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Author

Kalhor, Sanam A

Publication Date

2014-04-01

The Politics of Space and the Creation of the Third:
A Study of the Women's Parliamentary Caucus in Pakistan

Sanam Ali Kalhoro
MA, Women's Studies (expected)
San Diego State University
Thinking Gender 2014

Introduction

The body of literature on third world feminism, feminism in relation to Islam and the state, and theories of the “third space” are the theoretical underpinnings for this paper. Through this study I assert that the political history of Pakistan has created categories of strict binaries for women. For the reason that these binaries overlap a great deal they will be looked at under the overarching binary of religion and secularism. Within this binary exists the modern and cultural authenticity binary and the binary of the public and private. Though the binaries overlap they are all the result of particular political eras in Pakistan and so their distinction is important to note and will be done so throughout the paper. I believe that each binary represents a “space” and that women have become symbolic representations of each of these spaces. The creation of these binaries is what has fueled women’s movements and activism in Pakistan. Furthermore, I postulate that it is because of these binaries that women have sought a “third space”, which has not been successful in the history of the women’s movement in Pakistan. It is from this alternative space that they can seek justice within the legal framework, which heavily discriminates against women partially due to Islamic interpretations and patriarchal norms. How these two factors have shaped the legal system in Pakistan will be discussed in the section covering the political history.

This paper is primarily concerned with the Women’s Parliamentary Caucus (WPC) which was created in 2006. The WPC, since its creation, has been able to get two crucial bills passed through the Senate. The first is the Sexual Harassment at the Workplace bill and second the Domestic Violence bill. The reason why these two bills are of such importance is because they challenge the three categories of binaries explored in this research. I argue that the WPC acts as a real third space for female politicians to challenge these binaries and to introduce change into the legal system to end the discrimination of women seeking justice under the law. The WPC as a third space for women in Pakistan is a unique and special advancement for the women’s movement and women in politics. Pakistan is a country of varying ethnic, social, and religious identities. Identity in Pakistan has been a contested issue from the creation of the country. Thus the search for a national identity has adversely affected women’s access to basic rights and justices. It is within this complex web of identities that the WPC was able to bring together women from various backgrounds to agree and execute one agenda.

The Political History of Pakistan

Pakistan gained independence in 1947 after its partition from India. The basis for the creation of Pakistan was religion, and the idea that Muslims needed a separate homeland from the Hindus. The creation of Pakistan was based on religion and therefore the country has faced many issues regarding its national identity. Muhammad Ali Jinnah was the oppositional leader to Mahatma Gandhi during the partition, and is known in Pakistan as the “father of the nation”. Interestingly enough Jinnah was not a religious man and did not live a life that adhered to strict Muslim principles, because of the influence of his British education and Western values. We see here that even the person behind the independence movement for Pakistan was not influenced by Islam and so from the very beginning the nation did not have a clear direction, in terms of politics, to be able to ever forge a coherent national identity. These are the factors that have led to tumultuous political changes that have not been able to help the nation develop politically. Rather these changes have led to many challenges for nation building, and it is the citizens that have faced its backlashes. The back and forth between religious and secular politics, and to a

large extent the involvement of the military, has failed to create a balance in democratic frameworks for the government that are inclusive of religious practices. It is due to these imbalances that the binaries mentioned above have been created within Pakistani politics and society. It is through the creation of these binaries that Pakistan has gone through eras of political rule that have proved to be of substantial detriment to the people and in particular to women even till present day. This section will first discuss the history of Pakistan from 1971 and second how it contributed to the creation of these binaries.

The Era of Zulfikar Ali Bhutto (1971-1977)

Zulfikar Ali Bhutto was the leader of the elected Pakistan Peoples Party, one of the most powerful political parties in Pakistan. Bhutto's political aim was to fix the problem of social inequality through socialism, but he was adamant on a form of socialism that was derived from Islamic values. Whether Bhutto was actually successful in promoting a socialist government is highly contestable, since he did begin to favor the elite and relied on them to stay in power. The lasting effect of the Bhutto era has been the nationalization and privatization of industries and educational institutions. These measures negatively affected small scale industries as well as members of the lower economic class because it made education very expensive. As a result Bhutto was not staying loyal to his promise of Islamic socialism pushing small business owners to ally with the religious elite (Monshipouri1995). There was no real Islamic revivalism within Pakistan while Bhutto was in power, which aggravated religious factions and eventually turned them against Bhutto. The absence of strict adherence to Islam was exemplified through the elite, which was characterized at the time as being highly "Westernized" (Hasan 2002). This group openly did not observe Islamic obligations of prayer, consumed alcohol, gambled, etc. This was one of the major reasons for Bhutto's eventual demise from politics. During this era there was a rise in women's participation in the economy and they also became members of trade unions. They were recognized as equal citizens in the 1973 constitution specifically in Article 25 stating that no one should be discriminated against under the law on the basis of sex. Women were also included in politics and seats were reserved for them in the National Assembly for which they could be elected. It was also during this era that Pakistan signed the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (Weiss 1976). This political era was essentially secular under the guise of Islam, making the society more liberal and free. Women were given access to public spaces in what has now been characterized as a "modernizing" state. The overall culture of this era drastically changed when a dictator came into power in 1977 and especially for women, who were a major target of the new political ideology.

