
From the Pakistani Press...

(PAKISTAN TIMES)

Shariat court to Islamise fiscal laws: House prorogued. Constitution 9th Amend. Bill introduced in Senate.

ISLAMABAD, Dec, 23: The Senate was prorogued by President Mohammad Zia-ul-Haq tonight following introduction of the Constitution (Ninth Amendment) Bill, 1985 by the Federal Justice and Parliamentary Affairs Minister, Mr. Iqbal Ahmed Khan.

Introducing the Bill, Mr Iqbal Ahmed Khan said that this marked the redemption of Prime Minister Mohammad Khan Junejo's pledge to the House in this connection.

He recalled that the Prime Minister had promised to some Senators, at the time of the passage of the Constitution Eighth Amendment Bill, that their viewpoint would be reflected in the Ninth Amendment Bill.

Mr. Iqbal Ahmed Khan also announced that a committee, to examine the Constitution to bring its provisions in conformity with the Islamic injunctions, would be constituted later tonight or tomorrow. The committee, he said, would submit its report to the Government within six months.

The four clause Bill seeks to amend Articles 2, 203b and 203d of the Constitution of the Islamic Republic of Pakistan. The Amendments provide that Islam would be Supreme law of the country and the Shariat Court would be empowered to bring all fiscal laws in conformity with the Islamic tenets.

The Senate, presided over by the Chairman, Mr. Ghulam Ishaq Khan, deferred a resolution seeking renaming of the Karachi and Lahore Airports as Qaid-i-Azam and Allama Iqbal Airports, on the plea of the Federal Justice and Parliamentary Affairs Minister about some

technical hurdles under the rules.

Mr. Iqbal Ahmed Khan stated that this was a good resolution, in the context of Quaid-i-Azam's birthday on December 25 but, he said, certain rules had to be suspended for which some formalities would have to be fulfilled before this resolution could be moved;

The discussion on the adjournment motion, admitted on December 15 about the mysterious murders of innocent people in different parts of the country by so-called "hammer group", was also deferred at the request of the mover, Maulana Kauser Niazi.

The Chairman, Mr. Ghulam Ishaq Khan, then read out the President's prorogation order and adjourned the House sine die.*

The Bill inter alia provides that in respect of fiscal law or any law relating to the levy and collection of taxes and fees or banking or insurance practice and procedure, the Court would, in case of a law held to be repugnant to the injunctions of Islam, in consultation with persons having special knowledge of the subject, recommend to the Government specific measures and a reasonable time within which to take adequate steps and amend such law so as to bring it in conformity with the injunctions of Islam. However, the decision of the Court would not have retrospective effect and no right or claim would be based thereon accordingly, directly or indirectly.

Following is the text of the Bill.

Further to amend the Constitution of the Islamic Republic of Pakistan whereas it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereafter appearing: It is hereby enacted as follows:

1. SHORT TITLE AND COMMENT: (1) This act may be called the Constitution (Ninth Amendment) Act, 1985.

(2) It shall come into force at once.

2. Amendment of Article 2 of the Constitution. - In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 2, after the word "Pakistan", at the end the words "and the injunctions of Islam as laid down in the Holy Quran and Sunnah shall be the supreme law and source of guidance for legislation to be administered through laws enacted by the Parliament and Provincial Assemblies, and for policy making by the Government shall be added.

3. Amendment of Article 203b of the Constitution: In the constitution, in Article 203B, in paragraph (c):

(a) For the comma after the word "Constitution" a full stop shall be substituted; and

(b) The words, commas and semi colon "Muslim personal law, any law relating to the procedure of any court or tribunal or,

until the expiration of ten years from the commencement of this chapter, and by fiscal law or any law relating to the levy and collection of taxes and fees or banking or insurance practice and procedure: and" shall be omitted.

4. Amendment of Article 203d of the Constitution. In the Constitution, in Article 203d, after clause (3) the following new clause shall be added namely:

(3a) Notwithstanding anything contained in this chapter, in respect of any fiscal law or any law relating to the levy and collection of taxes and fees of banking or insurance practice and procedure, the Court shall, in case of a law held by it to be repugnant to the injunctions of Islam, in consultation with persons having special knowledge of the subject, recommend to the Government specific measures and a reasonable time within which to take adequate steps and amend such law so as to bring it in conformity with the injunctions of Islam:

Provided that the decisions of the Court shall not have retrospective effect and no right or claim shall be based thereon accordingly, directly or indirectly.

(3b) Notwithstanding anything contained in the Constitution including this chapter or clause (3a) or anything done pursuant thereto, or any law or any judgment of any court to the contrary, all existing laws relating to the levy and collection of taxes and fees or banking or insurance practice and procedure which are the subject matter of decision of the Court referred to in clause (3a) shall continue to remain in force until such time as appropriate laws are enacted by the Legislature in substitution of such existing laws as a consequence of the final decision of the court as stated in clause (3a), and until the said laws have been enforced.

Provided that nothing contained in clauses (3a) and (3b) shall apply to assessments made, orders passed, proceedings pending and amounts payable or recovered before the enforcement of the laws enacted in pursuance of clause (3a).

Statement of objects and reasons.

In consonance with the provisions of Articles 2 and 227 of the Constitution of the Islamic Republic of Pakistan, which respectively provide that Islam shall be the State religion of Pakistan and that all laws shall be brought in conformity with the injunctions of Islam, as also the objectives resolution, this Bill seeks to amend Articles, 2, 203b and 203d of the Constitution so as to provide the injunctions of Islam shall be the supreme law and source of guidance for legislation and policy making and to empower the Federal Shariat Court to make recommendations for bringing the fiscal laws and laws relating to the levy and collection of taxes in conformity with the said injunctions. - APP.

(PAKISTAN TIMES)

Remarks against Holy Prophet Apa to seek remedy in Sharia Court

ISLAMABAD June 16: Apa Nisar Fatima, MNA, has said she is going to challenge in Shariah Court the derogatory remarks used by the so-called human rights and feminist worker, Asma Jilani, against the Holy Prophet (peace be upon him).

Talking to PPI here today, she said after the Speaker had recommended on behalf of the House, the Interior Minister should have got a case registered against Asma Jilani. But, she said, it was not a good thing to ignore the recommendation of the House.

She said it was the first responsibility of the Government to collect evidences on priority basis. "We are not satisfied with the statement of Justice Aftab Hussain," she added.

The lady MNA said the Government must punish the people who were using derogatory language against the Holy Prophet (peace be upon him), being an Islamic State. To a question, Apa Nisar Fatima said such things started during PPP regime and now it had further increased and the concept of chadar aur chardewari, was being spoiled. She said these feminists attempted to mislead the young generation through the literature distributed in villages during the last few years. Why the Government was giving protection to them, she questioned? PPI

(PAKISTAN TIMES)

Move against Asma Jilani denounced

Dawn Lahore Bureau

LAHORE, June 7: The National Council for Civil Liberties, (NCCL), Punjab, has condemned the manner in which Ms Asma Jilani a human rights activist and advocate, is being vilified on the floor of the National Assembly.

The ugly incident is reminiscent of Mc Carthysm. A citizen has been condemned on the basis of insinuations without being afforded any opportunity to defend herself. It not only amounts to a gross abuse of parliamentary privilege but also violation of civil rights. The entire exercise is a crude attempt to muzzle the women's rights movement in Pakistan, "a NCCL statement issued here on Saturday said.

"The Speaker of the National Assembly, too, has unfortunately decided to become a party to it by allegedly directing the

registration of a case. It is not clear under which law the Speaker derives such judicial jurisdiction.

Surely no speaker has any such powers and cannot threaten the liberty of any citizen.

The NCCL demand the immediate withdrawal of such directive. Because such a precedent will pave the way for all members of the Parliament to take revenge on any person or party whose political convictions are opposed to them," the statement concluded.

LAWYERS CONCERN: The lawyers, in a joint statement expressed concern over the NA Speaker's recent request to the Home Minister to register criminal case against Ms Asma Jilani.

A member of the National Assembly belonging to the Jamaat-i-Islami had tabled a motion in the house alleging that Asma Jilani had made sacrilegious remarks about the Holy Prophet (Peace be upon him).

Without giving any opportunity to Ms Jilani to explain her position, the Speaker has given directive about a citizen which the constitution and the law does not authorise him to give.

Ms Jilani is a true Muslim and a devotee of the Holy Prophet and the Press covering the speech at Islamabad does not contain any sacrilegious matter or words. The only faults of Ms Jilani is that as a valiant and courageous lady, she held high the torch of liberty and amelioration of the women. She has struggled for the equal rights of the women in Pakistan and abroad according to the teaching and sayings of our Holy Prophet (Peace be Upon Him)" the statement added.

It urged the administration to desist from taking any such action against Ms Asma Jilani.

The Punjab Women Lawyers Association and the Tehrik-i-Niswan have also issued similar statements and demanded that Ms Asma Jilani be allowed the right of self-defense.

BAN DEMANDED: Meanwhile twelve women's organisations on Saturday demanded a ban on Women's Action Forum (WAF) and the trial of its leader Asma Jilani by the Shariat Court for her alleged derogatory remarks against the Prophet Muhammad (Peace be Upon Him).

They alleged that the government was patronising the WAF.

The organisations are Pak Anjuman Khawateen-i-Islam, Halqa-i-Baseerat, Mijlis-i-Fikro Amal, Ladies Club, Women Social Service Organisation, Halqa Darso Tadrees Barai Khawateen, Anjuman Afghan and Al-Muslimaata.

(THE FRONTIER POST) June 9, 1986

Hate-preachers vs. Asma Jilani

By Ash'ar

Ms. ASMA JILANI already has her name written into history books. Whatever one may say about the judiciary's penchant for getting wise after the event, the case Asma Jilani vs. The State, in which the Supreme Court examined the relationship between the legitimacy of a regime and the legal status of its actions, will always constitute an important reference for students of law and politics. Now by deciding to go for her, the obscurantist lobby is trying to ensure that she will be remembered in history by one more case, at least.

The reason why Asma Jilani's name should become a red rag to conservative bulls is known. Apart from being active in Women's Action Forum, she has done enough to cause discomfort to the pseudo-religious sections and their patrons in the Establishment. As the moving spirit behind the Punjab Women Lawyers' Association, she not only tried to mobilise the women practitioners of law for the struggle for human rights, she also managed to organise an international convention of women lawyers. The anti-feminist lobby was furious but found nothing that could help it in maligning her; the attempt to make an issue of a publicity poster did not come to much. Then she went to Singapore to plead for the exploited child workers, and to India to read a paper on laws that discriminated against women in Pakistan. A campaign of slander was unleashed on the ground that Pakistanis were not supposed to speak the truth about their society before foreign audiences. Now a most serious charge is being foisted on her -that (heaven forbid) she has referred to the Holy Prophet in derogatory terms.

