mastoi maintains that she was raped by six men, the last being Mai's brother Shaqoor. Accusing a child of 12 from a lower caste of rape is in itself an incredible expose of tribal power that is exercised by the *Mastoi*'s to influence and manipulate events and decisions by using their own women to testify and support them. We see Taj Mastoi in her surprisingly impoverished domestic surroundings despite belonging to a higher caste and status, who tells us that three of

her sons are rotting in jail for the alleged gang-rape of Mai, and she now has no help with the crops, or the cattle. She vents her bitterness against Mai:

‘She is free to meet President Musharraf or the governor. She now travels on a plane, with cars, special bodyguards...I am a widow. Mai is fighting with a widow...Let Mai’s father come to my face. I will ask him who are the real criminals here, you or us? Which side committed a crime first? You or us? They have made us suffer. God will soon return the favour.’

Naqvi’s depiction of a woman left to fend for herself is reflective of the fact that perhaps as tribal women in a patriarchal society Salma Mastoi, Taj Mastoi, Mukhtar Mai, and others like them, all have an uphill task regardless of the truth of the case, and verdicts reached.

On his part, Mai’s father, while acknowledging the positive changes that have taken place in the village such as the construction of schools and roads, says that he still has to live with the stigma and comments about his daughter and son. Similarly, Mai too says that the local village women still look down on her and don’t understand her, while it is the urban, educated women who look on her as a symbol of integrity and courage in a male dominated society.

As *Shame* progresses to 2004, we see the arrival of Naseem Akhtar, an educated woman who has joined Mai in her educational and welfare work. Akhtar points out that Mai’s efforts have changed the destiny of the people of Meerwala despite the firm control of the feudal lords who resist any progress such as schools, electricity, roads, and police presence. Nicholas D. Kristoff, the New York Times journalist who was present in Pakistan on other business as Mai’s story broke in 2002, also makes an appearance. He speaks of writing about Mai’s ordeal in NYT that resulted in a massive outpouring of support, and donations to the tune of \$130,000 which went towards the development of her educational efforts. Clips show bare classrooms where earlier children had sat on the floor replaced by neat rows of tables and chairs. The enrollment stands at 350 girls now, and a growing staff, while plans are underway for an expansion to include a high school, and eventually, a college.

In a sudden twist of events, perhaps the worst was yet to come in 2005. Three years after Mai’s ordeal, we learn that on appeal five of the six men sentenced to death

in her gang-rape case will be freed in a fortnight by the Lahore High Court Multan Bench due to lack of evidence. As media frenzy grows, NGO activists once again rally to Mai's support, both in Pakistan and abroad. The court ruling attracts support from the New York based Asian-American Network Against Abuse of human rights (ANAA) and its founder Dr. Amna Buttar. Mai says she fears for her life even more now. Talking to the press, she breaks down as she appeals to the prime minister of Pakistan for help. She says she finds this court decision more disturbing as this time it has been passed by educated people as opposed to a tribal council that had sentenced her to gang-rape in 2002.

In addition to her appeal in the High Court, we see Mai meeting the then Prime Minister of Pakistan, Shaukat Aziz, who orders four of the accused to be re-arrested.³³² Against these developments, we see Mai being invited by ANAA and Amnesty International (AI) to speak at a Women's Rights Forum in the US. Once again, the government steps in but this time to detain her from leaving the country. We learn that Mai has been put under house arrest, and later taken to an undisclosed location in Islamabad while her passport has been confiscated. She reappears after 48 hours, making an appearance at a press conference accompanied by Nilofer Bakhtiar, the then Pakistan government Advisor on Women's Development who carefully orchestrates the event, and displays a guarded stance on behalf of her government. Bakhtiar dismisses any intervention in Mai's disappearance, and regards the entire episode as a 'misunderstanding,' saying that Mai had postponed the US trip herself because of her mother's illness.' On her part, Mai does not hesitate to contradict Bakhtiar, telling the press that she had been forcefully put under 'house arrest,' a point that a reporter pursues ('Madam, she is saying in front of you that she was under house-arrest') but to little avail as Bakhtiar hurriedly concludes the press conference.

In a later interview in the film, Bakhtiar admits that President Musharraf stopped Mai from visiting the US as he felt that her case would go against the image of the country. It is pertinent to point out in retrospect that the president had felt no remorse at

³³²For further details on this development, see BBC. 'Pakistan Rape-case Men Rearrested.' March 18, 2005. Accessed at: http://news.bbc.co.uk/2/hi/south_asia/4361289.stm on June 4, 2011.

his actions. This is evident from his callous remarks in an interview he gave to the New York Times in September 2005, enraging rights activists and the international community. He stated: 'You must understand the environment in Pakistan. This has become a money-making concern. A lot of people say if you want to go abroad and get a visa for Canada or citizenship and be a millionaire, get yourself raped.' In reply, Mukhtar Mai had told the BBC: 'I offer all the riches I've made out of the *panchayat*-enforced gang-rape to the president in return for justice.'³³³

As life moves on, clips now show a confident and highly motivated Mai running her own NGO, the Mukhtar Mai Women's Welfare Organization (MMWWO), as work continues on a girl's high school in the village from donations.³³⁴ Besides the schools, the MMWWO board now also lists the Mukhtar Mai Community Dairy Farm, and Women's Crises Relief Centre. Future projects list a health centre, shelter home, and a women's resource center. By contrast, clips of the *Mastoi* home depict a gloomy, and forlorn picture as their family members continue to blame Mai for minting money from their misfortune. Eventually allowed to travel to the US under growing pressure on the government, we see clips showing Mai receiving international acclaim for her efforts and struggle as she is given a standing ovation by Hollywood celebrities such as Catherine Zeta Jones, Brooke Shields and others at the 2005 Glamour Awards in the US. Attending a glittering ceremony at New York's Lincoln Center, dressed in her national dress---a simple white *shalwar kameez*--- and receiving the Glamour magazine's 'Bravest Woman of the Year Award 2005,' Mai shyly utters a one line speech in Urdu: 'My message is to eradicate oppression with education.' CNN journalist Christiane Amanpour applauds Mai's courage in traveling and telling her story despite discouragements. Other engagements and recognition show Mai as a guest at the closing of the NASDAQ stock market in New York, and receiving an award at the 'Vital

³³³BBC News. 'Outrage at Musharraf Rape Remarks.' September 16, 2005. Accessed at: http://news.bbc.co.uk/2/hi/south_asia/4251536.stm on June 18, 2011.

It is ironic that Mai's memoir 'In the Name of Honor: A Memoir' was also published in 2006 in the US by the same publisher, Simon and Schuster, that published President Musharraf's biography 'In the Line of Fire.' For details see: Stop Honour Killings! 'Musharraf's US Publisher to Bring Out Mukhtaran Mai Book.' Accessed at: <http://www.stophonourkillings.com/?q=es/node/728> on June 18, 2011.

³³⁴For details on the Mukhtar Mai Women's Welfare Organization (MMWWO) visit: <http://www.mukhtarmaimmwo.com/womens-resource-center.html> Accessed on June 1, 2011.

Voices' Global Leadership Award Ceremony' in Washington DC with Hilary Clinton in attendance.³³⁵

Mai, now visibly plump, relaxed, and smiling easily, is shown sightseeing in New York, and meeting the Mayor of Las Vegas. We also see a still photograph of Mai holding a copy of her memoir 'In the Name of Honor' first published in France.³³⁶ Adding to her achievements and recognition, Time magazine cites her on its 2006 list of the 100 most influential people in the world. Mai shared this distinction with President Pervaiz Musharraf, a man who had earlier accused her of opportunism in 2005.³³⁷ However, despite the remarkable strides Mai may have made in her individual capacity, how much still remains unchanged is conveyed from a phone call between the filmmaker and Mai on her return to the village. She is shocked to learn that a nine-year old student from her school has been raped. But this time, we learn that Mai has acquired the capacity to get the girls' rapists arrested.

As *Shame* enters 2006, we see Mai's Welfare Center now turned into a hub of activity where a steady stream of women visit her to seek advice on their problems. A school poetry recitation ceremony with girls and boys from Mai's schools also includes a boy from the *Mastoi* tribe who is enrolled there. As she continues with her social work

³³⁵Among other honours and awards that Mukhtar Mai has received over the years were an invitation to address an assembly at the UN Headquarters in New York in May, 2006.

In 2006, the Council of Europe awarded her the North South Prize 2006. Accessed at: http://wn.com/North-South_Prize on June 4, 2011.

In 2010, the Laurentian University, Sudbury, Canada conferred an honorary doctorate degree on Mukhtar Mai in recognition of her struggle for women's rights. Geo Television Network. 'Mukhtar Mai to Receive Honorary Doctorate Degree.' June 11, 2010. Accessed at: <http://www.geo.tv/6-11-2010/66495.htm> on June 4, 2011.

³³⁶Her memoir entitled 'In the Name of Honor: A Memoir' was published in New York in 2006. According to the New York Times, it became the number three bestseller in France and has been translated into twenty-three languages. For further details see: Oslo Freedom Forum. Accessed at: http://www.oslofreedomforum.com/speakers/mukhtar_mai.html on June 4, 2011.

³³⁷President Pervaiz Musharraf of Pakistan and Mukhtar Mai both shared the distinction of being listed among the 100 most influential people of the world by Time magazine in 2006. While Musharraf was listed under the 'Leaders and Revolutionaries' category, Mai was honoured in the 'Heroes and Pioneers' list. The Daily Times. 'Musharraf, Mai on Time Magazine's 100 List.' May 2, 2006. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2006\05\02\story_2-5-2006_pg7_28 on June 3, 2011.

despite constant death threats from the *Mastoi*s, she reflects: 'Had I left and not struggled, there would have been no schools, electricity, and people's lot would have been the same.' As *Shame* ends its biographical journey in 2006, we learn that Mai, enrolled in her own school, is now in grade five while her case is pending in the Supreme Court of Pakistan.

Whereas Naqvi's film has shown us Mai's personal ordeal push her into the limelight because of her unrelenting defiance, her struggle at the hands of the Pakistani legal system was to bring her back to square one. Mai's case had been pending in the Pakistan Supreme court since 2005, while six of the fourteen men sentenced to death in connection with the gang rape were still in custody pending a retrial. In February 2009, it was again postponed for hearing indefinitely. As she continued to fight for justice, Mai's lawyers suspected political interference from influential tribal leaders.³³⁸

Despite Mai's determined, arduous struggle through Pakistan's legal system, it became a cause of national and international shock when on April 21, 2011 the Supreme Court of Pakistan upheld the decision of the Lahore High Court that had cited lack of adequate evidence, and acquitted five of the six men charged in her gang-rape in 2002.³³⁹ The Supreme Court also upheld the decision of the lower court that had included commuting the death penalty of the sixth man to life imprisonment. Although Mai has once again filed an appeal, she said in an interview to the BBC minutes after the verdict that she had lost all faith in the Pakistani legal system, and now feared for the security of her family and her life:

'The police never even recorded my own statements correctly. I don't have any more faith in the courts. I have put my faith in God's judgment now. I don't know what the legal procedure is, but my faith [in the system] is gone. Yes, there is a threat to me and my family. There is a threat of death, and even of the same thing happening again. Anything can happen.'³⁴⁰

³³⁸Kristof, Nicholas. 'Mukhtar Mai's Case in Pakistan.' Nicholas Kristof. March 2, 2009. Accessed at: <http://kristof.blogs.nytimes.com/2009/03/02/mukhtar-mais-case-in-pakistan/> on April 24, 2010.

³³⁹BBC News South Asia. 'Pakistan: Acquittals in Mukhtar Mai Gang Rape Case.' April 21, 2011. Accessed at: <http://www.bbc.co.uk/news/world-south-asia-13158001> on June 11, 2011.

³⁴⁰Ibid. Accessed at: <http://www.bbc.co.uk/news/world-south-asia-13158001> on June 11, 2011.

Shame is as much about the parallel tribal legal system, as it is reflective of the miscarriage of justice through the gender-biased Pakistani state legal system. In *Shame* we saw the story of an uneducated, peasant woman's lonely struggle against all odds—yet the Pakistani legal system has let her down repeatedly after waiting for justice for nine years. The significant point in the Meerwala gang-rape case is that this was a solitary incident that received unprecedented coverage and attention in the local and international media, as compared to the countless cases that go unreported altogether in the face of tribal and class power, which is further compounded by women's inferior status in the patriarchal society of Pakistan.³⁴¹ Although Mai's struggle has today become symbolic of a simple woman's courage and resolve to fight back, and seek triumph over a tribal system that continues to sacrifice and humiliate women as symbols of their 'honour,' I am reminded of Pakistani poetess, writer and women's rights activist, Kishwar Naheed, who had expressed her serious doubts and fears despite the initial just and favourable verdict in the Meerwala gang-rape case:

The Meerawala case is not the first such case which has taken place in Pakistan. Rather, every day several such cases occur but are not reported. I still fear that any day Mukhtar Mai will be killed and after a while the culprits will be freed on some pretext or the other. The system in Pakistan has gone back from feudalism to tribalism. Women have become the symbol of revenge, whether it is Benazir Bhutto or Mukhtar Mai.³⁴²

Mohammad Naqvi's *Shame* is significant in its filmic expose and contextualization of the role caste, customs, patriarchal power structures, notions of honour and shame, the *jirga* and *panchayat* system, tribal modes of revenge, and tribal mindsets play in the victimization of women to exert and uphold their power and status. The film pays tribute to a lone woman's courage in taking on all these marginalizing,

³⁴¹The Human Rights Commission of Pakistan's annual report concluded on the status of Pakistani women: 'Despite making up almost 51 percent of the population, women continue to face a discriminatory status within society. Most alarmingly, it was found that violence against them, in almost every form, was on the rise. A woman was raped every two hours somewhere in the country, while hundreds became victims of 'honour' killings and rape, domestic violence, burnings and murder. Perhaps the most distressing part of focusing on women's rights in Pakistan is the fact that many cases that are brought to the limelight, with media attention and involvement of non-governmental organizations (NGOs) at some stage peter out. They make the headlines for a few days---and then are forgotten. Other women suffer abuses in silence for years, die violent deaths and get buried in unmarked graves.' *Human Rights Commission of Pakistan Annual Report*. Pakistan, 2002.

³⁴²Personal communication with Ms. Kishwar Naheed, September 20, 2002.

victimizing, and discriminatory practices and attitudes, allowing Mai the space and empowerment to offer a filmic testimonial of her ordeal from her perspective. In retrospect, *Shame* today holds authenticity value as what can be termed as a judicial historiography of the earliest days of Mai's trial, and the subsequent dismal performance of Pakistan's judicial and state players. Spanning several years since the Meerwala gang-rape incident took place, this biographical film remains significant in its activist intent of documenting and exposing tribal gender-specific violence, and state apathy and failure in such matters, particularly through the gender-biased judicial process and law enforcement machinery in Pakistan.

