

AAWAZ Response Fund 1



**Barriers to Women's Voice in the Political Sphere:  
Military Imprints, Political Instability, Physical  
Insecurity and Political Representation in Swat**

PILER

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## Acknowledgements

This report reflects our engagement with trying to understand and theorize women and conflict for more than a decade through asking questions, analysis and research. As such, it represents an on-going interest in not only exploring the debates about women and conflict but also women as active agents and binaries of victimized women. Through this study we hope to contribute to global scholarship by theorizing certain issues that directly affect our lives. While researchers located mostly in western contexts have the advantage of distance (emotional and geographic) as well as access to resources and global platforms when they write about other contexts including ours, we feel it is critical to write about our own contexts in our own words. Of course, we are aware that debates around who writes, who speaks and who interprets are old and this is not the place to start them. However, it is important for us to flag issues that we feel are important for how policy and politics shape the future in places and for people around us. Thus, for us, this report is much more than a mechanically produced document comprised of debates and conclusions, it is also an attempt to respond to a global urgency that affects us in the present.

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## Executive Summary

This study is part of a wider initiative of strengthening democratic processes in Pakistan by making them more open, inclusive and accountable to citizens. It focuses on the local government system, as devolved localized governance is commonly cited as a fundamental building block for operational democracy and a nursery for nurturing alternative political leadership. It zooms in to one district in Pakistan, i.e. Swat, firstly, to understand the interface of macro-level policy and the consequent play out at the micro-level, and secondly to capture the complexity of Pakistan's context, flagging conflict and post-conflict fields as a challenge to furthering democratic processes. It utilizes a gender perspective to reflect on how vulnerability and prior marginalization influence the space and voice that citizens can claim.

Factoring these considerations, this research probes the barriers to women's political participation in Swat district through three particular moments in time: i) After the introduction of local bodies and election of women councillors, ii) the experience of women councillors in specific and women in general during the Taliban takeover and reign of power, and iii) after the army operation to destroy the Taliban, the passage of Nizam-i-Adl and restored 'normalcy' after displacement. While the peace agreement was followed by an army operation, the stipulations of the peace agreement, such as the implementation of Shariat via Qazi courts continues in the post-operation phase, hence this has been examined in the current 'normalcy' phase in wake of army action. This report explores the contiguity of these moments to understand how women's participation has been shaped and obstructed by contextual factors and how women have positioned themselves to respond.

In exploring as an analytic tier the interface between constitutional and policy changes for women's empowerment and local patriarchies that resist change, at the practical level, the research finds sustainability and continuity critical to entrenching gains. Finding reservations as integral, yet on its own, inadequate condition for women's equality in the political sphere, it suggests reserved seats should be based on direct election by constituents instead of nominations and that affirmative action should be long term and embedded. At the conceptual level, it reflects on the need to reopen debates about the nature of the state and women's experience of state and citizenship, as both the state and challenges to the state evolve and deeply impact such relationships.

Using conflict and post-conflict settings as a tier of analysis to understand the process of political change, the research reflects the prior and problematic 'normality' that allows conflicts to emerge and how violence confines spaces available to women even as it creates new opportunities. Its findings centralize the importance of local governance as a bridge between otherwise disconnected realms of public and private, and shows that militancy disrupts such incremental gains. It suggests developing a gender-based conflict monitoring system to provide early warning to violence.

In studying intersections of formal and informal systems that inhibit women's political engagement, this research explores the themes of voice, agency and empowerment to explicate women's political responses. It finds binaries such as resistance and submission inadequate, as well as labelling the 'secular' and 'religious', the 'progressive' and 'misogynist', 'violent' and 'interventionist' unhelpful as local level dynamics reflect the collusion of patriarchies across all these, while each also carries a liberatory promise. The family is a case in point. In exploring women's wilful alienation from political and state institutions, the findings underline the need for creating spaces for women's political engagement such as through local governance systems.

The recommendations are thematically arranged in three tiers:

### **Tier 1: Interface between constitutional and policy changes for women's empowerment and local patriarchies that resist change**

- Role of power structure, state and local political actors in determining women's participation
- Safety determinants for women in the public sphere
- Effect of government reforms and NGO efforts

1. Long term sustainability of LG through the constitution as well as holding regular elections for grassroots democracy to bring about social change and ensure justice for everyone. LG should be a permanent feature of government, not subject to regime priorities.

2. Ensure institutional sustainability of LG reforms that uphold decentralization of powers at the provincial level as well. Also, a large percentage of the state's resources--development funds--are allocated to MPAs and MNAs whereas these should be at the disposal of local councillors including women based on equality

3. Reservations alone are not empowering, yet they serve as a critical element for women's equality in the political and social spheres. A minimum percentage, 33%, quota for women through direct election rather than nominations, should be enforced through law as part of affirmative action by the federal government. This matter should not only be a provincial prerogative.

4. An active role for government and civil society, including political parties, to lobby for a transparent and permanent LG system, for ensuring affirmative action through women's quotas, ensuring that women are registered as voters and exercise their right to vote, and to provide them party tickets as well as access to public sector funds for projects in their constituencies.

## Tier 2: How conflict and post-conflict settings mediate the process of political change vis-à-vis women

- Increased engagement between formal civil networks and current political configurations
- Emerging discourses on women and violence as pivotal cases for pushing for change

1. Local government provides women the pivotal bridge for accessing state and community institutions for obtaining justice and access to health and education. The attention given to Taliban restrictions on the atrocities against women has had the effect of centralizing women's protection (not women's rights) in political discourse. Women are weary of political spaces because neither Fazlullah nor political parties were seen to work for women's best interests.. Therefore, LG should be the primary focus of attention.

2. More research is necessary for theorizing issues of voice and empowerment when state institutions are dysfunctional or under attack and the state has to resort to indiscriminate and disproportionate violence to establish its writ. How can the different structures open up to provide new spaces for women? This calls for developing a critical understanding of what militancy implies for both women and men and how it impacts entire landscapes of political, social, cultural and economic life of regions.

3. The distinction between empowerment, agency and voice are vital and need to be theorized, especially in the context of violent militancy. While the effectiveness of voice or lack thereof, depends upon a number of external structures, women's empowerment at the personal level stays the same. Deconstructing empowerment means that one not only qualifies individual agency as oppositional or resistance, psychological or strategic and tactical, but also understands structures-formal and informal, institutional and ideological. It is in the interplay of structure and agency that voice can find a space for articulation and lead to change.

4. Relevant institutions could explore the possibilities of developing a gender-based conflict monitoring approach to pre-empt conflagrations, like the early warning systems in disasters. For instance, proverbial alarm bells should have rung when the radio station started broadcasting unconstitutional messages demanding restrictions on women. There have been reports of monitoring *khutbas* (sermons) for hate-mongering and incitement to violence. In this vein, mechanisms could be evolved for higher vigilance on gender, which are traditional precursors to extremist ideologies turning violent.

## Tier 3: Intersections of formal and informal systems that inhibit women's political engagement by employing the theme of voice and agency

1. The discourse around women's rights and protection in Swat was implemented by the government, political parties, by the army, and of course, by the Taliban militants. Binaries such as civilian military divide, secular versus religious political parties, secular women's rights agendas versus faith-based women's rights agendas are problematic constructs for understanding gender politics. In many constituencies, political parties across the ideological divide agreed that

women should not vote in elections. Our research finds that these divisions/binaries break down in the face of local ground realities, mediated by patriarchy. Therefore, it is critical to explore and strategically deploy opportunities for women in the midst of contending institutions of power, all of which are mediated by patriarchy.

2. The family and community are perceived to be barriers to women's role in the public arena. However, our findings indicate the family, especially educated and enlightened family men, to have played a critical role in women's entry into the political sphere. The role of family needs to look more closely to understand why some families support and even push their women into the political sphere when spaces open up while others continue to disapprove despite social gains including status/stature. The complex relationships at the family and community levels that are mediated by local patriarchies must be further investigated in conflict contexts when the absence of larger patriarchies such as state and its structures are almost absent.

3. Opportunities for women's organizing in conflictual contexts became non-existent under the Taliban when survival was at stake. Prior to the local government system in Swat, there was little precedence of women's spaces in civil society, so no pre-existing traditions, exposures or default positions to shore them up were available. Therefore, avenues for resistance were more restricted while people were grappling with unprecedented levels of violence (mortars, hangings, brutal murders, beheadings). The research found that even after the Taliban were routed and a semblance of normalcy returned, women have remained reluctant to engage with civil and state institutions. Rather than internal triggers, women's organizing shall need support from political forces and NGOs both within the district but also within the province and the country.

4. The political sphere at the local level has narrowed spaces for women through the reduction of quotas; women also appear disenchanted with political spaces though they appreciate employment and livelihood opportunities and restoration of basic freedoms (e.g., to visit doctors, bazars, parks or attend school/college/university). We suggest more investigation into women's alienation from the state in political contexts and reactivation of women's networks (dormant at the moment but that had mobilized them in significant ways in the past) for providing advocacy to women as a group.

5. We note that general perception has changed over three pivotal cases on violence against women' CSOs can expand these momentary spaces into affirmative action platforms through obtaining a cross board political commitment through local level alliances with like-minded community leaders to push for the opening of democratic spaces for women. This should be implemented, taking into account the volatility of conflict contexts and absence of protection to CSOs if the area becomes an active conflict zone.

6. Although the KP government has announced that LG elections cannot be held anytime soon as national elections are scheduled for 2013, this provides civil society groups opportunities to campaign for women's meaningful inclusion with political parties as they finalize their

manifestos. This is a time to plan a comprehensive strategy for women's inclusion in the political space in Khyber Pukhtunkhwa.

## Introduction

Local government (LG) has been a contested issue in the political realm in Pakistan for a long time; women's political representation through the creation of quotas and reservations is an even more contested issue. The enactment of democratic and representative local government systems is popularly associated with military, non-representative forms of government and is generally thought to be shunned by democratic elites. Similarly, women's quotas in the political realm have generally been introduced and upheld by military dictators creating a paradox for women's rights activists who believe that democratic rather than military dispensations should take credit for such steps. Of course, it is not a straightforward equation in which military dictators side with women and democratic forces go against women. For example, women's attempts to contest elections for the position of head of state were resisted as General Ayub Khan (1958-1968) and General Zia ul Haq (1977-1988) urged the clergy to declare that a woman (Fatima Jinnah and Benazir Bhutto respectively) could not head an Islamic state. In the case of Ayub Khan, it was blatant politics; with Zia, it became obfuscated with his Islamization program. General Musharraf's attitude toward Benazir Bhutto was deeply ambivalent (to put it mildly). Thus, when dictators felt threatened at the personal level by women, they displayed the same misogyny that men exhibit toward women: they only instituted reforms benefiting women within ambits that they considered would be non-threatening to the interests of the regime. During the regime of General Musharraf local government was revived through Local Government Ordinance (LGO) 2001 and 33percent quotas were introduced for women.

During the PPP led elected government (2008-2013), the landmark 18th Constitutional Amendment was introduced. Among other things, it abolished the Concurrent List (i.e., list of subjects that were under the jurisdiction of both the federal and provincial governments and these became the sole prerogatives of the provincial governments). Local government, which was also on the concurrent list, ceased to be a federal responsibility and was returned to the provinces. This further meant that LGO 2001 was no longer valid. The Khyber Pukhtunkhwa (KP) government dissolved all elected councils on February 20, 2010 and replaced the elected nazims with administrators. It promised to hold LG elections within six months but the provincial government began to drag its feet over the drafting of a new LG Bill. New LG Bills were finally approved by provincial governments in 2010 (Balochistan) and 2012 (Khyber Pukhtunkhwa, Punjab and Sindh).

How have women's quotas fared in the new LG legislation of provincial governments? The KP government, with its democratic and progressive credentials, did not retain 33percent quotas for women. There was no debate on the Bill within or outside the provincial assembly and it was simply said to be a reversion to the LG system pre 2001. Sarwar Bari (Sept 2012) writes that the new bill reverses the gains of the 2001 LGO: "Now, there are only 11 seats in the union council with just two seats for women. At the level of the municipal and district councils, the quota for women is 10 per cent, and as many as a quarter of the members will be elected indirectly.

Moreover, elected councils have been made subservient to the bureaucracy which is inherently undemocratic." Furthermore, according to *Dawn* (27 Dec 2012), aside from the two women members, the 11 members of a council shall include seven Muslim general members and one member each for peasants, workers, and minority communities as well as 5% for technocrats. However, these would not be reserved in union councils. It was also announced that the Bill, passed in May 2012, would come into effect January 1, 2013. One day before his assassination on 22 December 2012, the KP Minister, Mr Bilour, announced that it was not possible to hold local bodies elections as general elections were around the corner. The revival of local government in KP, where it is most needed, thus, faces an uncertain future not only because there is no timeframe for elections but also because the size of councils has been reduced. Reduced quotas for women, regrettably, may not generate the critical numbers needed on public forums for women's voice to be heard.

The implications of reduction in women's quotas can only be gauged through the experience of women who entered the political arena under the previous dispensation. In the last decade, two LG elections have been held in 2001 and 2005 respectively with 33% quotas for women. The entry of almost 40,000 women in 2001 and 23,000 women in 2005 was possible because the military government provided women quotas. Although the total number of seats were reduced in 2005, overall a higher percentage of women entered the contest in 2005. In addition, there were fewer vacant and uncontested seats. Women were more organized due to various government sponsored programs in partnership with donors and NGOs that helped train women, foster greater awareness about their rights and helped them form women's councillor networks at provincial and national levels. In some instances, such activism resulted in the formation of all-women's panels that contested the 2005 elections. Almost 60% of women who were part of the gender network won the seats they contested. Many also contested on general seats directly challenging men as they felt they could make a difference in their communities. Simultaneously, women faced obstacles from male dominated political parties who preferred to nominate male candidates. Some successful women councillors from the 2001 election, despite their track record, were refused party tickets and discouraged from contesting elections as independent candidates in 2005. (See Annex 2)

While the national picture of women's contestations and struggle for greater opportunities and equality has been documented, the changes and barriers at the micro level, especially in the context of the conflict in Swat (and the spread of conservative ideologies backed by the Taliban) and natural disaster have neither been documented nor theorized for policy making.

Our research on Swat--a scoping study--documents opportunities and barriers to women's political voice through research by relying on the theory of change. By definition, a scoping study is only a preliminary investigation or assessment, therefore, this study points out the initial findings and suggests that in-depth research needs to be carried out.

## Research Objectives

This research consists of a series of three snapshots of Swat at defining moments in the recent political history of Swat and Pakistan with significant impacts on women's political participation.

- 1 After the introduction of local bodies and women councillors during Musharraf's regime
- 2 During the Taliban's reign of power
- 3 During Nizam-i-Adl and post army led operation and efforts at creating normalcy after displacement.

This report explores the contiguity of these moments/ snapshots to understand how women's participation has been obstructed and shaped by contextual factors and how women have positioned themselves to respond.

The research objective of understanding barriers to women's political participation looks at three connected tiers to explore gender power relations at the micro level and their reflection into the macro level:

Tier 1: Hindsight analysis of the interface between constitutional and policy changes for women's empowerment (via local body elections) and local patriarchies that resist change

Tier 2: Examine how conflict and post-conflict settings mediate the process of political change vis-à-vis women, throwing forward both, challenges and opportunities

Tier 3: Study intersections of formal and informal systems that inhibit women's political engagement by employing the theme of voice and agency to explicate women's political responses

More specifically, the different tiers and their corresponding research area as well as the data that is used to inform the analysis is given in table form below.

Research Tiers corresponding with AAWAZ's defined research areas and data sourcing

	Research Tier	Key Research Area	Pathway to Data & Analysis
Tier 1	Interface between constitutional and policy changes for women's empowerment and	Role of power structure, state and local political actors in determining women's participation	Role of MPAs, MNAs & political parties Local political leadership's responses Responses of state institutions

	local patriarchies that resist change		Tensions between democratic dispensation, provincial autonomy & quotas
		Safety determinants for women in public sphere	Violence against women councillors and reactions Women's voices before initial conflict, during Taliban seizure and through Nizam-i-Adl
		Effect of government reforms and NGO efforts	Pathways to political apprenticeship: mainstream and reservations
Tier 2	How conflict and post-conflict settings mediate the process of political change vis-à-vis women	Increased engagement between formal civil networks and current political configurations	Women councillors' experience of and role during displacement Trends regarding women's empowerment related responses during Nizam-i-Adl
		Emerging discourses on women and violence as pivotal cases for pushing for change	Violence and slander against women councillors Chand bibi, Shabnam & Malala as defining moments
Tier 3	Intersections of formal and informal systems that inhibit women's political engagement by employing the theme of voice and agency	Formal and informal barriers to women's political participation	Political voice. Women as citizens, voters and contestants. Mainstream perception of women's leadership
		Disaggregated obstacles preventing political participation	Profiles of contestants and changing voter patterns
		Women's organizing around, political responses to and processing of violence	Changing power relations at local levels Emerging women's leadership roles

Our research approach provides insights into the vast variations within Pakistan. The Swat specific research highlights the vastly different barriers and challenges that women confront and the different manners in which they negotiate (or fail to negotiate) for spaces for themselves. It examines how women can assert their rights (especially economic rights--the right to livelihood) in the face of threats including right wing ideologies and armed groups that espouse these ideologies. It also looks at how women themselves may be part of the barriers that society enacts by buying into the gendered ideologies and pushing these at the local level, such as the support

provided to Mullah Fazlullah in response to his radio sermons that attracted many women at the time. Later, a lot of people rejected many of the stances that they had espoused initially. Thus, the contradictions involved in any kind of change are instrumental in understanding how women themselves change their perceptions.

### Research Methodology

This research relies heavily upon qualitative rather than quantitative data not only because the issues it investigates could only be explored through in-depth interviews but also because pragmatism demanded priority over quantitative data due to the acknowledged short time frame for the entire report. A focus on qualitative methods allows for nuanced understandings building on the quantitative assessments available through secondary sources. By providing the voices of both women and men, we were guided by those who spoke instead of imposing preconceived notions and theoretical orientations upon our analyses.

This report also relies upon secondary sources to provide an overview and synthesis of the policy positions and documented institutional experience of barriers to women's political empowerment related to the theme of voice. In this regard, the researchers refer to their own field notes collected over a decade from Swat. External secondary sources include not only the documented experience of women in politics documented in NGO reports and assessments but also government reports and initiatives. In the Pakistan context, some of the prominent NGOs that have worked on local government and produced reports are: Aurat Foundation, Free and Fair Election Network (FAFEN), HRCP, Patan Taraqiati Tanzeem, PILER, SAP-PK, SDPI, Shirkat Gah, SPDC and Sungi, among others. We also relied upon web-based information for media reports.

The fieldwork focused on ten semi-structured exhaustive interviews collected from former women councillors in Swat. Of the former councillors interviewed, there were six from the level of Union Council, three from Tehsil Councils (representing both tehsils of Swat), and one district councillor. These interviews were thematically divided to understand women's experiences of the four moments defined above as 'snapshots'. The semi-structured interview questionnaire is annexed as Annex 1. In addition, fifteen semi structured interviews were conducted with men from different walks of life (including representatives from government, NGOs, media, academia, bar associations and political parties) to gather their views about barriers to women's role in politics (see Annex 1A). These help identify factors related to women's empowerment specific to the Swat context, and those which are generic to Pakistan.