The Era of Zia-ul-Haq 1977-1988

General Zia-ul-Haq came into power in 1977 after a military coup and it was during the period from 1977-1988 that Pakistan experienced a rise in sectarian violence and religious militancy. This era was marked by cooperation between Zia and Islamic political parties through the process of Islamization¹ as well as the involvement of Pakistan in the Soviet occupation of Afghanistan. During this time education reforms² of the previous political era were done away

¹Islamization refers to the process of introducing change in society through a religious framework. The process, used politically, has resulted in oppression and marginalization of minorities.

²Zulfikar Bhutto privatized many institutions and education was one these. As a result education became expensive and served only the elite, leaving out many middle and lower class populations.

with and there was a high rise in religious schools, *madrassahs*. These schools were increasingly being sought, especially by populations of the lower economic classes, because they offered free education as well as food and clothing (Talbot 2007). Therefore Zia's Islamic reforms became viewed as beneficial by these classes. It was during the rule of Zia that religious groups were able to gain power and their main accomplishments lay in preventing women from obtaining any rights as well as to emphasize differences in a nation of multiethnic and religious populations. The ideal Pakistani during this era was defined as a Sunni Muslim while all others, Shia Muslims, Christians and Hindus, were either sidelined or marginalized due to their religious differences.

Women were already seen to be different from men in many regards, such as rights and mobility, now under Zia's regime these differences became even more pronounced. Furthermore they served to create divides between women and keep them confined to a strict private space (Rouse 2007). This private space has been known as the *chaardevari*, four walls, meaning that a woman's rightful place was in the home under a *chaadar*, veil. What needs to be noted here is that religion during Zia's time was creating a universal ideal of a Pakistani that in previous eras was not clearly defined. Thus religion was giving Pakistan an identity while secularism was denying differences, leading to ambiguity in national identity (Rouse 2007). Shahnaz Rouse argues that the definition and protection of boundaries became more pronounced after 1977 when the guardians of the state, the military, and the guardians of the private and public spheres, religious groups, began to carry out policies that curbed any challenge to conventional wisdom.

It was during Zia's time that widespread patriarchal interpretations of Islam were used under a political agenda. Laws that discriminated against minorities led to even further conflict amongst ethnic and religious groups. Furthermore this was the era in which women were the major targets of Islamic legislation that sought to take away their rights as equal citizens³ and to limit their activities in public spaces. These laws are famously known as the Hudood Ordinance, and the justification for their creation was that they were in accordance to Islamic teachings from the Quran, dealing with controversial issues such as rape, adultery, theft, use of alcohol and drugs, etc. Punishments for these crimes were prescribed through the Quran or Hadith⁴. For instance in the case of rape, the law states that if a woman was raped then in her defense, in court, four pious Muslim men must testify to an eye witness account of the crime. These laws were specifically detrimental to women and often blurred the lines between cases of rape and adultery so as to punish the women, which led to an increase in victim blaming. The Hudood Ordinance emphasized punishment rather than justice, something that had severe repercussions on the society (Jalal 1991). If the woman under trial was not able to produce these witnesses the crime went unpunished due to lack of evidence. Furthermore in many instances due to lack of such evidence women were then convicted of adultery and sentenced to stoning till death. This is an example of how laws for certain crimes committed against women can turn the victim into a perpetrator, leaving legislation a hopeless arena to seek justice in. One other important issue to consider here is that there exists no term in mainstream languages of Pakistan, Urdu, Punjabi and Sindhi, for rape. Afiya Zia points out that any reference to rape dealt with the concept of *izzat*, honor. The concept of honor does not involve women but rather that of the male kin of the

3Article 25 of the Pakistan constitution ensures equality before the law and equal protection of the law with no discrimination based on sex alone. Articles 26 and 27 ensure equal access to employment for both men and women. (www.wdd.punjab.goc.pk/women_rights)

4 Hadith refers to the sayings of the Prophet Muhammad.

woman. Therefore she does lose her honor but her loss of honor brings loss and shame to the men in her family and clan, Zia points out that this is due to the familial connections made in Pakistan in which women are seen as the property of men (Zia 1994).