Samar Minallah: Ethnomedia Communication for Development

Samar Minallah, with an M.Phil degree in Anthropology and Development from the University of Cambridge, UK, took up documentary filmmaking primarily to address issues of social and tribal practices and oppressive traditions that affect women and young girls in the North West Frontier Province of Pakistan (NWFP) (now renamed the Khyber-Pakhtunkhwa province (KP)), an ultra-conservative *Pakhtun* tribal region historically associated with rigid socio-cultural customs that operate in accordance with notions of 'honour,' particularly in the treatment and status of women. For over two decades now, as an anthropologist, journalist, freelance writer, human rights activist, and now documentarist, Minallah, a multi-award-winning independent filmmaker, and a *Pakhtun* woman herself, has focused on investigating and critiquing tribal customs, and women's rights issues that had traditionally been ignored and remained out of public view and debate in the region, and adjoining Afghanistan that shares the *Pakhtun*

cultural norms and languages.³⁴³ With a distinctly activist focus, Minallah's Islamabad-based non-governmental organization, Ethnomedia Communication for Development, of which she is the executive director, was founded in 2004 as an independent media think tank that uses media for social change, and specializes in producing advocacy and consciousness-raising films.³⁴⁴ The organization continues to collaborate with local and international civil-society and government/non-government organizations to produce documentaries with an activist focus, besides engaging in public forums, workshops, and advocacy campaigns on culturally controversial and sensitive issues that have included honour-related tribal customs and practices such as *Swara*, violence against women, girl's and women's rights, and taboo health issues.

For the scope and length of this chapter, I will specifically discuss Minallah's widely screened film *Swara: A Bridge Over Troubled Waters* (2003) that was part of her initiative against the tribal practice of *Swara* and made legislative history in Pakistan as it forced the government to criminalize the practice of giving away of minor girls and women through forced marriages as compensation to settle disputes.³⁴⁵ Other films by

³⁴³Samar Minallah has received both national and international recognition for her work for civil rights and support of disadvantaged groups, particularly women in Pakistan. Among the many awards she has received are: The Unicef Child Rights Award 2005; Perdita Huston Activist for Human Rights Award 2007 for her film *Swara: A Bridge Over Troubled Waters* (2003); UNESCO Best Documentary Filmmaker Award 2007 for her film *The Silver Lining: HIV and AIDS* (2007) on HIV/AIDS and women in Pakistan; International Roberto Rossellini Award 2009 (Italy); Cannon Award 2009 at the International Film Festival (Italy); Center for Civic Education Pakistan Civic Courage Award 2010; and the Pakistan Women's Day Award 2011 for challenging patriarchal traditions through media documentaries. This award was given to her by the National Commission for the Status of Women (NCSW), Government of Pakistan.

³⁴⁴Lesage, Julia. 'The Political Aesthetics of the Feminist Documentary Film.' *Issues in Feminist Film Criticism*. (ed) Patricia Erens. Indiana University Press, Bloomington and Indianapolis, USA, 1990. (pg-224).

³⁴⁵It may be mentioned here that Pakistan ratified the United Nations Convention on the Rights of the Child in 1990, although this ratification has had little or no bearing on children's rights in the country given government apathy in such matters, and tribal and socio-cultural traditions and practices that remain unchecked. United Nations Treaty Collection: Convention on the Rights of the Child. Accessed at: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en on July 6, 2011.

Ethnomedia Communication for Development, some made in collaboration with international NGO's such as ActionAid, Heinrich Boll Stiftung Foundation, Befare, and the International Labour Organization (ILO), will be discussed briefly to give a sense of the variety of social and rights issues the organization has taken up for filmic representation to raise awareness.

Swara: A Bridge Over Troubled Waters (Samar Minallah 2003)

In addition to being the lead researcher for the first statistical research on the custom of *Swara* in various districts of the NWFP in Pakistan which was shared with policy makers, media, law enforcement agencies and other stake holders, Minallah's outstanding achievement has been her ground-breaking 40-minute expository documentary *Swara: A Bridge Over Troubled Waters* (2003) that put the issue on the national radar.³⁴⁶ The documentary challenged the age-old tribal custom of *Swara* as practiced in the NWFP that allows minor girls, even newborns, or in some cases even unborn ones, to be exchanged as commodities and compensation in marriage between rival or disputing groups as a peace-making arrangement to settle feuds, regain lost

Pakistan's ratification of the UN Convention on the Rights of Child in 1990 prohibits child marriages. In addition, under the Muslim Family Law Ordinance 1961, a girl must have attained the age of 16 and a boy must have attained the age of 18, and both need to consent before the marriage can take place. Pakistani laws such as the Marriage Restraint Act 1929 and the Pakistan Penal Code (articles 310 & 338-E) also prohibit and criminalize the sale and underage marriage of girls. Amnesty International. 'Child Marriages.' Accessed at: http://asiapacific.amnesty.org/apro/aproweb.nsf/pages/svaw_childMarriages on July 6, 2011.

³⁴⁶ *Swara: A Bridge Over Troubled Waters*. Samar Minallah. 2003. (40-min) Ethnomedia Communication for Development for the *Mera Ghar (My Home)* Project of GTZ and the *Aurat* Foundation of Peshawar. Pakistan. (Pushto/ Urdu/ English).

Swara: A Bridge Over Troubled Waters has been aired in various districts and far flung areas of the NWFP (Khyber Pukhtunkhwa province) to create discussion within civil society. It has also been shown at conferences and workshops, as well as aired on various Pakistani television channels such as the state-owned Pakistan Television, Peshawar, and PTV World, as well as independent channels such as Geo Television, and ARY. This film has also been chosen as part of the Amnesty International New York archives because of the strong influence it has had in communication for social change.

Pakistani and international screenings of *Swara: A Bridge Over Troubled Waters* have included: The Regent Park Film Festival, Toronto 2003; South Asian Human Rights Film Festival, New York 2004; Sussex University, UK 2004; Pittsburg University, USA 2004; Amnesty International USA On Campus Film Festival 2004; Syracuse University, USA 2004; Travelling Film South Asia, Columbia University, USA 2004; Mateela Film Festival, Pakistan 2004; South Asian Film Festival, Nepal 2003; Kara Film Festival, Karachi, Pakistan, 2003. Email correspondence with Samar Minallah, July 5, 2011.

'honour,' and avenge murder.³⁴⁷ Under this practice, through forced marriage the 'Swara' woman is condemned to a life of misery and victimization in her in-laws' home as the daughter of the enemy household. In her extensive study on the topic published in 2006, Minallah describes the practice of *Swara*:

Swara is known to many in Pakistan as an alternative dispute resolution mechanism whereby disputes (often murders) are resolved by traditional peace keeping institutions (*jirga*, local council of elders) without having to invest time and money in lengthy judicial processes. The price of this dispute settlement is paid by the women/girls from the family of the aggressor who enter the household of the bereaved family, by way of unceremonious wedlock, to remind the aggressors of the injustice their men bestowed upon the bereaved family.³⁴⁸

The film traces the stories of several minor girls who were given away under the *Swara* custom, depicting the oppressed, and humiliating lives they have been made to lead as 'Swara' women, and the views of their male elders and community members, most of whom support the practice as a legitimate tribal custom. Interviews with tribal leaders, human rights activists, journalists, lawyers, and *Swara* victims and their families reveal the complex layers of tradition, tribal law, and gender biases that exist in the tribal set up. Religious clerics interviewed in the film point out that the proposed marriages of minor girls, whose consent is not part of the *Swara* deal, amount to *nikah-bil-jabr* (forced marriages), which are forbidden by Islam, thus also rendering them illegal in religious terms.³⁴⁹ Also, as *Sharia* already gives the provisions of *Diyat* (blood-money) and *Qisas* (execution of the murderer) for murder and revenge, *Swara* is a purely tribal practice,

³⁴⁷In her study on *Swara*, Samar Minallah points out cases where a *jirga* gave a two-month old girl in marriage to a one-year old boy. Some girls are promised in marriage to men substantially older than them. Similarly, even unborn girls were promised as compensation. *Ethnomedia and Development*. 'Types of *Swara*.' *Swara-The Human Shield: A Study on the Custom of SWARA in North West Frontier Province*. Ethnomedia Publications, Islamabad, Pakistan, 2006. (pg-57).

³⁴⁸*Ibid*. 'Introduction.' (pg-2).

Similarly, Muhammad Ali Baba Khel notes in his study entitled 'Swara: Women as Property' that modes to practice *Swara* can vary due to geographical and cultural variations in different societies, for example in the various provinces and regions of Afghanistan, and the tribal belts in Pakistan. For further details see Baba Khel, Mohammad Ali. 'Swara in Practice.' *Swara: Women as Property*. Aurat Foundation, Peshawar, Pakistan, 2003. (pg-9).

³⁴⁹*Nikah-bil-jabr* (forced marriage) is prohibited in Islam. The consent of a woman in *nikah* (Islamic marriage contract) is obligatory. For details see: Baba Khel, Mohammad Ali. 'Status of *Swara* in Islam.' *Swara: Women as Property*. Aurat Foundation, Peshawar, Pakistan, 2003. (pg-14).

and has no legal or religious sanction under Islam, or the tribal code of conduct of the *Pukhtuns* known as *Pukhtunwali*.³⁵⁰ As off-screen commentary explains the tribal customs and notions of honour, and the dynamics of *Pukhtunwali*, the native tribal unwritten code of law (as opposed to *Sharia* laws in Islamic jurisprudence which are regarded by Muslims as divine laws derived from the *Quran*), interspersed heart-rending images of minor *Pukhtun* girls being led by their fathers to be offered as compensation to enemies through *jirgas* bring to life the callous practice of sacrificing females to appease the acts of men in their societies.

Malik Bilal, a tribal chief from Darra Adam Khel, explains that when the *Sharia* laws of *Qisas* and *Diyat* prove insufficient for revenge, tribal wisdom dictates that a woman be given away as *Swara* so that someday her children will belong to both warring families, and hence the dispute would be settled permanently. (See Appendix 5 for an explanation of the *Qisas* and *Diyat* laws). Under this custom, a woman from the aggrieved family goes to the aggressors/murderers home to select a girl who would be given away at maturity, and once the settlement is reached goats are slaughtered and a feast held to commemorate the occasion, although the marriage ceremony itself would not be commemorated by any festivities. Bilal points out that in the case of an influential person's murder, instead of one, two *Swara* girls are given away as a status symbol. This act of 'forgiveness' or resolution of a dispute is known as '*nanawatay*' in the tribal code of *Pukhtunwali*.

Addressing the legal foundations for *Sharia*, Justice Dr. Fida Mohammad Khan of the Federal *Shariat* Court, Islamabad, explains in the film that punishment according to the *Sharia* law should have four characteristics---it should be punitive, retributive, reformative, and a deterrent---none of which are embodied by the custom of *Swara* since the criminal himself goes free and an innocent female is made to pay the price.

³⁵⁰Samar Minallah points out that not only is the practice of *Swara* un-Islamic but it is also against the basic principles of the *Pukhtunwali* code which considers women as a symbol of honour who are meant to be kept away from the sight of strangers, and more so from the gaze of enemies. Ethnomedia and Development. 'Dynamics of *Swara*.' *Swara-The Human Shield: A Study on the Custom of SWARA in North West Frontier Province*. Ethnomedia Publications, Islamabad, Pakistan, 2006. (pg-53).

Nevertheless, an old tribal man defiantly defends the custom, and does not hesitate to display his contempt in the film for *Swara* women:

'I may accept a *Swara* girl as payment for my son's murder, she will get food and clothing but I will find it very difficult to have any feelings of kindness towards her in my heart. I will not accord her any marriage ceremony. I will simply whisk her away by hand or on horseback. She is the price for my son's death and will be treated accordingly. This is our custom. Of course I will taunt her and humiliate her. After all, she is the price paid for my son's death.'

These comments demonstrate the oppression, ill-treatment, and discrimination suffered by *Swara* women in their in-laws' homes and in society because they are treated as nothing more than constant reminders of the crimes their male family members have committed--hatred and crimes they are not personally responsible for. First-hand accounts in the film from *Swara* women stress the helplessness and despair suffered by them at the mercy of tribal customs. Adding anguish and poignancy to the subject of the film, these tribal women's voices support the filmmaker's intent of raising awareness and opposition to the practice of *Swara* as an illegitimate and brutal means of justice. As the film ends with a small girl being led away by her father to a *jirga*---an image that is repeated throughout the film to endorse the unjust nature of the *Swara* custom---women's testimonies of abusive lives, and men's views that support the practice as an honourable tribal practice establish the fact that the custom of *Swara* is mere revenge, and anything but a genuine and effective form of resolving issues, or eradicating hatred and enmities. There have also been media reports about *Swara* girls being killed by in-laws once they are given away in marriage.³⁵¹

In depicting views and personal stories from a cross-section of society, particularly from *Swara* women themselves, Minallah's *Swara: A Bridge Over Troubled Waters* can be seen as offering a rare empowerment to female victims to come forward and speak out against the unjust custom for the first time. Doing so on film is even more rare considering the conservative environment of the tribal regions and their marginalizing treatment of women. It is no doubt the filmmakers' cultural and gender-sensitive approach that have been instrumental in establishing trust and confidentiality

³⁵¹T. Ebrahim, Zofeen. 'Death Penalty: 'Swara' Killings in Pakistan Continue.' Inter Press Service News Agency. September 27, 2005. Accessed at: <http://www.ipsnews.net/africa/interna.asp?idnews=34896> on July 31, 2011.

with her subjects and female victims of *Swara*, resulting in the investigation of a most neglected, yet significant, issue. Given her own *Pukhtun* ethnicity, knowledge of languages spoken in the region (Pushto/Darri), and her focus on an investigation of specific tribal customs and socio-cultural issues, Minallah's filmic exercise can also be seen as auto-ethnography.³⁵²

It is to her immense credit that in a country notorious for government apathy towards human rights issues, particularly regarding women's rights as we have seen in earlier films, Minallah's activist documentary and persistent campaigning were a key factor in playing a significant legislative and deliberative role³⁵³ by raising countrywide awareness and mobilization against the custom of *Swara*, also practiced by the names of *Khoon Baha*, *Chatti*, *Ivaz*, or *Vanni* under the same dynamics in other tribal regions of the country through the tribal legal system.

Minallah's documentary on *Swara* was used as evidence, and a resource material by the Supreme Court of Pakistan in its case regarding the criminalization of the custom. As a result of the nationwide pressure exerted by Minallah's efforts through the media, her film compelled the Pakistan Supreme Court in 2005 to deliver a benchmark decision that renders the practice of offering and accepting by way of compensation any child, or woman against her free will as a criminal offence under Section 310-A inserted into the Pakistan Penal Code (PPC).³⁵⁴ She has continued to highlight similar tribal

³⁵²Nichols, Bill. 'Why Are Ethical Issues Central to Documentary Filmmaking?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-18).

³⁵³Ibid. (pg-70).