The ten key interviews required a representation of respondents in contrasting areas where:

- a) The Taliban conflict was most intense and areas where their intrusion was minimal
- b) Areas where women councillors were elected and functioned and places where they were able to make little or no headway

- c) Areas in Swat where army and NGOs have been most active in reconstruction and engaging with civil society and peripheral areas with marginal interaction with the ‘outside’.
- d) Women who stayed behind in Swat during the military operations and Taliban take-over as well as those who were displaced.

While there was an effort to include these factors in sampling, the proposed categories were found to be fluid. For instance, for category A, anecdotal evidence suggested that Islampur district had less Taliban presence, whereas it turned out to be true only for one or two villages. Additionally, Taliban presence was most ‘felt’ in areas where opposition to the Taliban was highest, hence more brutal crackdowns against the populace. The most violent conflict struck areas were those where the army fought battles with them. In category B, since the research was to interview women councillors, the researchers went into areas where councillors had been present, since they had been elected. Whether they had been able to function and make headway turned out to be a subjective decision, because throughout Swat, there was little fiscal devolution and women were tied to the approval of their district nazims, and dependent on the release of funds, and were often unable to attend meetings and sessions. On the other hand, women were able to intervene in neighbourhood household dynamics such as domestic violence and get identity documents made for other women in their areas – even in areas where they were barred from voting in the national elections. This complexity of how women can be empowered and disempowered on different fronts simultaneously emerges through this study as a lens for understanding their lived realities. In category C, it was difficult to get a sense of which union councils are target sites for reconstruction activities and which are neglected as there is no central database or mapping system, and additionally, it varies significantly within districts, where certain villages may have no funded projects and others may have multiple ones. In any case, because of displacement to Mardan and other places, there were no insular communities that had any contact with the ‘outside’ – that was one of the main accusations against the Taliban, that they created circumstances that compelled women to leave their areas and go elsewhere, hence ‘breaking the purdah’.

High Intensity Conflict	Raheema Jehan
	Tehmina Muhammad
	Shaheen Iqbal
	Syeda Mussarrat
	Haneefa Murtaza
	Marjaan Hakeem
	Suraiyya Abdullah
	Asiya Mustafa
Active army and NGO	Raheema Jehan

presence in reconstruction	Tehmina Muhammad
	Shaheen Iqbal
	Syeda Musarrat
	Marjan Hakeem
	Suraiyya Abdullah
	Asiya Mustafa
Flood affected areas	Suraiyya Abdullah
	Raheema Jehan
	Tehmina Muhammad
Ones who stayed on during army operations	Tehmina Muhammad
	Ghazala Shah
Internally Displaced Persons	Shaheen Iqbal
	Raheema Jahan
	Maryam
	Syeda Mussarrat
	Haneefa Murtaza
	Marjan Hakeem
	Surayya Abdullah
	Asiya Mustafa

It was assumed that the different settings and contexts would highlight the nuanced manner in which policies should be formulated and implemented by state and non-state institutions for setting agendas and priorities for the future, but this also highlights the point that conflict ruptures normalcy, including static categorizations.

### **Rationalization behind the Selection of Swat for this study**

There are several reasons why a lens focusing upon one district rather than a province or the entire country is essential for developing our understanding of context specific situations.

First, while the national picture of women's contestations and struggle for greater opportunities and equality has been documented, the changes and barriers at the micro level, especially in the context of the conflict and the accompanying spread of conservative Taliban ideologies alongside natural disasters have neither been systematically documented nor theorized for policy making. Conflict coupled with devastating natural disasters unsettled the very core of the social and economic edifice of society. In such situations, is it possible for women to vie for a voice in the public arena when gendered societal norms have been shaken to the core? This paper looks at the closure and prospects of spaces for authentic women's voices.

Second, patriarchal social controls, manifest themselves through culture, tradition, the educational system, media representations and religious edicts in everyday life. However, the case of Swat is not straightforward. This is because the different brands of patriarchies and what they represented (the religious right or the modernist mainstream) lost their legitimacy at varying moments. The Taliban dislodged the norms associated with modernist statecraft, convincing the people that these systems were at the heart of all that was wrong with the polity. The structures of the state and its flawed systems of service delivery and justice came under scathing attack with the Taliban promising a golden era of reformed society in line with sharia and Islam. In a sense, there was a systematic loss of legitimacy. The Taliban successfully shifted the balance of power by systematically targeting the symbols of state power through a communication strategy (FM Radio), disrupting on-going state and NGO service delivery by forbidding women from work, especially in the public sector, health and education, targeting the state's security apparatus by killing police and army personnel, and by taking control of the administrative machinery in Matta Tehsil initially, and over much of Swat district later. Until the Taliban rejected the very concepts of democracy and the constitution, implying the fundamental laws of the land were unacceptable, there was bargaining and negotiation with TNSM and the Taliban by the political set up of the KP government, the federal government and the military. How did this play out? What do the people, especially women of Swat, have to say about the time when the Taliban, whom they had supported initially, lost their popularity and became objects of fear rather than popularity. Swat people's right to a voice in political decision-making was subsumed by representatives at the provincial and national assemblies. Solutions were agreed upon without consultations at the local level. Can such solutions be sustainable?

Third, while there was condemnation of the manner in which the rights of the people of Swat were bartered, when it came to women's vote, political parties reached consensus and agreement in February 2008 that women shall not vote in the general elections. On this matter, no significant group except the women themselves and some NGOs, were outraged by the push-back. The way in which patriarchal institutions became intertwined, impacted women's political role and subsequent interventions and spaces for a political voice, negatively. However, women in the upper echelons of politics (notably the MPAs and MNAs on reserved seats) gathered a women's jirga in Peshawar amid threats and protests by men, to discuss their priorities in different arrangements for peace in Swat. Thus, as spaces appeared to be closing in on women in Swat, other women in the provincial and national assemblies were voicing demands and opening up traditionally male spaces to the female political gaze.

Fourth, if we have to contribute and rely upon the theory of change, then we need systematic documentation of the barriers and opportunities for women's political voice through micro level research. Following the theory of change, we believe that democratic processes and inclusion are critical for any pathway that can lead to the realization of human capabilities. Without women's voices and empowerment, democratic process are only partially democratic and mostly exclusive rather than inclusive. Women's political empowerment is also a critical factor in sustainable

peace building and community empowerment in conflict and disaster settings. While this fact has been recognized, yet few avenues have been explored at the local level. This study keeps the final goal of a fully empowered democratic polity as a central focus where gender equality is the norm rather than an intensely contested idea considered an anathema by many.

### **Historical Overview of Local Government and Women's Political Participation**

Local Government institutions are identified as critical locales for change in countries like Pakistan. Local government was mentioned in the Muslim League Manifesto even before the creation of Pakistan; it has also been a part of various constitutions (1962, 1973). The 1973 constitution, which is still operative, includes LG as a non-binding issue in the section entitled, 'Principles of Policy.' The following two articles set out the government's position on LG:

**Article 32.** The State shall encourage local government institutions composed of elected representatives of the areas concerned and in such institutions special representation will be given to peasants, workers and women.

**Article 37.** The State shall:

- (a) promote, with special care, the educational and economic interests of less privileged classes or areas;
- (b) remove illiteracy and provide free and compulsory secondary education within minimum possible period;
- (d) ensure inexpensive and expeditious justice;
- (i) decentralize the government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public

The government introduced LG through the constitution but initially did little to implement it. The principles of policy were only on paper until Zia ul Haq, under military rule, activated the LG. The LG system allows for representation at the local level and addresses basic municipal issues like streetlights, drainage, water supply, basic health and education. This makes LG systems very popular with authoritarian regimes as it allows people to be involved in local decision-making and grassroots democratic processes while centralized authoritarian rule can continue at the federal level.

The three-tiered LG system (union council at the village/ward level, tehsil council at the sub-district level and district council) in Pakistan dates back to General Ayub Khan's era (1959-1968) when he introduced the system of Basic Democracy. Subsequently, local government, which was ignored during the 1968-1977 period of Yahya Khan and Zulfikar Ali Bhutto, was revived by General Zia-ul-Haq in 1979 through provincial ordinances. LG elections were held in 1979, 1983 and 1987 on a non-party basis to muster grassroots support through local councils for the military regime. As LG was a provincial subject, therefore different laws and administrative

arrangements existed in the four provinces. During the decade-long civilian democratic rule in the country (1988-1999), the LG system became an ‘on-again, off-again’ phenomenon as each government attempted to garner political support by restructuring or undoing the LG system. Although LG elections were held across country in the first tenure of Nawaz Sharif (1990-1993), in his second tenure (1997-1999) only Punjab and Balochistan held these elections. The LG, however, became barely functional in these provinces. In 2000 the Musharraf government announced its “Devolution of Power” program through the promulgation of the Local Government Ordinance (LGO) 2000 at the federal level, re-enacted provincially in August 2001. There were considerable changes in the administrative and fiscal powers connected with local government,<sup>1</sup> as districts were to make their own budgets and spend according to their priorities. Under this dispensation, local government elections were held in 2001 and 2006.

All LG elections held between 1958 and 2001 provided little space for women’s representation. Women’s reserved seats were only 2% until 1991-1993 when the reservation was increased to 10%. The quota for women’s representation was to be determined by provincial preference, enabling the governments of Balochistan, Punjab and Sindh to institute a women’s quota while the NWFP government decided against it. Although small in percentage, the reserved seats for women enabled them to enter the system and to assert their presence and respond to women’s needs at the community level. In the 1998 local government elections in Punjab and Baluchistan, women’s representation rose to 12% and 25% respectively, but the local councils were unable to work effectively.

For the first time in Pakistan’s history, the LGO of 2000 provided 33% seats for women in the three tiers of LG: the Union Council, Tehsil Council and District Council. These reserved seats were to be directly elected at the village level for Union Councils and indirectly elected at district and sub-district levels for District and Tehsil councils.<sup>2</sup> This saw the entry of approximately 36,000 women into the local government structures, strengthening women’s presence in the LG system and initiating the process of mainstreaming them in the political arena. When elections were to be held the second time, the government reduced the number of seats at the council level from 23 to 13 but was forced to keep the percentage of women’s quota at 33% amidst loud protests from women councillors and NGOs. The overall reduction in seats has resulted in fewer women entering the political scene and accessing local government institutions. However, by 2005, many women had been mobilized and many contested against general seats indicating that women were now trying to preserve the gains they had made over the last two decades of zigzag patterns of elections. In terms of state support, we find that in 2005 there were 49% registered voters; 2.5 million more voters were registered (including 1 million women). However, voter

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<sup>1</sup> According to the NRB, the present system of decentralization is based on a model of 5Ds: devolution of political power, distribution of resources to the districts, diffusion of the power authority nexus, decentralization of management functions and, decentralization of administrative authority (Yazdani, Fauzia 2003, ‘Women’s Representation in Local Government In Pakistan: Impact Analysis & Future Policy Implications’, Islamabad, Pakistan, pp 15-16).

<sup>2</sup> Ibid, 17

turnout declined compared to the 2001 election from 52% to 47.50%. This may be due to the holding of national elections in 2002, which may have quelled people's fears about not having their voices reach the provincial and federal capital.

Although voter turnout indicates that fewer women (36%) than men (57%) voted (the overall national average stood at 47.50%), yet as contenders for political power, a higher percentage of women contested LG elections and there were fewer vacant and uncontested seats as women's nominations increased substantially especially in Baluchistan and NWFP at the Tehsil and District Council levels and in the Punjab and NWFP at the Union Council level. The table below provides a comparative overview of women's increasing participation in the two LG elections of 2000-2001 and 2005.

### **Comparative Position of Women's Seats during LG Elections 2002 and 2005**

Category of Seat	LG Election 2000-2001	LG Election 2005
Total No. Available Seats	36066	24463
Nominations Filed	61411 (1.7/seat)	57275 (2.3/ seat)
Percentage	170%	234%
Rejection/Withdrawal	13566	9853
Percentage	37%	40%
Contesting Candidates	47845 (1.3/seat)	47422 (1.9/seat)
Percentage	133%	194%
Unopposed Seats	9007	4089
Percentage	25%	16.80%
Vacant Seats	4077	742
Percentage	11.3%	3%

Source: National Reconstruction Bureau Presentation Slide 56 and 58 Web Access

The new democratic government that took power in 2008 continued to keep the edifice LG till December 2009, i.e., the time during which the LG mandate continued. This was due to a debate within the federal and provincial governments if a uniform LG system should continue in the country or the subject returned to provincial governments in compliance with the 1973 constitution. In July 2009 it was decided that all powers regarding LG would be returned to the

provincial governments. All provincial governments decided that LG elections would be held after the term of the elected LG representatives ended with an interim arrangement of administrators taking charge of cities and rural areas. This was to ensure that the Musharraf era supporters in the LG system were dispersed, so free and fair elections could be held. Thus provinces opted to institute LG Amendment Bills between January 2010-May 2012. There has been heated reactions to the new arrangements in Sindh but other than that, there has not been significant or informed debate on the bills in the other three provinces. In fact, provincial governments throughout Pakistan dragged the finalization of LG Bills for over a year and a half. Women's reserved seats have been a significant casualty in KP but has not elicited debate in the Provincial Assembly nor among political parties.

LG elections were promised in 2009 over a three to six month period but have been repeatedly postponed. Although the Election Commission of Pakistan (a federal institution) announced LG polls for 2011, provinces instead took the position that the Election Commission could oversee the elections and prepare polling lists but it was not authorized to set the date of election as that is a provincial government prerogative. Provincial governments have little political interest in LG elections as elected representatives are perceived to be competing forces by the MPAs and MNAs and there are disagreements within political parties over the exact institutional arrangements for LG<sup>3</sup>. In addition Pakistan's peculiarly difficult circumstances due to on-going militancy in the country as well as recent natural disasters, specifically floods, have affected major portions of all provinces, which made LG elections difficult in the short-term.

The possibility of holding LG elections at present is unclear; as mentioned earlier, with general elections around the corner, provincial governments, especially the Khyber Pukhtunkhwa government, are taking the plea that local government elections cannot be held at this time. Be that as it may, the importance of elected LG representatives has been sorely missed during the dual crises confronting the country: militancy and natural disasters. In both, elected representatives have key roles to play as peacemakers in their communities and as focal points for ensuring that distribution of relief is carried out in an accountable and systematic manner.

Throughout the time since the federal government announced that LG would revert back to the provinces (July 2009), various conventions and public meetings were held by political parties, LG representatives from the previous system, NGOs, and rights activists to defend the system that was devised in 2001. Women councillors formed province-wide associations to oppose the abolishment of the LG system. Other women's rights groups also insisted that 33% quotas should be ensured even if a new system is introduced. Therefore, provincial governments were lobbied in this regard; also the Commission on the Status of Women (NCSW) was lobbied, which subsequently made a case for representation at the local level, especially in view of the crisis of governance after the floods.

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<sup>3</sup> For example, the PPP and MQM disagreed whether to return to municipal and town committees or continue with the District Nazim arrangement introduced through the Devolution of Power Plan 2001. The latter wanted to continue with the 2001 arrangement while the former wanted to revert to the pre-2001 arrangements.

However, given that the 18th Amendment set in motion dynamics that are still not fully internalized by the administrative machineries of the federal and provincial governments, the matter of local government elections has been placed on the backburner. While Punjab has retained the reservation of 33% seats, the KP government has reverted to the pre-2001 policy of a 10% quota for women. This is a setback for the women who were politically active both as contestants and as voters. Overall, some of the reforms that had placed more powers in the hands of elected councillors have been reversed as the bureaucracy was extremely unhappy with having reduced powers in managing districts and sub-districts. Thus, the elected councils have been made subservient to the bureaucracy, an important setback for democratic institutions within the state.

## **The Swat Moment 1: Reflecting on Women Councillors Experiences 2002-2009**

The previous section outlines the inclusion of women in local government in Pakistan and that women were motivated to contest the second LG elections (2005) in larger numbers than the previous elections (2002). The LG reforms were criticized for bypassing provincial governments, for radically clipping the powers of the bureaucracy and for providing inadequate funds to the union councils, especially the women councillors who were directly elected. Bureaucratic hurdles and lack of cooperation also caused impediments in the effectiveness of LG. The lack of communication and support for women councillors from women MPAs and MNAs was highlighted as were questions about the attitude of political parties toward women, both as contestants and as voters. According to the Aurat Foundation, "Male local leaders barred women from voting in many Union Councils of NWFP, Baluchistan, Sindh and Punjab. The ECP did act in some districts where women were excluded but only as a result of pressure by NGOs, opposition political parties, and the international community." (2005:16) According to the same report, women in Swat were barred from voting in 60% of Union Councils, i.e., 39 Union Councils out of a total of 65 Union Councils (for details, refer to Annex 2) due to agreements between political parties. Although the elections were supposedly held on a non-party basis, political parties were fully involved in the elections and those in power used the government's development funds to attract votes. In Swat, President Musharaf addressed a PML-Q rally and announced development grants worth Rs 80 million to attract voters away from the MMA dominated provincial government (ibid). The PPP and ANP formed alliances with the MMA (mainly the JUI-F and JI respectively) at the local level in Swat as well as other districts of KP (then NWFP). These alliances included a bar on women from voting and sometimes from contesting. The stated justification was that religion as well as local cultural practices prevented women's participation in the political sphere. Thus, even before the Taliban take-over, there was ample conservative domination at the grassroots level and secular progressive parties such as the ANP and PPP were as much a part of it as were the religion-based parties. Women's role and thus voice was already circumscribed by all political actors making women almost irrelevant by the time the Taliban rose to power and violent conflict ensued. The militancy and resultant displacement of 3 million people from Swat in 2009 as well as the devastating floods of 2010 shook the very foundations of social order in Swat.

In these contexts, how do women councillors assess their own roles? Equally important, how did men perceive their roles? Interestingly, there is complete agreement among our respondents that women as well as men had little or no role to play when the Taliban were rising to power and also had no space for a role during the conflict. The terror of the Taliban was so deep, especially because they were well-equipped with weapons, had control over communication, information, administration and security, that it was difficult for women as well as men to voice their views or challenge the Taliban. How did this become possible when women were assumed to be on the path to their political empowerment during the Musharraf era? Was the rise of the Taliban a

setback to women's voice or was it merely an extension of misogyny or gendered power politics reflected in traditional curbs on women's rights? Did the Taliban represent a new dimension of religion-based empowerment for women? In the post-Taliban phase, after the military re-established the authority of the state, could women councillors play a role in rebuilding their communities?

The following sections discuss women's and men's perceptions of women's roles as councillors, their effectiveness in leadership positions and the roadblocks as well as pathways to their voice and empowerment. It analyses their reflections on the experience of representing their communities and their potential for bringing change.

### **LG Reforms: Enabling and Inhibiting Women Councillors' Roles**

The LGO 2001 was implemented across Pakistan. In the context of Swat, respondents did not weigh in on whether provision of quotas was/is a democratic notion or not. There was no contestation with regard to the usefulness of reforms. All our male respondents said that they supported women's role in local government as they believe that women can best address women's issues. They said that such support came from urban educated families, not from rural or remote villages in the mountains where conservative ideas still prevail. In the words of Zaman Karim, "The educated person in Swat supported women's right to vote and contest election at the UC level wholeheartedly. There was no violence or resistance in Swat's urban areas to such ideas but in far-off rural areas there were conservative-minded ignorant people who believed that it is wrong for women to enter politics."

