

Political Discourse and Socio-Cultural Placement of Pakistani Women 1947-1976: A Historical Perspective

Abstract

This paper comprehends the impact of Political discourse in defining socio-cultural placement of women in Pakistan divided in two phases; Formative (1947-57) and Transitory (1958-1976). For this study primary and secondary data tools have been utilised. The research reveals that during the selected time-period, post-independence management crisis, combined with patrilineal culture, strong hold of orthodoxy and marginal representation of female in legislative chamber were the main hindrances in bringing awareness among an over-all female population relating to their exclusive socio-economic and political rights. However, few elite class women raised voices for socio-economic rights of women from time to time, which resulted in constitutional safeguards, along with two major legal guarantees namely; Shariat Act 1948 and Family Ordinance 1961. Nevertheless this development could not bring any drastic change in an overall situation of Pakistani women, particularly those living in rural areas, due to lack of information and education, neither they were aware nor equipped to claim these provided assurances.

Keywords: *Political discourse, Shariat Act 1949, Family Ordinance 1961, patrilineal culture, Orthodoxy, Formative (1947-57), Transitory (1958-1976)*

Introduction

A woman's socio-cultural placement has a strong correlation with the ongoing political discourse in the Pakistani society. To understand the contemporary situation of a female, which is 52 percent of the total population, it is relevant to assess their status and placement in a historical perspective. The narrative of the status and placement of women in contemporary state of Pakistan has its origin in post-independence, where the concept of women emancipation was a far-fetched notion, because at that time the sole objective of leadership was to struggle against all challenges, posed by the newly established State. Thus, in early 20th century, the exclusive socio-economic and political rights of women were sidelined, as the state was facing larger political challenges and settlement issues. During the independence movement, even when there was a limited activity, the socio-cultural and religious restrictions allowed only few elite women to break the barriers of male dominated traditional society through public appearance and political participation. Therefore, it was a symbolic representation in which a common woman devoid of proper education remained ignorant of her rights. Nevertheless, women trend to acquire higher education and political participation was restricted to a particular section of the urbanite female population. Even in that era, the minimum role of education for the proper status of women was recognized, while other agents of change like media, civil society

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organizations and women participation in political process were still in its infancy stage.

In this situation to evaluate the placement and status of Pakistani women, various dimensions of their socio-economic and political struggle from 1947 to 1976 has been identified in this paper. This study is divided in two parts. The first part covers formative phase of Pakistani history (1947-57), whereas the second portion of the same paper deals with the transitory period (1958-76). In these two major components of paper, political process, including the struggle of women parliamentarians and activists to highlight women issues in legislative chambers during different governments in Pakistan has been debated. Moreover, by keeping in view the legislative and executive measures over women issues, its socio-cultural and economic impact on Pakistani women status has also been assessed.

Moreover, in these two portions, I have traced the progressive awareness attained by the women of Pakistan, while existing in a rudimentary society. I have also analyzed the continuous obstructions, created by the orthodoxy, clinging themselves to a particular socio-cultural mind-set. In this regard, the study has also focused on the placement of rural and urban Pakistani women, in their socio-cultural environment, ranging from their status within the families, extending to a larger society. This correlation between political development and socio-cultural/economic empowerment of women would develop a better understanding about the modalities of women placement.

1. Formative Phase: (1947-1957)

1.1 Women Related Legislative Measures

After independence, the country was administrated under the amended British Indian Act of 1935 and the main urgency was to frame a constitution, acceptable to all sections of the society. The cooperation was required from all sections of society included those *ulemas*, who under various reasons opposed the creation of Pakistan, but were keen to contribute towards the constitution making process. These religious elements desired to create an Islamic state through the forth-coming constitutional arrangements.

Apart from these *ulemas*, the first session of Constituent Assembly of Pakistan on 11th August 1947 also included two women members (Begum Jahanara Shahnawaz and Begum Shaista Suhrawardy Ikramullah) which reflect the negligible presence of women, in the decision making bodies. The main reason being the prevalent socio-cultural impediments, as there was a little acceptability for women to participate in matters outside household. These two Muslim elite ladies became members of various legislative committees and during their tenure; they tried hard to safeguard the women rights, with complete pursuance.