³⁵⁴In 2003, Samar Minallah filed a petition that requested the court to declare the handing over of a female as compensation in any form of settlement, as well as a forced marriage under the custom of *Swara*, as illegal marriage. The case against *Swara* was heard by the Chief Justice of Pakistan, Justice Iftikhar Mohammad Chaudhry, and a *suo moto* notice was taken in December 2005, whereby under landmark orders on December 16, 2005 the Supreme Court of Pakistan instructed the inspector generals of police in all four provinces and in the Northern Areas to act against any incidents of *Swara*-related practices as a criminal offense. Ethnomedia and Development. 'Progressive Directions Under the Supreme Court.' *Swara-The Human Shield: A Study on the Custom of SWARA in North West Frontier Province*. Ethnomedia Publications, Islamabad, Pakistan, 2006. (pgs-26-35).

It may be mentioned here that under Islamic laws of *Qisas* and *Diyat*, only exchange of property, and blood -money are allowed as compensation, not the exchange of human beings. Ibid. 'Petition filed by Ethnomedia in Supreme Court.'(pg-126).

customs as *Swara*, known as *Vani*, *Sungchatti* and *Irchai* in other tribal regions and provinces of Pakistan, through her activist documentary *The Plagued Mindset* (2008).³⁵⁵

Minallah's other filmic topics have included the issue of human smuggling and human trafficking for bonded-labour, slavery, prostitution, and children sent as camel jockeys to the Middle East through organized criminal networks operating in Pakistan and abroad (*The Dark Side of Migration* 2009).³⁵⁶ This documentary has been widely used for advocacy and educational purposes by the Federal Investigation Agency of Pakistan (FIA) and various non-government organizations. Minallah has also focused on the largely overlooked and neglected long-term emotional impact of war on the lives of Afghan refugee women living in refugee camps in Pakistan's NWFP province from their perspectives on the impact of conflict, war, and resultant personal loss (*Dar Pa Dar: Afghan Refugee Women (Where the Heart Lies)* 2008), and internally displaced *Pakhtun* populations from Bajaur Agency in the province due to the often indiscriminate Pak-US-led aerial strikes on *Al-Qaida* and *Taliban* hideouts that have often targeted civilian populations as well in the process (*Da Bajaur Galoona (Homeless at Home)* 2008).³⁵⁷ Minallah has led awareness campaigns, and produced documentaries on issues of health-related stigmas in Pakistani society such as HIV/AIDS, its transmission by migrant workers, and the impact on socially shunned AIDS victims and their families (*The Silver Lining: HIV and AIDS* (2007), and tuberculosis (*Rays of Hope: A Documentary on Tuberculosis* (2008) in the most backward areas of the NWFP region where discussion and seeking treatment for these diseases remains largely taboo.³⁵⁸

³⁵⁵*The Plagued Mindset*. Samar Minallah. 2008. (15-min). Ethnomedia Communication for Development. Pakistan. (Urdu/Punjabi/English/English sub-titles).

³⁵⁶*The Dark Side of Migration*. Samar Minallah. 2009. (25-min). Ethnomedia Communication for Development. Developed and produced in collaboration with ActionAid and Befare with financial assistance from the European Commission. (Urdu/Punjabi/English sub-titles).

³⁵⁷*Dar Pa Dar: Afghan Refugee Women. (Where the Heart Lies)*. Samar Minallah. 2008. (15-min). Ethnomedia Communication for Development. (Pushto/Darri/English sub-titles).

Da Bajaur Galoona. (Homeless at Home). Samar Minallah. 2008. (17-min). Ethnodmedia Communication for Development. (Pushto/English sub-titles).

³⁵⁸*The Silver Lining: HIV and AIDS*. Samar Minallah. 2007. (15-min). Ethnomedia Communication for Development. (Pushto/English/English sub-titles).

Besides television talk shows in local languages such as Pushto and Darri (spoken both in the Khyber-Pukhtunkhwa Province of Pakistan, and Afghanistan), Minallah has also conducted her filmic activism through the potential music and songs have in promoting and popularizing ideas and views. These issue-oriented productions have included a music video that emphasizes the importance of girls' education (*Allaho: A Lullaby for You My Daughter* (2009)).³⁵⁹ This music video makes a significant break with tradition as lullabies in the region are traditionally sung and dedicated to boys as only they are perceived to be precious as heirs, whereas girls are seen as an unwanted burden by parents. Sung by an Afghan woman singer, Naghma, to a lively tune and music, the lullaby is dedicated to girls. Referring to them as the 'jewel of the mother's cradle', the song urges girls to seek education and do well in life in their own right, as opposed to living a sheltered life under male domination. The music video, launched by the Human Rights Commission of Pakistan (HRCP) in Islamabad, Pakistan, has acquired significant importance and popularity as an advocacy tool since hundreds of schools were burnt down in the Northern Areas of Pakistan such as in the Swat Valley, and Afghanistan by religious fundamentalists and the Taliban who opposed girls' education.

The diversity and richness of the *Pakhtun* culture and women are explored and represented in other video songs also (*Shinwarey Lawangeena: Where the Waters Meet* (2006), and *Warwae Lasoona: The Dance of Unity* (2008)).³⁶⁰ In particular, the lyrics of *Bibi Shireenay: Where Honour Comes From* (2007) sung by a male singer, Gulzar Alam,

Rays of Hope: A Documentary on Tuberculosis. Samar Minallah. 2008. (35 min). Ethnomedia Communication for Development in collaboration with the Provincial TB Control Programme, Health Department of NWFP, and the Ministry of Economic Cooperation and Development (BMZ), Government of the Federal Republic of Germany. (Pushto/English sub-titles).

³⁵⁹ *Allaho: A Lullaby for You My Daughter*. Samar Minallah. 2009. (5-min). Ethnomedia Communication for Development in collaboration with HBS Afghanistan, WCLRF, and the Heinrich Boll Stiftung Foundation, Afghanistan. (Pushto/English sub-titles).

³⁶⁰ *Shinwarey Lawangeena: Where the Waters Meet*. Samar Minallah. 2006. (7-min). Ethnomedia Communication for Development in collaboration with the Heinrich Boll Stiftung Foundation, Afghanistan. Pakistan. (Pushto/English sub-titles).

Warwae Lasoona: The Dance of Unity. Samar Minallah. 2008. (8-min). Ethnomedia Communication for Development in collaboration with the Heinrich Boll Stiftung Foundation, Afghanistan. (Pushto/Darri/English sub-titles).

pays tribute to the struggles and contribution of rural *Pukhtun* women to their society.³⁶¹ The folk song video, made as part of the awareness-raising campaign regarding violence against women in collaboration with a women's organization, the *Aurat* Foundation, Peshawar, raises awareness on how women are culturally deprived of their right to inherit property, as well as basic health facilities in the rural areas of Pakistan.

Minallah's productions have been shown in Pakistan's rural areas through mobile screenings, and broadcast on national and regional television channels to generate national debate, while her song videos have met popular demand in the Pushto-speaking regions. Besides film production, and publications, Minallah's organization also serves as an outreach research and resource centre that provides sensitizing workshops on local and tribal issues to religious leaders, media persons, and tribal *jirga* leaders.³⁶²

Most of Minallah's documentaries, especially the award winning *Swara: A Bridge Over Troubled Waters*, are being used for pedagogical, educational, and consciousness-raising purposes around socio-cultural and tribal practices in Pakistan and abroad, including at Amnesty International, while *Bibi Shireenay: Where Honour Comes From* has also been screened at the United Nations Headquarters in New York, USA.³⁶³ What Minallah's filmic contributions may lack in production finesse is more than compensated by her strong activist intent to conduct an expository, issue-oriented cultural investigation into a range of neglected and taboo topics that prevail and undermine human rights in conservative tribal societies such as the Khyber Pukhtunkhwa province of Pakistan.

Conclusion

The contextual reading and discussion of a selection of documentary films in this chapter, both by organizations and independent filmmakers, illustrates the varied issues pertaining to extreme forms of violence and honour-related crimes against women,

³⁶¹ *Bibi Shireenay: Where Honour Comes From*. Samar Minallah. 2007. (6-min). Ethnomedia Communication for Development in collaboration with the *Aurat* Foundation, Peshawar, and GTZ. (Pushto/English sub-titles).

³⁶² For details on Samar Minallah's filmography and Ethnomedia Communication for Development projects visit: <http://www.ethnomedia.pk> Accessed on July 9, 2011.

³⁶³ Email correspondence with Samar Minallah, July 5, 2011.

gender-discrimination and biases, and violation of their individual and human rights. Additionally, these investigative, expository, observational, and biographical films draw attention to the inadequate legislative measures, corruption in the Pakistani law enforcement-machinery, and state apathy in dealing with the aforementioned issues, and the socio-cultural and tribal agendas and customs that support and strengthen the brutalization of women in Pakistani society, rendering them victims of a vicious system.

Beginning with *Stove Burning: Neither Coal Nor Ashes* (1993) and *Burnt Victims: Scars on the Society* (2002), we get a chilling insight into the patriarchal power structures and mindsets that invoke and justify the victimization of women, domestic violence, even murder, with impunity. By documenting and showing the plight of actual female victims of stove-blasts and acid-attacks, as activist rights organizations both *Simorgh* and the AGHS Legal Aid Cell have given the subjects of their films a rare voice and chance to exhibit their predicament, highlighting the dangers and cruelty meted out to women in a society and legal system that offers them little protection, and almost no justice. Images of ghost-like disfigured and badly burnt women are testimonies of ruined lives with a bleak future and poor ability to lead independent lives, while ineffective legal directives, and state indifference to the widespread menace of burning, defacing, and murdering women for revenge, monetary gains, or as acts of sheer hatred continue to act as facilitators for such crimes. On the other hand, the success of Sharmeen Obaid-Chinoy's Oscar-winning film, *Saving Face* (2011), and the subsequent Anti-Acid Campaign launched by the film team, have not only been instrumental in bringing the brutal crime of acid-attacks on women to centre-stage prominence, both in Pakistan as well as internationally, but also stresses the legislative and pedagogical value of documentary cinema as a cross-cultural tool in the service of consciousness-raising, justice, and social change.

Shame: A Tale of Karo kari (2005) makes a valuable contribution in tracing not only the roots and practice of honour-killings, but also in holding the state accountable as the final authority in promulgating and expediting adequate laws, and protecting its citizens. As a filmic expose of problematic legislative lacunas, tribal power, and government apathy that tends to aid brutal murders to be committed with impunity in the name of perceived 'honour,' the film holds a historical and legislative significance as it pieces together the many complex and urgent socio-legal factors that need to be

addressed by society and the state. In presenting the many aspects relating to the crime and issue of honour-killing, the documentary serves its activist intent as it brings together and exposes the key underlying factors of economic gain, cultural and tribal power structures, failure of state laws and institutions, state complicity with the tribal and feudal system, judicial and state gender-biases, and the victimization of women in particular on the pretext of honour and morality that instigate such murders. In doing so, the film plays a deliberative and legislative role by identifying areas where changes in laws and law-enforcement mechanisms need to be revised and applied.³⁶⁴

Compressing a tribal woman's struggle against all odds into 90 minutes, we see Mohammad Naqvi's documentary *Shame* (2006) play an important archival role by documenting the time-frame and sequence of Mukhtar Mai's gang-rape case over a period of five years. Naqvi's biographical approach, compilation of media footage and stills, and documentation of the sequence of key events surrounding Mai's case and the developing story carefully pieces together the transformation of an unknown woman into an internationally acclaimed rights activist, and the obscure village of Meerwala into a hub of social welfare activity. As opposed to the many sensationalizing print media stories that have abounded in both the local and international media about the Meerwala gang-rape case, *Shame* brings to life the voices and sights of actual victims, and the locales, courthouses, and the changing landscape as developments such as new schools and social welfare activities begin to emerge. In doing so, Naqvi's observational and participatory documentation acquires the activist value of the 'committed documentary' that is positioned to seek accountability for its subject.³⁶⁵ As *Shame* acquires its own archival significance in a case that still remains unresolved, it also plays a deliberative and judicial role in highlighting not only the brutality of tribal customs and practices, but equally the gender-biases prevalent in the state law-enforcement machinery, drawing attention to the dangers, limitations, and hurdles that prevail and

³⁶⁴Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

³⁶⁵Waugh, Thomas. 'Why Documentary Filmmakers Keep Trying to Change the World, Or Why People Changing the World Keep Making Documentaries.' Waugh, Thomas. (ed) "*Show Us Life: Towards a History and Aesthetics of the Committed Documentary*". The Scarecrow Press, Inc. Metuchen, N. J., and London, USA, UK, 1984. (pg- xiv).

need to be addressed.³⁶⁶ The film can be seen as a critical cultural-judicial historiography of the Pakistani tribal legal system versus the state criminal justice system in the Meerwala gang-rape case as it draws attention to the wider issue of marginalization of women's rights and their oppression.

Similarly, the filmic body of work being produced by Samar Minallah's Ethnodmedia Communication for Development today stands as a strong and significant ally in pushing for social change, and legislative reforms. Minallah's film entitled *Swara: A Bridge Over Troubled Waters* (2003) addresses the oppressive tribal custom of *Swara* whereby minor girls are given away as compensation. As a documentary film that actually aided in the criminalization of such customs,³⁶⁷ *Swara* testifies to the utility of documentary cinema in the service of human rights and social change.³⁶⁸ Her activist filmmaking style that focuses on case studies and testimonies of victims of tribal practices embodies a cultural sensitivity to the regional conservative environment, its customs, traditions, and socio-political landscape. As a *Pakhtun* woman conversant in the regional languages, and the socio-cultural nuances and constraints of the people and culture she investigates, as an 'insider' Minallah has been successful in encouraging her subjects, particularly women, to confide and open up about controversial and personal issues in a most conservative society.³⁶⁹ Today, Minallah's films and her organization stand as significant human rights advocacy tools and educational forum

³⁶⁶Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

³⁶⁷Section 310-A inserted into the Pakistan Penal Code (PPC) Criminal Law (Amendment) Act now states the following penalty for exchange of girls or women as compensation: 'Whoever gives a female in marriage or otherwise in *badl-e-sulh* (compensation) shall be punished with rigorous imprisonment which may extend to ten years but shall not be less than three years.' Minallah, Samar. 'Judiciary as Catalyst for Change.' (pg-5). Accessed at: http://www.google.ca/webhp?client=firefox-a&rls=org.mozilla:en-US:official_s&hl=en&btnG=Google+Search#hl=en&client=firefox-a&rls=org.mozilla:en-US%3Aofficial_s&q=JUDICIARY+AS+A+CATALYST+FOR+SOCIAL+CHANGE+++++swara&oq=JUDICIARY+AS+A+CATALYST+FOR+SOCIAL+CHANGE+++++swara&aq=f&aqi=&aql=undefined&gs_sm=e&gs_upl=22068123700121515101410101174117410.111&bav=on.2,or.r_gc.r_pw.&fp=c2d97aa97860317&biw=1193&bih=535 on July 5, 2011.