Looking at the LG experience in hindsight, many respondents stated that when the LG first came, people, especially the upper classes and landed elite, did not pay much attention to women's quotas. Many enlisted their household staff (servants and maids) and other illiterate and often old women from poor families to be on the local councils. However, when they realized that they were dependent upon this class even for insignificant work, like attesting their degrees or other documents, they realized that it was important to have women from their own families and class position in the LG system. Thus, even the small powers that were granted by the LG reforms to women created dynamics for change in society.

Women councillors also gave examples of what they did as councillors: how they provided political education to illiterate women in their vicinity by making them aware of the importance of their vote. One councillor from Kabal, where the Taliban established a stronghold, said that encouraging political activity and responsible use of their vote among women was part of her routine activity. Another councillor who had been a councillor for two terms said that she regularly emphasized that voting was women's '*huq*' (right), and told them "don't count yourself as humans if you don't vote as this is your *izhaar* (expression of preference)." Women councillors recounted that they received applications with requests for assistance such as with school admission or resolving a utility bill, aside from requests for attestation of documents -- something that made them feel important -- and intervened at the family level on behalf of

women in cases of domestic violence or other family or marital disagreements. Almost all women said that the councillor experience gave them more confidence.

There were also shortcomings associated with the councillor experience. These were mainly experienced as unequal powers with men in social and economic contexts. Women councillors were a minority in terms of council membership, which meant that they could be easily sidelined through the voting process. Socially, it was difficult for them to have their voice heard as the men would either not invite them to council meetings, or tell them to sit in a separate room while they took decisions about where to spend funds and arrange their 'cuts and commissions' among themselves. For example, female union council councillors had little or no room for a voice about development schemes as these were completely in the male domain. Bahar Shamima said that men were comfortable and in cahoots with one another in their "*khurd burd*" (hanky-panky) with money. "What use were funds if we couldn't help women? No point in spoiling the atmosphere at home by creating tension over going for local council meetings and having to convince men to let us go when there was little to be achieved through these meetings."

The same feelings were reflected by Marjan Kaleem, "The men would mislead the women about schemes. They used to distribute the budget amongst themselves. They would pass their own tenders. They did not share any municipal accounts, and did not even share the details of contracts given to anyone . . . The tehsil municipal council always tried to keep women at a distance so they would not be able to come forward. Women would readily give up their share of funds as the men would mislead them by telling them that they would have to supplement the funds from their own pocket to complete the schemes approved for them...so they preferred to leave rather than pay bribes. Funds were always hijacked."

There were questions about the manner in which the LGO 2001 was structured: it made women dependent upon male councillors especially at the tehsil and district council levels as women were indirectly elected--nominated by men and thus in a sense beholden to them. At the union council level, where women councillors were directly elected, women had virtually no funds available for any initiative. Therefore, women felt frustrated that they could not showcase any 'achievement' for their community. According to a male politician, (Fazlul Mulk), "LG would have been effective if funds were provided for women councillors at UC, Tehsil council and District Council levels, not to MPAs and MNAs. The latter become competitors and two powers cannot exist in the same space. The secret for success of LG is that funds be given to councillors for public interest in their respective areas. MPAs' and MNAs' funds are a source of corruption since the Zia days and this system should be discontinued."

### **Perceptions of Women's Leadership at the Local Level**

There were variations and nuanced understandings of women's role at the local level. Although everyone we interviewed welcomed the inclusion of women, saying that this was a first step and

that the system could be improved, there were different views about the two 4-year terms of LG in Swat.

Men said that women's leadership is accepted in the local set up but explained that this acceptance is available within the parameters of their gender role. This is best demonstrated by Zaman Karim who said that women can create spaces for themselves and these are needed. He said, "The women councillors' impact was positive at that time and it introduced changes in society, e.g., that women can work with men in fields outside their homes. They were addressing women's issues better than men. Women were comfortable as they could easily contact female councillors."

Hassanullah Khan a local notable, stated that, "Women's leadership is accepted in the local set-up as long as they do not offend male interests and challenge male authority." In another take on the rationale for an appropriate political role for women, Tahir, from Islampur, expressed his support for women's active role in politics, explaining that, "LG system was good for women to address women's issues and facilitated women at grass-roots level." He also explained that since a majority of women councillors were from low-income groups and not elite families, therefore their voice was not strong. This is an important point in that it highlights that while women may have been empowered at a personal level, the effectiveness of their voice was circumscribed by other factors of class and status.

Some of our respondents felt that the inclusion of women as rubberstamps, especially in the first term, did not serve any purpose. They asserted that women were voiceless and had no understanding of their role as they were poor and illiterate. According to Hassanullah Khan, "Women's role was introductory and symbolic. They were quite poor, uneducated and did what their spouses instructed them to do. They were under their spouse's control."

One woman councillor said that even though political parties approached women to support them, the local community would not approve of women's leadership role. They would say "look at her! she is trying to make herself into a man!" However, she qualified this and added that the women MNAs and MPAs belong to the economic elite and therefore they escaped societal disapproval and could take on assertive leadership roles. However, she said that, "they are unaware of our problems and therefore their presence has no *faaida* (they serve no purpose)."

On the other hand, a woman councillor who had served two terms shared that her previous exposure to the public sphere and family background had given her the requisite knowledge and space to be effective. In Tehmina Muhammad's words: "My family has been associated with PML for decades. When my husband died, I had nine kids but others insisted, so I contested. I won both times. Even before councillorship, I used to help people. I belong to a well-off family, and as I was an only child, my father took me everywhere with him so I had a lot of exposure to fields, government offices, other people, even *hujras*. Because of that, women used to come to me for help anyway. Being a councillor increased my authority and respect." Not all women

councillors felt helpless. However, they missed the presence of a critical number who could constitute a team with them.

Women who did have an understanding of the system said that not many councillors were educated and the system was male dominated. Some said that they were unable to make their less knowledgeable, older, and illiterate colleagues comprehend what stand to take on an issue. Marjan Kaleem, a tehsil councillor explained that not only were women a minority vis a vis male councillors, a majority of women councillors did not know their powers and responsibilities; many would not even speak when there were a large number of men in the room, they would simply raise their hands. She said that women could not turn themselves into an effective team as she could not convince women to be decisive about some of the issues that affected women: "What could you expect of them? they were servants--many did not even have the bus fare to attend meetings. To get them to comprehend issues was impossible. I felt like it was a case of *bhainss kay agay been bajana* (playing a flute in front of a cow)"

Despite the expressed frustrations, Marjan Kaleem said that many women councillors were strong women whose long term impact can still be felt. Their leadership role was accepted and appreciated in the community and people still go to them with their applications in the belief that they can help them due to their stature. Maryam, echoing similar sentiments said that, "Since they wound up the LG system, people have no access. They run around trying to find MPAs and MNAs – who are either too scared to come to Swat or live in high security areas now. Small, trivial things blow up to be big problems, such as verification of ID cards. We used to be available and accessible all the time. Everyone wants the LG system back."

Hassanullah Khan said that the LG system had impacted women as citizens in a positive manner, " they exercised their right to vote, contested elections and gained the confidence and knowledge that can foster social change and improve women's lot. Women's grassroots level leadership should be strengthened, and with the passage of time improvements will lead to empowered women and communities." Another respondent, a politician, also said that the physical presence of so many women in public office had a positive impact on women's lives. He said, "Women stepped out of their houses and joined forces with men on an equal footing. A little bit progress was made but there is a long road ahead to cover." He felt that women at the grass roots level should obtain "the support of political parties and local population in general and specifically strong support of the elites is essential." A district councillor said that the critical difference before women's entry into the LG system and now, is their "*shaoor*" (level of awareness).

Reiterating the lacunas in the system, Fazlul Mulk held systemic flaws in the LG system responsible for women's ineffectiveness rather than women's leadership qualities: "Financial and administrative powers were lacking with LG therefore no big change could take place. The role of women at grassroots level can be strengthened if financial and administrative powers are given just like in the UK and USA set-ups."

There was no devolution of funds, but in domestic issues, women found a niche that didn't require money. They were active in cases of domestic violence and publicly named and shamed, negotiating with area elders and getting perpetrators to sign undertakings to not repeat acts – even though undertakings were not legal documents. But diffusing divorce was also perceived by UC councillors as a success story, as much as mediating on domestic violence. Many divorce cases, whether demanded by men or women, were arbitrated, leading to '*sulah*' (reconciliation).

Given that women councillors were generally asked to intervene in matters regarding domestic disputes, there were successes but also issues of concern that women councillors brought up. Surrayya Abdullah speaking about the intensity of male control said that, "educated women like teachers do not know what their salary is as men collect it. Furthermore, men complain that women have too much voice now." She also shared her inability to rectify a grave injustice to a 12 or 13-year old married girl who had been raped. She said that the girl came to her and identified the man who had raped her. Shahnaz said that she pursued the case but the accused was influential and got off through *sifarish* (influence). The police changed her case and even her medical report. All the men in the council signed off the paper that said that the man was not guilty even though they knew that he was." She said that the police as well as the male councillors made the girl '*gunah-gaar*' (sinner) and subsequently condemned. After this incident, "I gave the girl some money and did not go back to attend another council meeting. How could I sit or look at the men who had been so unjust and were in cahoots with the rapist? This is why I had said that women should be in the majority in local councils . . . "

### **Formal and Informal Institutions: Barriers & Conduits for Women's Political Participation**

Women's entry into the political arena is not only a function of legislation and policy. There are several institutions such as political parties, the family, community, economic class, as well as women's individual motivation and agency that impact women's voice in the public political arena. This subsection discusses the different manifestations of barriers that women face in their quest for political space and voice. Throughout the analysis, we believe that different forms and manifestations of local patriarchies are imposed and contested at different levels and contexts of women's presence in the public arena. The barriers that emanate from such contestations are not straightforward; while they constrain and impede women, they also support women at critical junctures and provide them opportunities to change the status quo, bit by bit.

### **Personal Motivation**

Often, studies talk about the agency of women, implying that women are able to exercise their will in a context that might not be conducive to allowing space for action. Thus, the issue of overcoming barriers, especially patriarchal barriers, is often assigned to women's individual and collective agency that triumphs over structures due to the gaps and cracks within these. Although conservative attitudes could be seen frequently whereby women's presence in the public sphere met with disapproval, yet policy reform opened up new channels for women's voices. Thus,

many women who had nurtured dreams of 'doing something' for their community or the women around them said that their personal ambition to be a councillor was a key reason for their involvement in local government elections.

Asiya Mustafa, who had been a Tehsil councillor twice, said that she was encouraged by her husband to be politically active. She also said that women had become aware of their rights and that they could bring about change through their votes. Explaining women's motivation to vote, she said that, "in the past they didn't vote but then they started voting during Zia ul Haq's time and continued till recently. Now, they are again scared of voting due to fears of the *talib*. It is not that they are unaware of the importance of voting . . . "

While fears of the Taliban were haunting many, some women were concerned that quotas were not going to be retained and that political parties may not be very supportive. Maryam, expressing her interest said, "I will contest again if my husband permits. He will, because previously he supported me both times. This time I will contest on a general seat if they don't bring back women's quota, and I will win it. I know this." Another councillor, Tehmina Muhammad echoed the same thoughts: "I would contest again even if they removed the women's quota. And I would win it hands down. "

Marjan Kaleem also spoke about her interest in politics but also pointed out why she felt disappointed with the LG system: "I had a lot of *jazba* (passion) for politics and women's rights. I wanted to do something for the women of my area. However, I faced resistance, especially from my brothers and husband. Though I convinced my husband about my plans, the experience of councillorship was very bad. It was disappointing as this is a male dominated society and the other women were either disinterested or they were illiterate and therefore had no knowledge of issues. The latter were there for "*khanapuri*" (filling the gaps). Even if I explained the advantages of a certain step/legislation or scheme to guide them, they would or could not do anything. It was as if the women of that council had been hijacked."

In a similar vein, Bahar Shamima pointed out that, "Women should join politics only if women can achieve something practical (*amali*). I have no interest left in politics as there is nothing in it that can help my village, my community, my tribe, or the women from this area. Political parties have spoiled things and it is now well-known that they only serve themselves." Speaking of women's right to vote, she said that while she could go to the polling station to vote, her in-laws would not approve of her young daughter-in-law to go and vote. Thus, the exercise of voting rights was not a simple issue--it was tied to a woman's age and family norms.

Not everyone was motivated at a personal level. Ghazala Shah explained how she became a councillor: "The men in my family have been active in politics for 45 years. They joined Muslim League when the Wali of Swat sided with it and have been associated with the Muslim League since then. Not the women though. Until the party nominated me and my husband went along . . . I'm not literate, and am over sixty, but that's how I came into it."

To conclude, women agreed to be councillors in the LG system for several layered reasons. Many were happy that they were presented an opportunity to serve their communities; they felt important and elevated in stature; they spoke about their passion. But they also spoke about their subsequent disappointments because they were unable to achieve anything practical. There were also women councillors (usually older women) who were not interested in being councillors but agreed due to family pressure. Although women's awareness of their right to vote was emphasized, it appears that it was not only tied to a woman's age (young women were not allowed or encouraged to vote) but also to the type of conservative thinking exhibited by a family. In the latter context, it appeared to be more of an issue of male family members' outlook rather than of economic class, as poor women were also politically aware and active. Women who were interested in political careers emphasized the supportive role their father or husband had played in enabling them to enter and stay on in the public arena.

### Family

In all the interviews, it was apparent that women councillors entered the local political process either with active support from men in their families or were able to convince them not to object. Women councillors received family support for reasons of stature as well as for her personal capabilities and commitment to politics. This support translates into both moral and financial support. In addition, family standing in the local community and social connections are an asset for women councillors. Not all men were supportive but it can be easily asserted that the immediate male relatives of local women councillors backed them. Where women come from families with a track record of political involvement, they have the advantage of knowing how the system works through their men, and received greater acceptance from the community.

Asiya Mustafa, explaining the critical role her late husband played in her life and that of the community's, he was different from most men as he firmly believed that men and women are equal. He was widely respected in the community for his views, he convinced people to support his progressive ideas, and always won elections. She said that they both worked like a team whether it was to dig a well in their house or look after plants in the nursery. Elaborating, she said, "his *soach* (thinking) was different. He made me study with '*takhti*' (wooden tablet) and I was better than educated women. He taught me how to think; he gave me knowledge. His views on women's rights were his own. He maintained that we have to convince people around us to change. He was not scared of "*itiraaz*" (objections from community) and would ask me, "Are you my wife or the wife of the entire village? we have to change the *moashira*/society around us"

Women councillors received both moral and financial support from homes. Marjan Kaleem explained, "often women who came to attend meetings from the mountains would be accompanied by their husbands. They did this willingly. They would leave their children behind and the women in the extended family would look after them." Almost all the men we interviewed were supportive of women's political role. For example, Hassanullah Khan said,

"My personal support is there for women councillors to address and resolve issues in the community. I will strongly support them because women's issues and problems should be settled by themselves in the next election." Most men felt that women councillors were more accessible to women and therefore they should represent them.

However, male support was not unequivocal in all contexts. Surrayya Abdullah highlighted that women's double burden is an issue: "Men want them to fulfil their household responsibilities, as well as continue their jobs (as teachers or health workers). They want household responsibilities to be fulfilled without any imperfection and then the outside responsibilities to be shouldered also. I was unmarried so I could cope with these demands but most women are married and illiterate . . . so it is not easy."

Through the interviews, it emerged that there was a social cost to male support. Fazlul Mulk pointed out that families were affected as relatives in the extended family stopped meeting women who participated in politics as an expression of their disapproval. Deep divisions about women's political participation were prominent in far-flung areas. Tahir from Islampur concurred. "They (families) do not create conflict but sometimes they are victim of male criticism and chauvinism because of gender differences and other men create problems for women's leadership in a community as they are in competition." These social attitudes translated into effective informal barriers for some women councillors. Even when men in the family were willing to take on the fallout of upsetting gendered equilibrium, the social cost was a deterrent for women in some cases. Ghazala Shah presented one such case. "I contested and won the UC elections twice but won't do it again... No way are my daughters and daughters-in-law coming into this filth. People say bad things, family feuds develop. I would rather just leave it to the men, at least the home remains undisturbed."

We assert that political participation and contesting election is not an act of defiance against family patriarchies but in fact made possible through family backing and support. This raises an interesting point because in the literature on women's rights in Pakistan, the family structure is understood to collude with wider societal patriarchies to continually reproduce women's subordination. Violence attributed to culture, such as the case of honour killings, is often explained as a result of social expectations of conformity and fixation on community opinion of male honour. Yet in the case of allowing women to contest elections, it is evident that families in general and related men in particular were willing to risk social censure for anticipated gains, whether the incentives were support to the women of their family, personal benefits or collective returns. This is indicative of porous social spaces.

## Community

Support for women councillors from within the community that they represented varied not only on the basis of family connections but also on the basis of a particular councillor's performance, effectiveness, and compliance with local ways and mores. It also depended upon the level of influence of conservative or supportive inclination/bent/thinking within the community resulting

from its geographical location and the influence of particular political parties. Where women come from families with a track record of political involvement, they had the advantage of knowing how the system works through their men. Irrespective of prior family political connections, across the board women prescribed to the collaborative model of political engagement vis-à-vis men and preferred to either go along with their advice or sometimes, convince them otherwise, avoiding combative situations.

Women across the board felt that community attitudes were unsupportive and needed to change. Bahar Shamima said that women could not go out for a walk unless their husbands were strong and willing to take a stand. Such basic activities, taken as givens, were highly contested domains in Swat as community approval was difficult to obtain. In a slightly different vein, Surrayya Abdullah, district councillor, said, "When political parties came to women, the community was not supportive. People in the community would say about women accepting candidacy that she is making herself a man. She sits with men and talks with them. They disapproved completely." She went on to say that it was due to such thinking that women from the middle and upper classes stayed away from local government especially in the first phase and that this was the reason why '*qasabgaray*' (women from lower castes) were put there.

Marjan Kaleem, who had been passionate about a political role said that within her community she receives more respect as a teacher than she did as a councillor. She added, "Now I hide the fact that I was a councillor." Many women pointed out the difficulties associated at a personal level with working in political contexts. This is different from working in the public sphere as teachers and health workers as these contexts have some semblance of acceptability though these were also under attack during the time of the Taliban (to be discussed later). What is important is to understand the overall context of closed spaces in Swat whether in the context of women's access to education or health care or many of the rights that are theirs in laws including *Sharia*.

Male control is a key feature of a community's hold and regulation of women's mobility/appearance (including form) and access. For example, it is on the basis of community norms that women are denied their share in land even if *sharia* upholds it. (reference, our research on women's land rights in swat). similarly, women's mobility and class are closely tied. While women from upper classes are mobile, it is not so for others. Such issues can be understood in the overall context of women's oppression in Swat. Bahar Shamima in her interview said that there is a very unfriendly environment toward women's entry into the public sphere. (She could not even step out of the house to call me when I passed by and was going in the wrong direction). She elaborated, "The repression over here in Swat is intense. As councillors, we once went to visit women prisoners in jail. I expected that they will tell us their '*muslay*' (issues) but to my surprise, there was no crying, no complaints. They were all dressed up and were actually happy! They explained that there was no beating from their husband and/or in-laws. They said they preferred to be in jail because they were served food (instead of having to cook it), there was no beating and no *zulm*. So, Swat is very oppressive."