In perspective of Pakistani women rights, just five months after the creation of Pakistan, West Punjab Muslim Personal Law (*Shariat*) Application Act (1948) was passed. It did away with the customary property law related to inheritance, including agricultural land, in which women were regarded as 'limited heirs'. Initially, the bill was removed from the business of the house. However, on the pressure build by the Punjab Assembly women members, the Muslim League Women's committee, along with hundreds of women protested in front of the

Assembly chambers in Lahore, demanding that the bill must be reintroduced, including the sections pertaining the rights of women. According to Urdu newspaper from Lahore, during the discussion on the bill on 26th January 1948, 500 Muslim women demonstrated in front of the Assembly, supporting the bill, raising the slogan that 'Muslim women demand rights granted to them by God and his Prophet' (Daily Inqilab, 1948). Most active women members in favour of this bill were two Muslim League women members, Begum Salma Tassaduq and Begum Shah Nawaz. In response to these demands, the bill was reintroduced in the assembly, approved and became a law on 29th January, 1948 (Daily Inqilab, 1948). This law acknowledged that the women had the right to own all kinds of property, including agricultural land. Through this act, the customary law was replaced with an Islamic law, which ensured a fair inheritance to the women. University of London Professor of Politics, Matthew J. Nelson defines the backdrop of this Act as:

After ...the formation of Pakistan in 1947, however, the laws of inheritance were changed. In particular, owing to the rhetorical and, to a certain extent, the ideological thrust of the Pakistan Movement led by Mohammad Ali Jinnah and his party, the All-India Muslim League, the term of 'tribal' custom were rejected and, eventually, replaced by a specific understanding of Islam. Local customs favouring the disinheritance of married women, in other words, were replaced by formal written laws in which the rights of all women (married and unmarried) were clearly and carefully defined (Nelson 2011, 11).

After Shariat Act, women prompted for another formal legislation incorporating legal guarantees for female population in family matters. Women activists, demanded this legislation after the second marriage of the Prime Minister Mohammad Ali Bogra, which caused a huge protest by them. Under this pressure, the Prime Minister created a *Commission on Marriage and Family Laws* in August 1955, consisting of seven members under the leadership of Chief Justice. The commission included three women members (Begum Shah Nawaz, Begum Anwar G. Ahmed, Begum Shams-un-Nihar Mehmood) as well. After much deliberation, a report consisted of laws on marriage, divorce, maintenance and custody of children, in the light of the Islamic law was formulated and handed over to the government on 20th June 1956. The report received a dissenting note from Maulana Ihteshamul Haq Thanvi (one of the cleric member of the commission). Apart from that, Maulana Ameen Ahsan Islahi, an important member of religious political party, Jammah-i-Islami, while writing in the party's monthly magazine *Tarjuman-ul-Quran*, presents his arguments against this commission's report, representing orthodoxy's view (Islahi 1956, 18-19). Because of stiff opposition by orthodoxy, inside and outside the legislative assembly, government opted not to publish the report. This presents a glaring example where even at the initial stages of the constitution making; the orthodoxy remained a serious obstruction to governmental measures for the better placement of women. The orthodox members of the clergy argued around the view that the women's rightful place is at home.

Apart from *Shariat Act* and *Family Commission on Marriage and Laws*, in the first constitution of 1956, some safeguards were guaranteed for women

population. First, the principle of reserved seats for women, on the basis of special women's territorial constituencies was accepted. Second, five seats were reserved for women for each of two wings (East and West Pakistan), for a period of ten years in National Assembly (NA) and the same number of seats were reserved in Provincial Assemblies (PA), after stiff opposition of a sizeable male members. Though initially, the two women members demanded for the reservation of 10 percent seats for women in both legislatures, for the next two elections with an argument that traditionally, it was not possible for women candidates to be elected in an environment, where Muslim men discouraged them to work along with them (Shahnawaz 2002, 249). Third, women were also accorded a dual right to vote for general and reserved women's seats, as well.

1.2 Women's Struggle for a Rightful Placement

As hinted above in introduction that the new state of Pakistan carried with itself variety of problems, among which the most acute was under-developed social structures, with fragile economy and entrenched orthodoxy. Apart from the negative induction of orthodox opinion, the new Pakistani society faced a chronic deficiency of low literacy rate and as a result of this backwardness; the female population suffered the most, as they were not even aware of their socio-economic rights. Notwithstanding, some of the elite urban women who actively participated in independence movement. They were not only appreciated but also gained respectability amongst the larger section of society. A handful of elite women were members of the new legislatures, with little or no contact and awareness of the basic women related issues- their relations with the families, obstruction to achieve their rights and the perceptions that the men had towards them.