Since the matter concerns broader issues than the personal freedom of a woman activist, it is necessary to examine it dispassionately.

The matter was raised in the National Assembly on a privilege motion and although the Speaker ruled the motion out of order, he took the extraordinary step of directing the Interior Minister to get a case registered against the alleged offender. Unfortunately (or fortunately), many people are still alive who can recall the working of legislative assemblies in this part of the world. They will find it hard to believe that anybody could think of claiming breach of privilege in the present case. Another way a matter of public concern can be raised in an assembly is through an adjournment motion, seeking leave to discuss a recent occurrence within the exclusive jurisdiction of the authority answerable to the House concerned. The

instant case did not fall in this category either. The matter under discussion was not of recent occurrence, notice of it was not taken at the first opportunity available to the legislators and the impugned remarks (by Asma Jahangir) had not given rise to public commotion.

A more important question is whether an assembly can take action against a party which is not able to defend itself in the House. Again, older citizens will recall numerous cases when legislatures were restrained from attacking civil servants by name, on the plea that the latter were in no position to answer the charges levelled against them on the floor of the House. There have been cases when journalists and writers have been hauled up before the bar of the legislature for its contempt or violation of its privilege. In all such cases, two conditions have to be met. First, sufficient proof of an offense having been committed must be available to the legislature before it initiates any action, even discussion. Second, the offender is called to the bar of the House to present defense, if any, and to hear the verdict in person.

However, the campaign of vilification against Asma Jahangir should be viewed in the context of the climate of intolerance that is being built up in the country. The misguided zeal shown by Authority to theocratise the institutions of State has emboldened the retrogressive elements to use religion to persecute innocent citizens and to make financial or political capital out of their religiosity. On the one hand, we have witnessed unprecedented attacks on Christians in Rahim Yar Khan, on Hindu temples in Jacobabad, and on the Ahmadis at many places in the Punjab, Sind and Baluchistan. The Shia-Sunni differences have resulted in violence on several occasions. On the other hand, the police are exploiting the Haddod Laws to raise their bride rates. Worst of all, it has become possible for interested parties to cause harm to their rivals and competitors by accusing them or violating religious injunctions or simply not showing due respect to the religious sensibilities of the majority. A stage has been reached which reminds one of an apocryphal story.

Once upon a time, there was a Muslim landlord who had been living on loans obtained from a Hindu money-lender. Makhani Lal. When the outstanding loan exceeded the landlord's assets the "mahajan" started pressing for repayment. The landlord had no intention of repaying the loan. He, therefore, thought of a strategy to meet the situation. He spent the night carousing with his friends and just before the morning prayers he went to the mosque with tears in his eyes. When the people who had gathered for prayers asked him about the reason for his unhappiness, he declared that they had no

concern for the sanctity of their faith; a grave sacrilege of their religion had been committed by Makhani Lal by adopting Wahabism. That was enough to rouse the pious congregation; the faith-fully picked up the sticks that had been brought by the landlord's men, rushed to the house of Makhani Lal, pulled him out of his bed and beat him to death before he could utter a word in defense. It was much later that anybody was able to ask himself as to how Makhani Lal could have become a Wahabi. This story was written obviously to divert the home moral that religious fanaticism is more dangerous than bush-fire, to remind the Muslims of the first principle of their faith -that there is no compulsion in Islam. If today rational citizens fear that such stories may come true the reasons are no secret. When laws have been made whereby people can lose their jobs, can be disqualified from becoming members of elected bodies and can be denied normal privileges on grounds of "bad reputation", and if mohallah "imams" are encouraged to report on anyone they do not like, the scope for mischief is immense.

Much confusion has been caused in Pakistan by the rulers' desire to appease the orthodoxy before making a complete break with democratic institutions and principles. For example, some of the over-zealous "ulema" have still not been converted to the idea of women sitting in the Assemblies. There is no way to avoid incidents like the one witnessed in the Punjab Assembly during the last session, when a worthy "alim" loudly protested against the presence in the chamber of an unveiled woman member. Unfortunately, while a lot has been said about Islamisation of democratic institutions, not enough attention has been paid to the imperative deed to convert the religious scholars to democratic behaviour and the basic concepts of human dignity. To all appearances the religious luminaries are still living in the days when the installation of loudspeakers at Lahore's Badshahi Mosque was resisted on the plea that it constituted interference with Islam. Unless the men of religion can be persuaded to shed their ignorance and prejudices their presence in Assemblies (and on the benches of superior courts) will continue to create serious problems for both the rulers and the common people, and grave disservice will be done to Islam.

The most dangerous feature of the current situation is that the enlightened sections of society tend to dismiss the drift towards irrationalism as a passing aberration. When science is denounced on campuses, when at Stage-organised functions scientific ideas are regularised to suit dogma, when women are declared ineligible for careers, they consider all this a laughing matter, the doings of a small

coterie that will never succeed in diverting the society from its march towards civilised existence. This is a short-sighted view, for every illegitimate concession to a moribund clergy, or to any similar faction, creates a vested interest around which gather beneficiaries, present ant potential, and the forces of bigotry and hatred are reinforced. Whatever may happen to Asma Jahangir there must be a sufficient number of people who can stand up to any form of witch-hunting, otherwise this society will meet its doom sooner than anybody at present fears.

(THE FRONTIER POST)

Action against Asma criticised

F.P. Bureau Report

LAHORE, June 7; The Punjab Women Lawyers Association has criticised the action taken by the National Assembly against one of its members Asma Jahangir, on illfounded allegation and urged the authorities concerned to take action against the MNAs who misused their position to malign their political opponents.

In a statement issued to the press, the Association said that the parliament has set up a "dangerous precedent" by ordering action against a law-abiding citizen and it was "akin to a summary and expert trial conducted by military courts. "The Association urged the speaker to withdraw his direction and take the members to task for levelling such charges based on hearsay. It also urged the speaker to caution the members of the parliament to act in a more responsible manner.

The Executive Committee of Tehrik-e-Niswan has also expressed its surprise and bewilderment at the campaign carried out by the government-controlled media against Women's Action Forum and Advocate, Asma Jahangir, a human rights activist.

In a press release it stated that the fact that this media did not even give a word of explanation given by Asma Jahangir and this showed the extent of the freedom the press is enjoying in this country.

It was even more surprising to note the reaction of the members of the assembly who did not even once question the actual allegation made against: the WAF and Asma Jahangir. "This sort of reaction strengthens the hands of the fanatics who can defame anyone or anybody in the name of religion. Every citizen has a right to oppose any bill which was not in accordance with the principles of Islam or the constitution," it said.

The press release cautioned all citizens to beware of such legislations which

purported to destroy the very fabric of democratic institutions and strengthen "the hands of religious fanatics." It is time these elements were openly confronted with confidence and proved wrong both nationally and internationally," it added.

About 50 prominent advocates of the Lahore High Court Bar Association, have in a joint statement, expressed their concern over the action of the speaker of the National Assembly directing the Home Minister for the registration of a criminal case against Advocate, Asma Jahangir

The statement said: "A member of the National Assembly belonging to Jama at-i-Islazmi has brought a motion in the House alleging that Asma Jahangir has uttered sacriligious remarks about the Holy Prophet (PBUH), without giving any opportunity to Asma Jahangir to explain her position. The Speaker had given directions about a citizen which the constitution and the law does not authorise him. Advocate Asma Jahangir is a true Muslim and a devotee of the Holy Prophet and the report of her speech at Islamabad seminar does not contain any sacriligious matter of word. They, in all sincerity urged the administration to desist from taking any such action against an honorable lady.

Some of the signatories are: Syed Afzal Haider, Shabbir Lali, Qureshi Mahmood Hafeez, Arif Iqbal Hussain Bhatti, Ehsan Wyne, Afzal A. Malhi, Mr Riaz Ahmad Kasuri, Mr. Atta-ur-Rehman, Mr. M. Bashir Chaudhry, Mr. Mohammad Riaz Hussain Lone, Mr. Muhammad Nawaz Gondel, Mr. Shaukat Pirzada and Mr. Kazim Khan.

Mr. Zafar Iqbal, Secretary-General of the National Council for Civil Liberty, Punjab, has also criticised the manner in which a human rights activist Asma Jahangir has been wantonly vilified, on the floor of the National Assembly an said it was reminiscent of "MacArthy hearings".

In a statement he said a citizen has been condemned on the basis of insinuations without being afforded any opportunity of defending herself. "It not only amounts to a gross abuse of parliament privilege but also violates civil liberty. The entire exercise is a crude attempt by religious fanatics to thwart the Women Rights' Movement in Pakistan".

Mr. Zafar Malik said that the speaker, too, has unfortunately decided to become a parry to it by allegedly directing registration of a case.

"It is not clear under which law the speaker derives such jurisdictions. Surely no speaker has any such power and cannot in this manner threaten the liberty of any citizen".

Mr. Zafar Iqbal was of the view that such precedent paved a way for members of the

parliament to take revenge on their political rivals and demanded the immediate withdrawal of the directions.

(THE MUSLIM)

Shia critical of Shariat Bill

Bureau Report

LAHORE, June 12: The All Parties Shia Federation has again voiced its apprehensions about the present Shariat Bill which, as alleged, would hardly be instrumental in introducing Shariat in the country but would be more likely to generate dissension among the people, dealing a blow to national unity.

Launching a campaign to apprise the National Assembly members of the opposition of the Shia community to the proposed legislation a 3 member delegation of the Federation had a meeting with the Parliamentary Secretary Mrs. Rehana Mashadi. The members of the delegation described the bill as being representative of a particular sect and not of the whole Muslim Umma, demanding that such a legislation should have been tailored according to the beliefs of all sects. As apprehended by the delegation the bill was designed to weaken the Muslim League thrown out of power through agitation over the Qadiani issues.

(DAWN)

"Asma Jilani said nothing objectionable"

Dawn Lahore Bureau

LAHORE, June 8: Mr Justice Aftab Husain, former Chief Justice of the Federal Shariat Court, has said that Asma Jilani has said nothing objectionable in the paper she read at a recent seminar at Islamabad on May 17.