The limits on women's presence in public spaces is clearly demarcated in economic contexts as well. In these contexts, women are kept out of any financial dealings. As stated by Surrayya Abdullah, men even collect women's salaries. The community does not encourage women to be involved in any financial transactions, viewing this to be male space and men's prerogative. One councillor said that many of the men now collected '*bhata*' for protection and security, just like in Karachi. In such contexts, it is impossible for women to be active in politics at the local community level.

### Political Parties

Interestingly, political parties are assumed to be equally open to women and men, and especially welcome women when they come through quotas. In reality, beyond making special (read ghettoized) women's wings within party structures, political parties' support for women candidates and women voters is contingent upon the context in which they operate. There are numerous examples whereby political parties have reached agreements that bar women from voting or contesting elections. In a sense, political parties' support for women candidates and women's rights issues is a secondary concern and winning elections from a particular constituency is a primary concern. Despite laws that annul election results if women have been stopped from participating in any capacity, mainstream political parties formalized agreements against women's participation as voters and candidates in some conservative areas of Swat. For example, the ANP, which won election from Swat district, "has always sided with mullahs against women. As a result, in more than 550 polling stations in the 2008 general election, the turnout of women voters was zero. In subsequent by-elections in various districts in the province, women were again barred from voting." (Sarwar Bari, Express Tribune, 22 Sept 2012). According to Aurat Foundation's Legislative Watch (March 2008, page 5), "In Swat 329,644 women were not able to vote though 219 polling stations and 623 polling booths were set up but they remained deserted. The absence of women was attributed to militant threats and the precarious situation due to activities of pro-Taliban elements."

Despite informal bans on women's vote, some women showed their defiance. Tehmina Muhammad had class privilege so she arranged for the ban to be broken collectively. She brought all the women to her house for a free meal and on the spot meeting, and after lunch they all marched together towards the voting booth in large numbers. Other parties hearing of this and in panic sent out their women also to vote. Similarly, Maryam neither had the resources nor came from a rich family so she did not mobilize in that sense, but informed everyone about the time she would go to vote. Close to the polling station closing time, she went and cast her vote; a few other women joined her.

Alongside incidents of defiance, there was intense resentment as well. Expressing her bitterness, Ghazala Shah, a union council representative, said, "The party (PML-N) nominated me in LB and made me contest, telling me the importance of bringing women into the political fold, but then turned around and participated in the voting ban on women in national polls. So what is the

point? Am I some experiment? A twice-elected woman could not vote herself. I can't fight the family allegiance. Forget it, I'm pulling myself out of politics and this mess. The Taliban said you must all resign, and I was the first one to do it. Good riddance."

Tehmina Muhammad was practical and looked at political parties in a pragmatic way. She said: "In the next elections, I will go with whichever party seems the most sincere, I haven't decided which one yet. My family has been with PML for over 3 decades but in 2002 elections, I sided with MMA, and in 2008 with ANP. Both won. Why should I stay loyal to parties? They weren't founded by my father. I am loyal to people, not to parties. What's the point of sticking to a party sliding downwards? If it will not be in power, how can it deliver? How can I help people if my party is out of power? No, my family does not really oppose that, they are okay with it because it diversifies their interest base. The party does not get threatened by women joining someone else, they ignore it, only men are irreplaceable. So PML-N doesn't care that I was with ANP or MMA before, they are happy I am considering joining them now. "

In direct proportion with her pragmatism was Tehmina Muhammad's determination to resist and assert women's rights. She said, "For the next elections, I have already made committees to make sure this ban business does not crop up again in Madyan. I have signed on 200 new women as members of PML-N in an area like Kalaam. So I am hopeful."

Other women were also weary of political parties. Marjan Kaleem said that women are aware of the importance of votes but added that "we don't change clothes and votes as often as our political party leaders change their loyalties and stands...they show us '*sarsabz baagh*' (green gardens) by promising us jobs and other benefits but these never come through..."

To conclude, it appears that women had little faith in political parties as they felt that political parties did not offer enough spaces within their structures to accommodate them. While some women were resentful of political parties attitudes toward the inclusion of women, there were others who felt no loyalty toward any political party and said they felt no qualms about shifting support to whichever party was expected to win in the next election. This was explained in terms of their primary motivation to help their people rather than to be tied to the vacillating fortunes of a particular political party.

## **The Swat Moment 2: The Taliban Reign**

This section focuses on the Taliban's rise to power in Swat district and women's experiences under Taliban rule. It is divided into four parts:

1. Background to militancy in the district
2. Taliban outreach to women and women's experiences
3. Women's coping mechanisms
4. Hindsight perceptions at the local level

The first part, providing a background of events leading to the recent Swat conflict, makes the point that deciding which events to refer to is a subjective decision with implications on how the conflict is understood and therefore influences which correctives are considered. Two different readings of events leading to the culmination in violent conflict are offered.

The second part documents women councillors' experiences, both in the earlier phase when they supported the Taliban movement as well as the subsequent suppression they faced. Exploring the interface of politically active women and Taliban misogyny, it builds on prior research that reflected women's understanding and processing of their initial support and the later fear and revulsion of the Taliban in Swat.

The third part culls from interviews the strategies women used for coping with daily issues as well as strategies they used. It looks at both individual and collective forms, the spaces available for resistance through everyday acts of agency and actions that build platforms.

The last part assesses people's perceptions about the Taliban and women interface, and draws also from the interviews conducted with men across Swat, in addition to the ones of women councillors.

### **Background to militancy in district Swat**

Current mainstream attempts at understanding the Taliban's rise to power in Swat trace its appeal as primarily that of a justice movement in its literal sense: the need of people to resolve legal cases in a speedy and unequivocal manner. The main point of reference remains a typecast golden age, the forty three years of the Wali of Swat. The British Raj recognized Swat as a princely state in 1926 and its rulers given the title of Wali. Following Partition in 1947, the rulers acceded to Pakistan but retained autonomy as a Princely State.

The federal Government of Pakistan abolished the State of Swat in 1969. and the area has since been under a provincial civil administration, first that of the Northwest Frontier Province (NWFP) and then under the renamed Khyber Pukhtunkhwa. After the merger of Swat, Dir and Chitral states, these areas – now known as Provincially Administered Tribal Areas (PATA) - were allowed to be governed by customs (having the force of law) until 1974, when new courts were established and civil laws existing elsewhere in Pakistan were extended. Regulations for administering criminal and civil disputes were promulgated and judicial powers were vested in the bureaucracy, local jirgas and religious leaders of Swat. The judicial processes were subverted by alignment of personal and class interests and, in common perceptions, the poor were marginalized under this structure. Business interests and elites of Swat resisted integration and wanted the special status of Malakand to continue as it was exempted them from paying custom duties and taxes.

The local judicial system during the rule of the Wali was a synthesis of traditional and Islamic codes, overlaid by the commands of a paternalistic ruler who had the final authority. The merger with Pakistan created a legal vacuum as the traditional system was replaced with the unfamiliar,

time-consuming and alienating British civil system. The Deputy Commissioner of the district became the embodiment of administrative, judicial, and executive power at the district level. Disputes developed among local tribes over land rights, which the new administration generally failed to resolve.

This summation is invoked as a prism that enables understanding of the recent conflict in Swat. Yet it also predetermines a reading of the conflict and emergence of radicalism in Swat as essentially a socio-judicial crisis exploited by the Taliban. It assumes the appeal for Sharia was essentially that for judicial justice as a redress of historic grievances. The following timeline of recent events is the mainstream explanation of the genesis of the Swat crisis.

Sufi Muhammad, a cleric from district Dir, rose to prominence in 1989 with the demand to enforce Shariah in Malakand. He formed Tehreek Nifaz-e-Shariat-e-Muhammadi (TNSM - Movement for the Enforcement of Islamic Sharia), which set up camp in Timargrah in Dir the following year. In 1994, its supporters threatened the government with a full-scale jihad, storming airports, blocking highways and occupying police stations in Swat.

The demand for Shariah was eventually accepted, and on December 1, 1994, the Governor NWFP enforced the Nifaz-e-Nizam-e-Shariat Regulation. Under this framework, courts and names of judges were 'Islamised', a judge was a designated qazi and an adviser was assigned to each qazi to administer justice according to the Sharia. A new parallel judicial system was instituted where litigants had a choice in that they could opt for the 'law of Pakistan' or the Sharia.

After another series of skirmishes, the same Nizam-e-Adl Regulation was re-promulgated for Malakand Division and Kohistan with some amendments in 1999. But neither brought change nor redressed the people's grievances due to which TNSM's activities and demands for a change in the judicial system and enforcement of Islamic laws continued.

In late 2001, Sufi Mohammad led thousands of his young TNSM followers to fight the US-led coalition forces in Afghanistan alongside the Taliban in the aftermath of 9/11. Routed by the bombing of the allied forces, Sufi Mohammad returned to Pakistan and President Musharraf had him arrested and kept in preventive detention. His son-in-law, Maulana Fazlullah, was also arrested but soon released. Musharraf banned the TNSM as a terrorist organization on 15 January 2002.

Fazlullah, who emerged as the main militant leader in Swat, had been nicknamed "Mullah Radio" in 2006 for his start-up FM radio station. He gathered a following with initial transmissions aiming to teach people about Islam and these soon gave way to his preaching Islamic revolution against the state. People rallied to his support, which many people in Swat say was because of his promise of instant and affordable Islamic justice.

In March 2002, TNSM threatened that one hundred suicide bombers would be sent to hit various targets across the country if Maulana Sufi Muhammad was not released from prison. Violent protests and roadblocks by over 2000 TNSM activists continued until April demanding the founder's release.

On 22 May 2007, the Muttahida Majlis-e-Amal provincial government confirmed its peace agreement with Fazlullah. In return for allowing his radio broadcasts to continue, he agreed to support the polio vaccination campaign and terminate militant training facilities.

In July 2007, intense anger over the Lal Masjid incidents led to a wave of suicide terrorist attacks in tribal as well as non-tribal areas. Musharraf ordered the Army and the FC to act against TNSM in the Swat Valley in October 2007, sending 2500 paramilitary troops to establish the writ of the state. Fazlullah's forces overran police stations and paramilitary outposts and engaged in heavy battle.

In December 2007, Fazlullah helped found the Tehrik-i-Taliban Pakistan, and TSNM merged with the TTP, headed by Baitullah Mahsud. Fazlullah returned to Swat, now heading the Swat faction of the TTP. More than 200 policemen and soldiers were killed during fighting in Swat in 2007. The military operations initially succeeded in pushing back the TNSM cadres from the areas controlled by them. The TNSM followed the same tactics as the Taliban in Afghanistan. Faced with the Pakistan Army, it avoided a frontal confrontation with them. On Fazlullah's orders, his followers dispersed and returned to their villages.

In February 2008, general elections were held in Pakistan and the Awami National Party (ANP)-led coalition government was formed in the province. After the nationally elected PPP-led government came to power in March 2008, the Taliban in Swat re-grouped and staged a spectacular comeback, pushed the army and FC out of the areas recovered by them and re-established their control over nearly 80 per cent of the territory of Swat.

On 20 April 2008 the NWFP coalition government, comprising the Awami National Party, which champions Pashtun nationalism and secularism, and the Pakistan People's Party, a left-of-center secular party, signed a six-point accord with the TNSM led by Sufi Mohammad. Proponents claim this created political space for the state to undertake strong action when the militants reneged on their commitments.

On 15 February 2009 President Asif Ali Zardari gave the approval to the then NWFP government to enforce Sharia laws in the Malakand region. The next day, the NWFP government and TNSM finalized the accord that introduced changes in the 1999 Nizam-e-Adl Regulation. The 2009 Nizam-e-Adl bill was tabled in the Parliament and all major political parties, except the Muttahida Qaumi Movement (MQM), voted for the bill and it became a law.

Two months later, Sufi Muhammad addressed an audience of thousands in Swat, declaring that democracy is un-Islamic and the religion does not allow elections or voting, courts or lawyers.

He labelled the institution of the parliament and democracy as western impositions to be eliminated after Shariat is implemented.

### **An alternative reading**

The above is the current mainstream understanding of the conflict in Swat, grounded in the perspective of primarily a socio-judicial conflict turned violent. We challenge this reading as inadequate and offer another, a tandem lens, to understanding the Taliban emergence in Swat as a fundamentalist response to the discontents generated by the encounter with modernity, nurtured by the religious-political alliance that formed the NWFP government for politically expedient purposes of political domination of societal discourses, and their manifest violence. It draws from previous work by one of the authors of this study, an attempt to chart the ascendancy of religious-political agendas via the MMA government in NWFP<sup>4</sup>.

In the 2002 general elections, the entire membership of the TNSM had voted in favour of the MMA. Sufi Muhammad was under arrest and TNSM had been banned as a terrorist organization earlier that year. In 1994, Sufi Muhammad's followers had promised that they would not cast their votes in future elections but TSNM overwhelmingly polled for the Muttahida Majlis-i-Amal who campaigned to bring 'Allah's system unto Allah's earth' (*Allah ki dharti pey Allah ka nizam*).

The MMA, a political coalition of religious right wing parties, swept into power in the NWFP and formed the provincial government. Soon after elections, it formed the (unelected) National Shariat Council in the NWFP, housed in the Chief Minister's Secretariat, to govern the province's political and moral direction.

Soon afterwards, *fatwas* were issued in Swat against an Afghan writer, Fazal Wahab, declaring his work un-Islamic as he wrote two books, one against the role of religious clerics and the other against the Taliban. In January 2003 unidentified assailants shot him dead in Swat, killing two other bystanders as well.

The provincial government passed legislation, the Hisbah (Accountability) Act that anticipated a regularized moral police force for the 'Promotion of Virtue and Prevention of Vice,' the chief of which, the Mohtasib could not be challenged in any court of law. A Hisbah Force was to patrol the province to ensure strict compliance with the MMA's interpretation of Islamic public culture. In addition to regulating public prayer and sexual propriety, the morality enforcement squad was also mandated to take anti-corruption measures to ensure everyday justice, such as punish shop keepers who manipulate weights and sell adulterated products.

In 2004, the MMA closed down the (then) only women's crisis shelter for victims of violence, on the charges of promoting adultery and obscenity. Khyber Medical College and other institutes of higher education were forcibly segregated. Nishtar Hall, Peshawar's only public auditorium was

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<sup>4</sup> Nazish Brohi, *The MMA Offensive 2002 – 2005*, ActionAid Pakistan 2006

closed down on charges of promoting vulgarity and un-Islamic values. On 18 November 2004, *The Daily Times* reported a bomb explosion in Swat, destroying Mingora city's Palwasha cinema hall. At the same time, the peace agreement between the army and militants in Waziristan, the Shikai Accord, had broken down and militants began both to disperse to other areas including Swat, while others dug in to fight pitched battles. MMA senior minister Siraj ul Haq instituted Tanzeem-e-Salaat Committees in Dir to ensure attendance in mosques at prayer times, including the Nazim, the DSP police and local elites. On 31 August 2004, newspaper headlines stated that the NWFP Chief Minister and general secretary MMA, Maulana Fazlur Rehman announced "All those who oppose imposition of an Islamic system are terrorists."

The MMA soon declared that family planning was against Islam, and prohibited health workers from working on family planning programs. The provincial minister for Religious Affairs collected and publicly torched condoms, family planning literature, video cassettes, and music CDs in a purity drive to flush out obscenity from the province. By early 2005, reports of similar occasional torching in Swat started trickling into news media. Later in the year, the provincial government passed a law that prohibited every person from any form of music or dancing at any place, whether in public or even in private spaces. The Tehrik-i-Nijaat-i-Fahashi (Movement for Getting Rid of Obscenity) flushed out musicians from the Dabgarhi area in Peshawar and set their musical instruments on fire before evicting them.

By 2006, Fazullah had emerged as the undisputed leader of the Swat faction of the TSNM. He had established his own radio station known as Fazlullah FM at 92 megahertz. Initially his programs included recitations of the Holy Quran, lectures on observance of purdah for women, opposition to anti-polio campaigns, and advice to destroy television sets, CDs and VCRs as sources of loose morality and against Islam. After establishing a fervent radio following by mainly women – for many of whom it was a first exposure to sermons – he started fund raising and called for contributions to set up a seminary in his native village of Imamderai. Through radio, he built up a remarkable following and started converting men as well to his cause by advocating his version of Shariat as the answer to their ills with the promise of quick and affordable justice.

By the following year he had built enough of a support base to invite the clerics of the Lal Masjid to broadcast telephonic sermons via his radio station. On 22 May 2007, the MMA government confirmed a peace agreement with Fazlullah. In exchange for allowing the illegal and unlicensed radio broadcasts to continue, Fazlullah agreed to support the provincial government's polio vaccination campaign and education of girls and agreed to terminate training facilities for militants.

Two months later, when the Musharraf regime stormed the Lal Masjid in Islamabad, Fazlullah rose to claim the mantle of leading the Islamic revolution.

In December 2007, Fazlullah helped found the Tehrik-i-Taliban Pakistan, and TSNM merged with the TTP. The brutal killings of men and suppression of women started in its wake.

The juxtaposition of two sets of chronologies show two different analytic trajectories. In the first, the problem is shown to emerge as a result of Swat's merger with Pakistan and introduction of a different judicial system and the TNSM as a group that stepped in to exploit historical juridical grievances, which should have then been resolved with the introduction of the Nizam-i-Adl. The reintroduction and implementation of the Shariat based legislation, on the other hand, is not lauded by people in Swat and according to people interviewed, has not provided relief or resolved their issues.

The second reading shows that the historic grievances notwithstanding, the TNSM was a group that in 2002 was rudderless with its leadership in jail and its cadres engaged in parliamentary democracy. It shows the role of the MMA government as a radicalizing influence that either paved the way or at least mirrored the TNSM discourse at the official level, and the provincial government's malignant neglect of emerging violence in Swat that allowed it to nurture. It also points out that it was the collusion of TNSM with the broader Taliban and Al-Qaeda networks that led to an escalation of atrocities, suggesting that localizing and dealing with militancy at the level of just the Swat Taliban is inadequate.

### **Taliban outreach to women and women's experiences**

Every councilor interviewed, readily admitted to having supported the Taliban in the early phase, not just by being a receptive audience to radio broadcasts but also by being active contributors through financial contributions and volunteering time.

“Yes, even I supported them, I, who they went on to later name on radio as an enemy of Islam and threatened to kill me. How could I have known that? I had supported them fully, I even volunteered my son to work for them. Backbreaking labour! They made him haul bricks for the construction of their madressah. I thought we were building a future together. We didn't know we were volunteering time and labour to dig our own graves.”

“I wanted my husband to also volunteer but he refused,” says Shaheen Iqbal, a woman councillor at the tehsil level. “But as soon as he started talking about women not working, I knew it was all going to go wrong. But he did not say those things in the beginning.”