After independence, it was expected that the placement of women will be accompanied by series of measures, to grant them equal rights and opportunities in a new state. This impression was created by two-fold experiences of Pakistan movement. First was the contribution of elite urban women by cutting across the socio-cultural divide and motivating the less privileged female population for a common cause. Second, the women equal participation in socio-political sphere as encouraged by the founding fathers. The aftermath of independence posed serious non-gender related challenges for the political leadership, including the settlement of huge influx of refugees from India. Therefore, the priorities were elsewhere, sidelining the women issues with minor exceptions like the gross human rights violation, during migration and later in the refugee camps, where women were the targeted sufferers.

By keeping in view the adverse environment for women, Governor General Jinnah strongly believed that the nation-building process requires both male and female to work side by side. Therefore, he motivated women, by acknowledging their efforts during Pakistan movement, so that they could extend their spirits towards this process. He expressed these views on 28th March, 1948:

In the great task of building the nation and maintaining its solidarity, women have a most valuable part to play, as the prime architects of the character of the youth that constitutes its backbone, not only in their own homes but by helping their less fortunate sister outside in that great task. I know that in the long struggle for the achievement of

Pakistan, Muslim women have stood solidly behind their men. In the bigger struggle for the building up of Pakistan that no lies ahead, let it not be said that women of Pakistan had lagged behind or failed in their duty (Zaidi 2002, 319).

In response to his call, elite women involved themselves in the rehabilitation process of women. In particular, notable them being Fatima Jinnah (sister of Quaid-e-Azam Muhammad Ali Jinnah) along with Begum Rana Liaquat Ali Khan (wife of the First Prime Minister), Begum Shah Nawaz and Miss Macqueen. Even the few Punjabi college girls, who were normally confined to their homes, organized themselves for these helping refugees. This act was limited in nature, with little long-term consequences, however, it laid the foundation for the future by setting an example, where women could become active part of the society. This contention is supported by Virdee as she points out:

Women were also taking the initiative themselves and organizing and mobilizing other women to work and help in refugee camps. Indeed this was a crucial time for Muslim women to come out of 'seclusion' (Purdah) and assist in the rehabilitation process. It was, no doubt, an appeal to their maternal instincts, but it was also an opportunity for women to improve and educate themselves (Virdee 2009, 474).

While evaluating the socio-cultural placement of Pakistani women in formative phase, two elements can exclusively be examined. First is the religious factor and second being the "traditional forums". These elements became more significant in the absence of codified laws and proper procedures for women representation in legislative bodies. As far as the religious factor is concerned, one cannot ignore the fact that though during that time the orthodoxy was not involved in the policy making process, however, by presenting a rigid interpretation of religion (Islam) in a society, where majority are Muslims, they achieved a considerable following, as mentioned by a Social Scientist that, "the religious orthodoxy, despite lacking political clout, has always been successful in negotiating the role of Islam in the polity of Pakistan. The tug of power among the politicians, bureaucracy and military enhanced the role of orthodoxy, in certain periods of Pakistani history; which in turn generated more confusion about the role of Islam in a modern state (Rashid 2008, 179). This is contrary to the expectations of the female population of Pakistan who expected that the religious texts should be interpreted correctly in letter and spirit, providing them equal rights in all walks of life. The stiff reaction from orthodoxy came against women's demand of these rights, by quoting some Quranic verses. While referring these religious texts, orthodoxy conveniently ignored the context of relevant verses. This notion is addressed by a renowned scholar, Khalid Bin Sayeed:

...it is often argued that the Qur'an states very clearly that men have been charged with the responsibility of protecting and maintaining women because God has given them more strength and the means for their maintenance. In their eagerness to score points in this regard, these writers often disregard both the specific and historical context in which these verses were revealed and many other verses where equality between men and women has been either stressed or recommended (Sayeed 1995, 119).