It was not until 2003 that the demands to repeal the Hudood Ordinance became substantial by women's groups⁵. This can be attributed to the fact that, to extract laws based on religion from legislation in a country that is supposed to be rooted in Islam is very difficult. To contest religion then becomes highly challenging due to the rise of Islamic fundamentalism during and following the Zia era, making anyone in opposition to religion an enemy of the state. Shahnaz Rouse (2007) points out that violence against women, in the Zia era, became not only a private matter but shifted to the public domain where this violence became naturalized. She argues that the state clearly had a hand in creating this shift and increasing violence against women in the state. This era and its return to religion used minorities and women to complete its agenda. It was during this time that the binary between religion and secularism became clear as well as the public and private binary when it came to women and their access to different spaces.

Politics in the Post Zia Era 1988-2008

The post-Zia era was affected by the social policies implemented until 1988. Laws such as the Hudood Ordinance still plagued women's right to justice because they became an integral part of the legal system. Furthermore laws such as the Blasphemy law⁶ are still at large used against those accused of going against Islamic teachings (Rouse 2007). To undo these affects from the Zia era has been an incredibly difficult task given that religion cannot be easily done away with or reinterpreted in Pakistan without backlash from religious groups. After the death of Zia-ul-Haq one of the major political parties, Pakistan People's Party, sought to come back into power with the promise of restoring democracy in the nation. Interestingly following the misogynist Zia era the next prime minister of the country was a woman, Benazir Bhutto in 1988. Benazir Bhutto was the first female prime minister of a Muslim country, though this was quite an achievement her ascension to power is the result of patriarchy. Being the daughter of the former leader of the People's Party, Zulfikar Bhutto, was what led her to that position. Pakistani politics is based highly on kinship, therefore during this time the People's Party was more willing to allow a woman to lead the party than to give up their power altogether. This of course does not in any way take away from the agency of Benazir Bhutto and her work as Prime Minister, but such realities must be assessed before a conclusion on gender equality can be made. This political era was highly unstable due in large part to the dwindling economic conditions the nation was experiencing, giving religious group's room to thrive (Talbot 2007). When the government fails to provide the people with sustainable livelihoods, religious groups rise up to take that opportunity. A major portion of Pakistan's population at that time was experiencing some rate of poverty.

In 1999 the country underwent another military coup by General Pervez Musharraf, while he instilled himself as president he also allowed for political parties to be effective within the parliament, however with its limitations. Within this era the already complex relationship between religion and the state became even more problematic. The rise in religious militant

⁵Leading protests and demands to repeal these laws was the Women's Action Forum.

⁶ The Blasphemy Law was introduced during the rule of General Zia as a means to curb the rise in acquisition of rights for religious minorities in Pakistan. The law prohibits and punishes any type of blasphemy by members of religions other than Islam. This law has been highly misused and has been highly controversial even in recent times.

groups, such as the Taliban, during the previous two eras was now being challenged by Musharraf when he tried to ban many such groups in Pakistan. Musharraf, post 9/11, was trying to ally more closely with the United States to curb the rise of terrorist networks. Given his policies there was a sharp rise in terrorist activity within Pakistan that targeted civilians and increased insecurity within the nation. There was no opposition to Musharraf because leaders of both political parties that were in power, Pakistan People's Party and the Pakistan Muslim League, were in exile. Therefore, there was no real opposition to Musharraf's "politicoreligious" fight between religious groups and the military (Jamal 2005). Interestingly it was at this time that the MuttahidaMajlisAmal (MMA), a coalition of six religious political parties, came to power through elections in the North West Frontier Province (now known as Khyber Pakhtunkwa) and Balochistan. The MMA later was able to secure seats in the Senate and National Assembly, who previously were absolutely incapable of gaining such power. This turn of events can be attributed to the fact that within Pakistan anti-West sentiment was growing in the years after 9/11 as well as Musharraf's actions against religious parties. Now the dynamic between the MMA and Musharraf is very complex because at times they acted as the democratic opposition to his rule while at other times supported his highly controversial constitutional changes (Jamal 2005). Here the military kept a relationship with religious parties in order to curb opposition from the general public, because if the MMA supported military action it meant that they were acting as per public sentiment.

After the era of Zia's rule there was a need to return to a democratic form of government. This was because political parties did not have any power within the dictatorship and thus the religious rule of Zia was seen as highly oppressive. The problem with a return to democracy is the loss of power that religious groups experience since they no longer have a place within the government. A conflict rises between the government and these groups for political power, and their main mode of gaining that power is through the influence of the people. This conflict is highly complicated and complex and is still thriving to present day. In a nation where religion is a marker of national identity, it cannot be either a public or private entity. It exists in both spaces but limiting it to either or has created a great deal of problems for the common people.

