Diluting the patriarchal dominance: Review of Developing Feminist Discourse in Pakistani Context

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ABSTRACT

The present study is aimed to review of the development of feminist critical discourse in Pakistani context. It is considered that Pakistan is an Islamic country and there is a misperception in the Western world that women are oppressed in Pakistan on the name of Islam. This article provides a review of the dual version of female oppression in Pakistani context i.e. religious and cultural. The very first perception of women oppression in Pakistan by the western world is wrong as Pakistan as an Islamic ideological state does not oppress women rather guarantees their equal rights. In this regards there is a long list of legal development for the protection of the rights of women. The second kind of oppression is the cultural oppression against women. There are a lot of cultural practices in different regions of Pakistan which are oppressive towards women like Wata Sata, dowry death and forced marriages. The data for the present study has been reviewed as per available academic resources and research journals. The significance of the study is to counter western misunderstanding about the female oppression in Pakistani context. While at the same time the study is significant as it raises voice against the prevalent cultural practices of oppression against women in Pakistan. The findings of the present study reveal that there is a development of feminist critical discourse which is diluting the patriarchal dominance that is maintained through cultural practices in Pakistan.

KEYWORDS

Patriarchal Dominance, Gendering Cultural Practices, Islamic ideology and women.

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INTRODUCTION

It is considered that no nation can grow without the help of women. The social position of women in any society is considered as directly proportional to the development of the nation and society. The Western world had significantly improved the social position, respect, dignity, rights and privileges for women. While on the other hand orthodox societies still consider women as safe and secure in the walls of houses like prisoners (Avishai, 2008). Pakistan is such a country which was established on the name of religion i.e. Islam. The Western world being different on religious (Christianity) and cultural (modern & popular culture) pretexts consider that woman in Pakistan is facing the challenges of oppression on account of religious contours. It is perceived that Pakistani society has no more difference from other countries of the world which deny the rights of women. Out of such countries Afghanistan and India are taken as traditional examples.

Our stance is that Pakistan is not such a country where female is not oppressed. The case of female oppression in Pakistan is not that of religious one but it is cultural one. While the West perceives that such oppression is on the religious grounds. The Western world simply takes Islam as an agent of exploitation against women rights in Pakistan. The present study is aimed to establish a debate that the female oppression in Pakistan is not religious one but cultural one. Furthermore, the present study is aimed to present the rubric of the feminist critical discourse which has developed in Pakistani context and is helpful in diluting the patriarchal dominance in Pakistan. The development of feminist discourse in Pakistan has helped in framing the laws and ordinances for the protection of women in Pakistan. In Pakistan, the movements for the rights of women have ever remained active (Weiss, 2012). In Politics Benazir Bhutto as the first Executive head of an Islamic country can be taken as example.

Pakistan is an Islamic country. All the rules and regulations in Pakistan are based on Islamic system. While on social level, there are some customs and traditions except Islamic law which are also practiced. A cultural pattern in Pakistan is operative which never allows women basic rights protection and use of law. Pakistan as an Islamic country resolve issues related to women's rights on account of religious and legal grounds against the oppressive cultural practices. For example Wata Satta in Pakistan is a socio-cultural tradition of marriage not the religious and Islamic practice. While the Western world considers that Wata Satta is permitted in Islam. While in reality Islam equally prohibits Wata Satta as consent for marriage is essential for the deed of marriage (Nikah). Uthman (2005) describes that the rise of equal justice system in society as Jirga and Panchayat has completely changed the position of women in Pakistan. But one has to keep in mind that the tradition and practice of Jirga ad Panchayat is cultural not the religious one. Even in contemporary times such cultural norms of jirga and panchayat

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are disappearing in Pakistan. The proper judicial system is replacing such traditional practices of justice controlled by the will and wit of elderly and uneducated people. This proves that Pakistan and the Pakistani women are fighting against rigid cultural practices and both seem succeeding in this effort as well. Islam as a religion of peace and equality equally extends equal rights for men and women amidst such cultural practices of Jirga and Panchayt. It is considered a commendable quality that since independence, Pakistan gave security to women and had introduced such laws. Therefore, in Pakistan there are clear cut and well defined women rights (Weiss, 2012).