Justice Aftab Hussain said that nothing that Asma Jilani has said could not be even remotely construed as having been sacriligious or derogatory to the Holy Prophet, (peace be upon him). It may be recalled here that Mr Justice Aftab Husain was presiding over the seminar when Asma Jilani read her paper.

The former Chief Justice of the FSC said that in fact he was happy that Asma Jilani as a representative of the younger generation was so well versed in Islamiat. "I said so even at the seminar," he said.

(THE MUSLIM) June 17

N.A. debate on law & order

(This news item is incomplete, but it pertains to a debate that took place in the Pakistani National Assembly, about action being taken against Asma Jahangir, a member of Women's Action Forum. - Note from Dossier editors)

...destroy the present civilian setup and bring back the "black days of martial law" were actively engaged in these activities. The impression was being deliberately created that the civilian government was not competent to handle the situation so that the way could be paved for the re-imposition of martial law in the country.

Pir Sabir Shah accused the government of lack of sincerity in dealing with the situation effectively.

The interior Minister, replying to the observations made by the members, took strong exception to the remarks of Javed Hashmi who had accused the sons of the Chief Minister of Sind of accepting bribes for the release of some condemned prisoners from Sukkur Jail. The Minister asked the members not to accuse people who were not present in the House and thus could not defend themselves and must furnish concrete evidence before levelling such charges.

Later, on a privilege motion jointly moved by Shah Baleegyddin Liaquat Baloch and Maulana Goharur Rehman, the House was assured by the Minister of State for Law and Parliamentary Affairs Mir Nawaz Khan Marwet, that the Government would soon introduce an amendment in the Pakistan Penal Code for professing severe punishment to those using derogatory remarks against the Holy Prophet (PBUM).

A prolonged and heated discussion took place on the admissibility of the motion. The movers were of the view that the Justice Minister had wrongly stated in the House that a provision already existed in the Paksitan Penal Code under which any person using objectionable remarks about the Holy Prophet could be dealt with. The members said there was no such provision.

The Speaker, Hamid Nasir Chattha, ruled the motion out of order but agreed that no adequate provision existed in the law for the punishment of those who used sacriligious language against the Holy Prophet. He shared the sentiment of the members on this question and said that a proper method should be adopted to amend the law as the required amendment could not be made through a privilege motion.

The Minister of State for Law and Parliamentary Affairs, Mir Nawaz Khan Marwet, assured the House that the

required amendment in the law would be brought by the Government benches in due course of time.

During the debate on the issue, Goharur Rehman demanded action against Asma Jahangir, a member of the Women's Action Front, who is accused of using objectionable language against the Holy Prophet. He also assailed a section of "modern and progressive women". Some lady members of the House took exception to his remarks and staged a walkout. The members who strongly supported the motion included Maulana Wasi Mazhar Nadvi, Maulana Moeenuddin Lukhvi, Begum Nisar Fatima, Aslam Kachella, Begum Qamar, Begum Bilqis, Begum Nasrunminallah, Ch. Amir Hussain, Dr. Shafiq and Arif Khan.

(DAWN)

WAF states attempts to harm image

KARACHI, June 6: The Women's Action Forum has issued a statement condemning attempts to harm the image of WAF in the name of religion.

The statement said that Nisar Fatima's tirade against WAF is yet another attempt to draw attention away from real issues by exploiting the name of religion.

Islam is not and has never been the issue in Pakistan. The issues are, as everybody knows, exploitation, injustice and the absence of fundamental rights and of democracy, adds the Press release.

WAF said it feels that in the last nine years the rights that were won by women at the time of independence have been snatched away from them. An attempt has been made to create an atmosphere of retrogression which seeks to take women back to the tribal era.

(THE FRONTIER POST)

Campaign against Asma slated

F.P. Report

Shamleed Ahad Nawaz Khan. Member of the Provincial Assembly, from Dera Ismail Khan, on Wednesday took strong exception to the campaign of Nisar Fatima. MNA, against Asma Jilani.

In a press statement issued in Peshawar, she said that the retrogressive debate in the National Assembly on the views expressed by Asma Jilani was not only meaningless but sheer waste of time. She said that Asma Jilani was as good a Muslim as anyone else. It was incredible

that a lady like Asma Jilani would pass derogatory remarks on the Holy Prophet Mohammad (pbuh).

Shamleed Ahad Nawaz Khan pointed-out that according to the religious traditions passed on by the Holy Quran, the Prophet of Islam (pbuh) was "Ummi" (non-literate) and it did not suggest that he was an "unenlightened" being. No one else in the world was more enlightened than the Holy Prophet (pbuh). She said formal education and enlightenment were two distinct things. She advised Nisar Fatima to read Holy Quran and understand the meanings and interpretation of each verse of the Holy Book.

In fact, Shamleed Ahad Nawaz pointed-out that it were the rabbis who worked untiringly to promote the idea that the holy prophet of Islam (pbuh) was literate and educated to prove that Holy Quran was not a divine revelation but was written and composed by the Holy Prophet (pbuh).

Shamleed Ahad Nawaz asked Nisar Fatima not to indulge in character-assassination of an enlightened and educated woman who was serving the cause of women. She asked her not to be carried away by the propaganda of renegade Mullahs but to devote herself to the uplift of millions of women in the country who were leading a miserable life due to the present exploitative system.

(PAKISTAN TIMES)

Sacrilege: Punitive action against Asma urged

by our special correspondent

LAHORE, June 16: Religious circles in the provincial capital have taken a strong exception to the derogatory remarks of Mrs. Asma Jehangir against the Holy Prophet (peace be upon him) and have demanded of the Government to take exemplary punitive action against her.

These circles observed that such sacrilegious remarks were a part of Qadianis' world-wide campaign against Islam and the Muslims. The calumnious outbursts of Mrs Asma Jehangir, the daughter-in-law of Mian Fazal Ahmad, a well-known Lahori Qadiani, assume a greater significance when seen in this back-ground, these circles said.

They maintained that no true Muslim could ever dare make such slanderous remarks nor could he allow anyone to indulge in such calumny about the Holy Prophet (PBUH).

(DAWN)

Tirade against WAF leader deplored

Dawn Lahore Bureau

LAHORE, June 17: Apa Razia, a member of the Central Committee of the Pakistan National Party, has criticised the controversy kicked up by vested interests about a paper read by human rights activist Asma Jilani at a seminar in Islamabad last month in which she is alleged to have made derogatory remarks about the Holy Prophet (PBUH).

In the statement issued here on Tuesday, she said the controversy had been raised to divert public attention from the real problems facing the nation. "Should any harm come to Asma Jilani, people will hold MNA Nisar Fatima and the Government responsible", she said.

In a similar statement, Mr Laeeq Askari, Information Secretary of the National Council for Civil Liberties, described the campaign against Ms Asma Jilani, a WAF leader, immoral and vicious. "The misuse of religion to gain ulterior motives must be curbed strongly before it rips the fabric of national unity apart", he added.

In another statement, the Punjab Women Lawyers' Association strongly criticised the attitude of MNA Nisar Fatima and her supporters who have not been able to prove anything against PWLA member Asma Jilani.

"It may be mentioned that every citizen has a right to express themselves freely on any Bill presented before Parliament. Asma Jilani's struggle as a human rights' activist started even before her marriage. Her marital ties are no secret. We warn the Government to curb these elements who have fascist tendencies and are bent upon endangering the life, liberty and... (Incomplete).

(DAWN)

Remarks against Prophet Speaker orders action against WAF leader

Dawn Islamabad Bureau

ISLAMABAD, June 4: Begum Nisar Fatima, a woman MNA from Lahore belonging to Jamaat-i-Islami Wednesday sought to move a privilege motion demanding criminal proceedings against a leader of the Lahore branch of the Women's Action Forum (WAF) and ban on its activities for allegedly passing sacrilegious observations against the Holy Prophet of Islam (PBUH).

Although the Speaker, Mr Hamid Nasir Ghatta, held the privilege motion out of order under the rules of the Assembly he took the unusual step of directing the Interior Minister to get a case registered against the offenders who had been responsible for this sacrilegious observations about the Holy Prophet.

Mr Liaquat Baluch and Maulana Gauhar-ur-Rehman, Jamaat-i-Islami members from Lahore and Mardan respectively, supported the move of Begum Nisar Fatima for action against the offenders. Maulana Gauhar-ur-Rahman roundly condemned the Women's Action Forum, saying that it was also responsible for raising slogans against Federal Shariat Court in a procession in Lahore.

At the outset, Begum Nisar Fatima alleged that Mrs Asma Jilani of Lahore Action Forum, at a local seminar on May 17, passed sacrilegious observations against the Holy Prophet. She said it was necessary that the offenders be punished under Tazeer and the activities of the Women's Action Forum be curbed so that no one in future dare repeat such an offense which was bound to hurt the feelings and sentiments of all Muslims.

Mir Nawaz Khan Marwat, Minister of State for Justice and Parliamentary Affairs, responding to Begum Nisar Fatima's privilege motion, shared her sentiments and said that anyone uttering offensive words against the Holy Prophet, could not claim to be a Muslim. He said it was open to any eyewitness to take the offenders to the court and press charges against the accused. No Muslim could tolerate such behaviour in relation to the Holy Prophet, he added.

(THE FRONTIER POST) June 7

Prejudged blasphemy

It is not clear what the concerned National Assembly members were more angry about on Wednesday; the alleged "derogatory" remarks about the holy Prophet (peace be on him) or Mrs. Asma Jahagir and Women's Action Forum generally for their opposition to orthodoxy and narrow fundamentalism in Islamic legislation concerning women. There were fiery references to both and even a demand that the Forum be banned and Mrs. Jahangir, well, not actually hanged, but put in fetters. Which suggests the strong possibility that it was the Jamat-i-Islami legislators' general unhappiness with the lady and the Forum that caused them to misunderstand her remarks at the Forum meeting. Mrs Jahangir clarified the next day what she had said. The earlier newspaper reports of her speech also bear her out. It is not known whether any of the

present objectors were themselves at the seminar, but, according to Mrs Jahangir, persons like the former chief justice of the federal Shariat court, Mr Justice Aftab Hussain, and a religious scholar of the standing of Haji Habibur Rehman were. Surely they would know at least as well as Ms. Nisar Fatima when the Prophet is denigrated. The concerned part of the speech as reported that day by the local staff of The most beautiful thing about Islam was that it was for the layman, and was revealed to an "oomi". There was no wall of priesthood between a believer and Allah. Why should the ulema or the Council of Islamic Ideology monopolise Islam ?" If that is indeed what she said - and there is no evidence yet to the contrary- it can only be a very dim wit or a very ill-informed mind who would find it blasphemous. Surely the objection raised about the ulema or the Council is not considered a belittling of the Prophet ? It is equally odd that the new incumbent of the Speaker's seat went along with the story without much further ado. He is reported to have asked the interior minister "to use his influence" to have a case registered against "the culprit"! Certainly a very unusual thing to do. What happens if the court of law finds "the culprit" wholly innocent? Will he apologize to the latter on behalf of the house, ask the finance minister to pay her damages, and proceed to act against the culpability on the other side?