Another factor which further played a significant role in defining the placement of women in the Pakistani society were the “traditional forums” like *Panchayat* (which is also known as *Parya*) in Punjab and Sindh; and *Jirga* in Baluchistan and NWFP, comprising of exclusively elder male members to decide on various issues ranging from murder in the name of honor to minor abuse cases. However, the representation of women in such forums remained inconceivable; no matter how much respectable and active they were/are in their families. There was no chance in the formative phase for the Pakistani women to even strive for representation in such bodies, as they did not get adequate opportunities to receive proper education and employment—two basic elements which can become a catalyst for the women to play their due role in the society. Generally speaking, the above mentioned environment in the provinces of newly liberated Muslim state left few avenues for women’s social and economic participation, consequently the percentage of their presence in different fields of life remained negligible. Here, it is important to mention that the real sufferer of the socio-cultural conservatism were the uneducated women of rural class who were deprived of adequate resources, favorable surroundings and were not even given enough incentives so that they could become an important member of society and the state. As a result of all these handicaps, they were restricted to their homes. On the other side, as already mentioned, only those women who resided in urban areas and belonged to established families were not able to play suitable role in socio-economic matters nor did they had freedom to live their lives according to their personal judgments. In this formative phase, the legacy of pre-independence era continued and no substantive change in the status or the position of the women could be witnessed.

2: Transitory Phase: (1958-1976)

2.1: Efforts of Women for Reforms

The transitory phase of Pakistan’s history (1958-76) is marked with serious measures to address women issues, not only through legislation but also by giving them representation in national and local administrative bodies, by Ayub Khan’s regime. Ayub Khan, being a military dictator (1958-1969), ignored the democratic process by promulgating 1962 constitution with autocratic presidential system. However, this era witnessed socio-economic development in the shape of record economic growth, accompanied by agricultural/industrial reforms. Ayub Khan also legislated on pending women concerns by setting aside the orthodoxy and provided range of laws, affecting every aspect of women lives. His approach to address the women issues was within his certain thinking patterns, aimed to modernize and liberalize the Pakistani society, by confining the domain of orthodoxy. These intentions are well-explained by a French Political Scientist, Christophe Jaffrelot by writing that “General Ayub Khan, who took power with the first military *coup d’etat* in 1958, had modernist inclinations. He had worked closely with the secularizing elite during the constitutional debate, and he was prepared to grant the men of religion only the minimal concessions to guarantee Islamic legitimacy” (Jaffrelot 2002, 246).

The women related reforms during the transitory period are though few but effective. First was the promulgation of *Muslim Family Law Ordinance (MFLO)* 1961, which helped to uplift the socio-economic condition of common women. Second was the articles relating to constitutional safeguards for women in

1962 constitution. Third can be ascribed to the Presidential election of 1964-65 between Ayub Khan and Miss Fatima Jinnah. Although the election campaign was not a gender base issue but it served two major causes. On one side, it helped to mobilise the women population of Pakistan as Miss Jinnah became a role-model for the female section, even accepted by the orthodoxy, who over-night change their stance by supporting her in these elections, conceding their stance on women presidency. The Fourth came later, during the first general elections of 1970, in which women for the first time independently voted by setting aside the pressures of their male members of family. The last were the women related constitutional safeguards in the third constitution of 1973.

The first legislative measure was the promulgation of MFLO. Its history goes back to 1955, when a *Commission on Marriage and Family Laws* was constituted, presenting a comprehensive report over matters dealing with marriage, divorce, polygamy and inheritance for grandchildren. The report received severe reaction from orthodoxy and remained unpublished. This report became irrelevant once the 1956 constitution was promulgated but it provided a base to the formation of MFLO in 1961, as Ayub Khan wrote in his autobiography that when he was requested to introduce the Family Laws, in accordance with Islamic principles, he referred to the report that was presented by said Commission in 1955. He reflects:

I had the report examined by distinguished jurists including Justice Mohammad Ibrahim of East Pakistan and Mr. Manzur Qadir, ex-Chief Justice of the High Court of West Pakistan. The recommendations of the Commission did not interfere in any way with any Islamic injunction on the subject; they only provided a procedure for the proper and judicious implementation of the Islamic principles related to marriage. I decided to implement the procedure recommended by the Commission because I considered it my duty as a Muslim and as Head of the State to do what was necessary to eliminate a grave social malpractice which was affecting the lives of the people (Khan 1967, 107).