³⁶⁸According to Samar Minallah, so far around 70 girls have been saved from being forced into *Swara* forms of marriages in cases where the Supreme Court of Pakistan intervened based on the petition filed by her. Many others have been recovered as cases are reported to the police. Email correspondence with Samar Minallah on July 31, 2011.

³⁶⁹Trinh, T. Minh-ha. 'An All-Owning Spectatorship.' *When the Moon Waxes Red: Representation, Gender, and Cultural Politics*. Routledge, New York, USA. 1991. (pg-81).

that continue to address and investigate socio-cultural issues with an emphasis on social change and reform.

Together, these documentary films, filmmakers, organizations, and collaborations represent women's gender-violence issues, and the abuse and violation of their human rights both as individuals and as Pakistani citizens, while the contextual analysis also situates their own political, personal, historical, social, cultural, and institutional positioning as activists in the process for change.³⁷⁰ In addition to independent filmmakers and collaborations between rights and activist organizations in the preceding chapters, films in this chapter illustrate that production of issue-oriented films from non-governmental organizations, as well as the emergence of new documentary filmmaking organizations, such as Ethnomedia Communication for Development, with a focus on advocacy and consciousness-raising continue to add to a committed 'cinema of accountability' category in Pakistan, as identified in this thesis. Collectively, these films and their makers call attention to the pressing need for accountability from the government, policy makers, law-enforcement bodies, the judicial system, and society for reforms and legislative measures to contain the horrific violence and indignities suffered by women on the pretext of culture, tribal customs, and 'honour'. Serving as visual testimony to the ruthless forms of violence committed against women with impunity, these films remain valuable in upholding and fulfilling the activist intent of documentary film to a) record, reveal or preserve; b) to persuade or promote; c) to analyze or interrogate; and d) express, the urgent need for checking and penalizing negative and violent patriarchal and tribal mindsets and cultural practices in the ill-treatment of women.³⁷¹

Film discussions in this chapter demonstrate that Western conceptualizations and terminology of 'feminist' are not wholly applicable to the Pakistani situation, as stated in the literature review chapter of the thesis (footnote 16). This is primarily so

³⁷⁰Kleinhans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). *"Show Us Life": Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

³⁷¹Renov, Michael. 'Towards a Poetics of Documentary.' *Theorizing Documentary*. (ed) Renov, Michael. Routledge, New York, London, 1993. (pg-21).

because of Pakistani women's distinctly different socio-cultural, historical, political, religious, and tribal backgrounds specific to them. These factors cannot be overlooked if a meaningful contextual analysis of Pakistani women's oppressions, marginalization, and victimization through laws, cultural practices, and subjugation in a patriarchal system are to be conducted. Pakistani women's rights and issues primarily remain human rights issues till such time they are granted and ensured equal status, rights, and protection as individuals and citizens under the state laws. In fact, it is near impossible to see and evaluate the brutal violence depicted in films in this chapter in particular within the diverse or neat divisions and frameworks of Western feminist film studies, and feminism.³⁷² These Pakistan-specific issues, films, and filmmakers necessitate contextual analyses that situate them within their own particular socio-cultural, political, historical, economic contradictions, constraints, differences, and national realities.³⁷³ Hence, the simple but crucial and critical utility of documentary cinema to continue to identify, document, highlight, and preserve pressing issues and problems for debate,

³⁷²The Human Rights Commission of Pakistan (HRCP) gives the following figures regarding violence against women in its 2010 Annual Report on Pakistan (Report release date: April 14, 2011):

Violence Against Women: Incident Number of Victims:

Rape	2,903
Suicides	719
Attempted suicides	414
Murder (excluding honour killings/ <i>Karo Kari</i>)	999
Honour killings/ <i>Karo Kari</i>	791
Domestic violence	373
Death penalty	7
Acid attacks	30
Burnt/set on fire	62
Amputation	19

State of Human Rights in 2010. 'Violence Against Women.' Human Rights Commission of Pakistan. Maktaba Jadeed Press, Lahore, Pakistan, 2010. (pg-207). Accessed at: <http://www.hrcp-web.org/default.asp> on June 21, 2011.

Further, the report notes: 'The media reported at least 373 cases of domestic violence against women. These were in addition to the hundreds of cases of killing of women where the victim was related to the killer. The total cases of domestic violence included 91 murder attempts, 16 incidents of acid attack, 19 of amputation of a limb or limbs by relatives, 10 of shaving of head and/or eyebrows, and 132 of torture. In at least 34 cases, women were targeted because of choosing to marry on their own or refusing to marry a man chosen by the family.' Ibid. (pg-207-208).

³⁷³Shohat, Ella. 'Post-Third-Worldist Culture: Gender, Nation and the Cinema.' *Rethinking Third Cinema*. (eds) Guneratne, Anthony R. and Dissanayake, Wimal. Routledge, New York and London, 2003. (pg-52).

consciousness-raising, and social change, remains invaluable in countries like Pakistan--as indeed they do for building cross-cultural and cross-class communication for bonding, solidarity, and encouraging activist alliances that the contextual reading of films in this thesis illustrates.

Chapter 6.

Activist Documentary Filmmaking Practices in Contemporary Pakistan: A Critical Evaluation

In illustrating the emergence of activist documentary film practices in contemporary Pakistan through a contextual and inter-disciplinary reading of representative films, this thesis has sought to establish a documentary film category of a 'cinema of accountability.' This category is positioned to investigate, expose, take to task, and press for accountability from the state, judiciary, policy makers, and society regarding the historical and ongoing violations of human rights.

Applying the various documentary film studies frameworks, as outlined in the literature review in Chapter one, subsequent chapters on films were divided thematically to take up various socio-political, and cultural issues, themes, and problems that contemporary Pakistani documentarists have been depicting for consciousness-raising, advocacy, and social change from within a Muslim state. These issues have included politicization of religion, women's issues, minority issues, human rights abuses, *Sharia* laws, politics, Islamic fundamentalism and extremism, terrorism, and consciousness-raising about gender-specific tribal and cultural practices, including violence against women.

In the absence of any existing academic work on Pakistani activist documentary cinema, Chapter one discussed a combination of various relevant activist documentary film-studies themes and perspectives, including feminist documentary perspectives and frameworks, which could be borrowed to explore the intent, issues, and themes covered in this thesis. These overarching themes and perspectives include 1) Perspectives on the Contextual and Historical Approach to Documentary Filmmaking; 2) Perspectives on the Activist and Political Intent of Documentary Film; 3) Feminist Perspectives on

Documentary Film and Activism; 4) Parallels with Other Activist Film Currents (perspectives on Third Cinema, Cinema Novo, and a post-Third Worldist approach).

The literature review also discussed the concept of 'spatial boundaries' to offer perspectives on the gender-specific constraints and the hurdles that Pakistani women filmmakers can face, and have yet managed to work around or defy, as various discussion on films made by women documentarists illustrate (Sabiha Sumar, Sharmeen Obaid-Chinoy, Samar Minallah). A brief synopsis contained in section 5 of the first chapter provided a background to the developments in the Iranian and Pakistani film industries during the Islamic Revolution, and the Islamization period, to contextualize, compare, and contrast the developments in the regional film scene in both countries at the time, and the roots of the emergence of activist documentary filmmaking practice in Pakistan as a consequence of religious fundamentalism. Together, the application of key theoretical frameworks and thematic perspectives on documentary cinema discussed in this chapter have aided as building blocks in defining an issue-oriented activist documentary 'cinema of accountability' in contemporary Pakistan in the following chapters.

Chapter two, entitled 'Tracing the Legacy of Islamization: Injustices on Film: A Reading of Activist Documentaries Against Islamization' discussed films that dealt with the legislative reforms, state-directives, and socio-political transformations that were shaping Pakistan during the Islamization process launched under General Zia-ul-Haq's dictatorship (1977-1988). Rooted in the Islamization period that saw the beginning of Pakistan's descent into religious fundamentalism, these films, filmmakers, organizations, and collaborative productions represent the emergence of a 'committed'³⁷⁴ activist documentary filmmaking practice in Pakistan as they investigate and reflect on the suffocating environment of fear, coercion, punishment, and oppression of the Zia regime. Giving voice and space to rights activists, lawyers, scholars, and others, films in this chapter discussed issues, and events that highlight the intersection of politics, religion and law, and their consequent, and continuing, impact on women's legal status, religious

³⁷⁴Waugh, Thomas. 'Why Documentary Filmmakers Keep Trying to Change the World, Or Why People Changing the World Keep Making Documentaries.' Waugh, Thomas. (ed) *"Show Us Life:" Towards a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N. J., and London, USA, UK, 1984. (pg- xiv).

minority groups, and the violation and curtailment of individual and human rights. Most significantly, these films and their makers served the activist intent by giving voice and space to the critical testimonies and views of marginalized sections and victims of Zia's legislative reforms.

As the contextual reading³⁷⁵ of these films reveals the deleterious impact of Zia's Islamization and sweeping transformations in the name of religion, they serve as a valuable archival filmic counter-history of the roots of religious fundamentalism in the country, and the emerging strong and defiant voices of resistance. Further, the chapter illustrates the oppositional forces that were also beginning to take shape, and mobilize civil society for social change.

Together, films in this chapter lay the foundation for an activist '*imperfect cinema*' in the Pakistani context that brings together defiant voices and views from a variety of backgrounds (professionals, rights activists, government officials, policy makers, legal experts, clerics, women, and ordinary people) and institutional affiliations to address contemporary issues for social change.³⁷⁶ Significantly, the body of filmic work represented in this chapter also introduces us to a pioneering independent Pakistani Muslim woman documentarist, Sabiha Sumar, whose films stand at the forefront of investigating and critiquing the impact of Zia's legislative reforms, politicization of Islam, *Sharia* laws, and religious fundamentalism in Pakistan. Collectively, the filmic works in this chapter set the foundation for an activist documentary 'cinema of accountability' from within a Muslim state that is rooted in the critique of the Islamization period, and extends to discussion of films and issues in subsequent chapters.

Forming a connective link between the developments during the Islamization period in Chapter two, Sharmeen Obaid-Chinoy's six representative films in Chapter three investigate Pakistan's continued descent into religious fundamentalism, as the

³⁷⁵Kleinhans, Chuck. 'Forms, Politics, Makers and Contexts: Basic Issues for a Theory of Radical Political Documentary.' Waugh, Thomas. (ed). "*Show Us Life": Toward a History and Aesthetics of the Committed Documentary*. The Scarecrow Press, Inc. Metuchen, N.J., and London, 1984. (pg-320).

³⁷⁶Garcia Espinosa, Julio. 'For An Imperfect Cinema.' (1970). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-31).

country now finds itself confronted by the new trend of religious extremism and militancy in the form of Talibanization, and the brutal and violent jihadist ideologies fostered through mushrooming radical *madrasas*. As the Pakistani government, civil society, and anti-US and anti-West religious factions become embroiled in internal strife and divisive ideologies, Obaid-Chinoy's topical films present a body of work that explores the phenomenon of sweeping jihadist sentiments and terrorist organizations, and the recruitment and training of potential terrorists through pro-Taliban *madrasas*. These thematically related films address the period in which Pakistan became a frontline state in the US-led 'war on terror' during President Pervaiz Musharrarf's tenure (1999-2007) following the 9/11 terrorist attacks on the US in 2001, and the US attack on Afghanistan in 2001 that resulted in cross-border militancy and a mass exodus of Afghan refugees to Pakistan. Her investigative and reportorial films that cover a wide range of locations, views, and reflections from a vast cross-section of society, including members of terrorist organizations, radical clerics, and potential jihadists being trained at *madrasas*, among others, conjure a sobering picture of a nuclear-armed Pakistan dominated by a growing domestic influence of militant Islamic factions such as the Taliban and the Al Qaida. Through the historical and contextual filmic works of Sharmeen Obaid-Chinoy, the complex patterns of religious extremism that have been shaping and impacting Pakistan's domestic socio-political and socio-economic landscape are detailed. Today, Obaid-Chinoy's films present a 'cinema on terror'--- a cautionary body of work that is also an archival testimony of the militant mix of religion and politics, and radical patterns and changes instigated by religious extremism that now pose a serious threat to global security. The filmmakers and productions discussed in Chapters two and three defined an anti-Islamic fundamentalism film category from within a Muslim society.

The focus in Chapter four is on consciousness-raising and expository documentary films that address extreme forms of violence against women, and their 'honour'-related victimization in Pakistan. These films made by independent filmmakers and organizations cover a range of vicious and violent practices such as stove-burning, acid-attacks, honour-killing, honour-rape, and the tribal custom of *Swara* that sanctions the giving away of minor girls as compensation to avenge murders and settle feuds. A contextual reading of these films, supported by data from human rights organizations, reveals a culture of violence, and murder against women on the pretext of so-called

'honour' and morality. These films stand as a valuable contribution to a 'cinema of accountability' that calls for serious attention and reforms from the state, the legal system, law-enforcement bodies, and policy-makers to address the violence. As Samar Minallah's film *Swara: A Bridge Over Troubled Waters* (2003) illustrates, documentary film has played a most significant, and successful, deliberative and legislative role³⁷⁷ in the criminalization of the practice of giving away of minor girls against their wishes to settle disputes.

It is pertinent to mention here that in a significant move in December 2011 the President of Pakistan, Asif Ali Zardari, signed into law the much awaited Criminal Law (Second Amendment) Bill 2011. An outcome of persistent pressure and demand from rights organizations and activists, this Bill includes The Acid Control and Acid Crime Prevention Bill 2010, and The Prevention of Anti-Women Practices (Criminal Law Amendment) Bill 2008, that prohibits forced marriage, gives women inheritance rights, and legislates severe punishment for physically harming women with corrosive substances.³⁷⁸ Although the success of this legislation will depend on its effective application, its passage is in itself a significant victory for rights activists, and particularly Pakistani women. Additionally, it can be hoped that Sharmeen Obaid-Chinoy's Oscar-winning documentary film, *Saving Face* (2011), on the topic of acid-attack victims in Pakistan will not only bring much needed attention to the hideous crime of acid-attacks, but through consciousness-raising will also encourage more victims to come forward and speak out and press for accountability now that the Criminal Law (Second Amendment) Bill 2011 that includes the Acid Control and Acid Crime Prevention Bill 2010, and the Prevention of Anti-Women Practices (Criminal Law Amendment) Bill 2008, mentioned above, are also in place. Obaid-Chinoy has already started to push for an 'Anti-Acid Campaign' that would focus on the retrial of old acid-attack cases under the new law as

³⁷⁷Nichols, Bill. 'What Are Documentaries About?' *Introduction to Documentary*. Indiana University Press, Bloomington and Indianapolis, USA, 2001. (pg-70).