Women as Symbolic Representations of the State

Throughout the third world it has been evident that during struggles of liberation or a change in political environment women have been symbols of the movement. It is within these movements that women have been put under greater scrutiny especially in their behavior and appearance. The way that women presented themselves was now a matter of the state, which was subject to political or cultural objectives of political movements, states, and leadership (Moghadam 1994). In the third world context women are viewed as part of the modernization process while at other times are seen as central to religious orthodoxy. In Muslim countries of the third world these dynamics are even more pronounced. If we take the case of veiling, nations that have a modernist agenda will not emphasize the veiling of women and allow for women to publically be unveiled. In other instances of religious revival women will be expected to veil and be confined to the private space. The shift from the pre-Zia era to the time from 1977 to 1988 clearly exemplified these changes. Women, thus, are the way through which politics frames its national agenda and the control over women's bodies has become the main mechanism. Moghadam points to the fact that feminism found solidarity in nationalist struggles in countries such as Turkey, Egypt, Iran, and Afghanistan where the feminist agenda matched that of the nationalist agenda. Changes in politics thus define how women experience nationalism in

Muslim societies where, after liberation is achieved feminism is no longer compatible with the nation.

In the twentieth century we see a return to religion as a definitive aspect of nationhood, which has distinct implications for the emancipation of women. For if the nation is defined through religion then justification for the oppressions of women was sought through religious scripture. Here we must evaluate who has the power to interpret such scripture and for what purpose they would be doing so. When religion becomes more than just a personal practice and enters the public domain, power must be taken into consideration. In third world Muslim countries it is the men that hold the power to interpret religious scripture and this is done through a political framework. Therefore, if women are seen as part of the private domain and under the rule of male kin then they no longer have a role in public spaces. This is why Moghadam refers to the seemingly incompatible nature between feminism and religious nationalism. It should be stressed here that this does not mean that feminism and religion cannot find harmony and it is not the religion that women are contesting. Again, as mentioned previously, the binary that religion and the state creates is so distinct that it seems that no middle ground can be achieved. If this was so, then women in Muslim countries would not be able to even fathom equal rights, rather women are finding new ways to deal with a male dominated interpretation of religion and politics that is highly influenced by current global events, especially in the Muslim world post 9/11.

The interplay of religion, gender, and power within the public sphere and the state are of interest if we are to understand how women can gain rights in a society where religion plays a central part in creating a power imbalance within the government. Writings by feminist theorists (Christ and Plaskow, 1979; Gross 1992; Beattie, 2004) have offered an alternative to the patriarchal interpretations of certain religious texts. While others have not paid as much attention to religious texts, unless to state that religious freedom is an established norm (Cornell, 1998) or have deemed it as the source of harmful cultural practices (Okin 1992, 1999), and so have aligned with secular politics. Niamh Reilly (2011) points out that such literature in feminist theories begin to conflict when there is more focus on women from the global South. Reilly also points out a pitfall in Anglo-American feminist political theorizing, which is that it does not take into account the diminishing power of religion within a society that is experiencing “modernization”.

What needs to be emphasized here is the need for policy change within legislation. The mobilization of women is a critical factor in creating policy change. It has been identified by public policy scholars that social movements have a high influence in shaping the political environment and setting new agendas (Weldon 2012). Autonomous social movements, as argued by Weldon, are a critical point of origin to study social policies and challenge or reshape established norms. In her study Weldon demonstrates how autonomous women’s groups have been instrumental in challenging those norms that perpetuate violence against women. By doing so these groups are challenging male privilege and the norm of male domination. Autonomous groups thus become instrumental because they are concerned with the organization of agenda-setting of the state. These organized agenda-settings leave women on the sidelines without addressing the issues they face. Therefore I argue that the autonomous women’s group, the women’s parliamentary caucus, is one that is able to challenge this agenda setting that does directly incorporate women.

The state is merely interested in representing women in a particular fashion to serve its own purpose. Anita Weiss (1994) defines three reasons as to how state policies towards women

in Pakistan are derivative of their symbolic representation. First they serve to redefine traditional culture, second they affirm social identity in relation to another group, and lastly how women serve to maintain social cohesion during times of rapid change. All three of these factors were largely applicable when General Zia came into power. During that time state policies towards women strived to put women back in the home and take away their public freedoms in the name of Islam. It was also during that time that the Pakistanis were defined as being Sunni Muslims, and so women's appearance and behavior needed to be regulated so as to differentiate them from the "others". The Islamization period came into being when the Bhutto era failed to create any substantial political and national developments, therefore the use of women to symbolize strict Islamic teachings were used as a means to bring the nation together under a religious banner. What all of this leads to is the questioning of the role that women play within the state and whether they have any agency when it comes specifically to politics.