Finally, the Muslim Family Law Ordinance was enforced in 1961. The announcement of this ordinance brought a serious resentment from orthodoxy but Ayub Khan was determined to enforce his agenda. Ziring mentions in his writing that "...the Ayub government had to ward off religious agitation on a number of occasions. The Muslim Family Laws, which the President insisted on implementing through special ordinance in 1961, infuriated many conservative elements....But despite the opposition of the traditionalists and conservative orthodoxy, the government passed its program" (Ziring 1971, 182). The table 1 explains the significant features of 1961 ordinance.

Table 1: Main Features of 1961 Muslim Family Law Ordinance

Nikahnama	The new format of Nikahnama was introduced with full detail, in which the right of divorce for women was provided. The previous draft of Nikahnama was of one page with no details.
Registration of Marriage and Divorce	To register marriage and divorce is mandatory to make it legal. The ordinance bound Local Council to finalize the procedure of divorce within 90 days. During this procedure, the applicant cannot re-marry. The person seeking divorce needs to apply for this in a written form to the Chairman of the Local Council.

Second marriage	The law requires that a person desirous of getting remarried must seek approval from his wife. The law makes it compulsory that Arbitration Council (which comprises of representatives from husband as well as from wife) must be informed about the second marriage with explanation. The right of granting permission is delegated to this body of arbitration.
Minimum age for Marriage	The ordinance restricted the age limit both for the girls and the boys. The minimum age for the girl is fixed at 16 and for boy is 18.
Arbitration Council	If the parties do not appoint their nominees to the Arbitration council, it could function even without the representatives of the parties. The nominations have to be made within a time-period mentioned by the law. The arbitration council has been given the powers to explore options for any reconciliation between the parties. Regarding this, the Chairman is bound to constitute the Arbitration council within thirty days of receiving report from the concerned party.
Right of inheritance	The orphan grand children could inherit the property of their grandparents from their share of ancestral belonging.
<i>Iddat</i>	The period of <i>Iddat</i> begin, once the prescribed procedure of divorce is finalized.

Source: Compiled by Author.

This ordinance was warmly hailed, especially by the women section of society, as for the first time women were ensured legal guarantees in matrimonial affairs, as per the principles of Islam, which ultimately identified their proper position in the family (The Pakistan Times, 1961). First, the registration of marriage and divorce with the chairman of a local council, by following a proper procedure, legalized marriage to outlaw any problem in future and the divorce through the reconciliatory role of a council provided a chance to estranged couple to review their decision. The criticism of religious orthodoxy and some sociologists on this provision have presented different arguments. The critique of orthodoxy over the role of council, as defined in table 4.1 was due to the curtailed influence of a *Maulvi* in matrimonial matters according to this ordinance. On the other hand, the sociologists raised questions on the delegated power of reconciliation, to the heads of Union Council, arguing that they were ignorant of the subject of human relations and society and they are devoid of any expertise to understand the sensitivities of matrimonial conflicts (Nawa-e-Waqt, 1961).

According to the ordinance, the written permission of husband from his first wife, for second marriage although did not discourage polygamy as such but it could ensure an equitable treatment by the husband, as first wife's endorsement was sought. This permission would also discourage the misuse of the permission by Islam for four marriages, under dire circumstances.

After MFLO, the second measure taken by Ayub's government was the appointment of constitutional commission with five advisors, two of them being women. The commission recommended six reserved seats for women in the National Assembly and five in each provincial assembly, increasing to eight in both legislatures in 1967 on proposal of woman M.N.A, Begum Dolly Azad. The women could also contest elections on general seats, although the socio-cultural environment made it difficult for them to be elected, or even venture to contest the elections. While in the Provincial Assemblies of East and West Pakistan the

women reserved seats were increased from five to eight in 1967. The 1962 constitution also provided certain guarantees for the women population of Pakistan. This token representation of women in the legislatures, could not serve any useful purpose for the enhancement of women's status.

The third significant event, which describes the women political participation in this phase was the indirect presidential election of 1965, in which Ayub Khan contested against Miss Fatima Jinnah, the sister of the Father of the nation, challenged the legitimacy of General Ayub Khan. The Electoral College for the presidential election comprised of 80 thousand basic democrats equally divided between the two provinces. Miss Jinnah was a candidate from the coalition of five political parties by the name of Combined Opposition Parties (COP). The support of even rigid Islamic parties for a female candidate put a question mark on their previous statements against the women ruler ship as written in *Tarjuman-ul-Quran*, a monthly magazine of Jammata-i-Islami, where it was stated in 1949:

Islam has divided the domain of male and female, according to their natural capabilities. Male has to bear the burden of the matters related to politics and female has a responsibility to train the up-coming generation. Absence of women in politics would not disturb anything but if they ignore this training for new generation in lieu of their political participation then it would cause a great loss for the nation building (Turjuman-ul-Quran 1949, p.19).