³⁷⁸The Bill seeks to punish offences against women, namely, giving them in marriage in *badl-e-sulh*, *wanni* or *swara*, depriving them from inheritance, forced marriage and marriage with Holy Quran. The Bill also legislates a punishment of 14 years to life imprisonment for crimes involving the disfiguring of human organ/body by a corrosive substance. The News International. 'President Gives Assent to Bills on Crimes Against Women.' December 22, 2011. Accessed at: <http://www.thenews.com.pk/NewsDetail.aspx?ID=29159&title=President-signs-two-bills-into-law> on December 22, 2011.

well as seek further stringent measures to curb such violence.³⁷⁹ These developments affirm the significance and potential of a documentary 'cinema of accountability.' The topic, and subsequent success, of *Saving Face* stands testimony to the utility of documentary film as an activist, pedagogical, and legislative tool for intervention in human rights that can extend its reach through cross-cultural communication to build solidarity and push for long neglected social and legal reforms.

In addition to a reading of individual films, Chapter four also provided an overview of the various topics, themes, and advocacy projects that independent filmmaker Samar Minallah and her non-governmental organization, Ethnomedia Communication for Development, have taken up for filmic representation and consciousness-raising in the Khyber-Pukhtunkhwa Province (KP), one of the most conservative regions of Pakistan where tribal laws and customs hold immense power and control.

Together, films, filmmakers, organizations, and collaborative ventures discussed in the preceding chapters introduce the emergence of an activist documentary cinema in contemporary Pakistan that has so far remained neglected and absent in academic discourse. Covering a vast range of topics since the Islamization period, these documentary films identify critical issues, developments, events, practices, and consequences that continue to impact Pakistani society, as they call for accountability, reforms, and social change. This body of work illustrates the pedagogical utility, and responsibility of documentary cinema to raise issues and consciousness, empower victims, expose social and political malaise, highlight oppressions, promote socio-political resistance and human rights, and press for reforms.³⁸⁰

379Sharmeen Obaid Films. Accessed at: <http://sharmeenobaidfilms.com/2012/03/india-west-sharmeen-obaid-chinoy-launches-anti-acid-campaign/india-times/on> April 4, 2012.

³⁸⁰Rabinowitz, Paula. 'Wreckage Upon Wreckage: History, Documentary, and the Ruins of Memory.' *They Must Be Represented: The Politics of Documentary*. Verso, London, New York, 1994. (pg-17).

Critique of Documentary Film Practices in Pakistan

It is significant to note that a discussion of independent Pakistani documentary filmmakers, rights organizations, and their collaborative productions also highlights their similarities—they have all received Western education, belong to progressive urban segments of the Pakistani society, and have taken up topical issues that have secured donor funding from Western agencies and media outlets. Some may argue that foreign funding, and class privilege such as a Western education, greatly affects choice and treatment of topics for documentary filmmakers from the developing/Third World. On the other hand, could they have produced these films *without* a Western education and/or class privilege? The fact remains that with still limited production and screening opportunities for documentary cinema in a developing country like Pakistan, and no monetary government support, collaborative ventures with foreign organizations and media networks mentioned in this thesis have played a significant role as a launching pad in the growth and progress of the activist documentary genre within the country, and promotion of Pakistani documentarists and their productions on the international scene.³⁸¹ As well, Western channels have led to exhibition possibilities and screenings at international film festivals, and broader recognition of issues and filmmakers, including Pakistan's first Oscar win by Sharmeen Obaid-Chinoy for a documentary film.

Certainly, questions arise in this relationship with Western funders, channels, and influences: How much power and control can independent filmmakers in a Third World country like Pakistan exert in their choice of topics, themes, representations, and production when working with foreign capital and organizations? And, consequently, do their depictions then need to be modified to Western audience's tastes and network demands in order to secure distribution, and exhibition at international film festivals?

As discussions of various films discussed in this thesis reveal, I maintain that despite availing foreign funding for many of their projects, Pakistani documentary filmmakers have managed to address crucial subjects and problems, including those of

³⁸¹For example, NGOs such as the Heinrich Böll Foundation; CIDA; UN agencies such as the UNDP and UNIFEM; ActionAid; Retake Film & Video Collective; Katholische Frauea Deutchland; and Oxfam, among others.

global interest and implications such as religious extremism, Talibanization, and terrorism, while keeping the balance between their own religious identities, ideological beliefs, socio-cultural, political, and religious constraints, historical experiences, activism, and the monetary realities of film production, distribution, and exhibition. As is apparent from the contextual discussions of documentary films on various topics in this thesis, Pakistani documentary filmmakers have used foreign collaborations and funding as important allies in strengthening the activist role and contribution of their productions to promote their agendas for reform and social change in their home country. For example, the enthusiasm with which Sharmeen Obaid-Chinoy's Oscar-winning documentary *Saving Face* (2011) has been received in Pakistan is a clear indication that although the topic of acid-attacks has been in the media all along, including the two similar activist documentary films discussed in Chapter four that had very limited private screening opportunities (*Stove Burning: Neither Coal Nor Ashes* (1993), and *Burnt Victims: Scars on the Society* (2002)), what is urgently needed is screening opportunities *within* Pakistan to muster public support for prevention, social change, accountability, and the successful implementation of the rule of law.

Another issue that arises with Pakistani documentarists is that given the Western-educated and/or liberal middle-class urban backgrounds of most filmmakers, what level of insight and commitment do they have to understand the plight of underprivileged and marginalized segments of their society? I have argued in this thesis that given their shared histories with those whose oppressions and problems they depict, Pakistani documentarists, particularly women filmmakers, are uniquely positioned as 'insiders' to depict the transformations and suffering inflicted by religious fundamentalism, harsh state directives and *Sharia* laws, and various human rights abuses. Instead of creating a class hierarchy between themselves and the marginalized groups/individuals whom they empower and give the chance to speak out, Pakistani documentarists' own participation in their films break these hierarchies through identification with shared histories and experiences of religious fundamentalism and its potential effects for other Muslim nations in the region (for example in neighbouring Afghanistan, and Iran). Hence, these productions and their themes of religious fundamentalism, extremism, rigid *Sharia* laws, abuse of human rights, gender-specific violence and discrimination, and women's rights have the potential to serve as effective

tools for both cross-class and cross-cultural communication, and consciousness-raising to build solidarity for reforms and social change in the future.

Future Directions for Activist Documentary Cinema in Pakistan

Documentary cinema in Pakistan demonstrates a considerable potential to make a substantial and enduring contribution to the advancement of human rights and social change. There are many new and emerging sites and avenues through which this contribution is being realized.

Film Studies Institutes

A growing interest in film production and documentary film has led to an emergence of film studies degree programmes in some prominent institutions in Pakistan.³⁸² Among those now offering Bachelors and Masters degrees in film and television production are the Karachi University (KU), the Beaconhouse National University (BNU), the National College of Arts (NCA), and the *Shaheed* Zulfikar Ali Bhutto Institute of Science and Technology (SZABIST).³⁸³

In 1999, the Karachi University in the Sindh province established its Department of Visual Studies. The department offers a four-year Bachelor's degree programme in

³⁸²Although there are a number of filmmaking institutes in Pakistan today, most of them at present provide technical instruction in film production and television journalism, such as filming, editing, lighting, etc. For a list of some of these institutes visit: Filmmaking.net. 'Film Schools in Pakistan.'
http://www.filmmaking.net/filmschools/film_schools_browse.asp?country=Pakistan Accessed on August 21, 2011.

³⁸³Degree programmes and courses at these film studies departments have been designed and taught by leading documentary filmmakers, writers, journalists, theatre actors, drama professors, and those involved in the visual arts, performing arts, television, and advertising industry in Pakistan.

Design and Media Arts that includes courses in television and film production, animation, and scriptwriting.³⁸⁴

The Lahore-based Beaconhouse National University in the Punjab province, established in 2003, is the first liberal arts institution in the country. Its School of Liberal Arts offers both BA Honours and M. Litt degree programmes in Theatre, TV and Film Studies. These include courses in scriptwriting, production, and acting.³⁸⁵

Established in 1875 as the Mayo School of Industrial Art in Lahore, and renamed the National College of Arts in 1958, NCA is one of the oldest arts colleges in the sub-continent with campuses in the cities of Lahore and Rawalpindi. Beginning in 2005, the college has started its first offering of a four-year (2005-2009) Bachelors degree programme in Film and Television Studies designed to cater to local requirements, and socio-political and cultural topics, besides a one-year postgraduate diploma programme in script and screenplay writing.³⁸⁶

The *Shaheed* Zulfikar Ali Bhutto Institute of Science and Technology (SZABIST), established in 1995, offers a four-year BS (Media Sciences) degree with majors in Media Management, Media Advertising and Publishing, and Media Production. The institute has also signed a collaborative agreement with the Asian Academy of Film & Television, India, whereby both institutions partner to develop collaborative programmes in media art, and sciences. This will also include student and faculty exchange programmes, joint seminars, research, and conferences aimed at promoting educational, social, and cultural exchange and awareness on regional issues through various media. Since 2008,

³⁸⁴For further details on the Karachi University Department of Visual Studies visit: <http://www.uok.edu.pk/faculties/visualstudies/index.php> Accessed on August 21, 2011.

³⁸⁵The Beaconhouse University Department of Theatre, Film and TV Studies, which offers its programme in collaboration with the Department of Theatre, Film and TV Studies, University of Glasgow, UK, includes their professors of Film and Television, and Film and Journalism on their advisory board. For further details on the Beaconhouse National University Theatre, TV & Film Studies programmes visit: http://www.bnu.edu.pk/index.php?option=com_content&view=article&id=99&Itemid=231 Accessed on August 21, 2011.

³⁸⁶For further details about the National College of Arts Film and Television programme visit: <http://www.nca.edu.pk/filmtv.htm> Accessed on August 2, 2011.

the SZABIST has also been holding an all-Pakistan inter-university film festival and awards ceremony.³⁸⁷

The SZABIST has also signed a Memorandum of Understanding with the New York Film Academy, Abu Dhabi, for a 10-day course on 16mm camera for its third-year production students. The university is also slated to establish a job placement centre for its filmmaking students, and is looking to commence a Bachelor's degree in theatre, along with introducing a Master's degree in production (direction and cinematography) comprising professionals from the film industry as teaching faculty.³⁸⁸ In addition to offering four-year degrees in media sciences and organizing film festivals, this private institution is also equipped with better studios, auditoriums, camera and lighting equipment, editing facilities, and computer labs for graphic designing.

Other institutes, mostly concentrated in Karachi, offering film-making as a regular subject include the Lécole, the National Academy of Performing Arts (NAPA), the Indus Valley School of Art and Architecture (IVSAA), and Biztek. IVSAA offers filmmaking as a minor, Lécole offers a diploma, and NAPA and Biztek offer courses related to media sciences and production.³⁸⁹

Television and Media Organizations

Following the deregulation of the Pakistani media in 2002 under the new Pakistan Electronic Media Regulatory Authority Ordinance (PEMRA), there has also been a steady growth of independently owned television channels in the country.³⁹⁰ As a result of the PEMRA Ordinance, as many as 55 new TV channels were set up, including seven 24/7 news channels, as opposed to the sole state-run Pakistan Television Corporation (PTV) which held complete monopoly over news dissemination and

³⁸⁷The *Shaheed* Zulfikar Ali Bhutto Institute of Science and Technology. Accessed at: <http://khi.szabist.edu.pk/programs> on June 10, 2010.

³⁸⁸Mukarram, Shiraz. 'Film Schools Find Their Feet in Karachi.' *The News* on Sunday, April 5, 2009. Accessed at: <http://jang.com.pk/thenews/apr2009-weekly/nos-05-04-2009/kol.htm#1> on July 20, 2010.

³⁸⁹*Ibid.* Accessed on July 22, 2010.

³⁹⁰For further details of the Pakistan Electronic Media Regulatory Authority Ordinance and the PEMRA Ordinance 2002, visit: <http://www.pemra.gov.pk/pemra/> Accessed on June 11, 2011.

programming content before de-regulation.³⁹¹ Over the years since deregulation, these numbers have grown. Some of these commercial media outlets, such as the regional Seraiki language *Rohi* TV, and Urdu and English language stations such as *Hum* TV, Geo Newsgroup TV, *AAJ* TV, and Dawn Media Newsgroup TV, among others, have also taken up documentary and tele-film productions to address socio-political and socio-cultural issues.

Newsline Publications, a print media organization founded in 1989 that has remained an outspoken and critical voice at the forefront of investigative reporting about crucial socio-political and cultural issues in Pakistan, also launched its film division under the banner of Newsline Films in January 2004. Equipped with its own film production unit that specializes in the production of documentary, Newsline Films has produced documentaries in collaboration with Action Aid, the British High Commission, Asia Foundation, and the Human Rights Commission of Pakistan on social and political issues that have been screened on national television channels as well as at film festivals in Pakistan and abroad.³⁹²

As a result of new communication technologies, another development on the Pakistani documentary scene emerged through the Interactive Resource Centre (IRC), an NGO that releases its research, films, and plays on its web TV portal and the Youtube.³⁹³ Founded and headed by Mohammad Waseem in 2000, a former member of the Lahore-based activist Punjab *Lok Rehas* Theatre Group founded in 1986,³⁹⁴ the IRC interactive theatre productions and training workshops for social change incorporate the

³⁹¹For a listing of independent Pakistani TV channels visit: <http://www.lyngsat-address.com/tv/Pakistan.html> Accessed on July 20, 2010.

³⁹²For details on Newsline Films and productions visit: <http://www.newsline.com/newsline-films/> Accessed on August 5, 2011.

³⁹³For further details on the Interactive Resource Centre (IRC) projects visit: <http://irc.org.pk/portal/> Accessed on August 22, 2011.

The IRC is also disseminating its work and films on *Maati* TV, Pakistan's first web TV. Access at: <http://www.maati.tv/>

³⁹⁴For a discussion of the activist resistance theatre movement in Pakistan that emerged in opposition to General Zia-ul-Haq's dictatorship and the Islamization process initiated by him, see: Afzal-Khan, Fawzia. *A Critical Stage: The Role of Secular Alternative Theatre in Pakistan*. Seagull Books, Calcutta, New Delhi, India, 2006. Iqbal, Shoaib. 'Parallel Theater: Socio-Political Perspective.' Accessed at: http://kunci.or.id/esai/en/iqbal_theater.htm on June 10, 2011.

interactive 'theatre of the oppressed' forum theatre philosophy promoted by Brazilian theatre director Augusto Boal.³⁹⁵ Boal's audience-inclusive interactive 'forum theatre' approach as its defining characteristic, the IRC has been actively training small theatre companies in remote rural areas of Pakistan, as well as holding major annual theatre festivals. The IRC's has also been a significant contribution in terms of research, advocacy campaigns, publications, and consciousness raising by extending its operations to involve untrained people from all segment of the Pakistani society, including school children, and minority groups to come together on public forums to identify their own particular problems, and through an interactive approach, devise possible solutions. Along the way, the IRC has trained over 70 theatre groups and given more than 700 performances in 86 districts of Pakistan on issues of poverty, violence against women, workers and minority rights, and political education and awareness. Their performances and theatre techniques are further disseminated to community organizations through DVD's and other recordings, and accompanied by publications to enable other theatre groups to develop their own productions using an audience-inclusive and interactive 'theatre of the oppressed' approach.