Wodon (2015) describes that a few steps have been taken to confirm full interest of women in life. By such interests we mean events and their national life and a law should introduce to protect women like mother, marriage, family and child. The 18th amendment to the Constitution of Pakistan has majorly focused on the autonomy of the provinces with a great emphasis to address the issues related to the development projects for women. There are the following laws which are officially operative in Pakistan to safeguard the rights of women in Pakistan.

- Muslim family Laws Ordinance (MFLO) of 1961
- The West Pakistan Family Courts Act of 1964
- Dowry and Bridal Gifts Restriction Act, 1976
- Criminal Law(Amendment) Act, 2004
- Protection of Women Act (2006), revised the Hudood Ordinance
- Criminal Law (Amendment) Act, 2010 (on sexual harassment)
- Protection against Harassment of Women at the Workplace, 2010
- Women in Pakistan
- Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 201
- Criminal Law Act (Second Amendment, 2011), referred as Acid Control and Acid
- Crime Prevention Act
- Criminal Law Act (Third Amendment, 2011), referred to as Prevention of Anti-Women Practices
- The Women in Distress and Detention Fund (Amendment) Act, 2011
- Domestic Violence (Prevention and Protection), Act 2012
- Enforcement of Women Ownership Rights Act 2012
- The Khyber Pakhtunkhwa Elimination of Custom of Ghag Act 2013

In this way Pakistan has devised a policy against the threat of discrimination against women and uses all suitable means without any delay. So, it is productive and constructive in Pakistan to remove any restriction and any division or rejection which is made on the basis of sex. Working for the purpose of equality between women and men for their fundamentals rights is a rising social and humanitarian project in Pakistan. While unfortunately there is a misperception in the Western world that women are oppressed in Pakistan on the name of Islam. One evident observation is of our author of this article-Abdul Rashid-during his Ph.D studies in English literature from the University of Exeter United Kingdom. Mr. Abdul Rashid recorded my friends from England and other western countries used to ask me the question, “Why do you Pakistani are oppressive towards women”. Such questions off and on remain vibrant in the western academic discourse. The central question of our interest over here is to explore the situation of women rights in Pakistan and to review of the dual version of female oppression in Pakistani context i.e. religious and cultural.

Objectives of the study
There are the following objectives of the present study

- To review the legislation in Pakistan framed for the rights of women.
- To trace out the ongoing cultural practices in Pakistani society which are oppressive towards women for attaining the equal rights in Pakistan.
- To differentiate the cultural practices of oppression against women and Islamic ideology for the rights and privileges of women.
- To explore that in Pakistan women are oppressed by religious ideology or cultural practices.
- To explore the efforts of Pakistan to mitigate discrimination against men and women in Pakistan.

SOCIAL STATUS OF WOMEN IN PAKISTAN

Pakistan is an economically developing country and it has a division of rural and urban areas. So it has its own part of discrimination and oppression regarding social status. While other problems with legal system of women, their misuse of religion, and hurdles for women and religious activism also. In this present environment different sections of women have
changed these issue and female trouble and difficulties faced by women. While, women still suffer a lot at different levels. So for Pakistani women it is considered a natural phenomenon of institutional and individual level.

There is no doubt that patriarchal society in Pakistan as mentioned earlier that women have been neglected from equal representation in all spheres of life. The patriarchal dominance in Pakistan has raised conflicts regarding the oppression and violence against women. Women are considered inferior and ruined by men. They have no power to raise their voice against bad behavior by men, i.e. fathers, brothers and after the marriage, husbands and some male relatives. Abraham (2006) considers that a daughter has no power to speak in family or play her role in family. Consequently, she can never be a protector and sympathetic except discrimination and violence. While Islam clearly mentions that family is the important part of getting women’s right in society. The basic purpose of Islamic legal laws is marriage and parenthood (Ramadan, 2003).

While in case of any unwanted activity from the part of men all blame is put on the women (Ali and Gavino 2008, p. 202).