This argument was refuted by the orthodoxy in 1965 presidential elections, where Maulana Maudoodi with his wife and followers did not only support the candidature of Miss Jinnah but also played an active role in her election campaign by taking a stance that in normal circumstances, the responsibility of a state should be in the hands of men but in extra-ordinary circumstances, to hand-over the governance to women is not inadmissible in Islam (Nawa-e-Waqt, 1964). In this regard, the wife of Maulana Maudoodi also mobilized women to come out for the election campaign of Miss Jinnah by giving a warning to the women that if they casted their vote for ineligible candidate then remember they have to be answerable in front of God and at the same time she condemned the MFLO (Nawa-e-Waqt, 1964). This massive support of orthodoxy unveiled the fact that it can even compromise on principles for their own vested interests. In this regard, COP also took a fatwa in support of women ruler ship in an Islamic state, from Maulana Mufti Mohammad *Shafi* (who was a president of Dar-ul-Aloom Karachi and was a *Deobandi* scholar, belonging to the *Hanfi* school of thought), in which he stated that "in a democratic government, to have a women head is not against Islamic values. In special circumstances, to support a women candidature for the office of president is of no harm and this fatwa has been given by Hazrat Hakeem-ul-Ummat Maulana Ashraf Ali Thanvi some fifty three years back" (Nawa-e-Waqt, 1964). In response of this fatwa, Ayub Khan who was already apprehensive of the growing popularity of Miss Jinnah seeked a fatwa from 650 *Ulemas* against the fatwa against women headship in Islam as mentioned by his information secretary, Altaf Gohar in his biography:

In her speeches Miss Jinnah attacked Ayub mercilessly, portraying him as interloper and a dictator, and alleging that his ministers and governors were his lackeys who had no real power....Ayub was

persuaded by his party to use the religious card against Miss Jinnah. A 'fatwa' (religious decree) was obtained from some ulema to the effect that a woman could not become the head of a Muslim State (Khan 1993, 277-278).

The unexpected election results against Fatima Jinnah, where she received 36% votes, in comparison with 63% of Ayub Khan jolt the supporters of Miss Jinnah. The opposition parties accused Ayub Khan of rigging, resulted in protest demonstrations against his rule, which was also joined by women organizations. No matter, whatever the results of these elections were but it determined a strong trend for women as it was the first time that a woman contested for such a high profile office.

The fourth significant event was 1970 Elections, where women overwhelmingly participated in polls. During the election campaign, Begum Nasim Jahan of Pakistan Peoples Party motivated Punjabi women, particularly from Lahore to their cast vote, as well mobilizing them. The major reason of this massive women political mobilization during these elections was the focus of Peoples Party towards the deprived section of society, including women. Impressed by the manifesto of PPP, it was the first election, in which "women voted overwhelmingly for the PPP, sometimes defying their husbands" (Saiyid, 1999). Though women participation as voters remained high during these elections but as representative it remained negligible as only nine women contested for the National Assembly seats (3 from East Pakistan, 1 from Punjab and 5 from Sindh), but not a single woman could be elected on general seats. PPP did not allocate any ticket to the women candidate. In parliament, only 13 women (which comprises 4% of their representation) were selected on the reserved seats (6 from West Pakistan and 7 from East Pakistan). Thus from 1972 to 1977, in the national legislature, out of 6 women on reserved seats, 3 were from Punjab namely, Nargis Naeem, Nasim Jahan Begum (she was also a member of Constitution Committee formed in 1972) and Zahida Sultana. They all belonged to elite class with strong political backgrounds.

The fifth measure was the women related constitutional safeguards in 1973 constitution. In 1972, a Constituent Committee having three women members, named Nasim Jahan, Mr Jennifer Qazi and Begum Ashraf Abbasi structured the constitution, promulgated on 14th August 1973. The constitution ensured some social and political rights to women through article 25, 32, 34, 35 and 228.