(THE FRONTIER POST) MONDAY,
JUNE 9, 1988

Obscurantism is also a Klashnikov

By S. Naeem Bokhari

ASMA JILANI is a lawyer and a housewife. She is a crusader for the rights of women. She has worked tirelessly against child abuse in Pakistan. She is a member of the only law firm that is run solely by woman lawyers. She has been one of the pillars of the Women's Action Forum. Many of us admire her as a sprightly lady.

She is now in the news. The new Speaker of the National Assembly has instructed the Interior Secretary to lodge a criminal case against her for making a sacrilegious statement against the Holy Prophet (peace be upon him). Whether the Speaker can legally do so is still being debated but at least it got him the headlines. Anyone who is anybody and many nobody's have joined the fray. She already stands convicted. No one even wants to hear her side of the story although in Pakistan every story has at least five versions.

Asma said words to the effect that Islam does not admit of a clergy; it does not

permit intermediaries between God and man; it was revealed to a prophet, (peace be on him), who was not a literate person himself. The symposium where these words were uttered was presided over by Justice (Retd.) Aftad Hussain, former Chief Justice of the Federal Shariat Court, and he saw no reason to protest. In fact, if these were the words actually uttered, there is no cause for protest at all.

The third tradition of the section Bad al-Wahil which forms the introductory chapter of Bukhari. Sahih, the revelation of the first five verses of Surah al-Alakh (the germ cell) is described in the following terms:

"One night, the angel of revelation suddenly appeared to him and said, "Read". Muhammad at first thought that he was expected to read actual script which, being unlettered, he was unable to do; and so he answered. "I cannot read," whereupon, in his own words, the angel "seized me and pressed me to himself until all strength went out of me. Then he released me and said. "Read," I answered. "I cannot read," Then he seized me again and pressed me to himself until all strength went out of me: then he released me and said, "Read" - to which I (again) answered, "I cannot read, "Then he seized me and pressed me to himself a third time. Then he released me and said. "Read in the name of thy Sustainer, who has created -for thy Sustainer is most bountiful one-" "And so Muhammad understood, in sudden illumination, that he was called upon to "read", that is, to receive and understand. God's message to man".

The prophet (peace be upon him) was unlettered and the revelation of Quran upon him, is itself one of the miracles of our holy book. Asma's statement cannot, therefore, be faulted.

We cannot even conceive, let alone actually cast, an aspersion upon the Holy Prophet (peace be upon him). To doubt the greatness of the Prophet (peace be upon him) is to doubt one's faith in Islam. Without the Prophet (peace be upon him) a Muslim's faith collapses. We are Muslims because of him. He is the only witness that the Quran is a divine book and we believe in him implicitly. This is the spirit in which Ghazi Ilmuddin Shaheed refused to plead not guilty to the murder of the Hindu who had slandered the Holy Prophet in print. But the Hindu had in fact written an objectionable book. In Asma's case, she is being guillotined without her "guilt" having been proved.

Faith in not to be equated with passionate slogans nor with religious obscurantism whipped up by empty rhetoric. Even in the name of religion one cannot condone conviction without proper hearing. All too often, we have witnessed sectarian strife because comments made by one group

have been taken out of context by other. The crowds have gone on the rampage without understanding either point of view. In fact, trying to understand anything, is a painful exercise and not too greatly favored by us.

We are not a society that encourages an independent spirit of inquiry. We have not learnt or even attempted to learn the art of playing with ideas. We are not concerned with matters philosophic. We pontificate and form sweeping and violent opinions without bothering about facts. We refuse to consider the possibility that another point of view may exist and be equally valid. We are not a tolerant people.

Democracy is not achieved by casting votes in partyless elections. It requires patience to hear other points of view. Mr. Aftab Sherpao, pulling Mairaj Mohammad Khan's shirt at the MRD meeting in Peshawar to prevent him from expressing his view on Pakhtoonistan is as unamusing as Gen. (Retd.) Chisti being stopped from speaking by some lawyers of the Karachi Bar. Unless we learn to listen respectfully to others, democratic traditions cannot take root. An illogical argument is not to be refuted with a burst from a Klashinkov or a threat of detention, but by logical and reasonable rebuttal.

Our politics is rooted in emotionalism. We become highly charged at the smallest provocation. Underneath the surface lurks the tendency to indulge in violences.

We have to learn that democracy is played across table and not in the streets. Asma Jilani must continue to exercise her right to express herself. We may not agree with her or with her choice of words, but to deny her the right of expression is to deny sustenance to the sapling of democracy planted with such great fanfare. For the National Assembly Speaker there are nobler ways of wearing Fakhar Iman's shoes. The position of a Speaker is a powerful one. It should not be eroded by lodging frivolous complaints against a lady lawyer from Lahore. Let us not throw the weight of the state against her. It is neither chivalrous nor democratic. Unless there is freedom of expression there is no democracy. Denial of this right means authoritarianism even if it is cloaked in theology. And obscurantism is a deadlier weapon than the Klashinkov.

(THE MUSLIM)

Women bodies assail Nisar Fatima

Bureau Report

LAHORE, Nov, 29: Women's Action Forum, Punjab Women Lawyers' Association, Anjuman Bahbood-e-Khawateen and Tehrik-e-Niswan, have taken note of the tall claims made by ms.

Nisar Fatima in an interview to a local English daily as being a representative of the 90 per cent Pakistani women. They stressed that Nisar Fatima's political party does not represent any major segment of our society leave alone women. The only undisputed, free and fair election of 1971 is an indication of the lack of popularity of the Jamaat, they said. Out of 151 seats contested by them for the National Assembly only four seats were won while the securities of 97 contestants were forfeited. They captured one seat each in every province except in Baluchistan. The Majilis-i-Shura of the Jamaat met in April, 1951 to review the election result of the "51 Punjab Assembly where too they could secure only one seat. The Shura came to the conclusion that their failure was due to the lack of support by the women, according to the statement of women's organisations.

WAF has always opposed the system of nomination to seats reserved for women in the Parliament, as such nominees have never projected the aspirations of Pakistani women and do not enjoy their confidence. They have issued a challenge to any women so nominated to prove their representative character by contesting elections through adult franchise of women electorate. The statement said that ms. Nisar Fatima has prompted the idea of encouraging women to work in a segregated society which could only be possible if the country is further demarcated into male and female sections. Is it not surprising that such ideas should ensue from a woman who herself occupies a nominated seat in a male dominated parliament ?

It is even more surprising that a lady with such confused ideas and convictions should also be a member of the Council of Islamic Ideology despite irregularities where members of Parliament cannot be members of the Council said the statement.

It is ironical, said the women's organisations, that Ms. Nisar Fatima has condoned police brutality on women rallies while she herself led a women's procession to the National Assembly not too long ago.

This lady MNA, said representatives of the women's organisations, have repeatedly made baseless allegations against Women's Action Forum of accepting foreign funding while she is herself on record for receiving foreign and government funds to run her centres. Self righteous elements like Nisar Fatima should not delude themselves about their popularity and must be synosed.

(THE FRONTIER POST)

WAF Opposes nomination to women seats

F.P. Bureau report

LAHORE, Nov, 29: The Women's Action Forum (WAF) has opposed the system of nomination to seats reserved for women in assemblies on the ground that the nominees have never projected the aspirations of Pakistani women and do not enjoy their confidence.

In a joint statement issued by four women's organisations, the signatories contested Ms. Nisar Fatima MNA's claim of being a representative of 90 per cent Pakistani women and challenged her to prove her representative character by contesting elections to the assembly through adult franchise of women electorate. "What to talk of her, not even her political party, the Jamaat-i-Islami, represents any major segment of our society", it added. out of 151 seats, contested by the Jamaat for the National Assembly in 1971, it won only four seats, while 97 of its nominees lost their securities.

The statement said, Ms Nisar Fatima has promoted the idea of encouraging women to work in a segregated society which could only be possible if the country was further demarcated into male and female sections. "Is in not surprising that such ideas should come from a woman who occupies a nominated seat in a male dominated parliament it asked. It was all the more surprising that a woman with such confused ideas and convictions should also be a member of the Council of Islamic Ideology while members of the Parliament could not be members of the Council.

It was ironical that Ms. Nisar Fatima had condoned police brutality on women rallies while she herself led a women's procession to the National Assembly not too long ago. This woman MNA has repeatedly made baseless allegations against Women's Action Forum of receiving foreign and government funds to run her centres. Self-righteous elements like Nisar Fatima should not delude themselves about their popularity and must be exposed by saner elements of society, the statement said.

The signatories to the statement are: Mrs. Mehnaz Rafi (Anjuman-Behbood-e-Khawateen), Bushra (Tehrik-e-Niswan), Shahla Zia (Punjab Woman Lawyers' Association) and Shahtaj Qizilbash (Women's Action Forum).

(THE NATION)
Sunday, 30, november, 1986

Women deny claims

By our Staff Reporter

LAHAORE, Nov, 29: In a joint statement, the Women's Action Forum, the Punjab Women Lawyer's Association, the Anjuman Bahbood-i-Khawateen and the Tehrik-i-Niswan have taken exception to certain claims made by Apa Nisar Fatima, MNA, in an interview with "The Nation". The feminist organisations denied the lady MNA's claim to represent 90 per cent of the women of the country. They also did not find it surprising that the idea of encouraging women to work in a segregated society had come from her. They also claimed that her membership of both the Council for Islamic Ideology and of the National Assembly was irregular. They claimed that her centres were run on foreign funds, while they did not receive any foreign funding themselves.

(THE FRONTIER POST) 6/3/86

Women criticise NWFP Assembly resolution

LAHORE, March 5: The various women organisations of Lahore today strongly condemned the resolution adopted by the NWFP Assembly calling for punishment of non-purdah-observing women. These organisations urged the women of the country, particularly the NWFP working women, to agitate against the resolution till it was withdrawn.