Women and Modernization

Modernization is an effect of globalization through which third world nations go through a period of urbanization with the increase in new modes of economy. The relationship then between religion and this modernization period creates a binary, giving the perception that the two are mutually exclusive. In countries where religion plays a key part in national identity, such as Pakistan, this perception becomes highly problematic given that religion never fully becomes an entity reserved for the private sphere. Furthermore, feminists and scholars of the postcolonial era that write about women's issues equate the very subject to the transition of these societies to modernity (Menon 2007). Yet within this transition defining modernity is something that happens in a political field that privileges certain groups over others. Therefore, in places where women serve as boundary markers between different groups on the basis of ethnicity, religion, or class their rights will always be jeopardized. This is due in large part to the fact that women have not been wholly included into nation building globally, and women have only been symbolically accepted into the national framework (Menon 2007). This issue between modern secular states and religious ideologies both use women to further their agendas and thus women may be included into national discourse but are never made active part of it.

Further Reilly points out that this binary is being challenged in two distinct ways. The first is by feminist critics of the 'Enlightenment critique of religion', who challenge this binary when it goes beyond just religious studies (e.g. sociology, economics, politics). The second challenge is of the secularization thesis which claims that religion becomes diminished through modernization (Reilly 2011). This thesis is assuming that there is a uniform mode of modernity that is global and so therefore the effect also becomes the same for all societies. This then calls into attention the question of how gender equality and women's human rights can be achieved through the secularization theory in 'modern' societies where religion still has a large presence within the public domain. Though secularization follows modernization, in countries where national identity is based on religion the traditional practices of religion remain (Bruce 1996). Feminist studies of religion since the 1960's have concentrated predominately on patriarchal language of religious texts and misinterpretations of these texts to support male superiority (Reilly 2011). Though more recently scholars have taken into consideration the problem with the secular-religious binary and how it becomes oppressive. When writings on religion become defined as either religious/biased or secular/impartial, they tend to reinforce the notion that religion is reified or bound (Beattie 2005) rather than something that can be molded for a particular agenda.

Writings on secularism by postmodern feminist scholars also contest the idea of the secular and religious binary. Joan Scott writes that the secularization theory casts secularism as modern or democratic therefore the state becomes more modern through the suppression of religion (Scott 2007). Scott rather suggests that both secular forms of government and religion are systems that run parallel to one another within a society. While at the same time cautions that this should not be taken to such an extent that we stop viewing the asymmetrical relationship that exists between secular and religious politics. Her ideas resonate, though a bit differently, with the impeding environment created in the politics of Pakistan. Scott is suggesting that the power of the government is much stronger than that of religion, of course coming from a Western standpoint, and so therefore trumps the power of religion over state. Pakistan's turbulent political history has been marked by stark changes in government structure as well as religious justifications of laws, especially pertaining to women. These changes in structure have left the legal justice system marred with questions of religious or secular interpretations. Religious laws are difficult to overrule in a nation where religious practices hold a great deal of importance and so to go against supposed religious laws would become immoral. Therefore, as Scott suggests, within this asymmetrical relationship of secular and religious politics it is the side with greater power that trumps the other. Though we cannot simply say which takes precedence in the case of Pakistan, the power imbalance surely does lead to discontents with the government and the legal justice system.

Feminist writings from the global south (Jeffery and Basu 1998; Al-Ali 2000, Narayan, 2000; Bayes and Tohidi, 2001; Othman, 2006; Anwar, 2009; Badran 2009) focus on politicized religion which justifies oppressive practices against women in the name of religion. When secularism is equated with modernity which then parallels 'western' ideals, these theories run into the issue of creating an either or situation between religion and the state. The two points are: either to back the local culture and to resist the threat of the impeding 'west', or to become 'western' and go against traditional social and cultural norms. When this situation is created what happens is that those who contest religion or tradition then are labeled as 'westernized' which carries a highly negative connotation, especially in Pakistan (Reilly 2011). What this divide does is then take away from those groups of people that wish to gain a voice to demand human rights as citizens of the nation but without completely rejecting religion. For women this becomes highly problematic because by being cast as 'western' they lose their support from those members of society that see them as an enemy, while at the same time they are not given adequate representation within a secular framework. Women are thus caught in this bind where neither secular nor religious fronts provide a space for them to be able to voice their concerns as citizens. The relationship between the secular and religious factions of Pakistan has taken away from the negotiating power of women within the government and thus they have not been able to adequately make use of their positions. To strike a balance between the two sides where women can gain higher support for their work is an interesting case in point.

The Women's Movement in Pakistan

While there have been a number of organizations that are working towards achieving women's rights through democracy and universal human rights, this section will primarily focus on one specific organization. The Women's Action Forum, created in 1981, was created with the goal of challenging Islamization. Though the group was limited and is critiqued for not bridging class boundaries and the divide between the rural and the urban sectors of the society, it was very successful given that they worked under a political environment that took away fundamental