Encouraged by the public response and interest in their audience-inclusive and public theatre approach, the IRC has combined its 'theatre of the oppressed' approach with documentary filmmaking, and community video and training workshops at the grassroots level. Issues covered by the IRC productions have included bonded-labour, child-labour, sexual harassment of women at the workplace, minority rights, gender and religious rights and discrimination, and environmental issues. Since its inception, the IRC has developed into a resource centre that is producing participatory community videos, documentaries, video profiles and talk shows, and using cable networks, TV channels, radio, and web-based TV to disseminate its advocacy and activist productions.

The IRC has been holding participatory training workshops in rural areas as well as schools and colleges to train children, youth, and those already involved in theatre, in basic filmmaking and production techniques through its Community Film School and Media Unit. The organization has conducted much of its work in collaboration with other

³⁹⁵ *First Step*. 'Introduction.' Interactive Resource Centre Publication, Lahore, Pakistan, 2004.

local and foreign human rights and welfare NGOs including the Canadian International Development Agency (CIDA), ActionAid, Oxfam, and the United States Institute of Peace. The result has been the emergence of a growing number of new independent documentary filmmakers in small districts and rural areas, and a volume of community and participatory videos. A selection of 14 of these documentaries have been broadcast on the BBC Urdu Service Online's *Shehar Kahani* (City Stories) series in one year.³⁹⁶

Film Festivals and Exhibition Sites

Since 2001 Pakistan also became host to a successful international film festival, the non-political and non-profit KaraFilm Festival. Held annually in the country's port city of Karachi, through a competitive process the festival seeks to exhibit and promote alternative documentary cinema, shorts, and feature films by established as well as emerging independent filmmakers from within Pakistan, and abroad.

Founded by prominent names in Pakistani filmmaking circles such as Hasan Zaidi, Mehreen Jabbar, and Maheen Zia, the KaraFilm Society was established with an aim to develop, improve, and protect film as an art form in Pakistan, and promote it on the international scene. Over the years it has sought to encourage quality filmmaking and alternative voices, introducing audiences to current film trends and practices, both at home and abroad. Towards this end, the KaraFilm Club has been engaged in organizing screenings and talks by Pakistani and foreign visiting filmmakers, and workshops running throughout the year.³⁹⁷ However, due to financial constraints and the effect of global economic recession, the International KaraFilm Festival has had to temporarily defer its annual event since 2010.

The five-day *Vasakh* Documentary Film Festival, held in partnership with the Interactive Resource Centre (IRC) in April 2008 in the Punjab provincial capital of Lahore is a continuation of the *Mateela* Film Festival that came into existence in 1998. The *Vasakh* festival continues to provide an exhibition venue for selected documentaries,

³⁹⁶*Interactive Resource Centre (IRC) Annual Report-2005-2007*. Interactive Resource Centre Publication. Lahore, Pakistan.

³⁹⁷For details of the KaraFilm Society visit: <http://www.karafilmfest.com/about.htm> Accessed on June 10, 2011.

both by Pakistani filmmakers as well as international submissions that include award-winning films from the Traveling Film South Asia as a special feature. Other organizations that have collaborated with the *Vasakh* festival include the Human Rights Commission of Pakistan, offering its auditorium for the screenings, as well as the Forman Christian College University in Lahore where the IRC has held screenings for students as part of their 'Urban Youth' participatory video training programme.³⁹⁸ The recent 5th *Vasakh* film festival, held in collaboration with the Interactive Resource Centre (IRC), and the Department of Mass Communication, Forman Christian College (FCC), Lahore, screened over forty documentaries. In addition to film screenings from twenty-five educational institutions from across Pakistan, the three-day festival also showed submissions from six international universities including Australia, Norway, and India.³⁹⁹

The South Asian Free Media Association (SAFMA), formed in 2000 to address issues of press freedom, journalistic practices, and political conflict resolution, in addition to interaction between the member countries in the region through conferences and workshops, has also been instrumental in establishing the Lahore Film and Literary Club (LFLC). The LFLC holds weekly film screenings of Pakistani and international documentary and other films at the SAFMA auditorium for members, as well as the general public. In 2008, SAFMA arranged the First South Asian Interactive Documentary Festival in Khatmandu, Nepal. The festival theme of 'Conflict, People, and Peace' sought to highlight the critical role of documentary cinema in the region through a selection of screenings that addressed shared socio-cultural themes, and socio-political regional issues.⁴⁰⁰

The SAFMA Media School (SAMS), established in 2007, staffed by leading Pakistani journalists, human rights activists, media persons, and visiting international scholars and journalists, enrolls students from a variety of regional, and Muslim

³⁹⁸ *Vasakh* Film Festival. Accessed at: http://irc.org.pk/portal/index.php?option=com_content&task=view&id=73&Itemid=129 Accessed on June 10, 2011.

³⁹⁹ The Daily Times. 'FCC *Vasakh* Film Festival Kicks Off Today.' April 2, 2012. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2012%5C04%5C02%5Cstory_2-4-2012_pg13_4 on April 10, 2012.

⁴⁰⁰ First South Asian Interactive Documentary Festival 2008 Handbook. 'Conflict, People, and Peace.' South Asian Free Media Association (SAFMA) Publication, Lahore, Pakistan, 2008.

countries. The SAMS offers courses in print, radio, television media, and video and documentary production that aims to train students in progressive, and investigative journalism practices through these mediums.⁴⁰¹

Extending the emerging popularity and interest in filmmaking practices to children, in 2008 the Lahore-based Ali Institute of Education (AIE) organized the first International Children's Film Festival (LICFF) in Pakistan in Lahore.⁴⁰² During its nine-day run, the LICFF screened films selected from its filmmaking workshop programme for children and young people (ages 13-18) that is aimed at fostering arts education through the film medium.⁴⁰³ The new batch of films produced in this workshop were to be presented in the 2nd LICFF to be held in October 2009, while selected films were sent to other international festivals for young filmmakers.⁴⁰⁴ Screening 263 films from 37 countries, the 2009 LICFF also had collaboration with other international children's film festivals, such as the Los Angeles International Children Film Festival; Little Big Shots International Film Festival for Kids; Kids for Kids International Film Festival; Toronto International Children's Film Festival; and the Prix Jeunesse Festival, Munich. The second LICFF also included three mini documentary films selected through collaboration with the Dawn News TV channel.⁴⁰⁵

It is significant to note that within a short span of time since its inception in 2008, the LICFF has made remarkable progress, attracting submissions from across the world, and in July 2011 also took its festival to Hunza, one of the oldest settlements in

⁴⁰¹South Asian Media School (SAMS) Handbook. The South Asian Free Media Association (SAFMA) Publication, Lahore, Pakistan. 2008.

⁴⁰²For details on the Ali Institute of Education (AIE) visit: <http://www.aie.edu.pk/> Accessed on August 8, 2011.

⁴⁰³For details on events and programmes at the Lahore International Children's Film Festival (LICFF) visit: <http://lahorechildrenfilm.com/> Accessed on August 22, 2011.

⁴⁰⁴Ali Institute of Education Film Making Workshops for Children and Young People Accessed at: http://www.lahorechildrenfilm.com/index.php?option=com_content&view=article&id=60 on August 8, 2009.

⁴⁰⁵Winning documentaries would also be broadcast on the Dawn News TV channel. The Daily Dawn. <http://www.dawn.com/wps/wcm/connect/dawnnews/dawnnews-test/rise-pakistan/> Accessed on August 8, 2009.

Pakistan, in the far-flung new province of Gilgit-Baltistan (GB), located at an altitude of 12,000 feet, where people have no access to TV or cable as yet.⁴⁰⁶

Since its launch in 2008, the LICFF claims to have screened close to 367 films from 45 countries to an audience of children and young people numbering over fifty thousand. These screenings have included shorts, feature lengths, and documentaries in the major cities of Pakistan, besides 15 smaller festivals and other events in schools and communities across the country.⁴⁰⁷ So far, 1,891 schools and organizations have participated in LICFF events. Extending its operations, the LICFF has also created the Islamabad International Children's Film Festival (IICFF) and the Karachi International Children's Film Festival (KICFF). Additionally, the organization has also developed a new programme by the name of Film Sewa (Film Help) that is taking film screenings to public schools and marginalized communities.⁴⁰⁸

In 2009 a collaborative project entitled 'Focus on Pakistan: Filmmaking for Social Change' was launched by the funding support of the British High Commission, Pakistan, in association with the London International Documentary Festival (LIDF),⁴⁰⁹ and the US-based Eckova Productions that specializes in advocacy and consciousness-raising productions that address social issues.⁴¹⁰ Under this initiative, 30 young filmmakers, aged between 17-22 and affiliated to higher education institutions in Karachi and Lahore, were recruited for hands-on training workshops by UK and Pakistani film teachers in the field of documentary with the aim of training them to make films on topics of their choice

⁴⁰⁶For images of the LICFF held in the province of Gilgit-Baltistan visit: <https://www.facebook.com/media/set/?set=a.212777792102766.47296.116089451771601> Accessed on August 10, 2011.

⁴⁰⁷The 2011 LICFF received and screened submissions from the following countries: Argentina, Australia, Bangladesh, Belgium, Brazil, Canada, China, Ecuador, Finland, Germany, Hong Kong, Iceland, India, Iran, Ireland, Israel, Italy, Japan, Kenya, Macedonia, Mexico, Mongolia, Nepal, Netherlands, Pakistan, Palestine, Poland, Singapore, South Africa, South Korea, Spain, Sri Lanka, Sweden, Taiwan, UK, USA, and Vietnam. Email correspondence with LICFF Director, Shoaib Iqbal on April 16, 2012.

⁴⁰⁸Ibid.

⁴⁰⁹Filmmaking for Social Change. Accessed at: <http://www.filmmakingforsocialchange.com/ffschome.asp> on August 22, 2011.

⁴¹⁰Eckova Productions is a US-based production company with offices and facilities in Los Angeles, Nova Scotia, Vancouver, Dubai, Mumbai, and Karachi. For further details on Eckova Productions and their projects visit: http://www.eckova.com/html/about_corporate_profile.asp Accessed on August 25, 2011.

that would explore the experiences and views of ordinary Pakistanis at the grassroots level. Ten of these productions were screened at the London International Documentary Festival held at the British Museum in 2010.⁴¹¹

So far, under the LIDF initiative, 16 documentaries have been produced by 45 emerging filmmakers focusing on individual stories and experiences of bomb blasts, riots, effects of extremism on arts and culture, interfaith harmony, and poverty in Pakistan.⁴¹² This access for emerging Pakistani documentary filmmakers to explore issues for social change, and exhibit their work on an international platform at the London International Documentary Festival, that has continued through the 2011 LIDF festival as well, provides a valuable chance to a new generation of Pakistani documentary filmmakers to build cross-cultural affiliations and solidarity for social change in their home country.⁴¹³

A similar venue for cross-cultural, and cross-class communication and exhibition was provided to a group of Pakistani women in Karachi by training them to project their experiences of violence and abuse online (YouTube) through documentary film by the Women's International Shared Experience project (WISE) initiated by the Asian Human Rights Commission (AHRC), and the Asian Legal Resource Centre.⁴¹⁴ The WISE training workshop, held by the Pakistan Institute of Labour Education and Research, taught these women the basics of filmmaking and computer skills. Under this initiative, for 14 days, the Women's International Shared Experience Project (WISE) worked with 9 women, some illiterate, from across the Sindh province of Pakistan who had been victims of domestic and sexual abuse, training them in basic video film production to develop a documentary to tell their own stories of suffering, and those they

⁴¹¹Email correspondence with Patrick Hazard, Director, London International Documentary Festival (LIDF) on October 12, 2010.

⁴¹²For details on the 'Filmmaking for Social Change' project visit:
<http://www.filmmakingforsocialchange.com/ffschome.asp> Accessed on August 22, 2011.
For the London International Documentary Film (LIDF) visit: <http://www.lidf.co.uk/> Accessed on August 22, 2011.

⁴¹³For details on the 'Focus on Pakistan: Filmmaking for Social Change' 2011 LIDF festival visit <http://www.lidf.co.uk/event/focus-on-pakistan/> Accessed on August 22, 2011.

⁴¹⁴WISE- Women's International Shared Experience Project. Accessed at:
<http://www.wisevoicesthroughvideo.org/index.html> on August 22, 2011.

interviewed.⁴¹⁵ The result, a 10-minute participatory production entitled 'Half Face,' aimed to empower women to share their experiences and tell their stories of abuse and human rights violation from their angle.⁴¹⁶

Adding women's voices to the emerging trend of using documentary film for consciousness-raising and advocacy for social change, the *Shirkat Gah* Women's Resource Centre, Lahore, in collaboration with the Women Living Under Muslim Laws (WLUML)-Women Reclaiming and Redefining Culture (WRRRC) program, held an inter-university film competition and festival in March 2011 to create awareness about Violence against Women (VAW), and to commemorate 100 years of the International Women's Day (1911-2011).⁴¹⁷

Entitled 'Violence Is Not Our Culture' and made under *Shirkat Gah's* technical assistance, students from four leading universities in Lahore such as the Lahore University of Management Sciences (LUMS), the Lahore College for Women University (LCWU), the Punjab University (PU), and the Beacon House National University (BNU), showed seven films that highlighted topics of various gender-specific forms of physical, emotional and sexual violence against women, including acid-attacks and workplace harassment, with the objective of encouraging the reporting of violence-related cases.⁴¹⁸

The *Shirkat Gah*-WLUML initiative and sponsorship is reflective of the growing importance and use of documentary film as a pedagogical and activist tool by activist

⁴¹⁵Asian Human Rights Commission (AHRC). Accessed at: <http://www.humanrights.asia/resources/journals-magazines/eia/eiav4n4/the-wise-women-of-pakistan/?searchterm=wise%20women%20project> on August 26, 2011.

⁴¹⁶Saleem, Samia. 'Half Face' Brings 9 Women Full Circle.' *The Express Tribune*, July 27, 2010. Accessed at: <http://tribune.com.pk/story/31412/%E2%80%98half-face%E2%80%99-brings-9-women-full-circle/#comment-43417> on August 26, 2011.

The WISE Women of Pakistan documentary 'Half Face' can be viewed at the following YouTube websites: Part 1) <http://www.youtube.com/watch?v=Cr6vRR8Y-oo>

Part 2) <http://www.youtube.com/watch?v=GHHn5DooORo>

For the WISE training videos visit: <http://www.youtube.com/watch?v=gg5bCt4pCgY> Accessed on August 26, 2011.

⁴¹⁷Women Living Under Muslim Laws (WLUML). 'Pakistan: Inter-University Film Festival: 'Violence Is Not Our Culture.' Accessed at: <http://www.wluml.org/node/6994> on August 26, 2011.