Apart from these safeguards, for 10 years, 10% seats for women were reserved in National and Provincial Assemblies, which were opposed by representatives of orthodoxy in parliament like Maulana Ghulam Ghaus and Muhammad Hanif Khan. The constitutional guarantees in 1973 constitution opened space for women to be a part of high profile jobs like Begum Rana Liaquat Ali Khan was appointed Governor of Sindh, Dr. Kaniz Fatima Yousuf was chosen as Vice Chancellor of the University of Islamabad and Mrs. Nargis Naeem was to be parliamentary Secretary of Health and Social Welfare Division and the Population Planning. Though these all women belonged to elite class but the later years of history proved that its impact gradually trickled down to the women of other classes. However, the peripheral efforts for women empowerment were

witnessed during Z.A Bhutto government. Another such example was celebration of *International Women's Year* in 1975 under Mexico Declaration. Apart from this, in 1976 Women's Rights Committee under the chairmanship of Attorney General Yahya Bakhtiyar was formed. The purpose to form this committee was to identify economic, legal and social problems of women. Regarding this, Nasim Jahan, Mariam Habib, Rashida Patel and Zari Sarfraz shared their recommendations. The report concluded that the main hindrance in women empowerment was not laws but the centuries old prevalent patriarchal mindset (Bari 2002, 123-134).

2.2: Women's Enhanced Social Status

The transitory phase of Pakistan's history is marked with the sensitization of women population for their equal rights, resulted in the promulgation of Muslim Family Law Ordinance (1961) and the re-structuring of old women organizations, with the formation of some new NGOs, to raise women rights issue. This slight progress for women could not improve their social status in reality. There were no significant increase in their literacy rate, nor were there enough employment opportunities.

The socio-cultural environment of Pakistani society in transitory phase, and its impact on women placement can be examined, by keeping in view various factors like the role of military, with its modernist approach in nation building process; impact of economic development to increase agricultural/industrial growth; and the continued influence of orthodoxy in decision making process.

The first factor can be understood better if taken in a wider perspective. The national leaders of developing countries of Asia and Africa, after gaining independence, struggled to establish institutions on weak socio-economic structures and could not succeed to address the basic issues of their society, let alone providing a rightful place for women. As a result, in most of these countries an authority vacuum was created, filled by more organized military establishment. This interference carried with itself a modern institutional approach, which had proper hierarchy in place, discipline in attitude, access to modern technology and authority to respond physically to correct a situation. Similarly, Pakistan is no exception. This notion is well-explained by an American professor, Raymond A. Moore, with reference to the Pakistan Army, as he states that the army spearheaded the forces of "modernization (which) may not be deemed unusual considering its technological skills, training, and discipline as compared with that of the rest of Pakistani society,..." (Moore 1979, 26). A Pakistani professor of civil-military relations endorses this point of view. While evaluating the expectations of many international scholars from the military coups in 1950s and 1960s, he explains that they considered the presence of military in politics as a sign of progressive change in society, which would come through introduction of modern methods for fiscal growth, ultimately leading towards societal transformation and national unity (Rizvi 2003, 17, 22). I can draw an example of Ayub Khan's rule (1958-68), which was though autocratic in nature in which all the powers were concentrated in one office but because of his liberal pretensions, the question of women rights received positive response in the shape of MFLO (1961) and representation of women in legislative and administrative offices, confining not

only at national but also in local level institutions, as mentioned in the first part of this chapter.

The second possible feature that had the prospects to re-define the women placement, in this particular phase, could be attributed to the ambitious and aggressive economic development and agricultural growth agendas of Ayub Khan.

The required transformation in Pakistan was made possible in the form of scientific and technological based inputs like high yielding varieties (HYV) of seed, fertilizers, pesticides and water accompanied by a greater spread of agriculture mechanization like tube-wells and tractors. The result was that the growth rate in agriculture sector jumped from 1.8 percent per annum in the fifties to over 5 percent per annum in the 1960s (Chaudhry, Malik & Ashraf 2006, 260).