rights of citizens, especially women (Jamal 2005). This was largely an elite based movement of women because prior to the Zia era women were working for rights within a modernizing state, and once Zia changed the political environment significantly they reacted since now they were acting against a confrontational rather than reformist state (Jamal 2005). They acted as a pressure group to put women on the national agenda by actively mobilizing to protest discriminatory laws as well as to work to change legislation. Since during the Zia era women who went against the Islamization agenda were labeled antinationalist by political parties, the WAF had to figure out a way to work within religious framework to demand a secular state. In 1991 the organization deemed itself secular, again creating the issue that women's solidarity had to be defined in terms of either religion or secularism, rather than taking into account any other issues (Shaheed 2007). The WAF's definition of secular was defined as not being anti-religion, but rather that religion was a personal matter and not one of the state (Jamal 2005). Activism by women has been largely tackling issues of concern in the public domain with minimal effort towards private matters. Yet the link between that private and public sphere is something that women cannot overlook. Farida Shaheed (2007) states that this becomes a problem for feminist activism because women are not taking into account the private issues that are created through public practices, running the risk of creating more problems than solutions.

The WAF and women that promote a secular agenda have challenged Islamization in two significant ways. First, they have rejected the cultural particularism of Islamization that has created legal and social differences for women and religious minorities. The aim of such groups is not to undo the representation of Islamization as something that is a social, economic, and legal reconstruction of the state, but rather of a program that intentionally deprives women and other minorities of their civic rights. The emphasis here is to uncover the fact that Islamization is an anti-citizenship program, meaning that it takes away rights of the citizens rather than affording those rights. Most importantly, women are challenging the fact that discrimination can be justified through religious texts and teachings to call for an end to misinterpretations of both. By doing this women are not only taking a legal route to demand justice but are also incorporating the religious arguments. The second way by which women are promoting a secular agenda is through modern theories of the state. This is in relation to the fact that in Pakistan the state must override claims to authority, for example familial, tribal, and become a neutral arbiter in the nation when rights of an individual conflict with that of the community. Both of these arguments function to challenge oppressive laws and especially violence against women that is protected under state laws (Jamal 2005).

The WAF was a pivotal marker in the women's movement in Pakistan. It gained the highest amount of recognition as an organization that outstandingly took a stand against oppressive laws placed on women by the state. Since religion was seen to be the major hindrance to women's emancipation in Pakistan the WAF tried to distance itself greatly from being a religious group. This is why they tried so hard to be named a secular organization. As stated this organization did not challenge those issues in the private sphere that were created in public spaces. It did not acknowledge the fact that private violence against women was what was propelling violence against women in the public. By violence here I refer to any action that is detrimental to women be it physical violence or lack of rights. The women's movement in Pakistan was further created the binaries already in place and was not bridging the gap that had created the contention between religion and secularism. At this point the third space, discussed previously, was not being created. Therefore women were not forging a new identity but rather staying in line with binary thinking. They did not create this third space from which they could

promote the idea of an alternative space that functioned to include both secular and Islamic feminists. By further being divided amongst each other, feminists in Pakistan were not able to come together to contest the prejudice they faced within the legal justice system.

Spatial Binaries

The three sets of binaries discussed in this section are all interconnected and relate to one another. They have been separated to exemplify first the different factors involved in speaking about space in regards to women in Pakistan, and second how each is tackled within the two parliamentary bills. This paper is first concerned with the religion and secular binary. Religion, Islam, as a political tool has designated the home as a women's rightful place where she is more or less the property of her male kin. Secular on the other hand, as defined by the WAF, is not against religion or without religion. In relation to space it is freedom in public spaces, which means that women have the liberty to work or take political office. By secular here I mean that religion is a personal and private entity not to enter public spaces. The second is the binary between modern and cultural authenticity. This binary I would argue is very much the result of the transition from the Bhutto to the Zia era. Joseph Carens (1991) defines cultural authenticity as something that is internalized to the point where making something legitimate does not depend on its origins but rather what the people have come to accept. Cultural practices or rules and regulations then become part of the legal and political framework of a society and are viewed as 'authentic' so long as the members of that society believe it to be so. Here we see that what is 'authentic' within the culture is not static it can change with shifting ideologies and accepted by the people as something deeply ingrained within society. Religion in Pakistan has gained cultural authenticity and has been made so much a part of the culture that it becomes almost indistinguishable from religion. So what the ultimate issue with this binary between secularism and cultural authenticity is that the society has accepted Islamic teachings as part of its culture, making the secular or we can even say "western/modern" lifestyle something that is against established norms. For example the idea that women should not seek employment because their proper place is within the home has been appropriated by many people in Pakistan and so those women that do work come under scrutiny. They are labeled as being "western" or even morally corrupt.

The binary between the public and the private relates very much to the religion and secular binary. It is again in regards to space and freedom within those spaces for women. When Pakistan was going through the period of Islamization women were put in private spaces and when this period ended women were brought back into public spaces. This all goes back to idea of women being symbolic representations of the political ideologies that govern a certain political era. These ideologies are what give way to women entering specific spaces. The WPC's Domestic Violence and Sexual Harassment at the Workplace bills question the role of women in both spaces and further they demand justice for offenses committed within them. In recognizing these two spaces and these crimes within the politics of Pakistan points towards recognition of the complex issues women must face within the nation.