Female have the reproductive skills to protect the honour of the family on the other hand men are ordered to control honor of female members of the family like female body in terms of sex. Thus, women actions are valued to threaten the male-controlled order that is female body which is punished with violence, burnings, sexual abuse and even murder in the name of honor (Noor, 2004, p. 15)

**Forced Marriage**

There are some areas in Pakistan where marriage by force is important and majority of people are determined to interpret local customs. It is clear that there is no permission of forced marriage in Islam. Therefore, women are not forced to marry anyone unknown without permission according to Islamic law. Fatima (2007) noted this idea that in Muslim community “Ghag is a shocking practice which weakens the basic beliefs of Islam. Hadith clearly states that Nikah is necessary for women as an agreement and a girl’s parents and other family members are not allowed to impose their will to marry someone whom she don’t know. The custom of Ghag is practiced in Khyber Pakhtunkhwa and the Elimination of Custom of Ghag Act 2013 which is established to challenge the cruel custom. Therefore, it is described that Ghag is kind of a custom, a rule, tradition or practice where a person successfully challenge and claim the hand of a woman, without any permission of her own or her parents. It can be in an open speech or by words spoken or written or by noticeable representations in some cases where no other man is ready to make a marriage proposal to her or marry her. As male violence is modifying day by day and society is driving this brutal customs of violence and the practice of Ghag gives an insulting position to women.

**Acid attack**

A woman’s worth is related to her appearance, her marriage ability (Zia, 2013, pp. 17-18). In a society there are certain women who are beautiful and have experienced acid attacks which damage their confidence and their permanent psyche. In these cases, victims face issues from administration and judicial system resultantly they women do not report such cases of acid attacks to save their family honor. Some other problems which are being faced by the victims are lack of justice and rampant corruption, unprofessionalism, inexperience and lack of skills and trainings and gender thoughtfulness (Zia, 2013, p. 21). In Pakistan the presence of many judicial systems (high courts, sharia courts and tribal courts) which further confuse the issue (Zia, 2013, p. 23). While Acid violence is considered gender-based violence and prohibited at both international and local laws. Except all this, that is continued and almost unchanged due to deep-rooted patriarchal structures and a weak law and order situation (Zia, 2013, p. 40).

**Right to forgive (Haq Baksheesh)**

According to Islam, marriage to Quran or Forgiveness literally means denial of the right to marry. This is an un-Islamic tradition and is commonly found in Sindh and Southern Punjab in Pakistan. Under Pakistani law, the practice is punishable by up to seven years in prison verdict (Pianta 2020). The main purpose behind this evil is not to give a share of the property to the female members of the family. Under the law, some teenage girls are married to the Quran for life. In these areas where women are married to the Qur'an women are forced to live in despair. Therefore, from the Qur'an, marriage victims cannot receive property from their parents and neither can have husbands and children (Noor, 2004, p. 42).

**Honor Killing**

Innumerable girls and women yearly in Pakistan are killed in the name of honor (Bhanbhro, 2013). Unfortunately, the legal system against honor killing has improved over the years very slowly. According to the HRCP, in the year 2011 almost 675 girls and women were killed from January to September. So, the Criminals gave several reasons for their killing. The commission reported 791 honor killings in 2010. In such a narrow-minded society, the part of unfaithfulness clearly includes in it the dignity and the right of life of women. Ironically Pakistani society protects women's dignity by banning them in almost every aspect of life. It insults women by simultaneously killing, raping, throwing acid and burning. Therefore, the local reasons for honor killings are different, which are found as a custom in Pakistani provinces as tradition. Like tor-tora in Punjab, Karokar in Sindh, siyalhaki in Baluchistan, and tribal areas of Northern areas of Pakistan.