Union Councilor Ghazala Shah concurred. “I not only supported the Taliban, I even upheld their verdicts. What do I know what is Islamic and what is not? I cannot even read. I don't know what Shariat says, I just know it is correct, whatever it is. And I thought they knew what it says and were right.”

“I myself donated money,” admitted Tehmina Muhammad Bibi. “But that was much earlier. See, first he started by saying you women will save Swat. Then he changed and said he and his people

would save women. Later on, it became something else; that we had to listen to them to save ourselves from Hell. In the end, it was if we disobeyed him, we could do nothing to save ourselves from them.”

Razia Bibi said “We supported them because we thought they were genuine. Fazlullah was charismatic, his radio sermons were so passionate. I went along with others. I did not have reservations but I was not as excited as the others either but I did not want them to think I was any less devout. It’s age; we older people don’t get that excited about anything. The young people thought everything would change, like it would start raining gold coins when Shariat comes. I was very small when Partition took place but I have vague memories of sitting around the hearth fire while my father would fiddle with the radio to try to hear news of what was happening. In the daytime he used to go to the Wali but at night we sat around the radio. It was the same feeling as with Fazlullah’s broadcasts.”

In the interviews, we verified findings of previous research focusing on why women supported the rise of the Taliban. The understandings developed through that, proved to be consistent and applicable to the councilors in equal measure, though previous respondents were women from Swat and not politically active. The box below summarizes the findings after two sets of interviews, first, in the early years of the TSNM movement in 2005, and then after the army operations in May 2009.

The women in Swat reflected on their earlier support of the movement and processed their own participation differently than they had done earlier. Through discussions among themselves, they were able to reflect in hindsight that a significant motivation for them was being given the public recognition as important actors – the notion of agency.

At the beginning of his campaign, Fazlullah used illegal radio broadcasts to reach out to women, through which he addressed women directly and put the onus of the future of Swat in their hands, exhorting them to rise together and ensure the implementation of Sharia that would resolve their personal and social collective problems. He would regularly give sermons to women about how they must ensure that a true Islam was practiced by them and their families so God would place them on the road to prosperity and piety. Inspired, women donated large sums of money and gold that financed part of Fazlullah's movement. Re-examining why his words appealed to them, women across many villages and towns in Swat deconstructed the initial appeal of militant leader and why he was able to attract women's support. Being addressed directly, the dignity of being an actor in their community's development was the fundamental reason women became involved. In his radio broadcasts, he spoke to women directly, and accredited them as actors who held the future of Swat in their hands. Women spoke about how their opinions were either not solicited or ignored when given by men in their families and communities. They felt irrelevant and marginalized from all decision-making and in this background. Fazlullah created a discourse in which women were positioned as the most important decision-makers. An additional incentive was the increase in women's status. Fazlullah would announce via radio how much women had collected together, as well as acknowledge individually bequeathed quantities, whether of gold or money. So women sought the prayers and blessings of who they considered a religious leader, but also the status, acknowledgment of agency and recognition of their contribution to a wider cause. Women felt this connection gave them the strength to overcome social limitations, such as needing approval of their husbands and families before making the donations. Two women were divorced by their husbands who sent back money they earned from working in other countries as labourers. Some men even warned women not to waste their money, but felt Fazullah's oratorical prowess gave them the courage to take a stand.

For women councilors, the demand for Sharia symbolized a stand-in for justice, development, progress and peace. The link that Fazullah made for them was that the Sharia law provides for this in literal terms.

The women councilors felt a combination of betrayal and anger towards the Taliban, as well as a deep seated fear about their possible return. They said that they still did not have closure on their trauma and felt that their experiences had to be documented and reflected or otherwise leniency could be showed to the Taliban in Swat such as in Afghanistan.

Tehmina Muhammad narrated one incident where she witnessed violence she was scarred by. She did not leave Swat during the army operations. Her son is a laboratory technician in a maternity home in Charbagh. There was some complication in a delivery and he was late in coming home and it was nearing curfew time so she went to fetch him. She was trapped inside the clinic during curfew and there was a shootout and cross fire outside. When she came out, the whole area was littered with body parts and blood was trickling down the streets.

Shaheen Iqbal's experience was more direct, in the sense that she herself was the Taliban target. Fazlullah named her in his radio broadcast and threatened that she would be located and killed. "My extended family, neighbors and friends came to condole with me and my family like I was already dead." A week later, she saw the mutilated dead body of her friend and colleague, another woman councilor, Bakht Zeba. "I was in a stupor for three days. I don't remember much of that time, but others told me about it. But I remember seeing her. The Taliban had warned her not to leave her house unescorted, but she did not listen to them. 30 to 40 men went to her house. They cut her head off (zibaah) and then shot her already dead body multiple times. They told her neighbors that they were being kind to kill her first, otherwise they would have burnt her alive. I saw her like that. Then I saw what they did to Shabana (the dancer). She was also my friend. When I heard, I put on my burqa and ran there. Others say I was wailing. I saw her tortured body that they had dragged from her house, hitting and beating her till they got to the site where they killed her, leaving her corpse littered with money."

Maryam said she was not directly threatened, but that was because the Taliban made some concessions for elderly women. They were more brutal with younger women. "I would refer to them as my sons if they said anything, and they would brusquely tell me to go away after that, but never said they would harm me. I saw them do that. I saw them pull a woman around the neighborhood by her hair because she was not wearing a *burqa* even though she was wrapped from head to toe in a chador. The family moved away from the area soon after that."

## Women's Coping Mechanisms

Maryam: The Taliban would go into frenzy every Friday after Khutba of afternoon prayers, and stay crazed the whole day till night time. In the early days, after khutba they would go door to door convincing people to throw their TVs, CDs and evil things into the Friday bonfire, but later they started raiding houses. So my family, along with some others from the area, we would leave Thursday evening and go somewhere else, to family in Batkhela or wherever and return on Saturday morning. We would spend two nights every week outside our house and we did this for months. Still, after all, you have to come back home. The Taliban told us the importance of collective prayers through radio broadcast. But by the end of it, we used to get together and recite prayers for getting rid of them.

Razia Bibi: Do you think we women councilors are as powerful as those women ministers on TV who have cars and guards? We could have done nothing and we did nothing. Fazlullah and his men spoke to us through radio, we did not speak to them. No such thing as reasoning with people you cannot speak to and who can kill you. I stayed indoors, that is how I coped. I did not want them to find out that I had been a councilor but just in case they did, I sent my husband to get a lawyer and court to sign my resignation and stamp it and I kept the original with me in case the Taliban found out and raided my house.

All the women councilors mentioned cases of where professional and working women's families relocated out of Swat well before the IDP crisis of 2009, and many of whom have not returned. According to their accounts, most of these were families with college educated girls who were working with NGOs or were teachers and such, have gone with their families and now work in Mardan, Charsadda, Peshawar, Swabi or other districts.

Shaheen Iqbal: I would not let them do to me what they did to Bakhtzeba (the union councillor, who was killed) without hurting them back. I kept a weapon with me all the time, but would not let them chase me away, I wouldn't flee. No one trusts people who are cowards and run away from problems, how can I expect people to vote for me at either council level or later at minister level as I hope, when they know that instead of solving their problems, I will run away from them. I sent my husband with the aged parents-in-law and my three daughters, I didn't want them to suffer, I did not see my children for a year. I stayed here in this house alone. We spread the word that Shah Izaat has gone to Lahore, hoping the Taliban will hear of it. Then we spread nettles, dried bushes and thorns outside my main door and locked it from outside, the traditional way people lock their houses and try to deter people from breaking in, leaving evidence for neighbours when someone has entered the premises by removing dry bushes. From the back of my bedroom wall, we carved out a small hole, a doorway into my neighbours and covered it with furniture. So when I needed to go out, I just went into my neighbours' house. My relatives did not want me to visit them at their houses because they could be persecuted and attacked because the Taliban were looking for me.

### Hindsight perceptions at the local level

The majority of the male respondents acknowledged that women supported the Taliban, though there were exceptions. Sikander Khan, while vociferous in his support for the local government system as a nursery for nurturing women's leadership, was dismissive of women's agency in acknowledging their support of the Taliban. "Not a single woman supported the Taliban voluntarily, not at the beginning, and not ever. If they said they did, they were lying to you and did not trust you, they thought you were all spies and were ferreting out information. The women were forced into everything by the Taliban, there was no willingness at any point."

The other male respondents echoed what the women themselves had stated, that almost all the women supported Fazlullah and Maulana Shah Doran (the fiery broadcaster on Fazlullah's FM station), and this support took the form of cash donations and jewelry and volunteer time by cooking of food and sharing produce. Women also coaxed their families into supporting the Taliban and took to their prescribed version of the burqa (the white shuttlecock). The male respondents agreed that the shift occurred soon and women started fearing and despising the Taliban. The turning point was frequently identified when the brutal killings of men started when their heads would be cut off (variously referred to as zibaah, halaala, sar qalmi). Girls' education was banned soon after, and that further reaffirmed their alarm. Anecdotal accounts refer to October 2007 as the time around when militants aligned with Fazlullah killed four policemen and paraded their severed heads through Swat, recounted as the first of many consequent beheadings.

In the interviews with men, there was unanimity that women suffered under the Taliban rule, and that local communities were not in accord with the Taliban about their treatment of women, no matter how conservative the community members were. Across Swat, people felt their restrictions were unfair and un-Islamic and brutal, but did not put up any resistance. "It was unimaginable to confront and challenge the Taliban," said Fazal-i-Mabood, himself an ex-Nazim. "How? With what?" he asked. Saqib Ali Shams, former head of a human rights group and a lawyer stated that he and his wife, a LHW (Lady Health Worker) were both in danger and had to relocate to Peshawar as there was no way of contesting the Taliban.

Shehzad Alam, a reporter with ARY Television News, pointed out that people stayed silent to save their lives and that of their families. "The local community was too weak to take on the Taliban on their own, and at that time, there was no state support to fall back on and nothing to turn to. People condemned their outlook and tactics, but not publicly, so they suffered in silence." "What else?" asks Barkat, an employee for an NGO, "How do you challenge a horde with heavy weapons and enthusiasm to use them?"

The men acknowledged and sympathized with the issues faced by women, from the education ban to prohibition of working outside the home, the restrictions on mobility and the trauma of constant fear, threat and exposure to violence. "Women here were not used to the *burqa* and

habitually took a chadar. So they started using both. It was very difficult for them, especially for women from urban areas,” said Barkat. “The Taliban emotionally destroyed women and people had no choice but to watch in silence, knowing it was wrong,” stated Hassanullah Khan, a financial investor and businessman from the area.

While the women councilors all supported the demand for Shariat implementation and were now critical of their own gullibility, the researchers tried to inquire what women had expected as tangible results that Shariat would enable. Across the board, the answer was ‘rights and justice’. This line of questioning was to understand that now that there is an ostensibly Shariat-driven system in place, the Nizam-i-Adl, whether women were now placing their demands or even engaging with the system in place that they had supported. The councilors said that women have not collectively engaged or put forward any demands or claims on the system. The point was to examine the potential empowerment that the Islamic regulatory system offered them and to see how women interface with it. Since they have not done so yet, it raises questions as to what kind of a system did they want to see and what form of engagement or citizenship had been envisioned. All the women felt this system had not delivered anything, but they had not taken any steps or mobilized against it either. Did they then expect that things would sort themselves out with some vague notion of ‘rights and justice’ for women? Or was it an empty agency?

The women councilors spoke about the collective sufferings of people across Swat. While they decried the suppression faced by women, they also pointed out that men of their communities were the most at threat. “More men were killed by the Taliban than women. At least if women conformed to their demands or simply stayed indoors all the time, they were safe from them. The men were dragged out of the house and killed on the slightest pretext. Men were killed for having certain jobs; for having certain political associations; for talking about certain issues; for being seen with certain people; for the way they dressed; for where they went; for who their friends or family were; on suspicion of being informants; for suspicions of being westernized progressives, for everything,” said Razia Bibi.

“News travels,” said Maryam. “We would hear of men being hung, slaughtered like cows or pumped with bullets at Khooni Chowk every few days. Everybody suffered, not just the women. In terms of outright physical violence, they got the brunt of it.” Tehmina Muhammad Bibi concurred. “It wasn’t like it was Taliban and men together against the women. It was Taliban against humanity in Swat.”

Out of the ten women councilors interviewed, one of them, Shaheen Iqbal was directly threatened by the Taliban and none of them suffered physical harm to themselves or their families. On the other hand, out of the fifteen male respondents:

- Hassanullah Khan, a financial investor, lost his brother to the Taliban, who was killed in a targeted car bomb explosion as he was the principal of a school.

- Saqib Ali Shams directly received death threats for being a human rights advocate and had to relocate to Charsadda and later to Peshawar after his house was occupied by the Taliban.
- Zaman Karim was shot in the neck by the Taliban after receiving direct threats for years, and earlier had lost his uncle and cousin, both of whom died protecting his house from Taliban assailants.
- Fazal-i-Mabood was threatened by the Taliban because of his political activism as Nazim and shifted to Peshawar.
- Shehzad Alam, a journalist, received threats and had to take precautionary measures including leaving the area for a while.
- Mohammad Tahir had to leave Swat because he was a development sector professional and the Taliban targeted people working for NGOs.

The male respondents were randomly selected. There was no attempt to include those affected by Taliban violence, so within the random group, high incidence is remarkable.

Processing the Taliban reign in hindsight, the men were sympathetic about the repression women suffered and wanted them to gain reprieve. The women pointed out that men also suffered, and in fact, suffered more. This highlights the point made frequently in conflict literature that conflicts bring communities together and shared sufferings bridge many divides. In turn, this sense of solidarity – which may be temporary - can be pursued to solidify compassion into creating spaces and tangible gendered gains for women.

### **Swat Moment 3: 'Peace' post army operation 2009**

This section discusses two moments: the Nizam i Adl (Peace Agreement) of April 2009 and the peace that came on the back of military operations beginning 5 May 2009 that resulted in the ouster of the Taliban from Swat. We begin with a brief chronology of the events that led up to the Nizam i Adl, its breakdown, and subsequent 'normalcy.' This is followed by our respondents' views about the Nizam i Adl, and the subsequent peace. Finally, we also discuss the twists and turns in the discourse around women's rights and highlight the shifts in how violence against women has been projected during different times thereby eliciting different types of reactions.

The Nizam-i-Adl was seen as an appeasement of the Taliban, a victory of sorts for them. Public opinion changed very rapidly over the following month, with significant support for the army operation that followed. They have been clubbed together as post-army operation 'peace' for the reason that the stipulations of the Nizam-i-Adl continue in Swat to date, such as Qazi courts implementing Shariat. The conditions of the peace agreement have not been scrapped after the Taliban ouster.

### **Introduction to Swat Army Operations**

There were two army operations and a few smaller surges by Pakistani troops in Swat to address the challenge the Taliban presence presented to the state.

The first followed the operation against Lal Masjid in Islamabad in July 2007, when the TNSM retaliated with suicide terrorism and call to arms against the Pakistan army. Terror attacks escalated and between 25 October and 7 November 2007 and militants seized control of most of Swat. The army operation against the Taliban, Rah-e-Haq, began on 15 November 2007. Pakistani troops suffered heavy losses because of suicide attacks and Taliban forces attacking military posts, including over fifty soldiers deserting positions and as many captured alive by the Taliban and paraded. Over a hundred police and paramilitary troops were also routed or surrendered and deserted after being disarmed by militants in Khwazakhela, Matta, Charbagh, and Madyan.

By 28 November, the Pakistani troops started making headway, gaining control of Imaderai (Fazlullah's native village and headquarters), Kuza Banda and Kabal, and closing down Fazlullah's radio station. Over the next few days, by mid-December, Matta, Khawazakhela and Madyan were also in army control after heavy fighting.

Meanwhile, there was growing public pressure from other parts of the country to stop the army operations and resume peace talks as high civilian casualties were reported.

Army assaults against the Taliban in Swat continued through December 2007, but were derailed after the assassination of Benazir Bhutto in Rawalpindi, who was largely expected to sweep the scheduled national elections. The same month, Fazlullah announced the merger of his group of Taliban with the Tehrik-e-Taliban Pakistan (TTP) under the leadership of Baitullah Mehsud in Waziristan – the TTP was among the group accused for Benazir Bhutto's assassination. The

country plunged into general chaos and some violence occurred in some parts, a lull in which Swat residents say Fazlullah's group consolidated and reworked themselves into positions of strength. Elections were scheduled less than eight weeks later.

In February 2008, the ANP (Awami National Party) won the provincial elections in NWFP and formed the provincial government. The party had campaigned as a harbinger of peace in the province. The newly formed government opposed continuing army operations against the Taliban in Swat. Two months later, on 20 April 2008, the government signed a peace accord with TNSM. The ANP defended the peace accord saying options for conciliatory peace had not been exhausted and failure of the Taliban to honour it would create public support for army operations.

Women across Swat interviewed for this research said that this was a wrong decision as it emboldened the Taliban. Whereas they had imposed restrictions on women, girls' schooling and polio campaigns previously. During this time period people were butchered and killed. Hanging dead bodies from poles and other such acts of savagery started. Many women recounted the killing and desecration of the dead body of Pir Samiullah as a case in point. After he was killed in a shootout for creating a tribal force (lashkar) against the Taliban, his dead body was exhumed and hung from a tree in a public place for four days, as an example of the fate of those who challenge the Taliban in Swat.

After a year of skirmishes with authorities and increasing media reports of Taliban atrocities, the ANP leadership decided to formalize the Taliban demand for implementing a Sharia-based judicial system across Swat. Basing the continuity of the ANP's support to the federal government on the agreement over signing the Nizam-e-Adl regulation, the ANP argued that it would establish the writ of the government in the region. As the main point of the accord, the 'Nizam-e-Adl Regulation 2009' was consequently promulgated by the Governor of the NWFP. After the National Assembly passed a resolution in favour of the document, the President of Pakistan formally signed it and made it into law on 14 April 2009.

Less than a week later, on 20 April 2009 Sufi Muhammad addressed a massive gathering in Swat where he announced democracy was incompatible with Islam, labelling politicians and clerics who believed in democracy to be 'enemies of the people'. Declaring high courts and the Supreme Court to also be un-Islamic, he said it would be forbidden for anyone to appeal to them and blamed religious-political leaders of infidelity for prescribing to institutions of democracy. The ANP had instead expected Sufi Muhammad to ask the militants to lay down their weapons rather than rejecting the political system of the country.

A few days later, a video circulating on social media was picked up by television channels, showing a woman being publicly flogged by the Taliban in Swat. The 'Chand Bibi' footage was met with outrage and led to increasing calls for action against militants in Swat. While the provincial government wanted to save its 'peace' bargain, public discontent was high, also in the

wake of the bombing of a shrine of a revered Sufi saint earlier that month. The Taliban reasoning for its destruction was that dancing women frequented the shrine.

In the first week of May, militants overran important government buildings in Mingora. The Taliban also started incursions into areas beyond Swat, into bordering Buner and Shangla to bring it under their control. The ANP decided that it had exhausted all other options and asked the army to conduct operations against the Swat Taliban. The army started its decisive operation in May 2009.

The Prime Minister, Yousaf Raza Gilani, called on the army to regain control of the Swat valley from militants. On 5 May, security forces launched Operation Rah-e-Rast and, unlike previous operations, sent troops to attack all strongholds of the militants.