Begum Tahira Mashar Ali Khan, the President of the Anjuman, Jamhooriyat Pasand Khawateen, Pakistan, said that the present Government and its "paid agents" were continuing to oppress half of the population of the country by making discriminatory laws.

She said that March 8 would be observed as the International Women's Day and suggested that this issue should be taken up seriously at national and international meetings.

Mrs. Tahira Mazhar Ali declared this action as retrogressive and said that the prudah was a custom introduced by the feudals.

The feudals who were the enemies of progressive ideas were up again trying to grab the country back to the medieval ages.

Mrs. Mazhar Ali said that the resolution adopted by the NWFP Assembly was an insult to the millions of working women who were contributing their share towards the development of the country.

Begum Mazhar Rafi, the Chief of the Tehrik-i-Istiqalala (Women's group),

condemned the resolution and said it was against the declared policy of the Father of the Nation who on several occasions had advocated equal rights for women. The people who were trying to stop women to come forward were not the friends of Pakistan, she added.

Such measures by the Government lobbies were a crude attempt to deprive women of their due share in the power to run the affairs of the country.

Miss Murbarka, of the Women's Action Forum, said that the time has come for the women of the country to unite against the agents of the feudals and their masters. Mrs. Aasma Jilani and Hina Jilani, prominent women leaders, also protested against the resolution and demanded its immediate withdrawal.

Begum Rehana Sarwar, a PPP leader, protested against the resolution, and said that this matter would be taken up by the international organisation of human rights. The Tehrik-i-Khawateen, Punjab, has also strongly condemned the resolution passed by the NWFP Assembly.

The Tehrik, at its emergency meeting today, described the resolution as the worst example of male chauvinism whipped up by Maulvis and encouraged by the Government. This attempt, if it succeeded, would create untold social and economic problems and thus throw the country into the dark ages.

The resolution said that if women from agriculture, education and other productive spheres were taken off and sent behind purdah, the loss in terms of economic production would be colossal.

The Tehrik said that the people elected on non-political basis would always resort to such "absurd but harmful practices".

The Tehrik called upon the saner elements in the country to come forward to check such unhealthy trends harmful to the nation and the country.

(DAWN) November 7, 1985

Women lawyers' moot ends Violations of human rights condemned

Dawn Lahore Bureau

LAHORE, Nov 6: The International Women Lawyers Conference has condemned all violations of human rights and urged Islamabad to sign the United Nations convention on the elimination of discrimination against women.

The three day conference which ended here on Wednesday passed 13 resolutions in all.

In the first resolution, it condemned "all violations of human rights under military dictatorship and all repressive regimes". It

demanded observation of, and adherence to, the U.N. Declaration of Human Rights. The second resolution recommended that a council of women lawyers and other experts from developing countries be set up to ensure that the rights of women and minorities were upheld, respected and that they were given just and equal treatment in all respects.

The conference urged that a non-government international commission should be set up to recommend a uniform and universal code of personal laws under Islam with equal representation of women and embodying these in specific provisions of law in the light of international norms and standards of justice, peace and equity.

VISAS REFUSAL: Another resolution regretted that some invitees, notably those from the Soviet Union, were not given visas to attend the conference which was purely of an academic nature.

It pointed out that Pakistan had given assent to the various plans of action adopted at the U.N. sponsored conferences which called for increasing cooperation and exchange of information between women of all societies. At the Nairobi Conference held in July 1985, a 372-para document was adopted by consensus by all the 159 nations attending, including Pakistan.

Paragraph 360 of the document named "Forward-Looking Strategies" stated: "Women should be assured of the opportunity to participate in international, regional and subregional meetings and seminars, including those organised by the United Nations system, particularly those related to equality, development through research activities, seminars and conferences to exchange experience and expertise".

The resolution urged the authorities concerned to streamline and improve travel and clearance procedures in the spirit of the above paragraph to which Pakistan had assented at an international forum.

SHARIAT COURTS: The conference viewed with great concern that members of the Shariat courts did not belong to the legal profession which had resulted in "unfair and unjust interpretation and adjudication of rights, particularly with regard to women".

It recommended that the members of the Shariat courts should be persons trained in the legal profession. They called upon the Muslim governments to consider having women on the Sharia benches.

The conference expressed solidarity with all women's organisations and movements which were involved in the struggle for the promotion of just, humane and equal treatment all over the world.

The conference recommended that free access to all courts in the country

including the Sharia courts, should be allowed to all legal practitioners regardless of caste, creed, race or sex.

"BAN THE BOMB": It noted the threat to the survival of humanity posed by the possibility of even a "limited" nuclear exchange, and called upon the nations of the world to heed the calls made by the United Nations and by concerned people around the world, for governments to work towards real and lasting peace through agreements banning the further manufacture, testing, deployment and use of nuclear weapons, leading eventually to disarmament, thereby making available resources for developmental use which could promote the well-being of humanity. The conference urged that Pakistan should become a signatory to the United Nations convention on elimination of discrimination against women with reservations on clauses which may conflict with its ideological values, as had been done by many other Muslim and non-Muslim member States.

The conference demanded that there should be specific laws ensuring the induction of more women and their equal representation in all commissions, committees, councils and bodies at the decision-making level.

The conference noted that Libya being a Muslim country had given the right of divorce to women for the initial one year of marriage by law. It urged other Muslim countries to adopt this equitable legislation for Muslim women all over the world.

The conference demanded attitudes be changed and the contribution of women towards the production of goods and services in the household, the family farm and family non-farm and non-agricultural activities be recognised both in the labour force data and national income statistics.

It demanded that the definitions used by the Federal Bureau of Statistics, the Population Census Organisation be changed to overcome "this invisibility" of women in the national statistics.

The conference noted that prostitution of women was on the increase in many Asian countries, particularly in the Philippines and Thailand. The conference resolved to take measures and chalk out action-oriented plans for eliminating the evil of prostitution from society.

The conference also rejected two resolutions. The one asking for the reconstitution of the Council of Islamic Ideology and including women members was withdrawn for lack of support. Another resolution concerning the right to abortion was rejected since the conference had not deliberated upon this issue in depth.

(THE MUSLIM) Monday, September 22, 1986

From the Press Gallery by Anwar Iqbal Women's day in Parliament House

ISLAMABAD, Sept 21: It was a rather unconventional and exciting day of the National Assembly here today. The credit for this goes to the women who brought out in the heat of the sun a number of MNAs and Senators from their airconditioned chambers.

The Assembly was discussing its normal business when somebody reminded the reporters in the gallery that the WAF (Women's Action Forum) had planned a demonstration outside. The journalists came out only to see a group of ulema and students from religious schools shouting vociferously against the women who had not yet arrived, "Chain these sisters of Indira. Send them back where they belong (behind the gour walls," they were chanting.

Meanwhile, the women were gathering outside the Dawn office (Not very far from the Parliament House. By 12.00 noon a large number of them had arrived. And for once the majority was from the lower middle and working class, some clad in burqa and others without the veil. Some of them had also brought their children along. Some spoke fluent English and some could not express themselves even in their mother tongues, but they all had something to say. And what they had to say was so important that it brought the honorable members of Parliament in the scorching sun. The thrust of their agitation is directed against the Ninth Amendment which they fear will rob them of their established rights.

From inside the Assembly Begum Abida Hussain, Rafia Tariq and Silvet Sher Ali came out to join the women in their protest. Nur Khan, Javed Hashmi, Sher Afgan and Javed Jabbar, the only Senator present, also appeared on the scene to express their solidarity with their cause.

Even women MNAs of the Muslim League found it difficult to keep silent on the issue and Begum Bilqis Minahllah, Attiya Enayetullah, Noorjehan Panozai and Rehana Mashhadi all joined the procession as it neared the Parliament House. It was stopped at some distance from the other procession which was enraged to see so many "bayprudah" women shouting at the top of their voices. Begum Attiya and her colleagues from the Muslim League persuaded a group of women to come inside with them and talk to the Law Minister. Abida and Javed Jabbar also accompanied them and while the ML women were looking for Mr. Iqbal Ahmad Khan, Abida and other IPG

women took advantage of their absence and started addressing the delegation, representing 27 different women's organisations, in the Committee Room no.1.

Adiba told them that the IPG had moved an amendment to the proposed 9th Amendment to secure similar immunity for Muslim Personal Laws as provided to the fiscal laws as provided to the fiscal laws in the Constitution. She urged the protesters to ask the women MNAs of the Muslim League to vote a bloc against the 9th Amendment and also to try and convince their male counterparts.

Attiya Enayetullah and her colleagues soon returned to the Committee Room but without the Law Minister. This gave another opportunity to the IPG to ridicule them. A few sentences from Abida and some sarcastic remarks by others and the delegation, led by Begum Zareen Sarfraz, walked out.

The Minister they were told had gone to see the "maulvis". This further complicated the situation as the male procession was not scheduled to see the Minister. Besides, it was taken out without prior permission unlike that of the women. So the delegates, and especially Begum Sarfraz, wanted to know why the Minister was having an unscheduled meeting with the ulema.

And what had started as an innocent women's demonstration for their rights was converted into a tug-of-war between the IPG and the OPG, both trying to win the sympathies of the protestors. Abida Hussain and the other IPG women accused Attiya and her colleagues of indifference towards the women's issue while the OPG accused the IPG of politicising it.

Back with the demonstrators, Begum Zareen Sarfraz, the former chairperson of the Women's Commission, made a fiery speech saying she was prepared to face bullets if necessary for her rights. While she and others were still talking to the demonstrators, the Law Minister, Mr. Iqbal Ahmad Khan, arrived in his air-conditioned limousine and persuaded the delegation to return to the Committee Room.

The former Speaker, Fakhar Imam, Dr. Sher Afgan, Javed Jabbar and others also joined the women MNAs with the Law Minister, Asma Jilani, the renowned woman, activist from Lahore, presented the women's case very effectively before the Law Minister.

She was aided by Begum Sarfraz who was more enthusiastic than many young women. And the two convinced everybody but the Minister. He listened to them patiently, praised their eloquence and concern but every time they tried to commit him to something he would wriggle out. This battle of wits continued for more than an hour and ended

inconclusively.

However, Asma who is also an advocate like Mr. Iqbal Ahmad Khan, proved she is more impressive than the Minister when presenting a case. She would lay out a plan, invite the Minister to comment and then tighten her grip. More than once she left him without any arguments.

On such occasions he would only say he has to consult the Cabinet and the P.M. before making any commitment. And he repeated it so many times that one of the women commented; "Why are we wasting our time with him ? Don't you see he has no power ?"