**Dowry death**

One of the most terrifying customs in the three countries of the Indian subcontinent i.e. Pakistan, India and Afghanistan is the game of discrimination against married girls. In this situation, the price of dowry is considered as an ethic of marriage.
When dowry items are not up to the expectations of the family of the groom, married women are killed. (Parveen, 1981). Like other social issues, the most dangerous part of dowry is accepting it. The law banning dowry and bridial gifts were passed in 1976 for all cities of Pakistan. And it was decided that the value of the dowry should not exceed five thousand. Dowry means that after marriage the bride is given a share or a gift, directly or indirectly, from the property of her parental family. It does not include property given under the inheritance Act. The Act states that the list of dowry items should be disclosed and should be in marriage register (Iftekhar, 2019). Therefore, the legal presence of such evils in a woman-friendly society leads to further patronage of the woman's status. Dowry is not considered as a religious requirement in Islam. Rather it is strictly forbidden. Many people claim that dowry is a religious tradition but it has nothing relevant to the Islam and Islamic values. Rather it can be taken as another reason for men to justify the unfair beliefs against married women (Noor, 2004, p. 19). It is purely a cultural phenomenon that is misperceived as Islamic. Islamic law does not oblige the bride's parents to pay any expenses, even if the wedding expenses are accepted by the groom. This proves that dowry is not an Islamic trend but a cultural trend.

Surprisingly, Men seek refuge in Islam to explain their abominations and barbarism against women and the instructions proposed by Qur'an on account of marriage for women.

**Selling of Bride**

In the tribal areas of Baluchistan and Khyber, according to the KP tradition, girls are sold as brides and in some areas they agree to marry under the custom of Walwar. Women are provided with prices and are treated unfairly. Women are treated as a supply in prices and these girls are sold to most dealers regardless of her age. And this sale is permissible on the basis of a custom name Walwar (Noor, 2004, p. 48)

The reality of woman as a subject of property and fragmentation trade is reproduced in ways in which society retains its status as a body. The loss of life and property is presented as a belief, as blood is given as blood to avenge the murder. In Pashtuns it is called Sawra. Watta Satta is another tradition, which is mostly found in the Saraiki areas of Pakistan. Therefore, the custom of watta satta is another marriage contract in which a man can get a wife by offering a woman in exchange for his daughter (Ali, 2001, p. 22)

**WOMEN EMPOWERMENT IN PAKISTAN**

Tehmina Durrani’s My Feudal Lord is her biography sheds light on the institution of marriage and family that is carefully linked to cultural practices. The author blames patriotism, feudalism and cultural principles for the oppression of women. When Durrani decides to reject life with her husband, she discovers that she is abusing and defaming him. Under terrible pressure, she strives to be independent and to restore self-confidence and fulfillment of life. Eagleton (1996) noted that when women try to paint a picture of enjoyment, society presents them with an ideology of passion. When they try to see companionship, society presents them with an ideology of male sexual harmony. When women try to imagine success, society presents them with a vision of attracting a man. When women try to imagine sex, society forbids them on most of their possible impressions of satisfaction. When women try to present themselves as a unique self, society presents them with less attractive images. So the real success for women in Pakistan is almost presented in terms of social, domestic and sexual. The genre of autobiography is emerging one and Durrani’s autobiography My Feudal Lord can be taken as stunning work. Currently more and more writers are turning their attention to fiction. Although not the first of its kind, Durrani's biography has been the focus of public attention. Her predecessors are Shaiesta Ikramullah, Benazir Bhutto and Sarah Suleri. But it is the story of her life that has won a wider readership nationally and internationally. Its distinction lies in its reflection of oppressive feudal traditions, even in its personal life. The purpose of her autobiography My Feudal Lord (1994) becomes clear when she dedicates it to the people of Pakistan, “for the people of Pakistan, who have repeatedly relied on their leaders. And supported those who used hunger in writing to advance their own interests, the oppressed, the miserable, the many congregations, for their beloved children, who in our closed society, exposed the trials of the family. My son may never oppress the weak woman; my daughters will learn to fight oppression (Durrani, et al., 1995).