What is the Third Space?

The key aspect in examining space is to identify what discourses are being spread within them and by whom. By doing this a greater understanding of how and why that discourse exists gives insight into how alternate discourses are brought into certain spaces. The third space referred to here will take from literature of cultural studies (Homi Bhabha) as well as geography

(Steve Pile), which define third as the construction and reconstruction of identity. It is a place of negotiation and acts as a place of negation to polarities. The idea is conceptualized using hybridity theory (Bhabha 1994; Soja 1996) which means that people draw on multiple aspects of their lives (social, political, personal, etc) in order to define their realities. In this case these realities are the abuses faced by women in public and private spaces of Pakistan. This third space asserts that identity is complex and something that can be negotiated and thus does not fit into strict binaries (English 87, 2005). Bhabha recognizes binaries and states that the third space is a “moment of transit where space and time cross to produce complex figures of difference and identity, past and present, inside and outside, inclusion and exclusion,” (Bhabha 1 1994). Steve Pile defines two features of a dualistic construction: binary oppositions which are “non-reversible” or “non-reciprocal hierarchies”, and the “grounds of dissimilarity”. (Pile 261-263, 1994) The grounds of dissimilarity are the oppositions between identity and differences, which Pile states are created knowingly in order to keep intact dissimilarities. Further Pile writes that by abandoning “dualistic epistemologies”, in which one side is seen as knowledge and rational and the other as the subject of that knowledge and devalued, it allows varying types of knowledge to emerge and to become legitimate. (Pile 257-259, 1994) The term space is both personal and political, and as Pile states the third space is neither in the center nor the margin of discourse creation. It is within this space that every aspect of one’s identity comes together, it is a culmination of history, oppression, social status, etc, and it is born from the hybridity of the construction of differences. This is where individuals take positions in relation to “sameness” and “otherness”. (Pile 269, 1994) Finally Piles writes that this third space is a politics where polarity is avoided and new allegiances are created in order to oppose oppressive structures of authority. (Pile 271, 1994) Also to take into consideration is what Bhabha calls “splitting” of discourses and cultures in which members take on as well as resist the dominant discourse. (Bhabha 98-99) By doing so, those within this third space internalize this discourse but also become aware of their position within it, and so the subject will always analyze themselves as the ‘other’. This production of various resistances becomes unproductive when people are constantly defined in relation to the dominate discourse (Moje et al 2004), because it reinforces a power struggle and the manifestation of the ‘other’. Furthermore Bhaba stresses that in order to conceptualize and write about this third space we must move beyond just where differences amongst people originate from to understand the very difference that is created. The parallel that I draw here from Bhaba’s ideas to women in Pakistan is that there is enough literature on how women were affected by social policies since the creation of Pakistan, now there is a need to move beyond what has already been discussed to thinking about the nature of what it has created in order to articulate how that can be used to produce positive change. I argue that the WPC acts as a third space in the parliament of Pakistan, where women parliamentarians as a minority group can create policy changes that address serious issues women face within the society.

The Women’s Parliamentary Caucus

It was during the time of President Musharraf that the highest quota for women was set up in the parliament – it was set at 33 percent. Pakistan is also a signatory to the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). This created a space for women to enter the political framework of Pakistan, but of course was riddled with many issues. Women were not given the adequate training to use these positions in the government to begin any real work, nor were they included into parliamentary sessions by the male politicians. For female politicians to make headway under these conditions has been an immense struggle. The women’s parliamentary caucus of Pakistan was created in 2008 with the

help of the United Nations Development Fund. The parliament in Pakistan is made up of the Senate and the National Assembly, and also includes provincial seats. During this electoral term, 2008-2013, a total of eight political parties were part of the Senate and within the National Assembly out of the 342 seats, 70 were reserved for women. The caucus has 23 members from various political parties that were elected into parliament during that term. Of the eight parties that had seats in the Senate four had a secular agenda, while the remaining were religious parties. These 23 female members put aside their party affiliations to come together to draft the Domestic Violence and Sexual Harassment in the Workplace Bill. The domestic violence bill was passed by the provincial assembly in the province of Sindh in 2013, and the sexual harassment at the workplace bill was passed by the Senate in 2010. In a nation that has not recognized the right of female citizens to contest harassment and domestic abuse these bills proved to be quite a feat. The document of the Domestic Violence Bill states that it must extend throughout Pakistan and once enacted must be effective immediately. The bill begins with various definitions of terms such as “aggrieved person”, “accused”, “domestic relationship, to offer clarifications as to what constitutes domestic abuse. The bill also states that each province is responsible for adding this offence to their local government ordinance. Furthermore they must be in constant contact with the National Commission on the Status of Women, a secular body, in order to make sure that the bill is being adequately implemented. The bill goes into further detail of types of abuse, the rights of the abused within the legal justice system and further in court. The Sexual Harassment at the Work Place Bill also addresses key definitions of terms and explains what gender based harassment are, including physical, visual, verbal, and discriminatory acts. Both of these bills include that there must be a committee, though they do not state how and where it is formed, that overlooks anyone that needs to file a case against an abuser.