Agricultural developments in rural areas because of 'Green Revolution', where most of the Punjabi population lives though minimized the poverty level but posed other restrictions on female population. This agricultural growth could not bring a positive change for rural women, as rural economic prosperity hindered their mobility to work in the fields, providing a sense of freedom and achievement. Hamza Alvi describes in his writing that the 'middle peasants' who benefited from the agricultural growth and got adequate monetary profits did not want their women to work in the fields because of two reasons. First, there was no need for their women to work as earner as they could afford extra male help; second, to demonstrate their better economic condition, women were restricted within home to boast their newly achieved improved social status. These feelings of deprivation among Pakistani women is further reflected in Alvi's writing as he explained his experience during his research in a Punjabi village:

Researching in a Punjab village in 1968-69 my wife and I found that far from welcoming this partial relief from the burdens of work, the women resented the change. Many of them described it as being locked up in prison; as well as their freedom of movement they had also lost their much prized economic freedom, however small; their control over some disposable resource which they could use as they themselves wished. This change suggests that a conceptual distinction be made between exploitation of a woman's labour and woman's oppression. In this case although the burden of labour was a little eased, the burdens of oppression had increased enormously (Alvi 1988, 1328).

Similarly, in the wake of rural development, a water supply system in villages deprived the women to fetch water from wells, where they could socialize and gossip for catharsis. Now, they were confined to their homes although free of the labor at the cost of their freedom. This demonstrates over-lapping dilemmas, where one benefit is compromised for the other in the wake of rural economic development. Here, it is important to mention that the urban women got more opportunities in comparison with rural counterparts, in the wake of industrial development programs of Ayub Khan (Baxter, etal 1988, 210) as it classified the society, where the 'indigenous Punjabi bourgeois' were able to push new "forms of business organization into peoples' lives and in actually transforming culture" (Weiss 1991, 11). This growing industrialization opened the new avenues of employment for urban women, encouraging the girls to get education.

The third feature of this phase is the reaction of orthodoxy, which continues to build pressure on Ayub Khan, as well as Bhutto's regime to introduce measures, so that the country could be ruled on Islamic principles. As a result, "subsequently, Pakistan governments, including those of Ayub, Yahya, and Bhutto, continued to seek compromise with the Islamists. They indulged in the rhetoric of Islam, but none were serious about implementing an Islamic blueprint, even if one could be defined to everyone's satisfaction" (Cohen 2005, 168). The most significant role was played by Jamaat-e-Islami, under the leadership of Maulana Maududi, with his radical approach. The response of Ayub Khan towards such Islamist parties has been explained byj Stephen Philip Cohen, as he states that "Ayub Khan regarded the Islamist parties, especially the well-organized Jama'at, as a dangerous nuisance. The Jama'at was banned, and Mawdudi was imprisoned, a move that only enhanced his personal status" (Cohen 2005, 168). In this particular phase, the efforts of women NGOs received serious criticism from the orthodoxy consequently the relationship between conservative *ulemas* and women rights activists remained strained, as both were working in opposite directions (Ahmed, 2013).

This phase in terms of the socio-economic development of Pakistani women, witnessed a virtually static environment. Despite of the modernist approach of rulers, especially those who were empowered for a long period of time, and an-over-all economic prosperity could not bring the trickle down impact on the socio-economic status of Pakistani women and their basic issues remained unresolved. In short, I may say that as per the expectations, the progression in one sector did not necessarily generate a chain reaction in the case of Pakistani society, where a condition of women could be improved in a comprehensive manner. Consequently, in many fields they still lagged behind, even according to minimum standards.

Conclusion

This paper has highlighted the under-developed political structures with minimum representation of women in legislative chambers, gradual awareness among women about their basic rights and the conventional reaction of orthodoxy over the demand of women rights. The study of these elements reveals certain observations. First is that the voice for women rights from 1947 to 1976 was basically raised by the elite women, no matter they represented women population by being in legislative assemblies or they were administrating a women rights organizations to pressurize the rulers for certain safeguards. These elite class women by sitting in their urban base set-ups were unable to understand the issues common women were confronting. Secondly, the strong influence of orthodoxy, with their rigid interpretation of Quran and *Sunnah*, remained a challenge for even the state, to ensure women their equal status. Third, patriarchal mind-set of an over-all society always supported the dominance of male over the female population, which ultimately stressed on indoor presence of women, devoid of their participation in economic and political activity.

These three elements remained so powerful in determining the socio-cultural placement of women to an extent that few legislative measures in the shape of MFLO in 1961 and comprehensive acknowledgement of women right in

constitution of 1973 could not bring any trickle down impact on the status of Pakistani women. Consequently, their basic issues remained unaddressed.

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