Memissi (1987) argues that the question of the status of women was strictly ignored until after the twentieth century. Western inspirational studies of the Muslim world portrayed to the readers that woman in Islam discusses the rightful place of women in society. Which also includes an excellent moral code “To live a religious but modern life” The literature on women in Islam discusses the "right" place of women in society, including the best moral code on how to live a religious but modern life. In literature women possessed a place of political and social level. Women writers played a key role in this regard because they write with an artistic excellence and an unknown truth at public place. Before activism they faced oppression, sufferings and identity issues. Women are mothers, sisters, wife’s family members, and human beings. Women suffer caste issues and class issues which objected to their bodies which is untouchable. On the other hand, women are always subject to give answer and explain every aspect of their desires. The 1990s saw a significant increase in the number of women writing, partly because of the growing number of interested scholars covering gender and Islamic issues. The impetus for this growing research and serious attention of women in Muslim societies has emerged in two very different ways. One movement was the rise of the women's movement around the world in the 1970s, when activists for women's rights and gender equality began. Another movement stems from the economic transformation of national governments and international organizations. Women are seen as a factor in development.
Worell (2002) considers social scientists in a number of disciplines, each of which has undertaken a number of tasks to improve women's ability to reach a balanced position and access to social goods. At the same time, social scientists, using gender as a major class of analysis, sought to change and refine their subjects. Until the 1970s, the discipline of history from time to time faced the backwardness of women in the historical context.

Kardam (2004) describes that there is no universal definition of women's rights in the world. It has different meanings and interpretations. Scholars define and explain women's rights according to their social, political and religious authority and principles.

But one thing that is common and considered common in women is gender equality. Scholars and sociologists and gender experts consider it a revolution of the feminist movement. According to a research study by Tijani (2019), “Women define themselves in a geopolitical and socio-cultural perspective with an emphasis on gender equality. These fluctuations in the feminist survey make the term of women equality as different (Tijani, 2019, pp. 109-123).

Göle (2017) see human society immensely different from other forms of feminism run for women's rights and the demands of their rights.

Radical feminist consider fundamentalist feminist rights as the male-dominated capitalist organizational structure as the root cause of women’s oppression and in this way it sponsors the complete revolt and revival of society.”

Feminism in Muslim countries is growing based on the real needs of individual countries which are at different stages of religious revival on the one hand and political, economic, cultural and social complexities on the other. But there are many common features of women’s movement in modern Muslim countries. Certainly, My Feudal Lord begins a diverse conversation about women. Although it is being written with the help of English co-authors, it does not disturb the text and the "natural Pakistaniness" of the author. In traditional Pakistani society, married women face many problems. South Asian societies have turned homes into an ideal place to practice Western aggression and domination. In general, women in South Asian countries are tied to this custom and social custom in such a way that it leaves women's development behind. Another important factor is that women are completely deprived of their rights as a woman and the law that guarantees their protection is protected by the country's constitution. Spivak (1996) suggests that the role of literature in the preparation of cultural representation should not be underestimated. Durrani therefore takes advantage of the literary genre to register her grievances and use her biography as a medium to expose her hidden life. It also points to the fact that Pakistan is still in the grip of a feudal structure and at the same time seeks to revive Subaltern voice (Murfin and Ray, 2009, p. 359).

In the light of the definitions indicated, it is possible to state that the formation of others in any civilization is directly related to philosophy. Philosophers tend to identify some groups as others and to express their views on differences in terms of culture, traditions, cultures, race, ethnicity, physical characteristics, gender, sexuality, or other characteristics. This preparation leads to the victory of the observational groups (Murfin and Ray, 2009). This method of clarifying another's theory has some implications for later studies, and thus for this work. This is useful for having a better command of the ego trend and justification, which is the most important concern of this work and will be discussed in Orientalism according to the thinking of Edward Said.

CONCLUSION

In the light of the above review of the relevant literature and the acts passed through parliament of the Pakistan and adopted by the provinces in Pakistan we are able to conclude that Pakistan as an Islamic state is struggling for the equal rights of the women. The legislation framed by Pakistan clearly reveals that Pakistan is not only following the Western tradition of feminism but it is also seeking provisions from Islam. There are certain cultural practices in Pakistan which oppress women but such oppressive practices are being challenged by the women through fiction. In Pakistan the feminist discourse is diluting the patriarchal dominance.

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Umair et al.