By the second week in May, hundreds of thousands of people had streamed out of Swat towards Mardan, Nowshera, Peshawar, and Charsadda districts of Khyber Pakhtunkhwa, and towards Islamabad and other areas of the country where they took refuge with relatives. This triggered the largest wave of internal displacement the country has ever witnessed, as some 2.2-3 million people became IDPs, according to UN estimates. Camps were set up for the displaced population, but the overwhelming majority preferred shelter by relatives and host families.

On 9 June 2009, through an advertisement published in leading newspapers of the country, the provincial government identified 21 Taliban commanders as hard core militants and announced cash rewards ranging from Rs 10 million to Rs 50 million for information leading to their capture. Since then, ANP's political cadre has been targeted and killed by the Taliban.

On 13 July 2009, the operation ended and in line with the prime minister's announcement, the government started to encourage the return of the internally displaced to their homes after all militancy-hit areas were declared safe. Most did not return until the beginning of the month of Ramadan in early September.

On 23 February 2010, the army formally announced victory against the militants during a briefing to the Senate Defence Committee. The army chief declared that now it is the duty of the civilian government to take control of Swat to maintain the writ of the state established by the security forces. He said that the army would help the provincial government in this regard.

### **Nizam-i-Adl Regulation 2009**

The Nizam-e-Adl 2009 Regulation comprises 19 sections. The law provides for the establishment of a seat of the Supreme Court and a bench of the Peshawar High Court for the Swat/Malakand area. The High Court is now called the Darul Qaza and the Supreme Court the Darul Daryl Qaza.

Under this judicial system, the names of offices of judiciary and magistracy have changed nomenclatures. District and session judges are called Zilla Qazi; Additional District and Sessions

judges are the Izafi Zilla Qazi; civil judges are Aalaa Ilaaqa Qazi, and magistrates the Ilaaqa Qazi. The latter is to be an appointed provincial judicial officer who has preferably undergone a Sharia course from an approved institution.

The Nizam-i-Adl mandates that all cases, suits and proceedings in any court shall be decided in accordance with Sharia laws. It overrules and supersedes all other laws. The judicial and magisterial officers are entitled to take any action against any individual under Sharia law to control crimes (*sadd-i-jinayat*).

The Nizam i Adl elicited different reactions from our respondents. While some felt that it had facilitated peace in the sense of absence of violent conflict, others felt that it was fundamentally non-democratic and non-transparent in nature. While categorically in favour of the peace that the post-Taliban set up has brought, many residents of Swat have mixed feelings about the Nizam-i-Adl law. Most of the women councillors were ambiguous about it as they were not well informed about its stipulations. Maryam, a woman councillor stated “People are getting quick and cheap justice now, so this is better. Not that I have seen it. I don’t know of any cases, but it is what others say. I don’t know much about the law, in fact, I know nothing about this Nizam-i-Adl except that it was part of a compromise that allowed the army to move in and Taliban to get out, and that is good enough for me. Whether it provides other things or not doesn’t matter, it got rid of the Taliban so it was a great thing.” Ghazala Shah concurred. “I don’t know what the Nizam-i-Adl says. I don’t even know what the Shariat says, but if it says the same thing, it must be right.”

Tehmina Muhammad Bibi suggested that the change was not particularly radical. “We thought women would automatically get rights in the Islamic system, like property, *haq meher*, *zakat*. That has not happened. It is a quicker resolution of cases than those that go to court. But there aren’t any women going to court.”

Razia Bibi reflected on the gender aspects of judiciary-centric grievances. “I don’t know much about the Nizam-i-Adl, apart from the fact that it exists. It’s not like someone sent around a formal notification to us or anything, so how would I know? Ask the men, they are the ones who run off to the courts to solve their problems and have constant *peshis* (court hearings). I guess it has been their habit from the days of the Wali, to take everything to external authorities to arbitrate and solve. Women don’t. Our issues get resolved at the community level.”

Some other community members were more emphatic in their dismissal of the law. Ironically, it was the ones who were closest to the law, in terms of being able to witness results, who were the most dismissive. Shaheen Iqbal, who routinely goes to the courts, said “The Nizam-i-Adl has made no difference whatsoever. It has provided no relief. Who is it placating? Orphans without property rights, injustice, Taliban being let out of jails, it’s all a disaster. Everyone is confused, even lawyers don’t know what to do.”

Sikander Khan is a lawyer himself and the president of a district bar association. According to him, "The judicial apparatus is a mess, no one knows how much time there is for revision and appeal, nor if the Supreme Court is even applicable or not, quantitative evidence is preferred over qualitative. I can tell you that apart from dictating resolution of cases within six months, it is the same thing as regular laws. And judges are panicking because if they don't resolve a case in time, they will be transferred out.

Razia Bibi pointed out, "They gave us this law saying this is what people of Swat wanted. Well, the reason Swat needed a better judicial system is because everybody is fighting over everything. If there was law and order, if people's rights were secure and there were fewer avenues for exploitation, people would not be going to court now, would they? So instead of quicker dispensation of cases, they need to fix the system."

Some women councillors emphasized their ignorance about Nizam-i-Adl, saying they only heard about it on television. Some felt that this new system had been brought in only to appease the Taliban. They expressed they were disappointed with the results. For example, Surrayya Abdullah said, "We didn't know the terms and conditions. No one knows them. We were told to come home as all is clear. We found that Fazlullah was in Afghanistan so the long awaited *khush-khabri* (good news) that the government had promised us (i.e., apprehending Fazlullah) -- that we thought would be our Eid gift -- was not there. Fazlullah had left for Afghanistan. So people said that this is the government's doing."

Another councillor said, "We were in camps when the people started saying that it was safe to go back. We did not know its contents. We were told that our area is safe; but we don't know. We don't even know the duration of this agreement--is it four years? more? less?"

Two male respondents also questioned the leitmotif of the Nizam-i-Adl. One said, "Good or bad, this is a very sensitive issue now. There is conflict in our region and outsiders want to clear terrorism. But without local support, the outsider can't succeed. Linkages in society are important. Someone can say this one is a good person, that one is bad, the other is an informer. How can anyone find out? Support of locals for peace is a must. But peace accord with Taliban? Even if it was sensible, linkages with community and taking them as part of peace building process was skipped . . ."

Karim Owais said, "We have no knowledge of the terms and conditions of the peace deal. I have no interest in it either. We were sold by the state. If the Constitution does not protect, what interest level can be expected from the people? There was no information about the terms of the agreement. Journalists were killed who were trying to cover the peace deal. We were lucky to leave this place alive. I have nothing to say specific about women--we were all collectively sold and betrayed by the state, where should we go?" (*Jis ko riyasat baich day, woh kahan jayay?*)

There appear to be varied perceptions of the Nizam-i-Adl. On the one hand, women and men felt they lacked the requisite knowledge about the Act to comment on it and saw it as part of the

process that allowed them to be back in their homes rather than continuing to be dependent upon the goodwill of relatives and hosts; they were vastly relieved that bullets would no longer be whizzing past them or their loved ones. However, there were others who were highly critical of the exclusive process through which Nizam-i-Adl was introduced and questioned if it had brought any meaningful change in Swat.

### Post-Taliban 'Normality'

According to a fact finding report of the Human Rights Commission Pakistan (Swat – Paradise Regained? Fact Finding Mission Report 2010), most people praised the security forces for smashing the militants' network. However, they expressed apprehension that once the military pulls out of the region, the Taliban could once again regroup and resume their reign of terror.

Some of the women councillors interviewed for this research had similar responses. Ghazala Shah stated, "Things are much better now because of the army, and they should not leave. If they go, the Taliban will come back. We sleep in peace because of the army. We were fine in the Wali's time and we are fine in the army's time. Your democracy stood by and watched us get slaughtered, our lives meant less than public opinion. The men complain about the army hassling them. I say to them would you rather be in a traffic jam caused by the army's checking or would you rather be at your son's funeral?"

Fears of Taliban resurgence in Swat are not unfounded. Targeted killing of persons supporting the government and values such as girls' education and polio vaccines have continued unabated. The recent high profile case of Malala Yousufzai and the bombing in January 2013 are cases in point.

The perception of improvement in the situation in Swat is based primarily on the removal of the Taliban. As Maryam said, "Everything has improved because the Taliban are gone. First we thought the Islamic system would be good because the previous system was based on *sifaarish* and corruption. That has not gone away. But at least the Taliban have gone.

But Swat does not have a straightforward narrative of women's support for the presence of army troops. People have divided views. Marjan Kaleem, a woman councillor said, "We were told that our area is safe; but we don't know. Who were the Taliban? They were our own people, not from outside. The big Taliban leaders will be caught provided the government does not give them safety. There are greater fears of the army than of the Talib." A journalist, said that people were increasingly getting fed up of the army, even though they had initially supported them. "It's the daily hassles. Constant checking ten times a day, every single day, car searches, body searches. And it does not prevent terrorism either. The terrorists come and do their *wardaat* (strike) and flee."

Addressing the macro context of Swat and expressing his deep cynicism about the state, Karim Owais said, "There is no role for the state (*riyasat*). There is no *riyasat* here: courts, police, and army are there but there is no consolidated state. We have been sold and we are abandoned.

There is depression in Swat. The issue of women's voice in this situation is not possible. We don't have fundamental justice. For example, the disappeared: Who can give them justice? Who can be approached by the women relatives (mothers, sisters or wives) of the disappeared? Who can they name in an FIR? I have been made to stand in lines by both sides--the Taliban and the military. Who should I seek justice from?"

The HRCP 2010 report sums up the situation. "A year on, almost all the displaced people have returned to Swat. The army chief declared that the roots of terrorism have been removed. As the tide has turned against the militants, the spotlight has shifted to reports of excesses by the security forces."

The HRCP report documents an increasing number of dead bodies being found dumped in various areas across Swat. Some local residents said most of these people were believed to have been killed by the security forces and many people approved of the extrajudicial killings. The report notes, "Many of these people approved of extrajudicial killings and said that militants deserved to die and that it was difficult to prosecute them because of fear among witnesses . . . but some people also supported HRCP's demand that all such incidents should be investigated by the appropriate judicial authorities so that the exact situation is established." The army spokesperson denies and rejects this, stating that it is the militants who are responsible for these deaths as the army resolved to approach Swat in a way that does not alienate locals and tries to ensure human rights are not violated through army responses.

The research indicates a gender difference in perceptions. While there were exceptions in either cases, the women were generally supportive of the army's presence, resulting largely from the fear of Taliban returning to power if the army leaves. The men on the other hand, generally were fed up with the army's presence. While they acknowledged the army's role in driving out the Taliban, they spoke of the harassment, of bodily checks and surveillance on the roads and the traffic jams caused by spot checks and the need to travel with identity papers. The men were also suspicious about possible collusion between the army and the Taliban in earlier years, as many said that the intent had been there, the Taliban could have been defeated much earlier and quite easily.

In a post-conflict context, where rebuilding social systems are as important as rebuilding infrastructure, some degree of chaotic functioning is understandable. Shaheen Iqbal narrated her experiences: "I go to the courts, they give me the run around, go here, go there. As it is, women are outsiders to the system. The police send women and children to my house overnight until they get remand to send them to the Darul Aman. I manage to work better with the army."

The context has also led to people finding unique ways of working the system and benefiting from it. Shaheen Iqbal is one such example. "I mediate those cases where men are arrested for suspicions of being Taliban. Initially the army arrested male relatives of Taliban who fled. I arrange transactions of actual accused surrendering themselves in exchange for relatives, or

where the wrong people have been arrested. These are not the commanders, these are men accused of aiding and abetting. The army knows me and trusts me. If I tell them they have the wrong person, they look into it seriously and release him after investigating. I fill out the form of guarantee and sign an undertaking of responsibility for the person. So they are released into my custody. People are willing to pay for such assistance, so I charge, but not when they cannot afford it. I am not a councillor anymore so what is wrong with my charging them money? People pay lawyers to do the same work and no one has a problem with that. I don't have a law degree but I get the work done."

The male respondents we interviewed had different perspectives and theories. For example, Sikander Khan said, "The only good thing that came out of the Taliban reign was that it opened people's minds to critical thought. All Khans have lost ground, people have stopped buying into Jihad, anti-India rhetoric and blind nationalism, and there is distrust of the system and of everybody else. Now they are killing each other – the Pakistan Army, the Taliban and the Americans, what do we care, let them kill each other, because they don't have a future here anymore. The people have woken up."

Akhtar Hayat, Deputy Inspector General (DIG) Malakand said the officials realized the problems people face, and tried to ensure that the old grievances are addressed. In his opinion, the local governance system did not work, and while a few women do get a sense of empowerment, on the whole systemic level, there were too many fault lines. The DIG spoke about new systems that have been instituted in response to the grievances. "We have instituted a responsive civilian mechanism of Alternative Dispute Resolution (ADR). We have *Muslihati* Committees in every police station to help resolve minor issues/disputes that people bring. And it is working – only in Mingora, there are one thousand cases dealt within a month. It lessens burdens on the court, is a quick solution, usually within a week, and one that finds ready acceptance with people because it involves their elder community members in decisions. People acknowledge its effectiveness. In Khwazakhela, lawyers are protesting in front of judges that ADR has a negative impact on their livelihood because it has reduced the number of cases they can earn money from. The ADR, of course, is free. It is before the registration of a case through FIR, where we call the elders to the police station to settle issue. The ADR is instituted through a Standing Order, so it is not legally binding, only morally binding. Its outcome so far has been exemplary. Women are also approaching ADR committees, mostly in cases of domestic violence. Because honour is so highly valued here, public naming and shaming of men, disgraced for wife beating is enough of a punishment and is a deterrent in the future. No one used to file an FIR against domestic violence until it was severe enough to be a medico-legal case, and there was no corrective for lesser intensity violence. Now things are getting better here. Crime level is quite low – of course I am not talking about terrorism. But over 500,000 tourists came to Swat in summer 2012. So people are coming back here. Kalam ran out of petrol and rations, that's how many people came. Gradually public trust is getting restored. The image of the police in NWFP/ KP is much better

than in the other provinces, don't compare us to police in Sindh or Punjab or Baluchistan. People like us here, they support us.”

## Changing discourses around women's rights

### a. Changes in perceptions on targeting of women

It is compelling to reflect on the changing rhetoric in Swat as in the rest of the country with regard to attacks on women. The former Deputy Inspector General of Malakand region, Qazi Jamil-ur-Rehman compiled a list of women killed in Swat that they presented to civil society groups in Islamabad:

- Two women, Nasim and Zarwari, killed in Kabal on 23 July 2008
- A woman police constable, Aalia, was kidnapped, kept in confinement then killed after resisting threats from Taliban
- Two women, Sanga and her daughter Gulmina, both beggars, killed for involvement in 'immoral activities disguised as begging on 23 December 2008
- A singer and dancer, Shabana, killed for performing music on 2 January 2009
- A Lady Health Visitor, Jehan Begum, killed for having an 'un-Islamic' job on 24 April 2009
- Bano, Zakia and Kulsoom killed on 28 January 2009 for ignoring Taliban warnings
- One woman, Shamim, was killed along with four other family members on 10 January 2010

The list is incomplete as it does not include the murder of Bakht Zaiba, a woman councillor from Mingora.

While the ratio of the men killed by Taliban is far higher than that of women, killing women was of symbolic value. Sana Haroon makes the point that while the Taliban colluded with and strengthened local, domestic patriarchies that regulate women's bodies and behaviour to keep it within the private sphere, the Taliban also violated this by superseding familial male control by asserting their own rights to redress transgressions by women, thereby opening up women's sphere as essentially controllable. Feminist literature points towards how during conflicts, women's bodies present the canvass on which wider battle lines are drawn and messages scripted. (citation)

It is interesting to contrast three particular assaults on women:

Shabana was killed brutally by the Taliban in January 2009. She was a singer and performer of the famous 'dancing girls of Swat' from the musicians' locality of Banr in Swat. According to news reports, some Taliban stormed her house and beat her, then dragged her by her hair to a nearby public roundabout where she was repeatedly shot, and money was strewn all over her dead body and left there as an example for others. It terrorized the people of Swat and many musicians and dancers of Banr fled the area right after that. Her killing was covered by media as

straight, summary news reports of yet another example of Taliban brutality, but without much detail. There were few editorials or opinion pieces in newspapers but public opinion was not galvanized. There was some attention towards the cultural decimation the Taliban intended, but it was seen against the backdrop of wider Taliban atrocities of public hangings of men, and hence not particularly exceptional. Detailed writings reflecting on her killing and recounting her suffering started to emerge months later.

A few months later, in April 2009, Pakistani television channels picked up an amateur video circulating on youtube, of an unknown woman (later identified as Chand Bibi) being flogged publicly by the Taliban. TV channels showed it in a loop, repeating it over and over again for two days, TV talk shows debated it at length and newspapers and social media sites were flooded with editorials, opinion columns, outrage and general condemnation. Chand Bibi was said to be accused of being alone in her home with a man she was not married to, and hence charged for fornication by the Taliban. A few journalists and analysts associated with the Jang group raised questions about the authenticity of the video and defended the flogging as a proper Islamic punishment. The NWFP provincial government seized on this and launched vitriolic attacks against the social activist who brought the video to the fore and declared that the video was doctored. The ANP declared its circulation as a deliberate attempt to derail the peace process it had initiated. But public opinion remained unflinching in the call for action against the Taliban. The army operation in Swat started less than two weeks later. After the operation was over, journalists located the woman in question and verified that the Chand Bibi video was genuine.

After the army operation was declared over and the issue of terrorism in Swat resolved, during the army and civilian police's presence, another Taliban attack targeted a teenage girl, Malala Yousufzai, where she was shot twice at point blank range in October 2012 but remarkably lived through the assault. Malala was singled out by the Taliban for being a vocal critic and a child activist supporting girls' education. She had written a diary during the Taliban reign which was published as a blog on the BBC website. The attack on her was met with instantaneous condemnation across Pakistani society and drew international attention and ire. Since then, she has been hailed as a role model, a symbol of bravery and nominated for many global awards and pledged support from across the world. The government of Pakistan has undertaken to pay for her treatment and she was sent to the UK, her father given a diplomatic posting and her entire family moved abroad as the Taliban threatened to kill her if she survived. The President of Pakistan, the Prime Minister and various officials have gone to meet her in person and promised full support. Petitions were circulated to nominate her for the Nobel peace prize.

There are different ways of reading the variation in public outrage over these cases.

Shabana was a singer and dancer, which is associated with prostitution and hence, she violated mainstream moral codes and was less deserving of sympathy. Chand Bibi was not heard about either before or after the incident and came across as an innocent woman subjected to Taliban

atrocities. Malala was a child, a thirteen year old, so the emotional connections were undiluted by judgments on women's actions, and seen as a child who supported rights of other children.

In terms of the media, Shabana's case was reported as a single line news item whereas with Chand Bibi, it was made more real by video footage that was replayed constantly by the media. Her screams of pain were audible, enhancing her suffering, despite allegations that it was doctored. In Malala's case, she was known to the public as she had received a presidential award before being shot and the media highlighted her fight for justice. International media focused on her case as a symbol of an innocent's fight against injustice, and allegations that her father was an opportunist made no dents in public or media support.

