

## INTERVIEW WITH HINA JILANI, ADVOCATE AND HUMAN RIGHTS ACTIVIST

*by Waqar Gillani*

**The News on Sunday:** How would you look at the women's rights movement since its creation in Pakistan? To what extent has it progressed?

**Hina Jilani:** One should remember that the movement started with the Pakistan Movement, because within the latter there were women's voices that drew attention to women's rights. The new leadership was asked to understand issues of gender identity and equality and the right to non-discrimination. Unfortunately, at that time women's voices were pacified by reassurances that such issues would be addressed once Pakistan was created. I'd say that the women were cheated. Once the country was made, the leadership had other priorities.

However, as we notice, the political rhetoric was always pro-women even though nothing was done in concrete measure. Even if you take the August 11 speech of Quaid-e-Azam Muhammad Ali Jinnah, it points out development in areas where equality and non-discrimination were necessary elements, but there was nothing specifically meant for women.

**TNS:** What was the effect of General Zia ul-Haq's regime on the women's rights movement?

**HJ:** Women were not a very active component of any concrete consultation that took place before the 1956 Constitution. Some ad hoc measures were taken, but there were no significant stakeholders involved in that consultation. Our real shock came in 1979 when Zia introduced anti-women laws in the name of religion. They were against women's dignity.



The kind of laws that were introduced infused violent energy into the women's movement. The Women's Action Forum (WAF) emerged as a key forum. WAF was not only talking about women's issues but was critical of religion as the basis of the laws. It was saying that we do not accept the hegemony of the military and the mullah, that we do not accept religion as the basis of law-making.

Today, thirty years later, we have been proved right. Since 1988, every political party is talking about women's role.

**TNS:** How do you view women's empowerment in the corridors of politics?

**HJ:** I think that is one of the most positive experiences. We had been fighting for 33 percent allocation to women in all tiers of politically representative houses and bodies. When these seats were reserved, we were a little skeptical, especially when a lot of political elite or women with clout entered through this quota. I am happy to say this skepticism proved wrong. Over the years the performance of these women really improved. The Human Rights Commission of Pakistan (HRCP) report says that most of the human rights legislation tabled in Parliament is introduced by women.

**TNS:** What is the situation of working women's rights in the past several years? It seems it has improved.

**HJ:** Working women's situation has improved. When Benazir Bhutto came to power in 1988, there was an increase in confidence among women. We were working with telephone operators, and we saw their confidence grow. We need, of course, to put in more protections. The new law on sexual harassment is a very good addition to the legal framework, and I am sure women who are working will get much more safety and dignity than before in future.

**TNS:** There has been reasonable legislation on women's issues from time to time. But when we look at implementation, the pace seems very slow.

**HJ:** In my view, implementation is a second step. First, there should be a law.

It is true that women-related legislation and rights-based legislation have a very weak mechanism. More laws are being proposed, but what we need is a mechanism on the ground. For example, in violence against women you need to have access to a complaint procedure. Who will take the case forward? The mechanism and process have to be settled. The state should play its role when a complaint is made. The burden of the victims who face social pressure has to be shifted to the state. Also, the victim has to be protected.

Secondly, if a system exists and we do not use it, we lose it. My philosophy is that we need certain basic things in the law. If we don't agree with everything, we can amend the law as is required.

**TNS:** How do you see the pace of the women's rights movement and what gaps do you find in it?

**HJ:** Nobody can stop progress and change. However, it has been very slow, and it also gets reversed from time to time. There has been a regression. When you talk to somebody from my mother's generation, they enjoyed much more freedom even in a conservative environment. They were able to operate in a very different way. If you talk to somebody of my generation, again there will be a little deterioration. The younger generation is now worse off. It is because the society has deteriorated in its own values. Very strange notions have come in like what women should be like and how they should be active.

The empowerment of this generation is more because of information, not because of social support. A more serious thing is that the movement could not improve its outreach accordingly. Given the circumstances and environment in which this movement grew, it is phenomenal. But at the same time the reality is that it had no outreach.

The danger is that women are more aware of their rights than ever before, but society's consciousness has not risen to the parallel level of awareness.

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