⁴¹⁸For details of the *Shirkat Gah* documentaries visit: <http://www.shirkatgah.org/media-gallery.html> Accessed on August 26, 2011.

organizations in contemporary Pakistan for spreading awareness and highlighting areas that need urgent government and societal attention and intervention for reform.

In view of the contextual discussions of documentary films in Chapters two, three, and four in this thesis, and the related developments discussed in this conclusion, a key question arises: What promise and potential do developments such as the emergence of new filmmaking institutes and departments, film festivals, film clubs, television media, and online film exhibition sites hold for the future growth of the activist documentary film scene in Pakistan?

Role of New Technologies in Exhibition

It can be argued that with the advent of contemporary cost-effective and accessible film production technologies, and exhibition possibilities, we can see the activist aesthetics of Third Cinema extending to Pakistan.⁴¹⁹ Today, communication technologies are facilitating the transportability of films through DVDs, exhibition possibilities on the Internet, web TV portals, and YouTube, and are providing documentary cinema a valuable means of communicating activist content cross-culturally to offer an audio-visual platform to build broader cross-cultural, as well as cross-class, alliances for resistance and reform.⁴²⁰ Hence, these technologies offer the potential to strengthen and promote the activist intent of Pakistani independent filmmakers, and collaborative ventures by allowing them to reach out to wider audiences globally.⁴²¹ Today, these technological advancements can be seen as extending the

⁴¹⁹Chanan, Michael. 'The Changing Geography of Third Cinema.' *Screen*. Volume: 38. Issue: 4. Winter, 1997. (pgs-383-84).

⁴²⁰Ellis, C. Jack and McLane, Betsy A. *A New History of Documentary*. Continuum, New York, London, 2005. (pgs-258-259).

⁴²¹For example web resources such as Culture Unplugged, and Vimeo Documentary Film exhibit issue-oriented documentary films from across the world on a variety of subjects that can be exhibited and accessed online free of charge.

For online films at Vimeo Documentary Film visit: <http://vimeo.com/documentaryfilm> Accessed on August 28, 2011.

For a selection of Pakistani documentaries on Culture Unplugged visit: <http://www.cultureunplugged.com/documentary/watch-online/filmedia/gsearch.php?q=pakistan&label=movies> Accessed on August 28, 2011.

geographical boundaries for an international and cross-cultural reach of a socio-politically activist 'third cinema, third video, and even third television.'⁴²² Such advancements have expanded the exhibition and circulation opportunities for Pakistani documentaries.

Similarly, the expanding number of filmmaking institutes and academies, as mentioned above, have the potential to play a significant role in inspiring new activist Pakistani documentary filmmakers who are familiar with their socio-cultural and political issues to create a cinema aimed at spreading awareness, and resistance, particularly among youth, against the spread of religious fundamentalism. Given the growth of media outlets in Pakistan after deregulation, access to cost effective technologies, and web-based exhibition possibilities discussed above, new filmmakers can continue to press for judicial reforms, policy changes, women's empowerment, and improvements in human rights.

This thesis has identified two emergent areas of activist documentary cinema in Pakistan. Firstly, as argued in this thesis, we can see the emergence of a new paradigm in activist documentary cinema from within an Islamic society---a 'cinema of accountability'---that blurs the boundaries between aesthetics of documentary film and its utility as a vehicle for promoting social change. This Pakistani 'cinema of accountability' that has emerged from within an Islamic society serves as a significant model that is culture-sensitive, even religion sensitive where applicable, and yet incisive and bold in its investigation, critique, and deliberations for legal reforms and social change from within its own society. Secondly, the 'cinema on terror' as argued in this thesis provides a new documentary category of filmic representations and enquiry that has emerged from within Pakistan in the wake of rising religious fundamentalism, extremism, Talibanization, and militancy as a result of post 9/11 US-led 'war on terror'---- a new filmic category that can also be applied to, and be inclusive of, other cinemas that broach similar issues in other parts of the world, and their critique. For example, a 'cinema on terror' could also include films such as the multi award-winning Pakistani

⁴²²Chanan, Michael. 'The Changing Geography of Third Cinema.' *Screen*. Volume: 38. Issue: 4. Winter, 1997. (pgs-383-84).

feature film *Khuda ke Liye (In the Name of God)* (2007)⁴²³, and Indian Bollywood films such as *New York*,⁴²⁴ and *Kurbaan (Sacrificed)*⁴²⁵ that address issues such as the post-911 victimization of Muslims in the US, religious extremism, and terrorism, respectively.

It is promising that despite the gaps that still need to be addressed, we can see the resonance of Third Cinema aesthetics of activism, and the arrival of a Cinema Novo in the Pakistani context that has the potential to play an active and crucial role in the service of human rights and social change.⁴²⁶ Poised as a documentary 'cinema of accountability,' Pakistani activist documentary cinema has also extended the resistant and alternative counter-history essence and reach of Third Worldist cinema to include contemporary issues and topics impacting not only Pakistan's own socio-cultural and political landscape, but also those that address the global consequences of religious fundamentalism, extremism, terrorism, and Talibanization.⁴²⁷

However, although exhibition sites such as film clubs, and film festivals are a much welcome development in Pakistan, their access remains largely limited to educated elites, and urban areas. There remains a significant need for more venues and exhibition outlets for the promotion of issue-oriented documentaries at the grassroots level to target the spectatorship whose problems and predicaments these films seek to address. It is imperative that screening of Pakistani activist documentaries be extended to remote and backward areas of the country by filmmakers through mobile screening units to target and educate audiences where consciousness-raising and advocacy are most needed about socio-political and socio-cultural issues. These efforts can be further enhanced by government sponsorship, inclusion of documentary screenings through the education system, and government-NGO collaborations to promote the activist

⁴²³ *Khuda ke Liye (In the Name of God)*. Shoaib Mansoor. 2007. (168-mins). Geo TV/Shoman Production, Pakistan. (Urdu/English/Punjabi/English sub-titles).

⁴²⁴ *New York*. Kabir Khan, 2009. (153-mins). Yash Raj Films, India. (Hindi/English/English sub-titles).

⁴²⁵ *Kurbaan (Sacrificed)*. Rensil D'Silva. 2009. (161-mins). Dharma Productions/UTV Motion Pictures, India. (Hindi/English/English sub-titles).

⁴²⁶ Rocha, Glauber. 'The Aesthetics of Hunger.' (1965). *Twenty-Five Years of the New Latin American Cinema*. (ed) Michael Chanan. BFI Books, UK, 1983. (pg-13).

⁴²⁷ Shohat, Ella. 'Post-Third-Worldist Culture: Gender, Nation and the Cinema.' *Rethinking Third Cinema*. (eds) Guneratne, Anthony R. and Dissanayake, Wimal. Routledge, New York and London, 2003. (pg-55).

documentary film culture taking root in Pakistan. Given the low literacy rates, particularly in the far-flung and rural areas of the country, as a visual medium documentary film offers a tremendous potential for acting as a watchdog, imparting education and advocacy, and building pressure for social reform.

Hence the future potential for a committed 'cinema of accountability' that will continue to grow from within Pakistan, and foster the development of the Pakistani activist documentary movement, as identified in this thesis, looks promising, but its ultimate success will lie in its ability to reach out and raise consciousness, and motivate its own society at the grassroots level to identify their problems and demand social change.

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Appendices

Appendix 1.

The *Hudood* Ordinances

Promulgated in 1979 and enforced in 1980, the Hudood laws were a collection of five criminal laws, collectively known as the Hudood Ordinances. These included the Offences Against Property Ordinance which deals with the crime of theft and robbery; the Offence of Zina Ordinance relates to the crime of rape, abduction, adultery and fornication, while the word '*Zina*' covers adultery and fornication. The Offence of *Qazaf* Ordinance relates to false accusation of *Zina*; the Prohibition Order prohibits use of alcohol and narcotics. The last is the Execution of Punishment of Whipping Ordinance, which prescribes the mode of whipping for those convicted under the *Hudood* Ordinances.⁴²⁸

The *Zina* Hudood Ordinance

The punishable by death *Zina* Hudood Ordinance considered all sexual conduct outside the confines of marriage as an offence against the state. These offences included rape, adultery, fornication, and abduction for the purpose of sexual intercourse. Laying down the punishments for adultery, fornication and extra-marital sex, the formulation of the *Zina* Hudood Ordinance has tended to disfavour women, particularly in rape cases where it was applied alongside the Law of Evidence (*Qanun-e-Shahadat*), which further diminished women's legal status in a court of law by admitting a woman's testimony as half of that of a man's. The following is a description of the *Zina* Hudood Ordinance as contained in the Government of Pakistan *Hudood Ordinance* of 1979 Sharia laws:

- 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 *tazir*, that is, any punishment other than *Hadd*. The *Hadd* punishment is stoning to death, and the *tazir* punishment for *Zina* is up to ten years of imprisonment and whipping - up to 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.⁴²⁹

⁴²⁸Jahangir, Asma and Jilani, Hina: *The Hudood Ordinances: A Divine Sanction?* Sang-e-Meel Publications, Lahore, Pakistan, 2003. (pgs-23-24).

⁴²⁹Enforcement of *Hudood* Ordinance, 1979 (VI of 1979), the Offence of *Zina* (Enforcement of *Hudood*) Ordinance, 1979 (V11 of 1979), Presidential Order-No. 4 of 1979, Ministry of Law, Justice and Human Rights, Islamabad, Government of Pakistan. Accessed at: www.infopak.gov.pk on May 23, 2009.

Appendix 2.

The Law of Evidence

As a further measure to Islamize the Pakistani criminal justice system under the Zia regime, the Council of Islamic ideology (CII) proposed the Law of Evidence (Qanun-e-Shahadat) legislation in April 1982, and introduced it into the criminal justice system as law in 1984, causing horrific consequences for women in particular.⁴³⁰

The enforcement of the Law of Evidence further strengthened the reach of the *Zina Hudoob* Ordinance by dictating that a woman who has been raped could be imprisoned or subjected to corporal punishment if unable to provide an adequate number of witnesses to the incident. The Law of Evidence stated that the testimony of two women is admissible only as one reliable source; i.e., the testimony of a female is to be considered half that of a man's in a Pakistani court of law. The law required that an equivalent of four Muslim male witnesses of 'good repute'⁴³¹ verify a woman's claim to sexual penetration and consequent rape.⁴³² Otherwise, a rape victim is considered guilty of fornication or adultery under the *Zina Hudoob* Ordinance.⁴³³

As further injustice, the *Sharia*-based *Zina Hudoob* Ordinance not only governed the sexual conduct of Muslim men and women, but ironically was also extended to religious minorities in Pakistan.⁴³⁴

⁴³⁰Mumtaz, Khawar and Shaheed, Farida. 'Legally Reducing Women's Status.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pg-106).

⁴³¹The 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.' *The Commission of Inquiry for Women Report of 1997*. Ministry of Women's Development, Social Welfare, and Special Education, Islamabad, Pakistan, 1997.

⁴³²For further discussion see Mumtaz, Khawar and Shaheed, Fareeda: 'Legally Reducing Women's Status.' *Women of Pakistan: Two Steps Forward, One Step Back?* Vanguard Books. Lahore, Pakistan, 1987. (pg-106-110).

⁴³³Explaining the gender-discriminatory nature of the law, feminist scholar Shahnaz Khan points out: 'The onus of providing proof of rape rests with the victim under the *Hudoob 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.' Khan, Shahnaz. *Gender, Religion, Sexuality and the State: Mediating the Hudoob Laws in Pakistan*. Centre for Research and Violence Against Women and Children, London, Ontario, Canada, 2001. Accessed at: www.uwo.ca/violence on February 19, 2009. (pg-3).

⁴³⁴This development served as yet another violation of human and gender rights that Zia's Islamization and the above-mentioned laws facilitated. Whereas the 1973 Constitution of Pakistan, and the *Sharia* Act of Pakistan passed later, did not place religious minorities under the ambit of Islamic laws, with the promulgation of the *Hudoob* laws these minorities ceased to be exempted on their religious basis and were instead subjected to the *Sharia* laws of the country. Shakir, Naeem. 'Women and Religious Minorities under the *Hudoob* Laws in Pakistan.' Asian Legal Resource Centre, July 2, 2004. Accessed at: www.article2.org/index.php on March 13, 2009.

Appendix 3.

The Blasphemy Law⁴³⁵

The following are the provisions related to religion, and the Blasphemy Law as contained in the Pakistan Penal Code:

1. Offences related to religion (original text)

Section 295

Injuring or defiling place of worship, with intent to insult the religion of any class: Whoever, destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section 295-A

Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs: Whoever with deliberate and malicious intention of outraging the religious feelings of any class of the citizens of Pakistan by words, either spoken or written or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to 10 years, or with fine, or with both.

2. Blasphemy Laws

Section 295-B

Defiling, etc., of copy of Holy Koran: Whoever willfully defiles, damages or desecrates a copy of the Holy Koran or an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.

Section 295-C

Use of derogatory remarks etc., in respect of the Holy Prophet:

Whoever by words, either spoken or written or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Mohammed (peace be upon him) shall be punished with death.

⁴³⁵Pakistan Blasphemy Law: Accessed at: United Nations Commission on Human Rights. <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/9da54d3f22f184f1802567390039e0d6?Opendocument> on October 10, 2010.

Section 298

Uttering words, etc., with deliberate intent of wounding religious feelings:

Whoever, with the deliberate intention of wounding the religious feelings of any person utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Section 298-A

Use of derogatory remarks, etc., in respect of holy personages:

Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of any wife (Ummul-Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulafa-e-Raashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Section 298-B

Misuse of epithets, description and titles, etc., reserved for certain holy personages or places:

1. Any person of the Qadiani group or the Lahori group (who call themselves "Ahmadis" or by any other name) who by words, either spoken or written, or by visible representation: (a) refers to, or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (peace be upon him), as "Ameer-ul-Mumineen", "Khalifat-ul-Mumineen", "Khalifat-ul-Muslimeen", "Sahaabi" or "Razi Allah Anho"; (b) Refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him), as Ummul-Mumineen; (c) refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the Holy Prophet Muhammad (peace be upon him), as Ahle-bait; or (d) refers to, or names, or calls, his place of worship as Masjid (mosque); shall be punished with imprisonment of either description for a term which may extend to three years, and shall be also liable to fine.
2. Any person of the Qadiani group or Lahori group (who call themselves "Ahmadis" or by any other name) who by words, either spoken or written, or by visible representation, refers to the mode or form of call to prayers followed by his faith as "Azan" or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

Section 298-C

Persons of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith:

Any person of the Qadiani group or the Lahori group (who call themselves "Ahmadis" or by any other name), who, directly or indirectly, pose himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

Appendix 4.