(THE MUSLIM)

Stimulating debate at Human Rights meet

From YAMEEMA MITHA

LAHORE, Oct. 24: The second day of the Human Rights Conference, organised by the Jilani Foundation the two issues which excited discussion were the violation of human rights of minorities and of women. The sessions were stimulating and generated much interest.

The weight of the conference was more on legislation and policy than on specific instances of human rights violations. As Iqbal Haider said "In Pakistan, arrests detention, torture, death in police custody, death sentences without proper trial, have become so routine, that generally people do no more than raise their eyebrows. But more sinister violations of human rights are being perpetrated with the help of legislation under the garb of a peculiar Islamisation of law (unacceptable to most of the Muslims) which creates schisms between Muslim and Muslim". That was the main burden of the day.

Shahla Zia, who read a paper on minorities, said all literature on minorities only dealt with how well they were treated in Pakistan. But she specifically outlined how grave problems and discrimination have been created for minorities over the question of witnesses in the Hadood Ordinance, within which a non-Muslim may not give full witness if the accused is a Muslim, irrespective of who the victim is.

She then discussed the question of the Ahmadis, and the problems created by the laws against them. Whether they were *ahle Kitab*, was still undecided, she said. So what was the status of marriages contracted between Ahmadis and "Other Muslims", and what was the status of children born in such unions ?

She discussed Ordinance 20 in which an Ahmadi may be sent to prison for up to 3

years and subjected to unlimited fines on the unbailable offences of using "certain words of address", calling their places of worship as "Mosque" or designing it in that style, giving the call to prayer (Azan), in other ways "posing as Muslim", and displaying the "Kalima". Moreover, certain publications have been banned. This was considered by a human rights consultative body to the UN as "beyond dispute a violation not only of religious freedom but of liberty and freedom from arbitrary arrest and detention", and has been internationally condemned.

A speaker from the floor said that even when the Ahmadis abided by the law, there was a complete lack of protection of their lives. He said, supported by others, that 13 Ahmadis had been murdered in Sind alone, which included a well known eye surgeon by the name of Aqeel Abdul Qadir but not a single case had been registered and no arrests made.

Then an Ahmadi shopkeeper in Peshawar had been sentenced to ten years R.I. (although the maximum is 3 years) for displaying the Kalima in his shop.

In Multan, the worship place of the Ahmadis was burnt to the ground and no action had been taken. The bodies of Ahmadis were not given places in graveyards.

These was some hullabaloo after two Ahmadi speakers and things looked unpleasant for a few months.

A gentleman defending the official action said "Human rights mean copyright. So we do not allow these non-Muslims to copy our design of the Mosque or the words of the Kalima". The christian community also complained of discrimination. She said, where all the elite schools are not nationalised, why have all the Christian schools been nationalised ? She pleaded for their denationalisation, and said that in Kinniard College, which had been served for generations by the Christian community, not a single Christian girl could be admitted. "If our schools are not denationalised, at least reserve us minority seats", she said.

She also expressed great sorrow that the Punjabi poetry of a Christian poet was excised from the syllabus because it contained "Christian influence". She also asserted that Pakistani Christians are Pakistani patriots and slogans which exclude them should be avoided in the interests of patriotism.

In the discussion of human rights and the nation state, an American ruling was quoted which held that "equality, was a basis for patriotism, as insidious discrimination breeds contempt and hatred".

The next session discussed discrimination against women. Nigar Ahmad's paper contained a lot of facts. She referred to

both explicit and implicit discriminations, and stated that although there is no country in the world that does not deny human rights to its women, this should not provide legitimacy where there are the worst forms of discrimination.

She referred to the double burden of a working woman, the fact that women own less than one per cent of the world's property. Although they grow half the world's food, they own hardly any land, and are overlooked by agricultural credit, advisors and projects. They are under represented in labour force statistics due to the definition of "labour force" which requires them to work for remuneration to be included. Even so, they are officially one third of the world's labour force, earn less than the men and concentrated in all the lowest paid occupations. Due to poor education, social discrimination and greater work load, they are unrepresented in decision making bodies.

Official statistics have the incongruous figure of 176 women working in "Agriculture and Animal husbandry" for the whole of Pakistan. At a state level, women are discriminated against in planning, laws and mass media, she said. "A societal image emerges of a human being not quite adult, not yet responsible and not much to be trusted", she concluded.

Professor Rafiullah Shahab took the view that men do not give women their Islamic rights because both men and women are ignorant of these rights. Whereas, the Muslim Family Laws Ordinance 1986 is exactly the same as Maulana Maudoodi's "Haqooq-i-Zaujain", adherents of the Maulana protest vociferously against the.....1961.

An important reference was made to the complete lack of labour legislation to protect the rights of labour in the new Export Free Zone created in Karachi. Mr. I. A. Rahman protested strongly this discrimination against Pakistani workers in their own country. He also felt that there was a gap in the Conference as they had not discussed the rights of the working class.

The Quaid's famous words that Pakistan was created because human rights in the subcontinent were being denied, and his even more famous speech on the equality of minorities and the separation of state and religion, were quoted by speaker after speaker. Mr. Rehman held that no religious state can even be truly democratic for wherever the state adopts a religion, it will discriminate against those who interpreted it differently, or who practice a different one.

But the greatest mistake made by leaders in Pakistan was that they allowed a half educated coterie of Mullahs to interpret and lay down the law.

The question, he said, is not what Islam

allows, but whether religious law is stationary. Only the people as a whole had the right to interpret Islamic law, he said.

References were also made by foreign delegates yesterday and today to the repressive use of religion, through history in different parts of the world.

Shahnaz Wazir Ali discussed the dilemma of whether attitudinal change should come first or legislation.

Speakers also held that fundamental rights were higher than any other law.

Isabel Jacque read a paper on NGO's and their links with Amnesty International. Concern was expressed by many speakers and members of the audience as to whether conferences and charters were of much use. Dr. Hamid Qazilbash discussed how even the moderate UN covenant was not adhered to, and many wondered aloud whether conferences like this were only preaching the converted.

But in view of the stringent control of government media, particularly radio and television which can reach the non-literate majority, there appears to be great difficulty in creating awareness on these issues which could eventually lead to action. However such an exercise, at least, helped to keep the issues, alive. A playlet machine will be put on at the Jilani residence in Gulberg tomorrow to mark the end of the conference.

(THE FRONTIER POST) June 21, 1986

Campaign against Asma Jehangir condemned

F.P. Bureau Report

RAWALPINDI, June 20: Leaders of public opinion have taken a strong exception to the current campaign by the vested interests against Ms. Asma Jehangir and other champions of women's rights.

In a joint statement, Imtiaz Khan and Syed Sarfraz Shah, local leaders of Pakistan People's Party, Mr. Jamil Ahmad Khan of Qaumi Mohza-i-Azadi and Zia Nawas of Democratic Labour Front have said Ms. Asma Jilani's statement was being distorted and exploited to serve the ends of bigotry by the self-styled monopolists of Islam in the name of Islam.

Islam guarantees the honour and rights of women but the bigots had turned her into a slave.

Ms. Nisar Fatima, they continued, took umbrage at a remark by Ms. Asma Jehangir but she failed to take notice of the plight of the unemployed, hapless women who are forced to sell their bodies for two meals for themselves and their starving children. Ms. Nisar Fatima, likewise, failed to raise her voice against

the red light area, obscene films and literature which constitute an insult to woman's honour.

The signatories to the statement also resented as one-sided the National Assembly speaker's ruling whereby he had proposed filing of a case against Ms. Jehangir.

The government, they continued, was deliberately making an issue of her remarks in order to divert the people's attention from their real problems.

If today Ms. Nisar Fatima had found her way into the Assembly, she owed thanks to the struggle of none other than Ms. Asma Jehangir and similar other champions of women's rights.

"We condemn the elements who do not do anything for uplift of the down-trodden humanity but try to lionise themselves by negative criticism," they remarked.

(THE FRONTIER POST) June 21, 1986

Body formed to provide legal aid to Asma

F.P. Bureau Report

LAHORE, June 20: The national council for civil liberties and the committee for the release of political prisoners constituted a legal aid committee consisting prominent jurists to provide legal protection to Mrs Asma Jahangir against the remarks given by a Jama'at-i-Islami women leader Nisar Fatima that Mrs. Asma Jahangir should be murdered for using derogatory language against the Holy Prophet (PBUH).

The committee will consider action against Nisar Fatima and a local daily of Lahore.

The committee, which will be headed by a prominent jurist, Mian Mahmood Ali Kasuri (president) will comprise of Syed Afzal Haider, vice-president, Mr. Aitzaz Ahsan, secretary-general, Dr. Khalid Ranjha, Liaqat Hussain Waraich, Zafar Malik, Abid Hasan Manto, Ch. Asghar Khadim, Ch. Khalid Mahmood, Malik Saeed Hasan, Malik Meraj Khalid. Parvez Saleh, Sardar Shaukat Ali, Ch. Asghar Ali, Sh. Rafique Ahmad, Rao Abbur Rashid, Afzal Malhi, Kh. Tariq Masood, Azmat Saeed, Pervez Enayat, Malik Raja Zulqarnain. Sardar Khalid Mahmood, Abdul Rashid Monin, Riaz Lone, Nasim Kashmiri, Javed Bhattar, Ehsan Wyne, Syed Baqir Ali Naqvi, M.S. Badar, Malik Karamat Awan, Kazim Khan, Ch. Ikram, Malik Ghulam Rasool, WRana Aish Bahadur, Salim Malik, Malik Hamid Sarfraz, Manzoor Gilani, Suleman Khokhar, Ahmad Awais and Masood A. Malik.

Meanwhile, several organisations have condemned the statement of Mrs. Nisar Fatima against Asma Jahangir for declaring her "wajib-ul-qatal".

The Secretary-General of the Democratic Women's Association, Mrs. Naseem Shamim said that recently a deliberate campaign has started against Miss Asma Jilani.

"In recent years every retrogressive step has been taken in the name of religion, so this method has not shocked us but we do feel that newspapers have unnecessarily prolonged this meaningless polemics. Asma has said over and over again that she did not use any derogatory language against the Prophet (PBUH), but the campaign against her continues unabated. Who want to divert the attention of our people from real problems facing our country," she added.

Mrs. Naseem Shamim said, "I don't think any sane person would talk against the Prophet (PBUH) -we all respect prophets of all religions. Why should women like Nisar Fatima become the judge when there are real scholars who know what is what and whose opinion is respected. Why doesn't Nisar Fatima ask Mr. Aftab Ahmad who was present there what Asma said instead of harping against her".