Chronologically, Shabana's killing happened during the Taliban reign, when there was little detailed news coming out of Swat, except for scrimmages between the Taliban and the army. Taliban atrocities were reported in a matter of fact way that did not provoke sentiment.

Journalists in Swat were under extreme threat, and journalists from outside of Swat had no access to travel there to report. Chand Bibi's flogging video was shown when the ANP government had tried peace agreements which were controversial, often regarded as concessions and counter-productive. There was emerging public discontent at negotiations with the Taliban, and the powerful images made live by the video became a trigger. Malala's assault occurred when public opinion had already emphatically turned against the Swat Taliban and news media had comprehensively documented the kinds of atrocities the Taliban had inflicted. There was mounting national guilt for having allowed the Taliban to continue as they did, and the case of a child activist being targeted while the security forces were present in the city prompted a particular rage.

While the other cases of women killed by the Taliban as compiled by the previous police chief have still not warranted dedicated news space or collective reflection present in these three cases, these in themselves show, for whatever reason, that there have been shifts in public discourse about women in Swat.

### **b. Up against 'culture'**

Masroor Khan pointed out that cultural values imbue discussions on women in the public sphere, so even though Taliban ideologies have been discredited, the collective political voice of women still encounters social disapproval.

Our prior work revealed that despite the romanticism of the general perception of Swat as being idyllic before the Taliban (Swat was 'Pakistan's Switzerland'), for women, their communities were restrictive even then. Swat's 'openness' was largely predicated on the degrees of freedom of mobility and dress reserved for international and domestic tourists, not Swati women - even while they were able to go to bazaars and work in the fields and collect firewood. Women were drawn to Fazlullah's sermons not just because they felt they were learning about religion but because they were unsatisfied with the previous equilibrium. We infer this from our interviews

with women where they state that Fazlullah accorded them agency and said they were stakeholders in Swat's future – and that they had never been considered relevant political actors before. So while the Taliban are no longer ruling over the district, the previous patriarchal conditions continue to exist and remain a barrier to women's political voice.

But culture is dynamic, even if the changes are incremental. Most of the men interviewed in this study said the inclusion of women in local governance was a potent political tool, even while they disagreed on how it actually functioned. All the women stated their family support, and said they did not face hostility from their immediate communities. These are indicative of social change processes.

Akhtar Hayat explained, “At one level the Swat state was progressive in that it had girls' schools, but everybody didn't send their girls there – you can see the education rate statistics yourself. Women were still recognized as wife of XYZ and daughter of XYV, even in their identity documents. But things evolved, and they now have education and information. It only makes sense that they want a voice and representation now. They tried to find that through the Taliban, as they promised them property rights and decision-making. But change must be gradual and consensual – the Taliban were a result of when that was not the case.”

Social spaces have evidently expanded at the everyday micro-level experiences of women. “Men from Swat have a tradition of migrating for work, so they have some outside exposure. This time, as IDPs, even women got exposure to life outside Swat. They know how different things can be,” said Sikander Khan. Shaheen Iqbal pointed out that in Mingora city, women can be seen sitting behind men on motorbikes, which never happened before. Tehmina Muhammad bibi said young women are now escorted to college by adults deputed from neighbourhoods. Most of the women in Swat now have the computerized NIC identity cards. The loss of income, savings and assets over the Taliban years, army operations and floods have depleted people's economic base, making women's labour force participation more compelling. More and more women are availing micro-credit and taking up livelihood opportunities. “People's lives aggregate and make culture. Their lives have changed. Now culture has to catch up,” said Shaheen Iqbal.

### **c. Interventions for change**

The Police Chief presented an example of how the civil police initiated an important change.

Akhtar Hayat: The civilian police started a new, encouraging practice to safeguard and promote women by introducing women police here. We resorted to out-of-the-box solutions. With permission of the provincial government, we first recruited women from Chitral, which is the most liberal of districts in the Malakand Division. That was our first induction. The next year, women from Swat and Dir also applied for recruitment. We undertook confidence building measures and were careful not to break taboos. We constructed a separate barracks for women police officers. We involved village elders in decisions, and held meetings with them to guarantee the safety of women. We offered salaries higher than what women get in any other government department. As a result, we have forty women police officers from

Swat and over a hundred from the Malakand Division overall. They are all matriculated and between eighteen and twenty eight years of age. Every year, the response through applications is better. Many applications come from women from families of policemen, as those already in the police see how much of an effort and exception we make for them. We also needed women police officers to take with us when we conduct raids in homes in search of Taliban, and we need them for interrogating women criminals and accomplices.

That the discourses around women's rights are changing and opportunities for women are increasing was not mentioned by women councillors in the interviews. But a macro district can show that it is happening, albeit at a slow pace. More and more women are being hired by the development and humanitarian sectors. While many flood and IDP related projects are short lived, they have strengthened a cadre of women who have skills and want to continue to earn. Even service delivery organizations and projects have elements of awareness-raising built in, and many economic regeneration schemes have been launched. There are numerous funded civil society initiatives that focus specifically on women in Swat. A thematic listing or database or mapping of NGO and donor efforts would enable a sense of scale and a broader view of how interventions are being received.

A summary overview reflects that women are enthusiastic about engaging with economic empowerment initiatives and have sought micro-credit for varieties of schemes and are willing to go out for paid work opportunities, but are more reluctant to engage at the local level. While this can partly be explained by the lack of opportunities to do so with the local governance system in abeyance, that does not clarify why there is no political articulation of demands. While women were involved in citizen activism during the floods and in the IDP crisis, worked to assist others whenever possible, it is political and gender-based activism that seems to be flagging. Whether this is because of complete alienation from the current system or not having a strong tradition of civil society participation is a matter for further comparative study.

## Conclusion

This section consists of our findings and recommendations. It is divided into three distinct sections in accordance with our research objective of understanding barriers to women's participation. It discusses the findings at three connected tiers to explore gender power relations at the micro level and their reflection into the macro level:

Tier 1: Hindsight analysis of the interface between constitutional and policy changes for women's empowerment (via local body elections) and local patriarchies that resist change

Tier 2: Examine how conflict and post-conflict settings mediate the process of political change vis-à-vis women.

Tier 3: Studies the intersections of formal and informal systems that inhibit women's political engagement by employing the theme of voice and agency to explicate women's political responses

The recommendations are also arranged in the same context alongside specific recommendations for the Aawaz Project for advocacy work through partners.

### **Tier 1: Interface between constitutional and policy changes for women's empowerment and local patriarchies that resist change**

The Swat conflict prompts a revisit to out-of-vogue questions about the nature of the state and its relationship with women. Earlier feminist writings have focused on the conflictive aspect, of women being 'up against the state', the state being oppressive and patriarchal, but in our case study of Swat, the state provided the reprieve from misogynist patriarchy and oppression. But does its' reaction to masculinized violence make it a neutral arbiter of competing interests, or is it consistent with patriarchal protection? While the state is theoretically accountable and neutral, it has also been complicit in and the initiator of anti-women practices. In resistance studies, the state is perceived as always external and coercive, but in the case of women councillors' legislation and action against the Taliban in Swat, it displays a promise of liberation. Women in Swat seem to have an intuitive grasp of these contradictory strains. So while they express anger and a sense of betrayal that the state did not respond earlier and allowed Taliban's ascent to power. They also prefer not to engage with access points to the state – whether it is in the courts, the laws, the police, task forces or parliamentarians.

A key lesson that emerges from the experience of the previous decade is the issue of long term sustainability and institutional arrangements within LG. This primarily means that LG cannot be an "on again, off again" arrangement subject to the whims of different types of regimes. Military regimes favour LG while popularly elected dismantle LG structures set up by military regimes. Just like national elections are necessary for the continuity of democratic regimes, similarly, LG elections are critical for grassroots democracy. For social change that aims to provide justice and

equality for women, states need to pursue long-term political arrangements that ensure continuity of policy so that the political spaces and opportunities that have opened continue to be a part of sustained democratic processes. The specific arrangements of LG in terms of distribution of powers (administrative as well as fiscal) and the issue of reservation for women as well as other minorities can lead to the success or failure of the system. Unfortunately, Pakistan does not exhibit continuity towards LG policy. Such teetering interrupts women's political gains both at the individual and collective level.

Given that there is overall devolution in the country, it was assumed that when LG legislation is re-enacted under a new dispensation, there would be greater devolution of power and funds at the local level. However, the legislation, a replica of the 1979 legislation, is inclined toward the re-centralization of powers in the provincial tier and relies heavily upon provincial bureaucracy to manage local government system. Furthermore, the limitations and distortions within the LG system of 2001 had been amply highlighted and it was expected that lessons from the previous experience would be incorporated by the provincial government. However, this was obviously not the case for women's quota has been slashed from 33% to 10% without debate or discussion. Although reservations alone are not empowering, yet they serve as a critical element for women's equality both in the political and social spheres.

To provide a balanced and in-depth understanding of the gains made through quotas, further research and detailed policy work on several aspects is required. The exact arrangements to strengthen the structures and processes of LG as well as making it a permanent feature of governance arrangements, independent of the whims of different regimes, needs to be instituted. At present provinces have the prerogative to pursue or wind up LG and it is provincial government prerogative to decide the quotas for women. The basis and rationale for decisions regarding quotas is unclear, especially in KP. Historically, KP has retained minimal percentages of quotas for women and compared to other provinces including Baluchistan, it has displayed excessively conservative attitude by giving minimal (read meaningless) quotas to women. The current 10% quota is going to be ineffective; A minimum percentage, 33%, quota should be enforced through law as part of affirmative action by the federal government. Such legislation can be enacted in similar spirit as Article 25A that has made education a fundamental right for all children ages 5-16.

The arrangements for bringing women through reserved seats should be on the basis of direct election by their constituents, not nomination of the male council members. The incentives for political parties to field women candidates in their strongholds (rather than weak areas) as well as strengthening women's presence in leadership positions rather than as inconsequential party workers in women's wings need further investigation. The links between the three tiers of government need to be strengthened with at least 33% representation across the board, and women's caucuses across the three tiers formed with women's rights agendas that are responsive to women's strategic needs.

Both men and women felt that the provision of development funds to MNAs and MPAs, a practice instituted by General Zia ul Haq's military regime, as a means of buying parliamentary loyalty, needs to be discontinued. The main responsibility of parliamentarians is legislation, not overseeing infrastructure projects in their constituencies. In any case, development needs to be left to the priorities of grassroots people with whom local councillors are far more familiar than an MPA or MNA with large constituencies.

Men and women interviewed for this research agreed that women's voice in LG was barely audible. Apart from 'family cases' women UC councillors had little room for independent decision-making about development schemes and were dependent upon men for small approvals. Although they were directly elected at the UC level, there were no funds available to them for improving their communities. This chafed women councillors. If they had been given funds to pursue development schemes in their communities, their impact would have been visible leading to greater confidence in themselves and greater respect and recognition from their constituents. For further advocacy and research, we would advise analysis of MPA and MNA development funds, and the reversal to purely legislative responsibilities (as was the case before General Zia ul Haq took over) for the MNAs and MPAs.

Quotas strengthen political parties but political parties do not necessarily strengthen women's political careers when women come through quotas. Political parties' primary concern is to win elections for which they readily compromise women's political rights as voters and candidates. However, within political parties, some male leaders valued women's empowerment across party lines. These leaders need to be identified and their positions be used as role models for other male leaders to follow. Most male politicians use the development budget to muster support for themselves and their political party rather than new women entrants. Political parties are thus not ready conduits of support but systemic reform provides them incentives to be inclusive. Therefore, to make women's voices effective, the state needs to provide incentives for women friendly policies within political parties.

## **Tier 2: How conflict and post-conflict settings mediate the process of political change vis-à-vis women**

In the Swat context, people seemed to have few romanticized notions of new opportunities emerging for women's empowerment. The old structures were in disarray. In fact, the yearning for the comfort of routine--the familiar--with all its associated oppressions was welcomed by communities as it represented a semblance of order, even while women acknowledged that the old order was deeply problematic. New forms/ Orders were not welcome given that the new order promised by Fazlullah had turned out to be disastrous for everyone making them suspicious of anything new with a promise of improvement in their lives. Women councillors, we interviewed, were acutely aware that their own support, along with that of most other women, resulted in Fazlullah's popularity and material base of support. They look back and process it as misplaced agency – that they took a decision to assert their choice because Fazlullah's sermons

promised them decision-making powers, property rights, *haq mehr*, as well as acknowledged them as stakeholders in the future of the area and they were misinformed. Not only did they express mistrust of new initiatives, but distrust of their own analytic abilities. Thus, while new work opportunities have opened (work in NGOs) and old avenues re-opened (work in factories and restoration of government health and education services), women were weary of political spaces because neither Fazlullah nor political parties were seen to work for women's best interests.

The attention given to Taliban restrictions and atrocities against women has had the effect of centralizing women's protection (not women's rights) in political discourse. The unanimous rejection of the Taliban has also resulted in the rhetorical rejection of their ideologies about women, even though local patriarchies continue to function. But even the rhetoric can create spaces – the semantic can lead to the tangible if accompanied by political will. The study notes how general perception has changed over three pivotal cases on violence against women, even though the change can be attributed to various ephemeral factors. Expanding these momentary spaces into affirmative action platforms requires a cross board political commitment, which, as of now, is not in evidence.

At this point, it seems as if women can be either members of the community or citizens of the state – recourse to either leaves them beyond the ambit of the other. Our prior research shows women accessing state institutions are shunned by the community and women accessing informal systems like *jirgas* are left to fend for themselves by the state. The two exceptions are the local governance systems and the Alternative Dispute Resolution mechanisms. Both systems are grounded within the communities women live with and form a bridge between state and society. Though there is no evidence of local government being a priority for political leadership in Swat, it continues to hold promise for bridging formal civil networks with communities across Swat.

The Taliban had tightened the noose of structures so much that there were no spaces for voice demanding justice. In situations like this, when state institutions become completely dysfunctional, and the only method of establishing the 'writ of the state' is to resort to indiscriminate and disproportionate violence, how can issues of voice and empowerment be addressed? In these contexts, the state and its structures evaporate or wither away. How is any semblance of security and normalcy to be restored by that state? How can the different structures open up to provide new spaces to women? This calls for developing a critical understanding of what militancy implies for both women and men and how it impacts entire landscapes of political, social, cultural and economic life of regions. To explore this further shall not only contribute to the theory of change but also provide spaces to discuss these issues without being hostage to generalized perceptions that come with classic assumptions about the state and its structures.

### **Tier 3: Intersections of formal and informal systems that inhibit women's political engagement by employing the theme of voice and agency**

Do the terms of women's entry into the public arena determine their empowerment and therefore their voice? We assume voice to be the articulation of women's rights and space in collective contexts on both the home front and public front. While voice has to do with articulation, articulation cannot take place without a critical feature: empowerment. Deconstructing empowerment means that one not only qualifies individual agency as oppositional, psychological or strategic and tactical, but also understands structures--formal and informal, institutional and ideological. It is in the interplay of structure and agency that voice can find a space for articulation which leads to change.

The distinction between empowerment, agency and voice are vital and need to be theorized. While the effectiveness of voice or a lack of voice depends upon a number of external factors, women's empowerment at the personal level stays with them. They continue to exercise voice, perhaps in a less effective manner i.e., without direct decision-making powers, yet they continue to have impact upon decisions due to the higher level of awareness within local communities about rights, accountability and governance issues.

In the Swat context, women's empowerment appears to have been taking place in multiple contexts but the exercise of their agency and spaces for voice were mediated by powerful outside institutions and ideologies. Of the women interviewed, many articulated a deep understanding of their sources of oppression as well as spaces for action in the public sphere, their determination to contest elections with or without quotas despite the knowledge that political parties (and associated financial support) were not necessarily their supporters. Thus they were personally empowered and determined to exercise their agency. But it remains to be debated if they could obtain any space for voice to further equality during any of the 'moments' that we have discussed. This would be especially so in the context of the Taliban moment when different spheres began to shrink and close in on women--whether employment/livelihood, mobility, access to education and health, or the form of *purdah* they could observe. In all these contexts, though their empowerment was with them and they were aware of what they would have preferred to do, yet the exercise of agency and the articulation of voice were practically impossible. Violent conflict further put them back.

We also need to theorize more on addressing empowerment and voice in violent militancy contexts when the few gains that may have been made in reformist contexts are reversed. Post 9/11 literature broadly corresponds with two binaries: some literature aligns itself with narratives and interests of western powers in what has been referred to as an 'embedded feminism' by focusing on the suffering of Muslim women at the hands of Muslim men, in need of rescue by the civilized world; the other type of literature, 'Islamic feminism,' rejects looking at women as victims of culture and asserts that abiding by approved social practices is not oppressive but politically enabling. It celebrates women's conformity as an act of free will that opens up

possibilities of subversion from within. Where does this intersection of political ideology of anti-Western and gender power relations leave women? Should we reconsider what counts as political? Is disengagement a political rejection or apolitical apathy? (citation for the different feminisms)

In the Swat context, such simplistic binaries of resistance versus submission and agency versus passivity do not work. Women, who felt empowered by a faith-based movement spearheaded by Fazlullah, experienced the disempowerment first hand also. To be threatened and to be killed for attending office (whether as women councillors, health workers, school teachers, police women) or to be killed or lashed for being singers and dancers or just for being women (as in the case of Chand Bibi) was a wake-up call for women as well as men. However, everyone, women and men, were forced into silence. This is the oppression of structures.

At another level, a well-known feminist slogan is ‘the personal is political’. (citation) In Swat, the Taliban also agreed. So it leaves women in the peculiar position of inviting state authority into the private realm to regulate inter-household dynamics like domestic violence, yet insisting it leaves decisions such as attire and behaviour to private choices. The Taliban on the other hand, demanded all private decisions were equally governable. Since the public and private divide is understood to be intrinsic to reproducing gender dynamics and hence politics, does this mode of analysis predicate a secular context?

An examination of ground level politics further complicates political analyses. While the Taliban rise to power in Swat was ideologically paved by a religious-political alliance in KP during the Musharraf regime, the peace agreements, Nizam-i-Adl and operation against the Taliban was carried out under an ostensibly secular political party’s provincial government – albeit again by the army. Such differences become diffuse at the grassroots level as the play-out of political dynamics during elections in Swat shows that the religious-political alliance on the one hand, and the secular, liberal political parties on the other hand, colluded and worked together and adjusted seats during elections. They finalized agreements that women would not vote in many constituencies. In the run up to the army operations, the leader of MMA was protesting in the parliament to take action against the Taliban before they cross the Marghala Hills and takeover Islamabad, and ANP was resisting army action and insisting on the validity of their peace accord. Meanwhile, the whole spectrum of political parties at the local level agreed to ban women from voting in national polls – an initiative of the federal government under a military ruler. So the categorization of religious parties and secular parties in local contexts is misleading, as is the civilian military divide in understanding gender politics.