Background to the Radicalization of *Madrasas* in Pakistan

Once centers of basic religious learning, usually attached to local mosques, *madrasas* in Pakistan began to mushroom after military dictator General Zia-ul-Haq (1977-1988) usurped power after a coup in 1977, and launched his Islamization process.⁴³⁶ Granting them state-sponsorship, the Zia regime actively encouraged and supported the spread of *madrasas* across the country, funding them from the Islamic taxes of *Ushr* and *Zakat* that he imposed and made mandatory through the banking sector.⁴³⁷ Since 1979, these seminaries in Pakistan have also become the hub and training grounds for Islamic fundamentalist ideologies, and the promotion of violent '*jihad*' against non-Muslims. Since the 1990s, a growing number of radicalized *madrasas* have been instrumental in fostering Taliban and *Al Qaida* ideologies, as well as recruiting and training terrorists, suicide-bombers, and militants as depicted in Sharmeen Obaid-Chinoy's documentary films.

The Zia regime encouraged *madrasa* education by declaring *madrasa* certificates equivalent to normal university degrees.⁴³⁸ Such state patronage and promotion of *madrasas* during the Islamization process ensured them official sanction as valuable and legitimate organs for the spread of Zia's fundamentalist 'Islamic' ideology.

Additionally, the rise of the '*jihad* culture' since the 1980s gave *madrasas* a distinct purpose and status, as a result of which not only did their numbers dramatically multiply, but consequently the clergy also emerged as a powerful new political, and social force that also began to incite sectarian violence.

Today, these radicalized *madrasas* play a significant role in attracting and recruiting Muslims from across the globe, and imparting and nurturing fundamentalist and anti-West ideologies, as in the case of preparing the radical Taliban government in Afghanistan, and training *Al-Qaida* militants from across the world. They are also key players in leading and supporting renewed religious fundamentalist activity within Pakistan following the September 9/11 attacks in the USA in

⁴³⁶Hussain, Zahid. 'Nursery for Jihad.' *Frontline Pakistan: The Struggle with Militant Islam*. Columbia University Press, New York, USA, 2007. (pg-78).

⁴³⁷In the economic and banking sectors, Zia introduced reforms that would require banking transactions to conform to the Islamic financial concepts of *Zakat* (wealth tax), *Ushr* (agricultural tax), and *Riba*, (interest).

Clark, Grace. 'Pakistan's *Zakat* and 'Ushr as a Welfare System.' *Islamic Reassertion in Pakistan: The Application of Islamic Laws in a Modern State*. (ed) Anita M. Weiss. Syracuse University Press, New York, USA, 1986. (pg-63).

For further background and discussion on the significance and debate on the Islamic taxation system of *Zakat* and *Ushr* see: *Ibid*. (pg-79).

⁴³⁸*The Subtle Subversion: The State of Curricula and Textbooks in Pakistan: Urdu, English, Social Studies and Civics*. (eds) Nayyar, A. H., and Salim, Ahmad. Sustainable Development Policy Institute, (SDPI), Islamabad, Pakistan, 2002. (pgs-3-4). Accessed at: http://www.sdpi.org/archive/nayyar_report.htm on July 6, 2010.

2001.⁴³⁹ According to a Pakistani media survey by the Jang Group of Publications in 2006, it was estimated that there were 11,221 *madrasas* in Pakistan in the year 2005. This number had grown from 6,761 in 2000, indicating that since the terrorist attacks of 9/11, their number had almost doubled in Pakistan. These figures also included 448 *madrasas* for women.⁴⁴⁰ Tracing the steady increase in the numbers of *madrasas* in Pakistan since its independence from India, Zahid Hussain notes:

At independence in 1947, there were only 137 *madrasas* in Pakistan; in the next ten years their number rose to 244. After that they doubled every ten years. A significant number remained unregistered and therefore it was hard to know precisely how many there were. Government sources put the figure at 13,000, with total enrollment close to 1.7 million. According to the government's own estimates, ten to 15 percent of the *madrasas* had links with sectarian militancy or international terrorism. The trail of international terror often led to the *madrasas* and mosques.⁴⁴¹

However, it is difficult to state an exact figure in Pakistan, as large numbers of unregulated *madrasas* continue to flourish, such as in the slums and poor neighbourhoods of Karachi, or the Khyber–Pukhtunkhwa Province (KP) (formerly the North West Frontier Province (NWFP)), and the tribal belts adjoining Afghanistan where the Taliban influence has been growing steadily.

On US pressure, during his tenure President Pevaz Musharraf made an attempt to regulate the *madrasas* by having all foreign students expelled, and forcing them to register their institutions, and the names of their Pakistani pupils.⁴⁴² However, the reforms could not be realized because of continued resistance by religious parties, and the non-compliance of *madrasas*, and clerics. In 2009, the Pakistan Ministry of Education reported that the government had virtually shelved a US-aided, multi-million dollar plan to reform *madrasas* as it has failed to garner the support of clerics.⁴⁴³

⁴³⁹ Similarly, in Afghanistan *madrasas* have mushroomed despite the US-led so called 'war on terror', and the fall of the Taliban government in Afghanistan, as Zahid Hussain elaborates: 'Not only are the *madrasas* harbouring and aiding existing Afghan warriors, they are also creating new ones. More than 8,000 new pupils have enrolled in the seminaries in the border areas alone since the fall of the Taliban.' Hussain, Zahid. 'Nursery for Jihad.' *Frontline Pakistan: The Struggle with Militant Islam*. Columbia University Press, New York, USA, 2007. (pgs-87-88).

⁴⁴⁰ Ahmed, Khalid. 'The Madrasa Puzzle in Pakistan.' *The Daily Times*. June 21, 2009. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2009\06\21\story_21-6-2009_pg3_3 on December 4, 2010.

⁴⁴¹ Hussain, Zahid. 'Nursery for Jihad.' *Frontline Pakistan: The Struggle with Militant Islam*. Columbia University Press, New York, USA, 2007. (pgs-79-80).

⁴⁴² In August 2001, the Pakistan government created a Pakistan *Madrasa* Education Board (PMEB) to establish a network of 'model *madrasas*' and regulate others. In 2002, General Musharraf's government announced the *Deeni Madaris* Ordinance (Voluntary Registration and Regulation), and promised to reform *madrasas* by cracking down on those that preached violence, while pushing others towards moderation, and integrating them into the public school system under the scrutiny of the Education Ministry. Bhattacharya, Sanchita. 'Madrasa Policy in Pakistan: Strategies from Within.' *International Journal of South Asian Studies*. Vol 2, July-December 2009, No 2. Madanjeet Singh Institute for South Asia Regional Co-operation (MISARC), Centre for South Asian Studies Department of Politics & International Studies Pondicherry University, Puducherry, India. (pgs-185-186).

⁴⁴³ 'Pakistan *Madrasa* Reform in Tatters.' *The Daily Times*. July 17, 2009. Accessed at: http://www.dailytimes.com.pk/default.asp?page=2009\07\17\story_17-7-2009_pg1_9 on January 23, 2011.

Appendix 5.

Laws of *Qisas* and *Diyat*

Further to the tribal sanction of honour-related murders, the Pakistani legal system itself had proven to be a facilitator for such crimes by introducing the Islamic concepts of justice, compensation, and retaliation through the laws of *Qisas* (compensation by equal punishment) and *Diyat* (compensation by blood money) in 1990 into the Pakistan Penal Code (PPC) 1860 Chapter XV1 under the title 'Offences Affecting the Human Body.' Till the clause was removed under the Criminal Laws (Amendment) Act 11 of 1997, under the Pakistani law honour-killing was not viewed as 'pre-meditated killing' (*Qatle-Amd*), but rather as committed due to 'grave and sudden provocation,' or as 'self-defense,' thereby favouring the perpetrator.⁴⁴⁴ Given these lacunas, the law actually tended to provide legal cover to the brutal crime of honour-killing, and leniency in facilitating compromise and resolution through pardon by the family members of the victim and perpetrator themselves. Needless to say, such a legislative situation allowed murderers to act with impunity on the pretext of safeguarding 'honour.'⁴⁴⁵

Honour-killing is now criminalized as murder in Pakistan under the Criminal Law Amendment Act 2004⁴⁴⁶ that was adopted by the National Assembly without debate amidst an opposition walkout in October 2004.⁴⁴⁷ Although honour-killing cases are handled by courts and the justice system, here too they are largely seen as 'provocation murders' by a gender-biased police and judicial system.⁴⁴⁸ Lawyer and advocate of the Supreme Court of Pakistan, the late Justice Rashida Patel, points out that despite the removal of the 'grave and sudden provocation' clause 'courts continue to accept violation of 'male honour' as a valid basis for awarding token punishment for murders that are termed 'honour killings.'⁴⁴⁹

Similarly, the Pakistani National Commission on the Status of Women (NCSW) notes that the promulgation of the *Qisas* and *Diyat* laws has seen an increase in violence against women including 'honour killings, and *swara/vani* (i.e. giving away of girls to rival parties as *badl-e-sulh* (compensation to victim's family to settle disputes)) with a high rate of acquittal or award of lighter punishment to the male offenders of these crimes.⁴⁵⁰ Hence, in essence the state has been a party in sanctioning violence and threat of violence against women because through the *Qisas* and *Diyat* laws murder, among other offences relating to physical injury, is no longer a crime

⁴⁴⁴Patel, Rashida. 'The Menace of Honour Killing.' *Gender Equality and Women's Empowerment in Pakistan*. Oxford University Press, Karachi, Pakistan, 2010. (pgs-66-67).

⁴⁴⁵A.A., Hayat. 'Legal Aspects.' *Women: Victims of Social Evil*. Pakistan Institute of Security Management. 2002. (pg-156).

⁴⁴⁶For details of the amendment see 'Legislation/Acts.' Ministry of Women Development, Government of Pakistan. Accessed at: <http://www.mowd.gov.pk/1acts.html> on May 17, 2011.

⁴⁴⁷For details see Asian Center for Human Rights Report. 'Confronting Honour Killing.' October 29, 2004. Accessed at: <http://www.countercurrents.org/hr-achr291004.htm> on May 17, 2011.

⁴⁴⁸Hassan, Yasmeen. *The Haven Becomes Hell: A Study of Domestic Violence in Pakistan*. Special Bulletin August 1995. Published by *Shirkat Gah*, WLUML Coordination Office Asia, Lahore, Pakistan. (pg-23).

⁴⁴⁹Patel, Rashida. 'The Menace of Honour Killing.' *Gender Equality and Women's Empowerment in Pakistan*. Oxford University Press, Karachi, Pakistan, 2010. (pg-67).

⁴⁵⁰National Commission on the Status of Women (NCSW). *The Concept of Justice in Islam: Qisas and Diyat Law*. 2005. Islamabad, Pakistan. (pg-v).

against the state that it would automatically prosecute.⁴⁵¹ Instead, such violence and murder stand as a crime against the person of the victim, hence becoming a private matter.⁴⁵² Rabia Ali of the *Shirkat Gah* Women's Resource Centre explains how the *Qisas* and *Diyat* laws have proven to be instrumental in the rising rate of violence against women and honour-killings:

In real terms it means that a father may kill his daughter, a husband his wife, a brother his sister, with impunity; the heirs of the victim—the killer's own family—will "pardon" him; and the state will not intervene but "assist" them in "exercising their rights." If ever a *carte blanche* to honour-killings was codified into law, it was done here in Pakistan.⁴⁵³

Hence, the negotiable aspect of the *Qisas* and *Diyat* laws provide perpetrators of honour-killing and other physical violence the provision to not only commit such crimes with impunity, but also the legal cover to avoid punishment.⁴⁵⁴

⁴⁵¹For further details on the nature of honour-killings in Pakistan, and the legal implications in dealing with the issue see: Amnesty International. 'Document-Pakistan: Honour Killings of Women and Girls.' Accessed at: <http://www.amnesty.org/en/library/asset/ASA33/018/1999/en/952457dd-e0f1-11dd-be39-2d4003be4450/asa330181999en.html%29>: on May 2, 2011.

⁴⁵²Hayat A. A. describes the brutal modes by which honour-killings are carried out: 'In Sindh and Balochistan victims are ritualistically hacked to pieces before the open view of the family, community and tribe with their implicit/explicit sanction. One of the ways in which a *kari* is killed adopted by the Rind tribe is: *kari* is attired in new clothes like a bride and fed lavishly. A kinswoman (*a'ai godi*) informs the *kari* that it is a religious obligation to kill an adulteress. The *kari* is asked to kneel and bow her head, which is severed from behind in one stroke. In Punjab, these killings are usually carried out by shooting, and are an individual decision and normally not executed in public.' A.A., Hayat. 'Honour-Killings.' *Women: Victims of Social Evil*. Pakistan Institute of Security Management. 2002. (pg-94).

In another example, the Human Rights Commission of Pakistan cites the following incident of honour-killing in 2010 as a case-study that highlights the mode of the murder: 'In January, media reports highlighted the murder of a girl and a boy by the girl's family in a village of Mian Chunnu sub-district of Punjab. The girl, Sonia, and the boy she wanted to marry were clubbed to death and their bodies publicly hanged for the villagers to see that the family had redeemed its honour. The girl had tried to run away from home after her parents arranged her marriage with a man against her will.' *State of Human Rights in 2010*. 'Violence Against Women: Limits of Free Will.' Human Rights Commission of Pakistan. Maktaba Jadeed Press, Lahore, Pakistan, 2010. (pg-207).

⁴⁵³Ali, Rabia. 'Society, State and Law.' *The Dark Side of 'Honour.'* *Shirkat Gah* Special Bulletin 2004. Published by *Shirkat Gah* Women's Resource Centre, Lahore, Pakistan. (pg-36).

⁴⁵⁴The Amnesty International report on Pakistan explains the legal complexities and provisions that can be utilized to evade convictions or lengthy sentences in cases of honour-killings, particularly for men: 'Among statutory laws, it is particularly two laws which disadvantage women in Pakistan, both introduced in the name of the Islamization of law. The 1990 law of *Qisas* and *Diyat* covers offences relating to physical injury, manslaughter and murder. The law reconceptualized the offences in such a way that they are not directed against the legal order of the state but against the victim. A judge in the Supreme Court explained: "In Islam, the individual victim or his heirs retain from the beginning to the end entire control over the matter including the crime and the criminal. They may not report it, they may not prosecute the offender. They may abandon prosecution of their free will. They may pardon the criminal at any stage before the execution of the sentence. They may accept monetary or other compensation to purge the crime and the criminal. They may compromise. They may accept *qisas* [punishment equal to the offence] from the criminal. The state cannot impede but must do its best to assist them in achieving their objective and in appropriately exercising their rights." This reconceptualization of offences has sent the signal that murders of family members are a family affair and that prosecution and judicial redress are not inevitable but may be negotiated.' Amnesty International. 'Document-Pakistan: Honour Killings of Women and Girls: Gender Bias in Law.' Accessed at: <http://www.amnesty.org/en/library/asset/ASA33/018/1999/en/952457dd-e0f1-11dd-be39-2d4003be4450/asa330181999en.html%29>: on May 2, 2011.