The Secretary-General of the DWA said that this campaign should cease and McCarthyism eliminated before further deterioration of this situation.

Prominent jurist Dr. Khalid Ranjha said in a statement that the controversy in the press about Toheen-e-Risalat raised at the behest of Apa Nisar Fatima has been the cause of concern among most of the right-minded citizens of this country. It appears that Apa Nisar Fatima is determined to cause more harm than good to the cause of Islam and the dignity of the Holy Prophet (PBUH).

He said, "I have read the statement of responsible people, no less than that of the former chief justice of Federal Shariat Court, who was himself present at the symposium organised by WAF. He has categorically stated that nothing was said which, in any manner, could offend against the personality of the Holy Prophet (PBUH). It appears that an argument is being created out of something which is non-existent. In fact one gets the impression that Apa Nisar Fatima is feeling sorry why on earth something offensive was not said for her to make an issue out of".

"I would suggest that Apa and her supporters confine their religious fervour to themselves as this fervour by itself is being demonstrated in a manner which perpetuates the offense against which protest is being lodged by her. It is just like repeating an abuse which was neither uttered nor said.

In such circumstances, the person who

repeats the abuse in a way himself becomes the utterer of the same. It is she who is putting into the minds of the people that it is possible to say words against the Holy Prophet (PBUH), which one cannot even conceive or imagine. Such a fanaticism is not very far from religious fascism which was neither the purpose nor intention of the creator of Pakistan to be perpetuated or promoted in this country. I would appeal to all the saneminded people of my country that this religious hysteria should be brought to an end. It is most unfair to dub people as *wajib-ul-qatal*. People who make such statements are not very far from being the object of such an end themselves," he concluded.

(THE FRONTIER POST) June 21, 1986

Women's role in national affairs emphasised

LAHORE, June 20: Begum Mehnaz Rafi, senior Vice-President of Tehrik-i-Istiqal, has said that without the active participation of women in all the national affairs, our country can not make progress. She was addressing the women workers of the TIP here at the residence of Begum Kaneez Zaidi Friday at an Eid Milan party. She regretted it was unfortunate that women were considered as second class citizens in their own country. She said that TIP, after coming into power, would give the women their due status and rights. Begum Mehnaz Rafi said that TIP wanted to abolish jagirdari system from the country which had created different classes. She said that TIP would distribute agricultural land among the landless farmers after snatching it from the jagirdars. Surayya Aziz, Shah Taj Qazalbash, Shamin Rahat and Begum Shamim Chaudhri also addressed the meeting. PPI

(THE FRONTIER POST)

Women turn to courts for rights

by Asma Jahangir

Women both in India, and Pakistan are increasingly seeking recourse to judiciary to secure their rights. The ones that fail no one hears of, but the fortunate ones who have either received some relief, or are likely to get relief, are defeated by public pressure. Shahbano is the prime example of a person who was thrown amidst a

controversy even beyond her comprehension. All she wanted was bare subsistence money from her well-to-do husband who divorced her after 40 years of marriage. Perhaps she did not know the fury of both Hindu and Muslim obscurantists. She did not realise she was treading on the secular bubble of India. She was totally unaware of statistics concerning polygamy in India. The 1975 report of the committee on the status of women showed that polygamy amongst Hindus of India was 5.8 per cent as compared to 5.7 per cent amongst Muslims. She only knew, and to this day maintains, that as a human being her instincts told her that she had a raw deal from life.

Shahnaz Sheikh has challenged the right of polygamy for a Muslim man in a secular state, where all individuals are supposed to have equal rights regardless of sex, creed, caste or religion. If such dichotomy was not thrashed out by the Indians so far is no fault of Shahnaz Sheikh. She only braved herself into bringing this into limelight, not realising that this awkward question was being deliberately ignored and shelved.

Women continue to suffer regardless of the ideology of the state they live in. In Pakistan, women were promised the symbolic "chaddar and char divari" during the Islamisation process.

The Frontier Parliament took the slogan literacy and passed a resolution recommending purdah for women. Had women really been locked up like cattle in Pakistan our history may have been different? The downfall of Ayub Khan was owing to the support lent by Miss Jinnah to the combined opposition parties, who could find no other suitable candidate to stand up to the pressures of a dictator. Could the present government make an easy entry into power had not the women of Lahore marched amidst lathi-charge, tear-gas and showers of bullets in 1977? Even today, we have to accept that our destiny may well be decided by the action taken by the chairperson of PPP -again a woman. Even less prominent women have played a vital role in the body-politic of Pakistan. Here one should mention some brave Bengali women members of the legislature in the 60s, who posed a serious threat to Ayub's regime by supporting the Bill on Fundamental Rights. One such woman needs particular mention. Ruqia Begum's son was in foreign service and she was summoned to the presidency to secure her vote against Fundamental Rights Bill. Ruqia Begum agreed to give her vote conditionally, her condition being that if the authorities put her vote conditionally, her condition being that if the authorities put her on a donkey, blackened her face and paraded her in her home town, the vote was theirs. These

were brave women.

Others have been less fortunate and have played their part in a less obviously heroic manner; The incident of Safia Bibi, the blind girl, is one such example. Safia Bibi won her freedom through the courtesy of the Shariat Court which in a hurriedly written judgement acquitted her. They cut off the tree and left the roots. Safia Bibi was convicted because of a faulty and unjust statute, not owing to a judgement that was bad in law. The facts as narrated in the first information report filed by Safia's father, did point a finger of guilt towards Safia. The FIR was delayed by ten months and Safia visited the house of the accused willingly after the alleged rape. Yet conviction of a poor blind girl sounded unfair. What was on trial were not the facts but the stature. Here again the battle was won, but the war was lost.

Another such victim is Durre Shahwar. Here the statute supports her case but interpretations of it may defeat her stand. Durre Shahwar was married to Haji Bakhtiar Said Mohammad of Pakpattan for seven years. She was divorced, her children were disowned by her husband as not being his, and allegations against her character were made. She has three children aged eleven, ten and seven. After a year of divorce she filed for maintenance of her children in the family court. Her former husband refused to give them maintenance and reiterated that the children were illegitimate.

Durre Shahwar filed a complaint of Qazf (Qazf being a form of slander). The Qazf Ordinance enforced in 1979 clearly states in Section 3 that:

"Whoever by word either spoken or intended to be read, or by signs or by visible representations, makes or publishes an imputations, makes or publishes an imputation of Zina concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm the reputation or hurt the feelings, of such person, is said, except in the cases hereinafter excepted to commit Qazf".

The exceptions being, firstly, if the accusation is proved and was made or published for public good. Secondly, it would not amount to Qazf to prefer an accusation of Zina in good faith to the person being in lawful authority over the accused, except when complained of in a court without sufficient evidence. Punishment for anyone committing Qazf in the presence of a court is liable to eighty stripes and the person is disqualified as a witness for life.

Another section in this Ordinance makes an exception to Qazf proceedings, where the husband seeks divorce through Lian. this being a form of divorce where the husband alleges adultery and the wife denies it and subsequently the marriage is dissolved. However, the husband can

make a complaint of Zina against the wife, yet the wife cannot complain of Qazf on the allegation made in court for the purpose of dissolving marriage.

In view of this legislation and the evidence led by the complainant (Durre Shahwar), the Sessions Judge issued bailable warrants of arrest against the accused, her husband.

Aggrieved or offended by this order. Haji Sahib filed a criminal revision in the Federal Shariat Court where it was ordered that proceedings in the lower court be stayed. Two important questions were put before the full bench of the Shariat Court for reference. Firstly, could spouses file against each other for Qazf? Secondly, whether the sections on Lian and punishment of Qazf were repugnant to the Holy Quran.

Eminent lawyers and jurist-consultants appeared in this case to assist the court. In January this year the Shariat Court announced its judgement. They observed that accusation of "Zina" made by spouses during subsistence of marriage and where four witnesses could not be produced, would follow the Lian proceedings. In that case the accusing party swears four times alleging adultery and if the accused denies it four times, the marriage is dissolved. However, if the accused admits she gets the punishment for Zina.

*Therefore, if any man wants to accuse his wife of adultery without reason or evidence, he now has a legal mandate to do so. In addition to this, he gets his divorce as well. Killing two birds with one stone. One the other and, the woman receives her divorce, ill-repute and no legal right to avenge all this. What is even worse is when Lian proceedings are allowed where men disown their own children. The legal status of a child is then of an illegitimate person. Even if the child proves his paternity, the recent interpretation gives his mother no right to sue her husband for Qazf. Although Muslim jurists are all unanimous in their opinion that once a person accepts, expressly or other wise, his paternity to his children, he is afterwards stopped from disowning them.

If the courts in Pakistan take the view that spouses cannot be punished for Qazf, where they allege adultery, then they must also give women the right to initiate Lian proceedings. Where women allege adultery of their husbands, they follow the normal court procedure for dissolving their marriage. There is no precedent where Lian proceedings have taken place on a woman's allegation to adultery of her husband.

The rationale behind Lian proceedings has in fact a two-fold reasoning. It saves a spouse punishment for Qazf, where they have been the only witness to the other's adultery. This view is confirmed by some

Muslim jurists who maintain that the punishment for Zina can only be given upon ocular evidence of four witnesses. The second reason is to save the family from enmity by giving the spouses an alternate remedy to avenge themselves by way of Lian, rather than try to get each other convicted for Zina. However, Qazf can be levied where the allegation is reiterated and Zina proceedings can be initiated in preference to Lian proceedings by spouses.

Most judicial decisions in the sub-continent have shown that women are denied their legal rights under one guise or another. A change in social norms cannot be imagined where even law is not on the side of women. No matter how they approach the problem, the result seems to be the same, "heads you lose and tails we win". Would an increase in such cases change the trend of thinking of the society? One wonders and can only wait and see what turn the legal history of women's rights eventually takes.

(THE FRONTIER POST)
September 22, 1986

Women's demonstrate against 9th Amendment Bill

From Mohammad Ilyas

ISLAMABAD, Sept. 21: The stretch of Constitution Avenue in front of the Parliament House here today witnessed an impressive demonstration by about 700 women against the 9th Amendment Bill which was passed by the National Assembly rather hurriedly last July.

The Bill is hugely discriminatory against 50 per cent of the population and further erodes its rights which have already been considerably trampled upon under the Zina ordinance and other legislative measures taken by the martial law government whom the present civilian government succeeded, the women activists feel.