The discourse around women’s rights and protection in Swat was implemented by the government, political parties, by the army, and of course, by the Taliban militants. While the Taliban had a stated misogynist politics, the modernist liberal political parties also withheld support for women. The case of women councillors is similar to that of the Lady Health Workers. Both represented modernist ideals – devolved grass roots government mechanisms and

access to healthcare and family planning services – there is a plethora of literature that shows women are often regarded as a barometer for modernity. Both were official programs initiated through state policy decisions, both were threatened and attacked by the Taliban and both were abandoned by the State when women's lives were at risk. There were also significant differences between the two. The LHW program was instituted in the mid-nineties and is by now entrenched – the point about continuity above highlights the importance of allowing systems to develop and perpetuate. It was also launched by a democratic government (the PPP) and has by now wide based acceptance – notwithstanding the recent terrorist targeting of LHWs and polio workers in 2012. The women councillors on the other hand were instituted under military rule, under the aegis of the MMA government. While two of the research respondents worked both as women councillors and LHWs, for the most part, the responses of the two sets of women also seem to differ – the LHWs seem to have offered some resistance to the Taliban, and while women councillors did oppose the Taliban, it did not result in any collective action or transgression of rules laid down by them. LHWs were not a focus of this study, and would make an interesting comparison to probe in future research.

The family and community are perceived to be barriers to women's role in the public arena. However, our findings indicate the family, especially educated and enlightened family men, to have played a critical role in women's entry into the political sphere. While social expectations and pressures work to legitimize much of familial violence against women, such as around women's sexual transgressions and related violence a public performance of masculine honour, in the case of allowing and supporting women to contest local government elections, it is evident that families in general and related men in particular, were willing to risk social opprobrium for anticipated gains – whether the incentives were personal benefits or collective returns. This is indicative of porous social spaces. Thus, the role of family needs a deeper look to understand why some families support and even push their women into the political sphere when spaces open up while others continue to disapprove despite social gains including status/stature. It would help to understand/dissect patriarchy at the micro level as there are contexts in which it supports women but also contexts where it imposes misogynist traditions. The complex crisscross relationships at the family and community levels that are mediated by local patriarchies must be further investigated in the context of conflict when the absence of larger patriarchies such as state and its structures are almost absent.

Usually women cannot organize in conflict zones. Women councillors and general male respondents were asked about women's organizing and collective action in face of the Taliban reign. Both sets of people were dismissive and caustic about opportunities for organizing, when their survival itself was at threat, and when they had lost their homes and livelihoods. They were not facing a distant enemy that they could organize resistance in enclaves, but were faced by hostility and threatened by people they knew and where every street was monitored. When violent conflict emerges within a (relatively) small, localized scale, the avenues for opposition are even more restricted. People were grappling with unprecedented levels of violence (mortars,

hangings, brutal murders, beheadings), and where women could not meet an aggregate, there were no spaces for organized dissent. It is also worth noting that prior to the local government system in Swat, there was little precedence of women's spaces in civil society, so no pre-existing traditions, exposures or default positions to shore them up were available.

This research found that even after the Taliban were routed and a semblance of normality returned, women have remained reluctant to engage with civil and state institutions. While women were mobilized initially by Fazlullah's demand for Shariat driven laws, the current Shariat-propelled Nizam-i-Adl system has not prompted them to have expectations or place demands. Many women are still hesitant about stepping into the public sphere--they are still apprehensive about the re-emergence of the Taliban (as demonstrated by the shooting of Malala and later the bomb blast near Kainat's house). Rather than internal triggers, women's organizing shall need support from political forces and NGOs both within the district but also within the province and the country.

Given that there is a semblance of a peace of sorts, can opportunities re-appear alongside the reappearance of old structures? e.g., the re-emergence of state structures starting with the army and followed by other security (police), development (civil bureaucracy), and justice apparatuses. We observe that on the ground opportunities for women have reappeared in the form of employment and livelihood opportunities and restoration of basic freedoms (e.g., to visit doctors, bazaars, parks, or attend school/college/university) coupled with community acceptance of these opportunities. NGO reports also show that women are interested in the economic opportunities that have emerged in the post-conflict context. Yet the political sphere at the local level has narrowed spaces for women through the reduction of quotas; women also do not appear to want to have the same stake in the opening up of political spaces. While the reasons for this situation have been explained, we would like to suggest more investigation into women's disconnect from the state in the political context. Can women reassert themselves as a group before LG election when that is held? Can their networks (that are dormant at the moment but that had mobilized them in significant ways in the past) reactivate advocacy for women as a group? We recommend that this would be an important route to women's voice and demands in the political sphere alongside alliances with women MPAs and MNAs as well as supportive men.

### **Specific Recommendations for Aawaz Civil Society Organizations:**

Based on our findings reflected in the discussions above, we have extracted the main points that can provide entry points for further work. CSOs associated with Aawaz can explore and/or pursue the following in the short and medium terms in connection with research, advocacy and grassroots organizing:

#### **TIER 1**

1. CSOs continue to lobby for continuity of LG system and transparency within it by highlighting the critical role elected representatives can play through a devolved power

structure. Simultaneously, the LG system should have in-built mechanisms for transparency and allocation of funds to all council members on equal footing.

2. Lobby for affirmative action by the Federal Government for women's quota at 33% across the board in the three tiers of government. At present, women's quotas in LG are a provincial prerogative and can be reduced by provincial governments. The National Commission on the Status of Women (NCSW) along with the KP Commission on the Status of Women as well as other provincial commissions can also be alerted to this demand so that CSOs and the Women's Commissions can lobby with one voice.
3. Until the federal government is convinced to institute a 33% quota for women as part of affirmative action, CSOs can immediately undertake to advocate for restoration of 33% quota for women through direct election. This lobbying can take place at several levels: the provincial assembly members who passed the LG Act, political parties, district stakeholders especially supportive men within communities and civil bureaucracy. The KP Planning and Development Department and Women's Development Department were already part of a large program that trained local women leaders at the grassroots level for a role in LG. Therefore, some support can be garnered from within the bureaucracy.
4. Organize public debate questioning the availability of development funds to MNAs and MPAs through the Public Sector Development Programs (PSDP) of the federal and provincial governments.
5. The highest number of unregistered women voters live in KP. Strong advocacy on registration of women voters and ensuring that they are not disenfranchised by political parties through *jirga* decisions. Implementation of the Representation of People Act can ensure that no one threatens or prevents anyone from exercising their right to vote.
6. Political parties must be persuaded and pressured into providing greater support to women in terms of giving them party tickets as well as financial backing. Rather than citing religion and culture as barriers to women's exercise of electoral rights, women within political parties must be empowered. Alliances for greater participation by women must be formed at the district and sub district level.
7. Research in the development sector focuses on empirical, policy driven research, and universities and think tanks do not step in to fill the relevant theoretical and conceptual gaps.<sup>5</sup> However, the fundamental questions raised about the nature of state and understanding women's citizenship at the functional and conceptual level requires more academic research to frame issues and provide alternate lenses.

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<sup>5</sup> We are acutely aware that Universities, especially in the public sector, generally lack the theoretical rigor that may be required to enrich such debates (see for example, Zaidi, 2002; Inayatullah, Saigol and Tahir, 2005; Khattak 2009) but do believe that there are some dedicated public intellectuals in these universities and some think tanks who could be tapped into such initiatives, and it would be important to expose students to these debates.

## Tier 2

1. In Swat, the emerging discourse on women's protection should be expanded into a rights/affirmative action discourse. We note that general perception has changed over three pivotal cases on violence against women, even though the change can be attributed to various ephemeral factors. Expanding these momentary spaces into affirmative action platforms requires a broad political commitment. Though such commitment is not in evidence at the moment, CSOs can forge local level alliances with like-minded community leaders to push for the opening of democratic spaces for women. As a first step, the women councillors network can be reactivated or other similar networks can be formed. These networks can potentially provide voice to women. As a note of caution, this work would require sensitivity about local security.
2. While there is abundant research and analyses about the electoral processes and women's marginalization, there has been little rigorous research into questions around the role of the state in contexts of militancy and collapse of state structures. In such settings, CSOs can seldom be provided protection by the state in these contexts, therefore, grounded research or any work necessarily comes with its own risks. Having flagged the risk involved, we believe that there is little theorizing on women's political empowerment and voice in such contexts. A different lens and measure needs to be developed to fully understand and grasp institutional roles, state apparatuses and local structures in conflict contexts.
3. Relevant institutions could explore the possibilities of developing a gender-based conflict monitoring approach to pre-empt conflagrations, like the early warning systems in disasters. For instance, proverbial alarm bells should have rung when the radio station started broadcasting unconstitutional messages demanding restrictions on women. There have been reports of monitoring khutbas/ sermons for hate-mongering and incitement to violence. In this vein, mechanisms could be evolved for higher vigilance on gender which is often a precursor to extremist ideologies.

## Tier 3

1. To work effectively at the grassroots level, a more nuanced and informed analysis of the role of different political parties is needed. Our research points out that the categorization of religious parties and secular parties in local contexts is misleading, as is the civilian military divide in understanding gender politics. This topic needs further exploration for more effective advocacy work as well as provision of input into policies and strategies for change.
2. Investigate. through interviews with bureaucrats and MPAs, the lack of debate in the provincial assembly around the new Khyber Pukhtunkhwa Local Government Act (May 2012) for developing greater in-depth, understanding about political party positions in the provincial assembly as well as institutional barriers to acknowledging and legitimizing women's role in politics.

3. The complex crisscross relationships at the family and community levels, mediated by local patriarchies, must be further investigated in contexts of conflict when the absence of larger patriarchies such as state and its structures are almost absent.
4. The minute and multiple intersections of familial, local and external patriarchies require further research, as do the fractures in it. What prompts families to give selective support to women's empowerment, and how can these porous spaces be expanded? Comparative approaches could add new understandings and directions
5. Women's organizing is an important reflection of their agency provided the power structures are open to them. In the aftermath of conflict and natural disasters, we find that women's agency in the public sphere is encouraged in some areas (e.g., education, health and employment in acceptable contexts) but not all. While women themselves hesitate and have apprehensions about the costs and benefits of being politically active, they may need triggers/support from political forces and NGOs both within the district but also within the province and the country.
6. Although the KP government has announced that LG elections cannot be held anytime soon as national elections are scheduled for 2013, this provides civil society groups opportunities to campaign for women's meaningful inclusion with political parties as they finalize their manifestos. This is a time to plan a comprehensive strategy for women's inclusion in the political space in KP.

## Annex 1

Thematic Focus of Interviews with Women Councillors:

Interview Conducted by:

Date:

Name of the Local Respondent:

Category:

Place of interview:

### Part I After Local Governments during Musharraf's Rule

- 1 What role does the community and its structures play in determining women's political participation as a) voters, and b) contestants?
- 2 Does women's political leadership create conflict in families and communities? If so, how?
- 3 What do you think of women's decision making in politics as a) voters, and b) contestants? What kind of issues are they able to understand and handle better than men? Which ones do they not address well?
- 4 What is your opinion of the women councillors? Would you support them next time local government elections are held?
- 5 How did the experience of becoming councillors impact the elected women at that time? What impact did it have on them in the long term?
- 6 What were the issues of violence against women councillors, including preventing women from contesting and voting through complicity of political parties?
- 7 How did the system effect women as citizens? Could the roles of women at grass roots leadership levels be strengthened?

### Part IIDuring the Taliban Rule

- 1 In retrospect, why do you think women supported the Taliban? When did they stop supporting them?
- 2 Did women try to confront or halt the Taliban atrocities? How did the Taliban react to women?
- 3 How did men and the general community react to Taliban's restrictions on women? How did the restrictions on women affect others in the communities?

- 4 How did the Taliban's restrictions play out in your personal life? What kind of resistance do you think was possible?
- 5 What were the reactions to overt cases of violence against women by Taliban? Specifically, Shabnam, Chand Bibi and Malala? What were the commonalities and differences?
- 6 Do women intervene in conflicts at all? Whether at the household, tribal or community level? What kind of role could they play? How could women councillors have contributed?

**Part III                      Nizaam-i-Adl/Aman Moahida**

- 1 What was your personal opinion and feeling about the Nizaam? What was the general reception to it?
- 2 What issues did the Nizaam address effectively in your opinion? What did it ignore or make worse?
- 3 What considerations prompted implementing the Nizaam? What should have been factored in but was not?
- 4 How could it have been done differently?
- 5 How did the Nizaam affect women?
- 6 What were women's fears about and responses to the nizaam?

**Part IV                      Post-army operations, displacement and 'normalcy'**

- 1 What are the most significant changes regarding women after this return to 'normality'?
- 2 Do you think there have been new opportunities created for women? Has there been a change in general perceptions?
- 3 Were women's needs taken into account during army operations and displacement? What do you think about the NGO focus on women's needs?
- 4 What form or era of governance has been beneficial for women in terms of access to justice and access to service providing institutions?
- 5 When were women the most actively engaged? Post floods? During displacement? In reconstruction? What factors enabled it?

- 6 Do women still have fears about Taliban resurgence? How should women react if such threats emerge again?
- 7 Are there any changes in perspectives across generations? Is there an age differential in how people, and specially women, perceive the future of Swat?
- 8 Is the experience of women across various economic classes very different from each other in the 4 ‘moments’ and since ‘normalcy’?

#### Annex 1A

#### Semi Structured Interview with Male Respondents:

##### Categories:

Journalists  
 NGO representatives  
 Government representatives  
 Army representatives  
 Representatives of local administration or lower judiciary  
 Representatives from police & prison system  
 Politicians/ local notables  
 Educationists

##### Semi-Structured Interviews – Format

Name of the Person\_\_\_\_\_

Place of interview\_\_\_\_\_

Category\_\_\_\_\_

Date\_\_\_\_\_

##### Part I After Local Governments during Musharraf’s rule

1. What role does the community and its structures play in determining women’s political participation as a) voters, and b) contestants?

a- Are u familiar with the LG system                      Yes              No

a- Are you in favour of women to vote                      Yes              No

b- What do you think about women as voters? can they make changes in the community?

If yes, then what changes \_\_\_\_\_

if not, why not \_\_\_\_\_

### 1- A

a- Role of the woman councillors: what is your opinion about this position?

b- Is it a good political system                      Yes    No

If yes then why \_\_\_\_\_

If no then what are the reasons \_\_\_\_\_

c- Do female councillor make difference in social set up?

2 . Does women's political leadership create conflict in families and communities? If so, how?

2.2.What are the reasons of conflict and how can improvement be introduced?

2.3 What was its negative impact on families and community?

2.3 Female Leadership is accepted in local set up?                      Yes    No

If no why \_\_\_\_\_

3. What do you think of women's decision making in politics as a) voters, and b) contestants? What kind of issues are they able to understand and handle better than men? Which ones do they not address well?

3.1 Do you know a woman's role in political set up?                      Yes    No

3.2 If yes what role \_\_\_\_\_

3.4 Is it good or not \_\_\_\_\_

3.5 If not why \_\_\_\_\_

4. What is your opinion of the women councillors? Would you support them next time local government elections are held?



- c. What was the outcome, how it ended n why?
2. Did women try to confront or halt the Taliban atrocities? How did the Taliban react to women?
  - a. Any woman resented against Taliban?                      Yes    No
  - b. If yes what were the reason and why?
  - c. What was Taliban reaction?                      Positive              Negative
  - d. If negative what was it and why?
3. How did men and the general community react to Taliban's restrictions on women? How did the restrictions on women affect others in the communities?
  - a. What was community response towards Taliban?
  - b. Taliban negative outlook towards females was welcome by the men of social set up if not why not?
  - c. What was the community final decision regarding Taliban attitude towards women? Please specify
4. How did the Taliban's restrictions play out in your personal life? What kind of resistance do you think was possible?
5. Was there any restriction of Taliban in your personal life? If there were
  - a. please specify \_\_\_\_\_
6. What were the reactions to overt cases of violence against women by Taliban? Specifically, Shabnam, Chand Bibi and Malala? What were the commonalities and differences?
  - a. Do you know of Shabnam, Chand bibi and Malala cases?    Yes    No
  - b. How community reacted regarding violence against women by Taliban? Please elaborate
7. Do women intervene in conflicts at all? Whether at level?
8. A- at the household level      b- at tribal level                      c- at the community level?
9. What kind of role did they play?

10. What and how women councillors contributed?

- a. Do you personally support female role in politics? Yes No
- b. If yes, why
- c. If no, why not?

### **Part III Nizam i Adl**

1. What was your personal opinion and feeling about the Nizaam? What was the general reception to it?

- a. The Nazim's role was good? Yes No
- b. Please specify
- c. Did local people like the LG/Nazim system? Yes No
- d. Reasons for liking and disliking (please specify):

2. What issues did the Nizaam address effectively in your opinion? What did it ignore or make worse?

- a. LG/Nazim system addressed issues effectively in your view? Yes No
- b. If not, why \_\_\_\_\_

3. What considerations prompted implementing the Nizaam i Adl?

4. What should have been factored in but was not?

5. How could it have been done differently?

6. How did the Nizaam i adl affect women?

7. What were women's fears, obstacles about and responses towards the nizaam?

### **Part IV**

#### **Post-army operations, displacement and 'normalcy'**

1. What are the most significant changes regarding women after this return to 'normality'?

2. Do you think there have been new opportunities created for women? Has there been a change in general perceptions?
3. Were women's needs taken into account during army operations and displacement?
4. What do you think about the NGO focus on women's needs?
5. What form or era of governance has been beneficial for women in terms of access to justice and access to service providing institutions?
6. When were women the most actively engaged?
7. Post floods? B- During displacement? C. In reconstruction?
  - a. What factors enabled it? Please specify
8. Do women still have fears about Taliban resurgence? How should women react if such threats show up again?
9. Are there any changes in perspectives across generations? Is there an age differential in how people, and specially women.
  - i. How do you, the community and specifically women perceive the future of Swat?
10. What is the experience of women across various economic classes very different from each other in the 4 'moments' and since 'normalcy'?

## Annex 2

### District Swat: Observations of Aurat Foundation Election Campaign Monitoring Staff<sup>6</sup>

- In the district women did not vote in 39 UCs.
- Women were barred from voting in UCs of Shahdara, Navey Kaley, Faiz Abad, Amankot, Rang Mohallah, Islampur, Qambar, Odegram, Tandu Daag, Ghaleegay, Brikot and Kotakey under agreements by the contestants. Flaws were seen in the voter lists. There were at least two polling stations where man staff was performing duties at the women police stations.
- There was no woman voting in Badara UC and Matta Kharari UCs under the agreements.
- No women voting in UC ChaparYal. At the Women PS of GMS Shokhdara, in the staff of 13, 9 were men while in the RHC Chapar Yaal in the staff of 14, 9 were men.
- No women polling in UC Bar Thana and UC BahaKey.
- Staff shortage was witnessed at most of the women polling stations in UC Peer Lalay.
- Half UC of Darmay allowed women voting while the rest were disallowed in the name of customs and tradition.
- No women voting in UC Sakhara.
- No women voting under agreements in UCs of Miandum, Fatehpur, Khwazakhela, Shalpeen, Guli Bagh, Char bagh, Manglor, Tiligram and Kishwara.
- No women voting under agreements in UCs of Bara Bandai, Kuza Bandai, Kanju, Hazara, Kuz Abakhel, BarAbakhel, Tutano Bandai, Qalagey, Kala Kaley, Dewalai, Shah Dheri, Tall and Shamozi.
- No women voting under agreements in UCs of Atror and Balakot.

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<sup>6</sup> From: Unethical Electoral Practices. A Citizens' Report of the Local Government Elections 2005  
<http://www.af.org.pk/Citizens%20Reports/Unethical20Electoral20Practices.pdf>