The reason this paper posits that the WPC acts as a third space is because this is a group that does not align with any specific side of the government. It acts as a place where women from various sides of the political spectrum have come together to tackle issues pertaining to women. The group is renegotiating women’s identity in Pakistan and beginning a new discourse about women’s spaces. By drafting bills regarding women in both the public and the private they have been able to address serious issues pertaining to violence against women, that has not been done in the past. These two bills contest all three categories of binaries discussed in this paper. First the religion and secular binary is being contested because the dominate discourse on the politico-religious side is that women are the property of men and thus subject to any treatment in the private sphere. In this same discourse women’s rightful place is in the home and so therefore by being in the public space they attract violence onto themselves. On the secular side of this binary women are given access to public spaces but the issues they face within that space is also not recognized. Second the modern and cultural authenticity binary has left the country with no coherent identity. During the period of modernization in 1971 and post 1988 there was more liberty given to people. Whereas during the Zia era there was a crackdown on public activities that did not adhere to Islam. It became an authentic aspect of the nation’s culture to adhere to strict Islamic norms whereas those same rules did not apply prior to the Islamization period. This binary pulled women away from religion if they wanted to work or have access to public spaces. They had to choose one side of the binary because the politic had created such stark differences. Both of these sets of binaries include that of the public and private. The reason why the public and private binary is given its own category is because these are the exact spaces where women experience violence and oppression. They are the physical spaces that confine women into a

binary mode of existence, where they cannot find harmony within their religious ideals and their personal aspirations.

To restate the ideas of Pile, the WPC is neither at the center nor the margin of the discourse creation. The group is at the center of the dissimulation of discourses but speaks from a marginalized background. Also Pile's idea that the third space is created by the hybridity of constructed differences, applies here. The WPC is made up of women from varying backgrounds, including ethnic, social, and economic. They also differ on grounds of religious adherence. Differences between people based on ethnic and social background was a part of the political agenda in 1977 which still exists today. By taking these differences and created a hybrid identity made up of all of them is what makes the WPC a third space. The group is also doing as Bhaba calls "splitting" of discourses and cultures where the dominant discourse is taken on as well as resisted. By the fact that no laws in the past addressed the violence women face in public and private spaces meant that this violence was either a private matter or it did not exist. What the WPC is doing now is splitting that discourse by calling attention to its blatant overlooking of this violence and demanding that laws be created against it. The new discourse that is being spread by this is that violence against women is not a private matter; it is an issue created through politics and thus needs to be addressed legally. For example, speaking specifically of the domestic violence bill, when the WPC drafted the bill to apply throughout Pakistan they did so with the knowledge that government laws are not applicable throughout the entire country. Some areas are governed through a tribal system and so they disregard these laws, while still being subject to it. In these areas the prevalent violence against women is honor killings. What is remarkable about this bill is that they have been able to address the issue of honor killings and define it as a type of domestic violence. If this bill turns into legislation honor killings will be recognized as a type of domestic violence and women who want to contest it through the legal system will then have an avenue to do so. While this is speculative and depends heavily on whether the bills will be turned into laws, the struggle is very much worth noting because it has created a third space.

Conclusion

Pakistan has experienced a great deal of turmoil since its inception due to the tumultuous political environment. The constant change in types of government and rule of law has left the country with no cohesive national identity, and has created a great deal of problems for the people. Women are the bearers of these constant changes and have been used throughout history for political gain. The politics of Pakistan has created binaries for women that have left them seeking a space of their own from which they can gain political and legal justice. These binaries have either reserved them to the private space or allowed them access to public spaces. Women's behavior and appearances has been regulated through the course of Pakistan's history and their liberation is determined by the political climate. The women's movement in Pakistan has been very strong but where it has failed is by further reifying these binaries for women. Urban based movements include mostly elite educated women who have access to public spaces, which results in the exclusion of grassroots movements. By not being able to bridge the gap between the various movements they have further created binaries for themselves. The WAF, for example, took on a secular stance and did not align with religious groups. This stance excludes those women seeking their rights within the religious framework. This paper was mostly concerned with legal justice of women. With the creation of Women's Parliamentary Caucus, female parliamentarians have been able to address two major issues faced by women in both public and

private spaces. They have been able to acknowledge the existence and more importantly the co-existence of these offenses. By drafting bills on domestic violence and sexual harassment the WPC has created a third space where women from various backgrounds have come together to change legislation on these matters.

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