But those who think the erosion has still not gone far enough had arranged a counter-demonstration by about a hundred students of traditional deeni madrisas (religious schools) led by their bearded patrons.

In fact, these maulvis were already present outside the Parliament House when the women's procession arrived, led by Begum Zari Sarfaraz, Miss Asma Jilani, Begum Mahmooda S Alain and Miss Sajida Zulfikar. Strong contingents of police cordoned the maulvis' assemblage to avoid any untoward incident.

The women procession, organised by 25

women's organisations including Women's Action forum and Working Women's Association, was received, MNAs including Syeda Abida Hussain, Sitwat Sher Ali, Rafia Tariq, Syed Fakhar Imam, Dr. Sher Afgan Niazi, Mr. Javed Hashmi (who left the National Assembly session) and Senator Javed Jabbar.

They were joined later by Begum Atiya Inayatullah, adviser to the prime minister and MNAs including Miss Bilquis Nasrum Minallah, Rehana Aleem Mashhadi and Rasheeda Pasha Khuru.

While the maulvis raised slogans for early passage of the Shariah Bill (which is likely to be considered by Senat in its current session) and cancellation of the Family Laws Ordinance, the women demanded withdrawal of the 9th Amendment Bill and Shariah Bill, they also warned the government to desist from all other measures demanded by obscurantist elements for reversing the clock back for women. This would inevitably offset the entire nation's interests of survival and development, they warned.

The maulvis also demanded ban on secular women's organisations. After slogan chanting under a hot September sun, women's leaders went into the Parliament House for conveying their demands to the Justice Minister, Mr. Iqbal Ahmed Khan. As the latter was already closeted with the maulvis' delegation, the ladies angrily stamped out of the Parliament House and rejoined the rally. After about 10 minutes, however, the justice minister invited them in.

Having listened to them, the minister said the women's interests would be safeguarded by the government within the bounds of Quran and Sunnah. Without committing himself, he added that any decision would be taken only by the cabinet.

Meanwhile, Begum Attiya Inayatullah assured her support to the women's organisations in their cause. But what she left unsaid was her line of action if the government went on to get the 9th Amendment Bill and Shariah Bill passed in the Parliament where the existence of oppositionist elements is minuscule. The women activists pointed out to the women members of legislatures that they would betray the cause of womanhood if they continued to sit in the legislatures and thus became accomplices to anti-women measures.

The maulvis' deputation comprising Maulana Ziaullah Khan and Maulvi Zahoor Ahmed Alvi of Muthuidda Shariat Mohaz and a sectarian organisation of Sunnis reiterated their demand for early enforcement of the Shariah Bill.

P.F. Lahore Bureau writes: The general body of Women's Action Forum, Lahore at a protest meeting today endorsed the

Islamabad WAF appeal for support against the upcoming Shariat Bill and the 9th Amendment.

The Forum considered both the proposed legislations retrogressive as they sought to give unlimited powers of interpretation of Sharia to specially-constituted bodies in whose neutrality and impartiality the women of Pakistan have scant belief.

The WAF said that the 9th Amendment, as also the Shariat Bill contained provisions which could be used to the detriment of the basic interests of women in Pakistan, with particular reference to their potential use against the Muslim Family Laws Ordinance 1961. "We consider this Ordinance as the foundation for further reform in the area of family laws", it said. The WAF also observed that the passage of the Shariat Bill would not facilitate any enforcement or strengthening of Islamic values in the country.

The WAF also observed that the recent sectarian clashes should be an eye-opener for the legislators and if the Shariat Bill was passed, it would lead to further exacerbating the sectarian sentiments resulting in violent clashes thus eventually destroying the unity and solidarity of the concept of Pakistani nationhood.

The WAF also condemned the recent remarks of the Jamat-i-Islami chief Maulana Tufail Mohammad against women.

(DAWN) May 14, 1986

Concern over death sentence by stoning to woman

Dawn Lahore Bureau

LAHORE, May 13: Three women's organisations -the Punjab Women Lawyers Association, the Women's Action Forum, and the Anjuman-i-Bahood-i-Khawateen- have expressed concern over the sentence of stoning to death awarded to a woman in Attock.

The statement said: "We reiterate our condemnation of the law which allows such inhuman mode of punishment. We condemn it as barbaric and a crime against humanity".

The statement said that this view was also supported by the Federal Shariat Court when it held that punishment of "Rajam" was not Islamic, but a part of the pre-Islamic tribal law.

Mr. Aitzaz Ahsan, a member of the Pakistan Bar Council, in a statement issued on behalf of the Malik Ghulam Jilani Foundation, expressed great concern over the inhuman punishment awarded to a woman by a court and added that all international human rights organisations were being activated on the issue.

Prominent lawyers and Human Rights activists have been assigned by the Foundation to locate the prisoner and take up her case. The Foundation has also decided to invite an international jurist to act as an observer at the appeal before the Shariat Court.

PROTECTION TO AHMADIS: Leaders of public opinion and Human Rights bodies have urged the Government to provide protection to the Ahmadis and their places of worship.

Mr Zafar Malik, Secretary Civil Liberties Council, and Mr Liaquat Warraich, Secretary, Political Prisoners Release and Relief Committee, have, in separate statements, condemned the murder of about a dozen Ahmadis in Sukkur district alone during last two years. They said that two Ahmadis had been murdered on May 10 in Sukkur. They feared that some Government agency was also involved in the matter in order to create a law and order situation to provide a handle to the government to once again adopt unconstitutional methods against the people.

The Convener of the Political Prisoners Release and Relief Committee, Malik Mohammad Qasim, in a statement said, it was the duty of the Government to provide protection to the citizens including all minorities. He said that an Islamic State was duty bound to protect the minorities. He also said that some Government agency was behind such incidents.

The President of the Punjab NDP, Mr Ehsan Wyne, also issued a similar statement on Tuesday. He criticised the sealing of a Qadiani place of worship in Quetta and demanded full protection to the minorities.

Raja Abdul Rehman and Mrs Saiful Malook, leaders of Young Lawyers, also issued a joint statement criticising the Government on this score.

(DAWN) May 14, 1986

Father gets minor son's custody

Dawn Lahore Bureau

LAHORE, May 13: A local civil judge has decided a suite filed by a father for the custody of his minor son in favour of the petitioner.

The judge observed in his order that the petitioner was married to Mst Shama, who later died. The respondents suspected that she was murdered by the petitioner Yawar Ali who produced evidence in support of his contention that his wife had committed suicide. But the parents of Mst Shama still suspected that their daughter was

murdered by Yawar Ali.

The court said that admittedly the mother of the minor child is now dead. It would not be relevant for purposes of the case that a positive finding should be given as to whether Mst Shama had been murdered or had committed suicide. However, it was established that the parents of Mst Shama still suspected that their daughter was murdered by the petitioner.

The judge observed that in almost all the authorities produced on behalf of the parties it had been held by the superior courts that the supreme and predominant factor in deciding the question of custody was always the welfare of the minor. In the present case, it had been established by the petitioner that he was a man of means, and had not contracted a second marriage after the death of his wife, and that he did not intend to remarry for the sake of his child.

The minor was living with his maternal grandparents and his age was about four years and a half. He was being brought up in a house whose residents suspected that his mother had been murdered by the petitioner. In this way the minor could learn to hate the petitioner which would obviously be against the interest and welfare of the minor.

The court observed that the welfare of the minor lay with his father and if the minor was allowed to remain with the respondents there was every likelihood that he would develop an opinion about his father as being the murderer of his mother.

Mr Sibtain Fazli, advocate, appeared for the petitioner.

(THE MUSLIM) 6/11/85

Lively session at women lawyers conference

From Yameema Mitha

LAHORE, Nov, 5: "Payment for housewives work, political, civic and human rights, 'democracy and dictatorship' and 'women in Islam' were some of the topics touched upon the lively discussion today at the second sitting of the International Women Lawyers Conference.

In the morning, discussion was centered around the incongruity of the fact that a housewife's labour is neither included in the GNP nor is she considered a member of the labour force. If she did exactly the same work for the same family as a housekeeper receiving a wage, she would be recognised as a member of the labour force and her income would be accounted for in the GNP.

The next session was on political and civic

rights of women. The first paper was read by Abid Hassan Minto, who said that in large part of its existence Pakistan had been under regimes when the fundamental rights of all citizens had been suspended. Women are suffering particularly due to the encouragement of fundamentalism. Enlightened families are forced by social pressure to curb their women. He referred to his own case: when the clergy had declared that the "Nikah" of any woman who had taken part in the street demonstrations against the Law of Evidence was broken, he was among those whose "nikah" they held dissolved. He also referred to the opposition to the Family laws Ordinance, one of the few pieces of protective legislation for women in the family.

Women from the US, Bangladesh, Libya and Pakistan also read papers. The paper by the Libyan lady lawyer was read in Arabic and translated into both English and Urdu. The proceedings were considerably slowed down by this, but the interest in these papers was evident at the later question session. Perhaps the greatest number of questions were asked of the Libyan delegate with regard to the progressive laws regarding women in Libya.

The concluding session of this conference which will review the discussions of the last law days is to take place on Nov. 6.

regarding the woman and the family.

Speeches of special interest to the audience were from other countries where women, particularly Muslim women, are subject to Muslim law, for example in the Philippines, Malaysia, India, and the progressive interpretations of this law. The Canadian lawyer spoke about the formations of "Fathers Rights Group" and backlash against women who have been vocal in demanding their rights, although these have not yet been fully achieved.

In the morning the hall was packed to capacity although the audience had thinned down after lunch. The conference is to continue for two more days.

(THE MUSLIM) 5/11/85

Exciting start for world lady lawyers moot

From Yameema Mitha

LAHORE? Nov, 4: The International Women Lawyers Conference hosted by the Punjab Women Lawyers and the High Court Bar Association got off to a colourful and exciting start today. Their first coup was the presence of Mian Mahmud Ali Kasuri, who was still in visibly poor health, but determined to be present on this important occasion. He began his inaugural address, but was forced to allow his son, also gifted with the famous Kasuri voice, to finish it for him.

Women lawyers from Libya, Bangladesh, India, Nepal, Sri Lanka Malaysia, Philippines, Uganda, Canada, Sweden, were there. The theme today was "Women and the Family". The guest speaker was Ijaz Hussain Batalvi, who dropped a point to ponder: Why so many Third World countries were under dictatorial government, could it be anything to do with our patriarchal despotic family system ? The women lawyers concentrated on the legal provisions